



13 March 2014

Proposed District Plan Submissions
Thames Coromandel District Council
515 Mackay Street
THAMES

**Submission of the New Zealand Historic Places Trust Pouhere Taonga
to the Proposed Thames Coromandel District Plan**

1. The New Zealand Historic Places Trust (NZHPT) is an autonomous Crown entity with statutory responsibility under the Historic Places Act 1993 (the HPA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. The HPA also confirms the NZHPT as New Zealand's lead historic heritage agency.
2. Attached is the submission of the NZHPT in respect of the Proposed Thames Coromandel District Plan.
3. The NZHPT wishes to be heard in support of its submission

Yours sincerely

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Submission of the New Zealand Historic Places Trust in Respect of the Proposed Thames Coromandel District Plan

The purpose of the following is to provide context for the detailed submission that follows in the table. The purpose of the following is to provide the context for these submissions to assist the decision-makers, especially as the submissions relate to historic heritage items and areas, how archaeology is treated, and Maori cultural sites.

General issues

1. The NZHPT supports having historic heritage dealt with through scheduling and overlays.
2. It is noted that there are no specific provisions that have been made to deal with heritage building safety issues (such as the strengthening of scheduled buildings) in a manner that does not compromise heritage values. New rules to accommodate building safety works are proposed.
3. Also noted is a lack of incentives for heritage protection. Suggested non-financial (i.e. Plan-based) incentives could be:
 - Additional subdivision rights in exchange for active heritage protection in a subdivision;
 - The waiving of parking requirements associated with activities within heritage buildings.

Section 3: Definitions

4. The NZHPT supports the inclusion of a separate sub-section that incorporates heritage-related definitions, but requests changes to the definition of demolition, and inclusion of a new definition for partial demolition.

Section 4: Information

5. The submission seeks more specific information to accompany proposals that may affect heritage (including subdivision proposals with the potential to affect archaeological sites), and more specific information on when assessments may be triggered.

Section 5: Cross-boundary issues

6. There is an opportunity here to introduce the NZHPT, and its role in the regulation of archaeology. This section should also note the desirability of avoiding the duplication of processes where archaeological sites are affected.

Section 8: Overlay issues, objectives and policies – historic heritage: archaeological sites and Maori cultural sites

7. This part of the submission notes that having archaeological sites and Maori cultural sites subject to the same set of objectives and policies means that the values of the two types of sites are inappropriately conflated. While there may be overlap between the two types of site, issues, objectives and policies for each will be quite distinct. Therefore, separate objectives and policies should be included that seek the identification, assessment and protection of significant archaeological sites and Maori cultural sites.

8. The NZHPT is concerned that the Accidental Discovery Protocol in respect of unidentified archaeological sites is being presented as a Council rule, when such protocols are administered by the NZHPT. If included in the District Plan it should be for information/advice only (and clearly labelled as such), and should comply with the requirements of the NZHPT.

Section 8.3.3: Overlay issues, objectives and policies – historic heritage: items and areas

9. It is submitted that additional objectives and policies should be included that seek the identification, assessment and protection of historic heritage items. Once confirmed for inclusion in the schedule, items can be assigned a Category A or Category B, depending on their significance.
10. Each category would then be subject to specific provisions that reflect the assigned significance category.
11. For scheduled historic heritage areas, it is submitted that policies should seek the identification of buildings that make a direct contribution to the values of that area (which would then be subject to more restrictive controls over demolition, removal or repositioning on the site) and non-contributing buildings (where rules would be more focussed on the character of redevelopment).
12. Detailed changes are sought to objectives and policies to better provide for desired heritage outcomes. Reference to the *ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value* (Revised 2010) is sought.

Section 16 – Subdivision – Objectives and Policies

13. In general, issues, objectives and policies should explicitly provide for recognition of, and protection of, historic heritage (in a similar manner as biodiversity and natural character). Historic heritage protection should also be a factor in considering the need for and extent of esplanade reserves.

Section 17 – Tangata Whenua

14. Generally the use of a Maori Cultural Sites schedule (Appendix 1.2) is supported. A later part of the submission seeks the addition of one more site to the schedule.
15. The provisions that seek greater involvement of tangata whenua in resource management matters are supported, with the proviso that other legislative requirements are met.
16. It is considered that policies should place greater emphasis on protection of, and avoidance of adverse effects on, Maori cultural sites.
17. Provisions that seek to facilitate development of a range of Maori-related activities (both on Maori land and other land) are supported, but it is noted that other legislative requirements (including the District and Regional Plan requirements; Historic Places Act 1993, and Te Ture Whenua Maori Act 1993) require consideration.

Section 31: - Historic Heritage: Overlay and Appendix 1 – Historic Heritage Schedule.

The role of the NZHPT as it is described in the Plan

18. Two parts of Section 31 (31.1 background, 31.4.1 landowner information – NZHPT) purport to describe the role of the NZHPT in respect of historic heritage. This needs to be clarified to indicate the three main roles of the NZHPT:
- The only consenting authority in respect of any modification, damage or destruction of all pre-1900 archaeological sites;
 - The compilation and maintenance of the national Register of historic places, wahi tapu and wahi tapu areas, which will influence Council scheduling processes;
 - The lead national agency providing advice and information on the management and protection of historic heritage.

Archaeological sites and Maori cultural sites schedules (Appendix 1.1 and 1.2)

19. The NZHPT has several registered wahi tapu and wahi tapu areas in the district, with one particular not included on the appropriate schedule and which it is submitted should be scheduled in Appendix 1.2.
20. The NZHPT is concerned that the extent of protection for archaeological sites is not well defined. This is particularly an issue for the Tahanga environs, which is a substantial complex of archaeological sites, also registered by the NZHPT as a Category 1 Place and a Wahi Tapu.
21. Further research should be undertaken with iwi to identify and schedule further significant Maori cultural sites.
22. Changes to rules are sought based around what is permitted as maintenance, and to ensure that all subdivision potentially affecting scheduled sites is either a restricted discretionary or discretionary activity.
23. An Accidental Discovery Protocol, which is administered by the NZHPT, if included in the Plan, should be clearly labelled as advice only, not a Plan rule. It should be as supplied by the NZHPT.

Historic Heritage Items Schedule and Overlay Rules

24. In general the NZHPT is supportive of the Council scheduling a broad range of heritage, including a range of more recent places such as in Pauanui. There are also a number of places that are registered by the NZHPT which are not included in the Council's Historic Heritage Item Schedule. It is submitted that these should be included in the appropriate tables of Appendix 1.3. A number of errors in respect of NZHPT Register references have also been identified in the submission.
25. A fundamental concern is the failure to divide historic heritage places into two categories. Category A and B items, with the former receiving a higher degree of protection than the latter. The submission includes suggested rules for each category of item, along with assessment criteria where needed.
26. What the submission has not attempted at this point is the assignment of a category to each proposed scheduled item. A good starting point would be to assign Category A status to all Category 1 registered places). Places registered by NZHPT as Category 2 would in most cases be assigned Category B, while some may merit Category A.

Historic Heritage Area Overlay Rules

27. Historic heritage areas range from the homogenous (such as the tram bach areas) to the diverse. In the latter case it is submitted there is quite a wide variation in the contribution that particular buildings make to the wider area – especially where the extent of the areas is based on historic subdivision patterns rather than on the current existence of historic heritage. While consideration could be given to reducing the extent of the overlay in some areas, the submission suggests an alternative – that of identifying non-contributory buildings. Rules in respect of these buildings can then be more liberal than for contributory buildings.
28. In this regard, the proposal to allow any demolition, removal or repositioning of a building in a historic heritage area as a permitted activity is opposed. This status should be reserved for non-contributing buildings.

Section 38: Subdivision Rules

29. The submission seeks provisions for “heritage lots” on a similar footing as “conservation lots” in respect of historic heritage. This will help provide protection and avoid fragmentation of heritage resources.

Submission of the New Zealand Historic Places Trust to the Thames Coromandel District Council Proposed District Plan

(Strike: ~~abc~~ = delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
All of Plan as it deals with historic heritage	Support in principle	<p>The proposed plan is required to recognise and provide for the matters of national importance, in particular 6(e) <i>"the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga"</i></p> <p>The NZHPT considers that the format of the proposed plan, that includes in Section 8, the identification of historic heritage issues, objectives and policies being within one Section of the plan, of assistance to the reader in understanding the background and reasons for the rules.</p>	That a stand-alone heritage section, in the form of an overlay, with detailed identification of historic heritage be retained.
All of plan – use of the term "historical" in relation to heritage	Oppose	<p>The NZHPT notes that the word 'historical' is not defined in the proposed plan nor in the, RMA or HPA. The RMA provides a definition of historic heritage which means:</p> <p>Historic Heritage:</p> <p><i>"a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:</i></p> <ul style="list-style-type: none"> <i>(i) archaeological:</i> <i>(ii) architectural:</i> <i>(iii) cultural:</i> <i>(iv) historic:</i> <i>(v) scientific:</i> <i>(vi) technological; and</i> <p><i>b) includes—</i></p> <ul style="list-style-type: none"> <i>(i) historic sites, structures, places, and areas; and</i> <i>(ii) archaeological sites; and</i> <i>(iii) sites of significance to Māori, including wāhi tapu; and</i> <i>(iv) surroundings associated with the natural and physical resources."</i> 	<p>That all references to 'historical' (where used in relation to heritage) throughout the proposed plan are amended, where appropriate to read "historic heritage'.</p> <p>For example, change the wording of 4.3 d) (Page 39) as follows:</p> <p><i>"d) Any effect on natural and physical resources having aesthetic, recreational, scientific, historical historic heritage, spiritual, or cultural value, or...."</i></p>

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Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
<p>All of Plan</p> <p>Building safety in heritage buildings.</p>	Oppose	<p>RMA policies and plans should provide guidance and regulation to promote and improve heritage building safety. Building safety aims to reduce the risk of hazards to people and the building. This may include the risk of earthquakes, fires, storms, accidents and to improve physical access.</p> <p>The proposed plan does not contain any objectives, policies or rules relating to the building safety of heritage buildings. Building safety provisions improve safety for buildings and people.</p> <p>An example of possible rules is attached as Attachment A of this submission.</p>	<p>That the proposed plan is amended, through the addition of policy and rules to address the matter of building safety in heritage buildings.</p> <p>That the following policy be included within the relevant sections of the plan</p> <p><u>Policy xx</u> <u>Encourage and facilitate the strengthening of buildings included in the heritage schedule to increase their ability to withstand earthquakes, fires, storms, and accidents and improve physical access while minimising the significant loss of associated heritage values.</u></p> <p>Rules That the proposed plan provides rules to manage building safety, including relevant definitions as required.</p>
<p>All of the Plan</p> <p>Lack of provision for planning incentives for historic heritage.</p>	Oppose	<p>The NZHPT notes that while in Section 38 Conservation lots and ecological features are provided for in relation to subdivision and benefit lots, historic heritage is not provided for:</p> <p>The NZHPT notes that the parking provisions in Section 39 Transport do not include a waiver for heritage buildings. This is also the case for the assessment criteria relating to activities types which does not mention historic heritage.</p> <p>The NZHPT considers that incentives, or positive regulatory methods, can contribute to the preservation and protection of the district's heritage, however the proposed plan does not contain incentive measures i.e. protection lots, exemption from the need to comply with car parking and loading standards in the central commercial zones, or allowance for</p>	<p>Add a new Policy to the proposed plan:</p> <p><u>The protection of the District's historic heritage shall be encouraged through incentive provisions.</u></p> <p>That incentive provisions are provided within the plan in relation to historic heritage.</p> <p>For example, amend Table 5 In Section 39 to not require parking or loading spaces for heritage buildings for residential or other activities where such spaces are not currently provided. This provision could potentially contribute to the retention of heritage buildings and their surroundings.</p>

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Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
		appropriate non-residential use of heritage buildings in residential zones. The NZHPT seeks that the proposed plan be amended to include rules relating to incentive provisions to be applied to heritage buildings and sites and any related redevelopment. This should be supported by a new policy framework.	
PART I – INTRODUCTION			
Section 3 - Definitions			
Section 3 Historic Heritage Section	Support in part	<p>The NZHPT supports the inclusion of a separate sub-section within the plans definitions section relating to the historic heritage terms. This greatly assists the reader as the terminology is easily found with specific proposals readily defined for cross reference with the activities table.</p> <p>However, the NZHPT is concerned with the definition of demolition as follows: <i>“Demolition means the destruction or removal of 30% or more of the building footprint of a building or structure.”</i></p> <p>This definition does not adequately provide for the protection of historic heritage from inappropriate use and development. Demolition of less than 30% of a building or structure would default to an addition or alteration whereby it would be classified as a controlled activity. This classification and the corresponding assessment have the potential to be too lenient on the nature and extent of allowable demolition.</p> <p>30% of the footprint of a building or structure may include the façade or other elements and features of historic value. Further, demolition of 30% of a footprint on a two or three storey building may have a significant effect on the heritage significance of the building</p> <p>The NZHPT is concerned that the definition in the proposed plan is too liberal and considers that two separate definitions would serve to better</p>	<p>That the sub- section containing the definitions relating specifically to historic heritage terms be retained but that the definition of demolition be deleted and replaced by two separate definitions as follows:</p> <p><u>Partial Demolition:</u> means to demolish a substantial part of any building or structure. Partial demolition includes <u>facades retention which normally involves the demolition of the rear or a substantial part of the building or structure and the retention of the front of main façade and the construction of a new building or structure behind the preserved façade.</u></p> <p><u>Demolition:</u> means to damage and demolish a building or structure.</p>

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		protect historic heritage. The addition of the definition of partial demolition will require inclusion in the activities table for historic heritage. Refer to that part of this submission that considers Section 31 of the Plan.	
PART I – INTRODUCTION			
Section 4 – Information Requirements for Resource Consents			
4.3 Assessment of Environmental Effects Requirements	Support in part	<p>The NZHPT supports in part this information requirement within the proposed plan (noting the change of wording from historical to historic heritage as sought on Page 1 of the NZHPT submission):</p> <p>“An application must include an assessment of the activity’s effects on the environment that addresses all the following effects and provide information as required below to the level of detail that corresponds with the scale and significance of the environmental effects.</p> <p>The assessment must consider all of the following effects if applicable:</p> <p>d) Any effect on natural and physical resources having aesthetic, recreational, scientific, historical historic heritage, spiritual, or cultural value, or other special value, for present and future generations. “</p> <p>The NZHPT seeks the inclusion of an additional request for a historic heritage assessment that also directs the reader as to the content of the report and who should prepare the report.</p>	<p>That the following additional information request is included in the proposed plan in relation to environmental effect requirements for historic heritage:</p> <p><u>An assessment of effects on historic heritage (historic heritage assessment) shall be provided for applications to undertake additions, alterations, relocations or demolition of a built heritage item. The assessment shall be proportional to the scale and intensity of the effects of the works being undertaken and shall be prepared by a suitably qualified and experienced heritage specialist/s. The historic heritage assessment shall address the criteria contained within Attachment B, criteria for determining significance of heritage features (Info Sheet 2). The assessment may include advice from the New Zealand Historic Places Trust.</u></p>
PART I – INTRODUCTION			
Section 4.4 – Subdivision Application Requirements			
1 m)	Oppose	<p>The NZHPT notes that the majority of archaeological sites have not been identified in the district and are therefore unknown, however all pre 1900 archaeological sites are still afforded protection under the Historic Places Act 1993. Protection of heritage items and their surrounds is most effectively achieved at the time of subdivision.</p>	<p>Deleting the word “known” from prefacing archaeological sites to read as follows:</p> <p>“m) The location and extent of any known archaeological site.”</p>

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4(g)	Oppose in part	<p>That archaeology and Maori Cultural Sites are both included in the definition of historic heritage and for consistency should be listed together under historic heritage..</p> <p>Refer to the definition of historic heritage in the PDP, RMA & HPA which all include archaeology and cultural or sites of significance to Maori as being included in historic heritage.</p>	That 4(g) be amended to read as follows: <i>"How any special values (e.g. Historic heritage (including <u>archaeology and</u> Maori cultural sites), statutory acknowledgements, natural character, landscape, archaeological sites, significant trees, <u>and indigenous vegetation</u>), are integrated into the development..."</i>
4.5 Administration Requirements			
3 & 4	Support in part	The NZHPT considers that requirements 3 & 4 have been included in the wrong section. An assessment of how an activity will affect overlay rules and the requirement for related assessments are not administration requirements. In addition, as archaeology is included in historic heritage it should be referenced accordingly, and for consistency, as archaeology is specifically noted, so should Maori Cultural Sites.	To provide for better consideration of the effects of an activity within an area that is subject to overlay rules the requirement for professional specialist reports would be more appropriately included in 4.4.as a separate clause, with archaeology and Maori Cultural Sites included as follows: <i>"If the activity is within an area affected by overlay rules (Part VI of the Plan), professional reports from a suitably qualified person may be needed to properly assess the effect of the activity on the overlay's values or issue (e.g. Landscape, natural character, archaeology, natural hazards (particularly a flood hazard assessment), biodiversity, historic heritage (<u>including archaeology</u>, and Maori <u>cultural sites</u>), significant trees."</i>
4	Support in Part	The NZHPT consider that the wording is confusing and would benefit from the removal of words to provide clarification.	That 4. be amended as follows: <i>"Professional reports may be required if the activity's effects exceed or there is uncertainty if they may exceed Plan standards or thresholds (<u>or if uncertainty exists</u>), or if they need require an assessment as a matter of policy</i>
Section 5 – Cross Boundary Matters			
Background			
5.1	Oppose in part	The NZHPT seeks amendment of the wording of the sentence to more accurately represent certain entities and their roles and functions,	That the sentence be reworded as follows: <i>"There are a number of other organisations and</i>

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		particularly those statutory and regulatory functions of the NZHPT which are not included.	<u>statutory agencies</u> that also have resource management functions and responsibilities in the District, including the Department of Conservation (DoC), the New Zealand Transport Agency (NZTA), iwi authorities, and the Hauraki Gulf Forum, <u>and the New Zealand Historic Places Trust (who as the lead heritage agency administers the HPA including managing the archaeological provisions and maintaining the national Register of significant historic places and areas..</u>
5.2	Oppose	That the potential for the duplication of roles regarding the management of archaeological sites should be recognised. A sentence should be included to acknowledge the statutory and regulatory role of NZHPT in administering the archaeological provisions of the HPA regulating the modification or destruction of all pre 1900 archaeological sites and draw attention to the duplication of archaeological roles that may occur between the NZHPT and the Council.	Include a sentence being point 5 as follows: "Avoid duplication of archaeological provisions and roles between the NZHPT and the Council".
5.3	Oppose	The NZHPT considers that further clarification is required regarding the statutory role of NZHPT regarding activities that may affect historic heritage including archaeological sites to ensure a co-ordinated and collaborative approach in assisting local government to resolve archaeological issues that cross jurisdictional boundaries.	That an additional process be inserted as follows: <u>" 13. The Council shall encourage applicants to liaise with NZHPT at an early stage with proposals to further develop any historic heritage, places or area, and for activities that will affect archaeological sites to ensure a collaborative and co-ordinated approach to the preparation of information and outcomes that may affect archaeological sites.</u> And any other consequential changes that may be required for consistency throughout the proposed plan.

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5.4	Oppose	It is considered that the NZHPT should be referred to in the methods and processes which are additional to the processes outlined in 5.3 in order to identify the Council's role in facilitating greater public awareness of heritage and of the potential for heritage to be compromised.	That an additional Method and Approach be included as follows: <u>Facilitate greater public awareness of heritage comprising historic, archaeological, and cultural items in association with the New Zealand Historic Places Trust.</u>
Part II – Overlay Issues, Objectives and Policies			
Section 8 – Historic Heritage: Archaeological Sites; Maori Cultural Sites; Historic Heritage Items and Historic Heritage Areas.			
Heading	Oppose in part.	That 'Historic Heritage' is not readily differentiated as the Section Topic. The words succeeding Historic Heritage should not appear as equivalents as they are components of the term.	That the wording "Historic Heritage" be clearly distinguishable from the list as follows: <i>"Historic Heritage: (Archaeological Sites; Maori Cultural Sites; Historic Heritage Items and Historic Heritage Areas)"</i>
8.1.1 Background – Archaeological sites and Maori cultural sites	Oppose the joint consideration of archaeological sites and Maori cultural sites	<p>The NZHPT considers that this section generally contains inaccuracies, in that it confuses and conflates the values associated with archaeological sites and Maori cultural sites.</p> <p>The NZHPT suggest that the section be rewritten and edited to provide separate background descriptions for Archaeology and Maori Cultural Sites to recognise the different sets of values that are being provided for, noting that not all archaeological sites are of Maori origin (however some may be of cultural significance or value to Maori). Noting that eight out of the 25 archaeological sites on the schedule relate to early colonial historic settlement and development of the district.</p> <p>Maori Cultural Sites have been identified separately in the proposed plan and then conflated in this section.</p> <p>An archaeological site is defined as a place associated with human activity that is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand. Physical evidence, however, is not a prerequisite for Maori Cultural Sites. This is</p>	<p>That the Background for Archaeological Sites and Maori Cultural Sites be rewritten along the following lines:</p> <p>8.1.1 Archaeological Sites: <i>"The Plan provides an additional layer of recognition and protection for those archaeological sites identified on the planning maps and in the Archaeological Sites Schedule in Appendix A1.1. The locations listed in the Archaeological Sites Schedule represent some of the most significant historic heritage resources in the District. While the district has in excess of 11,000 recorded archaeological sites. (identified in the New Zealand Archaeological Association database (Archsite)), 25 archaeological sites, including three comprising a number of sites, have been assessed as meeting the "Criteria for Determining Significance of Natural and Cultural Heritage Resources" in the Waikato Regional Policy Statement (RPS), and have been included in the plan and shall be managed accordingly.</i></p>

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		<p>reflected in the wording of the section 6 (e) of RMA requires that, the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga be recognised and provided for as a matter of national importance. Conversely under section 6(f) archaeology is safeguarded through the protection of historic heritage from inappropriate subdivision, use, and development.</p> <p>The NZHPT considers the different values of archaeological sites and Maori cultural sites that are being recognised and assessed should be reflected in the objectives and policies.</p>	<p><i>The Historic Places Act 1993 (the HPA) protects all pre-1900 archaeological sites, whether registered, scheduled, recorded under the New Zealand Archaeological Association scheme, in council records or previously unrecorded. (The HPA also protects a small number of gazetted post-1900 sites but there are no such sites currently in the District). The provisions apply to any pre-1900 site that may be uncovered or identified in the course of exercising a consented or otherwise permitted activity. It is an offence under section 99 of the HPA to damage, modify or destroy an archaeological site without an authority from the NZHPT.</i></p> <p><i>In many instances the full archaeological extent of known sites has not been ascertained where unidentified features may extend sub-surface. Further assessment may be necessary to ensure sites are not disturbed or damaged through earthworks, construction or even less intrusive activities such as landscaping and fencing. Where any archaeological site is discovered during works, the works must stop and the New Zealand Historic Places Trust must be contacted in the first instance to confirm requirements under the HPA</i></p> <p>8.1.2 Maori Cultural Sites <i>Historic Heritage includes sites of cultural value to Maori (including wahi tapu and wahi tapu areas). The RMA requires that the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga be recognised and provided for as a matter of national importance under Section 6(e) of the RMA. Eleven wahi tapu sites and</i></p>

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			<p>areas have been identified as being of cultural value to Maori and in Appendix A1.2. All but one of these wahi tapu sites and areas are also listed in the NZHPT Register.</p> <p>Many parts of the District have not as yet been surveyed and more information may become available in the future. Maori kaitiaki may also mean that full knowledge of wahi tapu and wahi tapu areas or other sites of cultural value have not been disclosed. It is appropriate for local iwi and hapu to define the nature and extent of sites of cultural value within their rohe. They can also decide which of their sites of cultural value to submit for protection within the Plan. There may be instances where tāngata whenua prefer not to disclose the location and/or details of wāhi tapu (such as urupā). Such sites are not included in the Plan. When sensitive information becomes available, for example through the resource consent process, the Council will make use of Section 42 of the RMA to restrict its publication.</p>
8.1.1 Reference to Accidental Discovery Protocol	Oppose the consideration of these as the same item	<p>The NZHPT is concerned that reference to the implementation of an Accidental Discovery Protocol to consider unidentified Maori cultural sites is ambiguous and requires further clarification to outline how such a method may be given effect and to what end.</p> <p>The ADP 31.4.2 relates specifically to the discovery of archaeological sites and by implication tangible Maori cultural sites. The ADP as currently referred requires amendment in line with NZHPT standard discovery protocol.</p> <p>A discovery protocol is a tool to be used for activities where the potential for unidentified archaeology has been appropriately assessed as part of the process and is considered low, It is not a default mechanism to</p>	<p>Remove the sentence:</p> <p>"Where sites have not been identified on the Planning Maps or have not yet been discovered, the Accidental Discovery Protocol applies."</p>

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		provide for the identification of archaeological sites in lieu of in appropriate planning. This document is created and maintained by the NZHPT and provided when appropriate by the NZHPT. We support the inclusion of a discovery protocol as an advice note in this instance to ensure that landowners are aware of their legal obligations when undertaking works that may be in compliance with resource consents.	
8.1.2	Support in part	<p>While 8.1.2 relates specifically to the background for Historic Heritage Items and Historic Heritage Areas, the NZHPT concurs with the mention of archaeology as archaeological values that may not have been previously identified or evaluated may be attributed to buildings, structures and Heritage Areas.</p> <p>The NZHPT considers that 'unwitting damage' to historic heritage may be incurred by other factors as well and that the potential for this harm should be articulated in the plan.</p>	<p>That the sentence be amended as follows:</p> <p><i>"Unwitting damage to heritage values includes inappropriate additions and alterations, <u>subdivision, modification to historic landscape setting, plantings and trees (including associated original outbuildings), siting fences on archaeological sites, or demolition or removal of buildings or structures with significant heritage values.</u>"</i></p>
8.2 Issues	Support in part	The NZHPT agrees with the identification of issues and seeks minor amendments for clarification	<p>That the following sentences are amended to read;</p> <p>2. <i>Lack of knowledge or lack of recognition of the existence of <u>historic heritage</u>; an archaeological site (which includes a building or structure); or a Maori cultural site can result in it being damaged, modified or destroyed.</i></p> <p>3. <i>Historic heritage including buildings, structures, urban areas and archaeological sites are a product of past human <u>once adversely affected or destroyed</u> activity that cannot be readily replicated or replaced. <u>It is vulnerable</u> They are susceptible to physical change that may reduce or destroy the qualities, features and fabric that contribute to their <u>its significance.</u></i></p>
8.3 Objectives	Support in part -	The Plan is required to recognise and provide for matters of national	That the objectives and policies in Section 8.3 in respect

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and policies		<p>importance, in particular 6(f) 'the protection of historic heritage from inappropriate subdivision, use and development'</p> <p>While the NZHPT supports the inclusion of an objectives and policies framework to guide rules for historic heritage, it is unclear whether the protection of historic heritage is a primary objective as required by the RMA. The NZHPT is concerned that objectives and policies are weighted towards managing the effects of activities on historic heritage as opposed to its protection.</p> <p>Archaeology relies on a physical or scientific component (which may have a cultural element), whereas for Maori culture sites, the relationship element is critical, as the proposed plan is required to recognise and provide for the matters of national importance, in particular 6(e) "<i>the relationship of Maori and their culture and traditions with their ancestral lands, water, sites and waahi Tapu and other taonga</i>"</p> <p>The NZHPT considers that the format of this section should be amended to provide separate objectives and policies for better identification, protection and management of significant archaeology and Maori cultural sites.</p> <p>The NZHPT has concerns with the word "enhance" in Policy 2b, as it is unclear what this could mean in relation to heritage values. The NZHPT consider that this word should be deleted.</p>	<p>of archaeological sites and Maori cultural sites be separated out and presented in two separate groups. The following is the suggested wording to replace Objectives 1 and 2 and associated policies:</p> <p>Archaeological Sites Objective 1 <i>Significant archaeological sites should be identified and protected to retain the identity of the District's history and culture.</i></p> <p>Policy 1a <i>Subdivision, use and development shall be managed to provide for the protection of, and minimise the risk to, significant archaeological sites as identified in the plan, or where they exist.</i></p> <p>Policy 1b <i>Land disturbance activities, including planting, removal of vegetation and excavation, shall be managed to avoid or minimise adverse effects on significant archaeological sites.</i></p> <p>Significant Maori Cultural Sites Objective 2 <i>Significant Maori cultural sites should be protected from damage and destruction so as to maintain the relationship of Maori with their cultural and heritage values.</i></p> <p>Policy 2a <i>Land disturbance activities shall be managed to provide for the protection of historic and cultural values of significant Maori cultural sites and the relationship of</i></p>

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			<p><i>iwi and hapu with those sites.</i></p> <p><i>Policy 2b</i> <i>Subdivision, use and development on significant Maori cultural sites shall maintain the relationship of iwi and hapu and their culture and traditions with those sites.</i></p>
8.3.3 Historic Heritage Items and Historic Heritage Areas	Support in part	<p>The NZHPT supports the inclusion of objectives and policies relating to built historic heritage.</p> <p>There is however insufficient policy basis for the assessment and incorporation of historic heritage items and places into the historic heritage overlay. In this regard, it is submitted:</p> <ul style="list-style-type: none"> that each historic heritage item should be assigned one of two categories: Category A or B, according to its significance, and that Category A items be subject to greater levels of control in respect to specific activities that could affect the item. that within historic heritage areas, contributing buildings should be identified and subjected to greater control in respect of demolition, partial demolition, removal or repositioning. <p>The NZHPT however considers that:</p> <ul style="list-style-type: none"> protection, as required by 6(f) is not adequately provided for and that policy to include protection would be beneficial. the historic context and surroundings are a key element in recognising and providing for the protection of historic heritage as a matter of national importance under section 6(f) RMA and that this should be acknowledged in the policy. Inappropriately managed activities adjacent to or on sites associated with historic heritage can weaken or even destroy the connections to the past (this is not exclusive to built historic heritage and in particular the Council is urged to include this policy in relation to Maori Cultural Sites). 	<p>That the objectives and policies in respect of historic heritage items and historic heritage areas be amended as follows:</p> <p><i>Historic Heritage Items and Historic Heritage Areas</i> <i>Objective 3</i> <i>The District's historical identity is maintained and enhanced <u>Historic heritage items shall be maintained and protected to retain the integrity and identity of the District's historic heritage.</u></i></p> <p><i>Policy 3a</i> <i>Historic heritage items shall be identified, evaluated and included on the historic heritage overlay.</i></p> <p><i>Policy 3b</i> <i>When included on the overlay, historic heritage items shall be assigned a category as follows:</i> <i>a) <u>Category A: items that are of special or outstanding significance to the locality, region or greater geographic area</u></i> <i>b) <u>Category B: items that are of significance or value to a locality or greater geographic area.</u></i></p> <p><i>Policy 3a-3c</i> <i>Modifications or development on the site of a historic heritage item should shall <u>respect and maintain</u></i></p>

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		<ul style="list-style-type: none"> Historic heritage places that are adaptively re-used to have a compatible function with what the place was used originally will inevitably minimise the extent of change necessary to accommodate it. 	<p><u>historical associations and values that contributed to the scheduling of the site by having regard to the following characteristics of the historic heritage item:</u></p> <ul style="list-style-type: none"> a) Built form; and b) Style, <u>form, scale and proportion</u>; and c) Location <u>setting on the site</u>; and d) Visual relationship with the <u>relevant context including streetscape and neighbouring properties</u>; and e) Use of materials <u>building fabric, features, appropriate colour and materials</u>; and f) site coverage; and g) landscaping; open space; and <p><u>Policy 3b-3d</u> <u>Subdivision of the site of a historic heritage item should ensure that Discourage subdivision and development that may compromise historic heritage values.</u></p> <p><u>Policy 3e</u> <u>Historic heritage shall be safeguarded from the adverse effects of subdivision by ensuring that:</u></p> <ul style="list-style-type: none"> a) The size and shape of the new lots provides sufficient land around the historic heritage item to maintain its heritage values, including (but not limited to) any gardens, open space, accessory buildings; driveways, vegetation that form part of the curtilage, <u>and views to and from the item.</u> b) Newly developed lots do not adversely affect the heritage values of the site <u>of a historic heritage item, and its site</u> <p><u>Policy 3c-3f</u></p>

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			<p><i>An activity or mix of <u>compatible</u> activities may be considered within a historic heritage item to encourage its retention or re-use whilst recognising its <u>historic heritage</u> values</i></p> <p><u>Policy 3d-3g</u> <i>A historic heritage item should not be demolished in whole or in part until <u>all</u> options for the <u>adaptive</u> re-use of the heritage item have been <u>fully</u> considered including, but not limited to, an investigation to determine <u>conservation methods</u> from, restoration, through to <u>adaption</u>, renovation or relocation and <u>potentially relocation</u>.</i></p> <p><u>Policy 3e-3h</u> <i>A historic heritage item shall <u>only be removed</u> not be removed from its existing site if <u>unless</u>:</i> <ul style="list-style-type: none"> a) <i>It is necessary to save the building from damage or destruction associated with natural events; and</i> b) <i>It is relocated to a suitable site within the District that allows for maintenance, <u>retention</u> and continuation of its heritage values.</i> </p> <p><u>Policy 3f-3i</u> <i>A historic heritage item should only be repositioned within its existing site if the heritage values are <u>can be maintained</u> <u>retained</u> and/or enhanced.</i></p> <p><u>Policy 3j</u> <i>That within historic heritage areas, contributory buildings shall be identified and total or partial demolition, removal or repositioning of such buildings shall be discouraged. <u>Policy 3g-3k</u></i></p>

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			<p>A new or relocated building within a heritage area should <u>shall</u> be of a similar scale <u>so as to</u> and not dominate the streetscape or any historic heritage item</p> <p><u>Policy 3l</u> <u>Development on the site of, or modifications to, a historic heritage item shall be guided by the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value, revised 2010.</u></p> <p>Policy 3m <u>The historical context and surroundings of a historic heritage item are important in maintaining the values of the item and shall be protected.</u></p> <p>Policy 3n <u>Appropriately manage activities adjacent to or on sites associated with historic heritage to retain and protect significant heritage values.</u></p> <p>Objective 4 Subdivision, use and development maintain important historic heritage characteristics and values that exist within Heritage Areas.</p> <p>Policy 4a Building, structures, open spaces and other elements that make a contribution <u>contribute</u> to the Heritage Area should <u>shall be maintained or enhanced-protected.</u></p> <p>Policy 4b A mix of <u>compatible</u> activities and uses in heritage Areas should <u>shall</u> be provided for, in order to encourage the retention, <u>adaptive</u> re-use, and heritage sensitive</p>

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			<p><i>maintenance of heritage buildings, structures, spaces, layout and features.</i></p> <p>Policy 4c <i>Subdivision of a lot in a Heritage Area should <u>shall ensure that:</u></i></p> <p>a) <i><u>Significant historic heritage values of the area are recognised and retained.</u></i></p> <p>b) <i>aThe spaciousness, prevailing density, setbacks and the original subdivision concept for the heritage area are maintained.</i></p> <p>c) <i>bThe size and shape of the new lots containing a heritage item provides sufficient land around the item to maintain its heritage values, including (but not limited to) gardens, open space, accessory buildings, driveways, landscaping that forms part of its curtilage, <u>and to maintain views to and from the Heritage Area.</u></i></p> <p>Policy 4d <i>New or relocated buildings in a Heritage Area shall complement the identified values character and appearance of the Heritage Area.</i></p>
8.3 Objectives and Policies Note 1	Support in Part	The NZHPT seeks acknowledgement of and reference to the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage value, revised 2010 in the proposed plan as a guide for heritage conservation work.	<p>That a second note be added as follows: <u>2. Refer to the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value, revised 2010 which is widely used in the New Zealand heritage sector and forms a recognised benchmark for conservation standards and practice.</u></p>
Part III - District Wide Issues, Objectives and Policies			
Section 16 Subdivision			
16.1	Support in part	The NZHPT is concerned that the sentence relates to Section 6 of the	That the sentence be amended as follows:

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Paragraph 6		RMA which refers to 'historic heritage' but that the word historic does not precede 'heritage values'. Cultural values should also be included for acknowledgement of their importance as also required by section 6 of the RMA.	<i>"Matters of national importance (S 6 of the RMA) are provided for in this Plan through the use of overlays and district-wide rules that afford targeted protection for all areas with high landscape, natural character, biodiversity, <u>historic heritage and cultural values.</u></i>
16.2 5	Oppose	The NZHPT considers that as historic heritage (e.g. coastal archaeological sites) and cultural values may be compromised by subdivision that they be identified as issues.	That 16.2.5 be added to as follows: h) <u>compromise historic heritage, including coastal archaeological sites</u> i) <u>adversely affect cultural values</u>
16.3 Objective 1	Support in part	The NZHPT is supportive of an overall objective for subdivision to benefit the District, but seeks that historic heritage be included in the list of matters to be maintained and benefited	That objective 1 be retained and amended as follows: <i>"Subdivision benefits the District by being the 'right thing in the right place, maintains, protects and enhances amenity, biodiversity, and natural character, <u>and historic heritage,</u> and fits within its landscape and surroundings."</i>
16.3 Policy 1a	Oppose in part	The NZHPT acknowledges that Historic Heritage Areas and Historic Heritage Items are recognised in the policy as follows: Policy 1a: <i>"Subdivision shall not adversely affect the character and amenity of the surrounding built and natural environment (including Historic Heritage Areas and sites with a Historic Heritage Item)."</i> As the protection of historic heritage items and their surrounds is most effectively and efficiently achieved at the time of subdivision to ensure long term protection of the heritage resource , the NZHPT seeks that a new policy is added to address Archaeological Sites and Maori Cultural Sites which have been identified as significant and scheduled in the plan.	That a new policy be added to Section 61.3 as follows: <i><u>"Significant archaeological and cultural sites shall be protected from damage and fragmentation through subdivision."</u></i>

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Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
S 16 Policy 3a	Support in part	The NZHPT supports the identification of potential adverse effects resulting from the provision of public reserves through subdivision. However, the maintenance and management of historic heritage is not identified as an issue that may contribute to a public reserve not being provided, and the NZHPT seek an amendment to ensure that appropriate consideration is afforded to historic heritage in this process.	That Policy 3a be retained and added to as follows: d) <u>"significant historic heritage is maintained and managed."</u>
Section 16 Policy 5a	Support in part	That policy 5a d) be re-worded to more accurately represent historic heritage as archaeological sites afford acknowledgement alongside Maori Cultural Sites.	That Policy 5a d) is amended as follows: <u>"d) Historic heritage sites (including Maori Cultural sites and archaeological sites)."</u>
Section 16 Policy 8a	Support in part	The NZHPT is concerned that establishing an esplanade reserve at the time of subdivision has the potential to impact on historic heritage, noting that archaeological sites are often concentrated along the coast and Maori Cultural Sites are also well represented in coastal areas. Therefore, historic heritage should be highlighted as a matter to be taken into account when establishing esplanade reserves particularly as this process provides for public access and greater activity but conversely could afford higher protection through a covenant.	That policy 8a, be amended as follows: <i>"c) Maintain, protect and enhance aquatic habitats and, ecosystem and <u>historic heritage</u>; or...</i> f) <i>Protect the natural character, <u>historic heritage</u>, and/or amenity values associated with a riparian area.</i>
Policy 16 Policy 8c	Support in part	The NZHPT consider that the presence of historic heritage should be acknowledged as a factor in the decision making process to vary the width of an esplanade reserve/strip at the time of subdivision. As with the policy for esplanade reserves in 8c, historic heritage should be highlighted as a matter to be taken into account when seeking to increase the width of an esplanade reserve/strip particularly as this process provides for public access therefore compromise but conversely could be provided greater protection through the covenant process.	That Policy 8c be amended as follows: <i>"a) the area has special values (<u>including historic heritage</u>) that require protection greater than a 20 m reserve /strip can provide; or..."</i>

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Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
Section 17 – Tangata Whenua			
Appendix A1.2 Maori Cultural Sites Schedule	Support	<p>The proposed plan is required to recognise and provide for matters of national importance, in particular 6(e) <i>“the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga”</i>.</p> <p>The inclusion of an Appendix 1.2 containing cultural heritage sites will assist to recognise this matter of national importance within the development and subdivision processes.</p>	The NZHPT seeks that Appendix 1.2, is retained. The scheduling of one additional site is sought, as detailed in that part of the submission that addresses Appendix 1.2.
17.2 Issue 1	Support in Part	<p>The NZHPT supports the identification of the involvement of tangata whenua in the decision making process to enable greater local empowerment.</p> <p>However, while the NZHPT concurs that a wider range of activities can be provided for on Maori land, there is a need to meet other requirements contained in the plan , (such as Overlay Zones) and legislative requirements outside the plan (such as the HPA)..</p>	That issue 1 is amended as follows: <i>“Tangata whenua should be involved with resource management matters, including consultation arrangements and how to enable greater local empowerment and decision making, <u>in so long as other legislative requirements (including District Plan requirements) are met.”</u></i>
17.3 Objective 1	Support in Part	The NZHPT seeks that objective 1 be amended to reflect the amendment sought in Issue 1.	That objective 1 be amended accordingly: <i>“Tangata Whenua are able to exercise kaitiakitanga over their ancestral lands, water, cultural sites, wahi tapu and other taonga, and on resource management matters of importance to tangata whenua, in a manner that promotes sustainable management of natural and physical resources, <u>in so much as other statutory requirements are met.”</u></i>
Policy 1c	Support in part	The proposed plan is required to, in achieving the purpose of the RMA, manage the use, development, and protection of natural and physical resources, and in doing so recognise and provide for matters of national importance, in particular 6(e) <i>“the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.”</i>	That Policy 1 c be reworded as follows: <i>“Development on a Maori cultural site (whether on Maori land or not) should incorporate Maori values by consultation with tangata whenua. For example, using <u>site avoidance techniques, protection of the site, using adopting traditional place names, appropriate street</u></i>

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Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
		<p>The NZHPT is concerned that the protection of a Maori cultural site is not included nor the avoidance of development on a Maori cultural site as a means to achieve the purpose of 6(e) of the RMA. The NZHPT seeks that this practice be specified to better manage and protect the relationship of Maori and their culture and traditions.</p> <p>The NZHPT consider that view shafts both to and from a Maori cultural site are important in achieving the purpose of 6(e) and the relationship of Maori with their ancestral lands, water and sites, therefore each should be recognised.</p>	<p><i>names, the restoration of mauri through ecosystem enhancement, waterways restoration, the use of appropriate plant species, appropriate tangata whenua access to the site, incorporation of traditional/sympathetic Maori design elements and/or management of important views shafts to <u>and from</u> the site."</i></p>
17.3 Policy 1d	Support in part	<p>The NZHPT seeks clarification that the provision to allow Maori non-residential activities on land, other than Maori land (subject to cultural and social benefits to the tangata whenua), and in consideration of the avoidance of adverse effects should also clarify that this policy does not exempt those undertaking the activity from the requirements to comply with other relevant legislation.</p>	<p>That Policy 1d be amended as follows: <i>"Maori non-residential activities such as marae on land other than Maori land should be provided for where they offer cultural and social benefits to the tangata whenua, provided adverse effects are avoided if the activity becomes commercial or other development activity, <u>not precluding the need to comply with other legislative requirements.</u>"</i></p>
17.3 Objective 3	Support in part	<p>The NZHP agrees with the objective to provide for specific cultural activities on Maori land which will assist with achieving the purpose of 6(e) of the RMA.</p> <p>However, the NZHPT also considers that the need to comply with other legislative requirements should be highlighted to better inform, the reader.</p>	<p>That objective 3 be amended as follows: <i>"Marae, papakainga development, community services and customary activities on Maori land are provided for <u>in so much as other legislative requirements are met.</u>"</i></p>

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Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
Section 31 – Historic Heritage: Archaeological Sites; Maori Cultural Sites, Historic Heritage Items and Historic Heritage Areas Overlay			
31.1 Para 3	Oppose in part	<p>This paragraph inaccurately states the position in respect of historic heritage items (not archaeological sites) that are registered by the NZHPT.</p> <p>It is appropriate to however include a paragraph clarifying responsibilities in respect of pre-1900 archaeological sites (not just those that are scheduled), any modification to which requires an archaeological authority under the HPA.</p>	<p>Amend the paragraph to read:</p> <p><i>Some of the historic heritage items scheduled in the Plan are also registered as historic places by the New Zealand Historic Places Trust - Pouhere Taonga (the NZHPT). Where a scheduled item is also a registered historic place, consultation is recommended with the NZHPT prior to undertaking works affecting the heritage values of that item. The NZHPT would also be considered to be an affected party in respect of any resource consent application affecting a registered Historic Place, Historic Area, Wahi Tapu or Wahi Tapu Area</i></p> <p>Insert a further paragraph as follows:</p> <p><u>In respect of any archaeological site that pre-dates 1900, (whether that site is registered, scheduled, recorded or unrecorded), the approval of the NZHPT is required prior to any works being carried out that may modify, damage or destroy that site.</u></p>
31.2 Second paragraph	Support in part	<p>Application of the rules to any lot that contains scheduled archaeological sites could lead to inconsistencies in the extent of protected areas, depending on lot size. The preferred position would be for an extent to be defined for each scheduled site or group of sites, which would encompass the values that are considered worth protecting. The NZHPT urges the Council to commission work to achieve this. As an interim measure, where an extent is not properly defined, controls should apply within a specified distance of each site.</p> <p>A specific scheduled archaeological site, #23, Early Maori settlement (Tahanga Environs) is the subject of NZHPT registrations and a later part of this submission considers that there is sufficient information available</p>	<p>Amend the second paragraph as follows:</p> <p><i>For archaeological sites, the overlay rules apply to any lot that has one or more archaeological sites on the lot as shown on the Planning Maps <u>the scheduled extent of the site as shown on the Planning maps, and where no extent is shown, to any land within 100 metres of the site's location identified on the Planning Maps.</u></i></p> <p><i>That the Council work with the NZHPT to define the extent of the Tahanga Environs archaeological site(s).</i></p>

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		to define the extent of this site immediately.	
31.3 Activity table	Support in part	It would be clearer if the Activity table was to be split into four, to deal with scheduled archaeological sites, scheduled Maori cultural sites, scheduled historic heritage items, and scheduled historic heritage overlay rules. Each table could then be included respectively in Section 31.5 (which would be restricted to dealing with archaeological sites), section 31.5A (Maori cultural sites overlay rules), 31.6 (Historic heritage item overlay rules) and 31.7 (Historic heritage area overlay rules).	Rearrange the Activity table into four separate tables as submitted.
31.3 Activity Table in respect of archaeological sites	Support in part	The NZHPT considers that this is reasonable given the restrictions on maintenance as proposed in this submission relating to Archaeological Sites and Maori Cultural Sites in Table 31.3 and Rule 1 in 31.5 outlining permitted activities (and also noting the restrictions imposed by virtue of the proposed plans definition of land disturbance).	That the Activity table in respect of archaeological sites be retained
31.3 Activity table in respect of historic heritage items	Oppose in part	<p>It is considered there should be separate tables for Category A and B items. Earlier in this submission a case is made for two categories of historic heritage items, A and B.</p> <p>Significant changes brought about by a two-tier system:</p> <ul style="list-style-type: none"> • Partial demolition (a new term) is a NCA for Category A and DA for Category B (not previously provided for) • A new or relocated building – DA for category A, RDA for Category B (previously DA) • Repositioning – NCA for category A, DA for Category B (previously DA) • Sign – where it exceeds certain thresholds, RDA for Category A and B (previously CA) • Subdivision – DA for category A and B (previously NCA) • Land disturbance (a new term) – where it exceeds certain thresholds, RDA for category A and B. <p>In addition, provision needs to be made in the table for building safety works as described in Attachment A.</p>	Amend the Activity Table in respect of Historic Heritage Items in the manner shown on Attachment C.

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31.3 Activity table in respect of historic heritage areas	Oppose in part	<p>It is considered earlier in this submission that contributory and non-contributory buildings in historic heritage areas should be distinguished. Contributory buildings would then be subject to more rigorous criteria in respect of demolition (total or partial), removal or repositioning.</p> <p>In addition, provision needs to be made in the table for building safety works as described in Attachment A.</p>	Amend the Activity Table in respect of Historic Heritage Areas in the manner shown on Attachment D.
31.4 Landowner information	Oppose in Part	<p>The role of the NZHPT as it relates to activities that may affect historic heritage (including Archaeological Sites and Maori Cultural Sites) should be better described. Accordingly, a footnote has been added to Activity Table 31.3 to alert the reader to NZHPTs role and the authority process under the HPA.</p> <p>The Accidental Discovery Protocol (and the circumstances of its application) should be amended to clarify its status and ensure consistency with the HPA requirements.</p>	<p>Add, a footnote as follows to Activity Table 31.1</p> <p>Note</p> <p>1 <i>The Historic Places Act 1993 is the primary legislation for the management of all pre 1900 archaeological sites whether they are recorded or not. An authority under the HPA is required from the NZHPT for any activity that may damage, modify or destroy an archaeological site whether or not the land is designated, a resource or building consent has been granted, or the activity is permitted under the Regional or District Plan.</i></p> <p>Delete Section 31.4.1 and Section 31.4.2 and replace with the following:</p> <p><i>The following information is not a plan rule but is provided as advice. These provisions are administered by the NZHPT.</i></p> <p>Accidental Discovery Protocol.</p> <p><i>In the event that an unidentified archaeological site is located during works the following applies;</i></p> <p>1 <i>Work shall cease immediately at that place.</i></p> <p>2 <i>The contractor must shut down all machinery, secure the area and advise the Site Manager.</i></p>

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			<p>3 The Site Manager shall notify, the New Zealand Historic Places Trust (NZHPT) Auckland Regional Archaeologist. Further assessment by a qualified archaeologist may be required.</p> <p>4 If the site is of Maori origin the Site Manager shall also notify the appropriate iwi group(s)/ Kaitiaki representative of the discovery and ensure site access, to enable appropriate cultural procedures and tikanga to be undertaken, in so long as all statutory requirements under legislation are met (Historic Places Act 1993, Protected Objects Act 1975).</p> <p>5 If skeletal remains are uncovered the Site Manager shall advise the NZ Police and NZHPT Regional Archaeologist and the appropriate iwi group (s) and the above process under 4 shall apply. Remains are not to be moved/removed until such time as iwi <u>and</u> the NZHPT have responded.</p> <p>6. Where iwi so request, any information recorded as the result of the find (s) such as a description of location and content, is to be provided for their records.</p> <p>7 NZHPT will determine if a consent under the Historic Places Act 1993 is required for works to continue.</p> <p>8. No works that may affect the archaeological site are to resume until the NZHPT has given approval.</p> <p>It is an offence under s 99 of the Historic Places Act 1993 to damage, modify or destroy an archaeological site without an authority from the NZHPT irrespective of whether the works are permitted or a consent has been</p>

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Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
			<p>issued under the Resource Management Act 1991.</p> <p><i>Accidental Discovery Protocol is not a default mechanism for the lack of appropriate identification of archaeological sites, where there is reasonable cause to suspect that unrecorded sites may exist and be affected by works. Nor should it be referenced in lieu of professional archaeological advice.</i></p>
31.5 Archaeo - logical sites and Maori cultural heritage overlay	Support in part	<p>The NZHPT considers that greater limitation is required in relation to permitted activities, in particular a restriction for the grazing of heavy stock, i.e. cattle. As the primary purpose is to protect scheduled archaeological and Maori cultural sites and grazing of heavy stock has the potential to affect an archaeological or Maori cultural site this activity should be recognised as possessing this threat and classified accordingly as a discretionary activity.</p> <p>Care should be taken to ensure appropriate methods are in place for grass cutting, stocking regimes, repairs and upgrades so as to maintain the specific archaeological values of the site/area. NZHPT should be consulted in the preparation of individual conservation management plans in this regard.</p>	<p>Amend 31.5 Rule 1 as follows:</p> <ol style="list-style-type: none"> 1. Maintenance is a permitted activity provided: <ol style="list-style-type: none"> a) The work is part of an existing land use and does not involve any land disturbance; or and b) The work involves keeping the site in good condition by doing any of the following: <ol style="list-style-type: none"> i) Controlling noxious weeds; ii) Cutting grass; iii) Grazing of stock (<u>including sheep and goats, but excluding heavy cattle</u>); iv) Fencing repairs; v) Maintaining and upgrading paved roads, modified berms and paths; or c) The work is permitted in a conservation management plan that has been approved by the Council <u>through the discretionary activity consent process.</u> <p>Amend 31.5 Rule 2 as follows:</p> <p><i>"2. Maintenance (<u>including grazing of heavy cattle</u>) that is not permitted under Rule 1.1 is a discretionary activity."</i></p>

Submission of the New Zealand Historic Places Trust to the Thames Coromandel District Council Proposed District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
31.6 Historic Heritage Item Overlay Rules	Oppose in part, support in part	<p>The rules need to be amended so as to apply to the various activities in a manner that helps meet the objectives for historic heritage. In particular the amendments distinguish between controls for Category A items and Category B items.</p> <p>Further amendments are also required to provide for the promotion and regulation of heritage building safety as outlined in Attachment A.</p>	<p>Amend the Overlay Rules in respect of the Historic Heritage Items in the manner shown in Attachment C.</p> <p>Further amend the Overlay Rules in respect of Historic Heritage Items to provide for building safety in the manner outlined in Attachment C.</p>
31.7 Historic Heritage Area Overlay Rules	Oppose in part, support in part	<p>The rules need to be amended so as to apply to the various activities in a manner that helps meet the objectives for historic heritage. In particular Rule 12 appears to allow demolition etc. of any building within a Historic Heritage Area Overlay as a permitted activity, which is considered inappropriate for a contributory building.</p> <p>Further amendments are also required to provide for the promotion and regulation of heritage building safety as outlined in Attachment A.</p>	<p>Amend the Overlay Rules in respect of the Historic Heritage Areas in the manner shown in Attachment D.</p> <p>Further amend the Overlay Rules in respect of Historic Heritage Items to provide for building safety in the manner outlined in Attachment D.</p>
31.8 Assessment Matters and Criteria Table 2- Restricted Discretionary Activity matters	Support in part	<p>The submission seeks a number of new Restricted Discretionary Activities for Historic Heritage Items namely:</p> <ul style="list-style-type: none"> • new or relocated buildings (excluding garage) in respect of a Category B item • land disturbance <p>and it is appropriate to include Assessment Matters and Criteria in respect of these activities</p> <p>The submission seeks an additional Restricted Discretionary Activity, being land disturbance in a Historic Heritage Area, and it is appropriate to include Assessment Matters and Criteria in respect of that activity.</p>	<p>Insert additional assessment matters and criteria in Table 2 of Rule 31.8 as shown on Attachment C (for Historic Heritage Items) and Attachment D (for Historic Heritage Areas).</p>
Appendix 1 Historic Heritage Schedule			
All tables (1 – 7) –references to NZHPT Register Category I and Category II	Support in part	<p>While inclusion of the NZHPT registration details is supported, the reference to Categories is inaccurate. They are more correctly referred to as Category 1 and Category 2,</p>	<p>Amend references to Category I to read <u>Category 1</u></p> <p>Amend references to Category II to read <u>Category 2</u></p>

Submission of the New Zealand Historic Places Trust to the Thames Coromandel District Council Proposed District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
Appendix 1.1 Table 1 Archaeological Sites	Support in part	A number of items in this table are registered by NZHPT but have not been annotated as such in the schedule	Include, in Appendix 1.1 Table 1, references to NZHPT registration status as in Attachment E Table I
Appendix 1.2 Table 2 Maori Cultural sites	Support in part	There is one further wahi tapu area that is registered by the NZHPT and should be included in Appendix 1 Table 2 – Maori cultural sites.	Include, in Appendix 1 table 2, the additional site as on the Attachment E Table II.
Table 3, 5, and 7 - specific references to NZHPT Register No and categories	Oppose in part	There are three erroneous references, one in in each of Tables 3, 5 and 7, in the column headed “NZHPT Registration” in respect of schedule entries 30, 182 and 211.	Amend specific entries in the column headed “NZHPT Registration” in tables 3, 5 and 7, as in Attachment E Table III.
Table 3 - 7,	Oppose in part	There are several items registered by the NZHPT which it is considered merit scheduling as Historic Heritage items in the appropriate tables. These items generally fulfil the criteria for scheduling.	Amend the relevant tables by including additional historic heritage items as shown in Attachment E Table IV.
Part VII – District Wide Rules			
Section 38 Subdivision			
Section 38.2 Activity Table and User Info Para 1	Support	<p>The NZHPT supports the sentence:</p> <p><i>“There may be zone rules, other district-wide rules, overlay rules or special purpose provisions that also apply to the activity and site. Where there is conflict between rules the rule hierarchy applies to the extent of the conflict (see Section 1 Background and How to Use the Plan for more information).”</i></p> <p>This statement provides an overview and alerts the reader to apply all relevant rules to the activity, which would include those relating to historic heritage.</p>	That the user information be retained.
Section 38.5 & 38.6	Oppose	The NZHPT note that while Section 38 provides for conservation lots (as restricted discretionary activities under 38.5) and environmental benefit lots (as discretionary activities under 38.6) in relation to subdivision and	That the proposed plan be amended to provide rules relating historic heritage benefit lots supported by a new policy framework.

Submission of the New Zealand Historic Places Trust to the Thames Coromandel District Council Proposed District Plan

(Strike: ~~abc~~ =delete and underline: abc = addition)

Part & Provision number	Support or Oppose	Reasons for submission:	Relief sought
		<p>benefit lots, historic heritage is not provided for.</p> <p>The NZHPT considers that incentives, or positive regulatory methods, can contribute to the preservation and protection of the district's heritage, and that the subdivision process provides the most effective and efficient means to achieve this. Protection of heritage items and their surrounds at the time of subdivision avoids fragmentation and ensures the long-term protection of the heritage resource.</p> <p>However the proposed plan does not provide incentive measures through the subdivision process for historic heritage and therefore neglects to utilise this opportunity which would also meet its statutory obligations under s 6 of the RMA.</p>	<p>The NZHPT seek that historic heritage benefit lots be included as a discretionary activity with specific assessment criteria and requirements including reports provided by suitably qualified and experienced heritage specialists..</p>
Planning Maps			
Planning Map 14 and 14B	Support in part	<p>The extent of protection for the Item number 23 of the Archaeological sites overlay (Early Maori Settlement (Tahanga Environs)) is not well defined. It should take into account the extent of the NZHPT registrations 9419 (Category 1 Place) and 9589 (Wahi Tapu)</p>	<p>Define the extent of Item No 23 on the Planning map, taking into account the extents of the two NZHPT registrations.</p>



New Zealand Historic Places Trust Pouhere Taonga

Sustainable Management of Historic Heritage Guidance Series

Promoting and regulating heritage building safety under the RMA

RMA policies and plans should provide guidance and regulation to promote and improve heritage building safety. Building safety aims to reduce the risk of hazards to people and the building. This may include the risk of earthquakes, fire, storms, accidents and to improve physical access.

District plans, in particular, should include objectives, policies and methods, including rules and definitions, to promote and improve heritage building safety. As an example, the Christchurch City Council's District Plan (as amended by the *Christchurch Central Recovery Plan 2012*) includes a policy to recognise and encourage seismic and building code upgrades (Policy 4.3.3). Alterations necessary for the primary purpose of implementing seismic, fire or access building code upgrades is a permitted or controlled activity for listed heritage buildings.

The proposed *Horowhenua District Plan* (Sept 2012) also includes a policy to encourage and facilitate strengthening of buildings listed in its Historic Heritage Schedule (Policy 13.2.4). This plan proposes that earthquake strengthening is a controlled or restricted discretionary activity for listed heritage buildings.

The suggested rules below provide guidance on the type of regulatory provisions that may be appropriate for listed heritage buildings

BUILDING SAFETY WORK	CONSENT STATUS	STANDARDS AND TERMS TO BE PROVIDED IN PLAN
Temporary shoring	Permitted	Definitions, standards and terms for shoring work
Repairs and reconstruction to damaged buildings resulting from fire, earthquake or other hazard event	Permitted	Definitions, standards and terms for repairs and reconstruction
Strengthening or replacement of high-risk elements (eg, parapets, façade decoration, chimneys) with high quality light weight material	Controlled	Standards and terms to ensure adequate documentation and high quality repair or replacement). Note, the removal of any high-risk elements of immediate danger to the public should be managed under section 330 of the RMA.
Alterations for the purpose of improving building safety - earthquake strengthening, fire safety, access or other building code-related work	Controlled	Standards and terms to ensure adequate documentation, high quality work compatible with the heritage values of the place). Restricted discretionary activity status may be adopted for places of national significance. Permitted activity status with sufficient standards and terms may be used for lower-ranked 'character' buildings.
Demolition or partial demolition of an earthquake-prone building	Non-complying	Local authorities should assess each application on a case-by-case basis ensuring adequate documentation especially a detailed engineering assessment and heritage impact assessment. Any potential risk to the public must be minimised - this may include placement of warning signs and hoarding or fence to prevent people from approaching the building.

Demolition or partial demolition of a dangerous building	n/a	Dangerous buildings may require immediate preventive measures and can be authorised under section 330 of the RMA. For other proposals, local authorities should assess each application on a case-by-case basis ensuring adequate documentation - especially a detailed engineering assessment and heritage impact assessment. Any potential risk to the public must be minimised - this may include placement of warning signs and hoarding or fence to prevent people from approaching the building.
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RMA plan provisions for heritage building safety should be accompanied by sufficient incentives, including resource consent and building consent fee waivers.

It is important that local authorities closely monitor building safety related work and be ready to change the rule provisions if the desired safety and heritage outcomes are not being achieved.

Guidance about promoting heritage building safety can be obtained from the NZHPT and publications are available from the NZHPT's website:

NZHPT, information sheets for undertaking for repairing historic brick work, stone work and chimneys:
<http://www.historic.org.nz/en/ProtectingOurHeritage/FAQs-Earthquake.aspx>

NZHPT, *Fire Safety and Heritage Places*, 2012
<http://www.historic.org.nz/Publications/SustainMgtSeries.aspx>

NZHPT, *Providing for Physical Access to Heritage Places*, 2012
<http://www.historic.org.nz/Publications/SustainMgtSeries.aspx>

NZHPT, *Improving the Structural Performance of Heritage Buildings*. draft guidance, 2010:
<http://www.historic.org.nz/en/ProtectingOurHeritage/FAQs-Earthquake.aspx>

Contact the NZHPT for further information: <http://www.historic.org.nz/en/ContactUs.aspx>



New Zealand
Historic Places Trust *Pouhere Taonga*

Sustainable Management of Historic Heritage Guidance

Information Sheet 2

Assessment criteria to assist in the identification of Historic Heritage Values

The following best practice criteria are promoted by the NZHPT for use by local authorities and communities to encourage a systematic and transparent approach to identification and assessment of historic heritage.

Physical values

Archaeological information: Does the place or area have the potential to contribute information about the human history of the region, or to current archaeological research questions, through investigation using archaeological methods?

Architecture: Is the place significant because of its design, form, scale, materials, style, ornamentation, period, craftsmanship or other architectural element?

Technology and Engineering: Does the place demonstrate innovative or important methods of construction or design, does it contain unusual construction materials, is it an early example of the use of a particular construction technique or does it have the potential to contribute information about technological or engineering history?

Scientific: Does the area or place have the potential to provide scientific information about the history of the region?

Rarity: Is the place or area, or are features within it, unique, unusual, uncommon or rare at a district, regional or national level or in relation to particular historical themes?

Representativeness: Is the place or area a good example of its class, for example, in terms of design, type, features, use, technology or time period?

Integrity: Does the place have integrity, retaining significant features from its time of construction, or later periods when important modifications or additions were carried out?

Vulnerability: Is the place vulnerable to deterioration or destruction or is threatened by land use activities.

Context or Group: Is the place or area part of a group of heritage places, a landscape, a townscape or setting which when considered as a whole amplify the heritage values of the place and group/landscape or extend its significance?

Historic values

People: Is the place associated with the life or works of a well-known or important individual, group or organisation?

Events: Is the place associated with an important event in local, regional or national history?

Patterns: Is the place associated with important aspects, processes, themes or patterns of local, regional or national history?

Acknowledgements

This assessment criteria to assist in the identification of historic heritage values is based on Proposed Change No.1 to the Bay of Plenty Regional Policy Statement (Heritage Criteria), Environment Bay of Plenty Regional Council, November 2005 and advice provided by Karen Greig and Lynda Walter, Insitu Heritage Ltd

Source: NZHPT, *Sustainable Management of Historic Heritage Guidance Series*, Discussion Paper No.1, Historic Heritage Principles and Issues, 3 August 2007

The NZHPT welcomes any feedback and comments on this information sheet.

Comments can be provided to information@historic.org.nz. (Attention: Sustainable Heritage Guidance)

Cultural values

Identity: Is the place or area a focus of community, regional or national identity or sense of place, and does it have social value and provide evidence of cultural or historical continuity?

Public esteem: Is the place held in high public esteem for its heritage or aesthetic values or as a focus of spiritual, political, national or other cultural sentiment?

Commemorative: Does the place have symbolic or commemorative significance to people who use or have used it, or to the descendants of such people, as a result of its special interest, character, landmark, amenity or visual appeal?

Education: Could the place contribute, through public education, to people's awareness, understanding and appreciation of New Zealand's history and cultures?

Tangata whenua: Is the place important to tangata whenua for traditional, spiritual, cultural or historical reasons?

Statutory recognition: Does the place or area have recognition in New Zealand legislation or international law including: World Heritage Listing under the World Heritage Convention 1972; registration under the Historic Places Act 1993; is it an archaeological site as defined by the Historic Places Act 1993; is it a statutory acknowledgement under claim settlement legislation; or is it recognised by special legislation?

ATTACHMENT C: RULES FOR SCHEDULED HISTORIC HERITAGE ITEMS

31.3: Activity Table for Scheduled Historic Heritage Items

Amend part of table as follows, and make consequential changes to the rules:

	Scheduled Item category A	Scheduled Item category B
Demolition	NCA R 11	NCA R 11
Partial demolition	NCA R 11	DA R 10
Exterior addition or alteration	RDA R 6	RDA R 6
Fence	RDA R 7	RDA R 7
Garage	RDA or DA R 8	RDA or DA R 8
Interior alteration (where interiors are scheduled)	RDA R 9	RDA R 9
Maintenance and/or repair	PA R 4	PA R 4
New or relocated building (excluding garage)	DA R 10	RDA New rule 11A
Removal	NCA R 11	DA R 10
Repositioning	NCA R 11 (amended)	DA R 10
Sign	DA R 5	DA R 5
Subdivision	DA R 10	DA R 10
Land disturbance	RDA New rule 11B	RDA New rule 11B
Strengthening or replacement of high-risk elements (e.g. parapets, façade decoration, chimneys) with high-quality light weight material	CA New rule 11C	CA New rule 11C
Alterations for the purpose of improving building safety – earthquake strengthening, fire safety, access or other building code work	CA	CA

Rules are included in s 31.6

31.6: Historic Heritage Item Overlay Rules.

Amend existing rules as follows;

RULE 10	<p><u>New or relocated building (excluding garage) in respect of a Category A item</u></p> <p><u>Repositioning in respect of a Category B item.</u></p> <p><u>Removal in respect of a category B item</u></p> <p><u>Partial demolition in respect of a Category B item.</u></p> <p><u>Subdivision</u></p> <p>...</p> <p>... is a discretionary activity</p>
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RULE 11	Removal <u>in respect of a Category A item</u> Demolition <u>Partial demolition in respect of a Category A item</u> <u>Subdivision</u> is a non-complying activity
NEW RULE 11A	<u>New or relocated building (excluding garage) in respect of a Category B item</u> 1 <u>A new or relocated building (excluding garage) in respect of a Category B item is a restricted discretionary activity</u> 2 <u>The Council restricts its discretion to matters 5A (a) in Table 2 at the end of Section 31</u>
NEW RULE 11B	<u>Land disturbance</u> 1 <u>land disturbance within the setting of a scheduled building is a restricted discretionary activity.</u> 2 <u>The Council restricts its discretion to matters 5B (a) in Table 2 in Section 31.8</u>
NEW RULE 11C	Strengthening or replacement of high-risk elements with high-quality light weight material Alterations for the purpose of improving building safety Is a controlled activity. The Council reserves its control to Matters 8 and 9 in Table 1 of Rule 31.8.

31.8 Assessment Matters and Criteria

Table 1 – Controlled Activity Matters

Insert the following at the end of Table 1

8	Ensuring adequate documentation of the proposed works
9	Ensuring the quality of the works and their compatibility with the heritage values of the item or area.

Table 2 – Restricted Discretionary Activity Matters

Insert the following in the table at the appropriate location

Insert the following in the table at the appropriate location

5A Historic Heritage Item - New or relocated building			
a)	New or relocated building	i)	Whether the form, architectural style, proportion and scale is sensitive to the scheduled Historic Heritage Item.
		ii)	The extent to which a new or relocated building obscures or dominates historic heritage items or reduces their relationship to their surroundings.
		iii)	Whether any Historic Heritage Item remains the dominantly visible structure when viewed from the street.
		iv)	The extent to which the use of materials is consistent with the materials on historic heritage items within the site.
		v)	The extent to which continuity is maintained with the front façade of any existing Historic Heritage Item.
		vi)	The extent to which a roof form is consistent with the roof form of existing historic heritage items.
		vii)	Whether any existing traditional fencing in the front yard is retained.

5B Historic Heritage Item – Land disturbance			
a)	Land disturbance	i)	The extent to which the land disturbance dominates historic heritage items or reduces their relationship to their surroundings.
		ii)	Whether any existing traditional fencing in the front yard is retained.

ATTACHMENT D: RULES FOR SCHEDULED HISTORIC HERITAGE AREAS**31.3: Amended Activity Table for Scheduled Historic Heritage Areas**

Amend part of table as follows and make consequential changes to the rules:

Demolition :	Contributory building	NCA New rule 12A
	Non-contributory building	PA R 12
Partial demolition	Contributory building	NCA New rule 12A
	Non-contributory building	PA R 12
Exterior addition or alteration		RDA R 16
Fence		RDA R 13
Garage		RDA R 14
Maintenance and/or repair		PA R 12
New or relocated building		RDA R 17
Removal	Contributory building	NCA New rule 12A
	Non-contributory building	PA R 12
Repositioning	Contributory building	NCA New rule 12A
	Non-contributory building	PA R 12
Sign		CA R 15
Subdivision		DA R 18
Land disturbance		RDA New rule 12B
Strengthening or replacement of high-risk elements (e.g. parapets, façade decoration, chimneys) with high-quality light weight material	Contributory building	CA New rule 12C
	Non-contributory building	PA R 12
Alterations for the purpose of improving building safety – earthquake strengthening, fire safety, access or other building code work	Contributory building	CA New rule 12C
	Non-contributory building	PA R 12

Rules are included in s 31.7

31.7: Historic Heritage Area Overlay Rules

Amend existing rules as follows:

(Strike: ~~abc~~ =delete and underline: abc = addition)

RULE 12	<u>Demolition of a non-contributory building</u> <u>Partial demolition of a non-contributory building</u> <u>Repositioning of a non-contributory building.</u> <u>Removal of a non-contributing building</u> is a permitted activity
NEW RULE 12A	<u>Demolition of a contributing building</u> <u>Partial demolition of a contributing building</u> <u>Removal of a contributing building</u> <u>Repositioning of a contributing building</u> 1 An activity listed in Rule 12 is a non-complying activity .
NEW RULE 12B	<u>Land disturbance</u> 3 land disturbance within the setting of a scheduled building is a restricted discretionary activity . 4 The Council restricts its discretion to matters 8(a) in Table 2 in Section 31.8.
NEW RULE 12C	Strengthening or replacement of high-risk elements with high-quality light weight material, for a contributing building; and Alterations for the purpose of improving building safety, for a contributing building; are a controlled activity. The Council reserves its control to Matters 8 and 9 in Table 1 of Rule 31.8.

31.8 Assessment Matters and Criteria

Table 2 – Restricted Discretionary Activity Matters

Insert the following at the appropriate location in the table

8 Historic Heritage Area – Land disturbance			
a)	Land disturbance	i)	The extent to which the land disturbance dominates historic heritage items and/or contributory buildings or reduces their relationship to their surroundings.
		ii)	Whether any existing traditional fencing in the front yard is retained.

Attachment E

Table I:
Schedule of amendments sought to “NZHPT registration” column of Table 1 of
Appendix 1.1 Archaeological Sites Schedule
 (Strike: ~~abc~~ =delete and underline: abc = addition)

Table 1 – Archaeological Sites				
Item No		Historic Heritage item		NZHPT registration
1		Stone wharf and timber mill, Ferry Landing		Category # <u>1</u> Item 4675
10		Oruarangi		<u>Wahi Tapu Area item 7228</u>
13		Paterangi Pa		<u>Wahi Tapu Area item 7228</u>
14		Mataiwhetu Pa and Pukehue Pa		<u>Wahi tapu Area item 94 (Pukehue Pa)</u>
23		Early Maori settlement (Tahanga environs)		<u>Part Category 1 item 9419</u> <u>Part Wahi Tapu item 9589</u>

Table II
Additional item sought to be scheduled in Table 2 of Appendix 1.2 - Maori Cultural Sites Schedule

Item number (TBA)	Overlay planning map (TBA)	Maori Cultural site	Location	NZHPT registration
		Te Kouma	Te Kouma Harbour, COROMANDEL	Wahi Tapu Area 7229

Table III
Schedule of amendments sought to “NZHPT Registration” column of Tables 3, 5 and 7 of Appendix 1.3 - Historic Heritage items and Areas Schedule
 (Strike: ~~abc~~ =delete and underline: abc = addition)

Table 3 – Coromandel-Colville Historic Heritage Items				
Item No		Historic Heritage item		NZHPT registration
30		Former Hauraki Gold Mining Company offices / House		Category # <u>2</u> Item 2660 <u>2666</u>

Table 5 – Thames Historic Heritage Items				
Item No		Historic Heritage item		NZHPT registration
182		Devich Farm, Kauaeranga		Category 1 <u>1</u> Item 9278 <u>9497</u>

Table 7 – Mercury Bay Historic Heritage Items				
Item No		Historic Heritage item		NZHPT registration
211		Stone wharf		Category # <u>1</u> Item 4675

Table IV:

Places that are registered by NZHPT that are sought to be included in Tables 3-and 5 of Appendix 1.3 - Historic Heritage items and Areas Schedule

Places sought to be included in Table 3 Coromandel-Colville Historic Heritage Items

Register Number	Registration Type	Name	Location
4611	Historic Place Category 2	Briars House	Tiki Rd (S.H.25), COROMANDEL
4617	Historic Place Category 2	Cottage	Watt Street, COROMANDEL
4625	Historic Place Category 2	Methodist Church (Former)	Rings Rd, COROMANDEL
4639	Historic Place Category 2	McNeill House	230 Watt St, COROMANDEL
4642	Historic Place Category 2	Old Davies Homestead	1195 Tiki Rd, COROMANDEL
4651	Historic Place Category 2	Schubert House	25 Watt St, COROMANDEL
4656	Historic Place Category 2	Ward Cottage	229 Hauraki Rd, COROMANDEL
4670	Historic Place Category 2	House (Former Vicarage)	236 Tiki Rd, COROMANDEL

Places sought to be included in Table 5 Thames Historic Heritage Items

Register Number	Registration Type	Name	Location
2675	Historic Place Category 2	Shop Frontage	758 Pollen St, THAMES
2677	Historic Place Category 2	Shop Frontage	736 Pollen St, THAMES
2678	Historic Place Category 2	Shop Frontage	754 Pollen St, THAMES
2679	Historic Place Category 2	Shop Frontage	738-742 Pollen St, THAMES
2681	Historic Place Category 2	Shop Frontage	746-748 Pollen St, THAMES
2683	Historic Place Category 2	Shop Frontage	724 Pollen St, THAMES
4666	Historic Place Category 2	Burke Street Wharf	Waiotahi Creek Rd, THAMES
4672	Historic Place Category 2	Shortland Wharf	Jellicoe Crescent, THAMES
5384	Historic Place Category 2	House	306 Richmond St, Shortland, THAMES
5481	Historic Place Category 2	Shop Frontage	710 Pollen St, THAMES
5482	Historic Place Category 2	Shop Frontage	720 Pollen St, THAMES

Sent: Thursday, 13 March 2014 13:41:41

To: TCDC General Mail Address

Subject: URGENT: For the Attention of the District Plan Manager

For The Attention of the District Plan Manager:

To who it may concern,

I am a New Zealander. I was born in Britain but I carry my citizenship as a badge of honour. I was taught by my Grandfather to respect the sea and to love the bush. As a kid it was he who got me lost in the bush and made me find my way out, who taught me how to light a fire, who was standing on the beach laughing at me when a wave I wasn't watching knocked me over and turfed me onto the sand.

We've owned 879 Tuataewa Road since 2005. It was there as a teenager that I learnt the names of the native trees and the songs of the different birds. Through a connection of family I gained a much deeper connection to the land around me, one I can't imagine my life without.

There are lots of incredibly special parts of New Zealand and this is one of them.

These proposed plans will fundamentally change an area of outstanding natural beauty, which people come from far and wide to enjoy. I beg you not to sacrifice that. Please consider the conservation of this beautiful place when making this decision. Conservation is not just something that Kiwis think is important but comes down to the very core of who we are.

People come and go but the land is there to stay. We just get to look after it for a while and if we're lucky, share it with our kids and our grand kids and hope that they do the same.

As such, I wish to object to the proposals in the draft District Plan in relation to the area of Little Bay (Appendix Maps 7 and 7A).

I wish to be heard at the public hearings either personally or by a representative.

I oppose on the following grounds:

- (i) The published plans Nos 7 and 7A on TCDC's website relating to Waikawau Bay and Little Bay are confused, confusing and misleading because they do not properly or accurately disclose the various overlays to which TCDC propose, in reality, to subject the Objection Area.
- (ii) TCDC has failed to give any, or any proper, consideration to the Objection Area under the relevant legislation, as required by law.
- (iii) The designation of "Coastal Environment" in the draft District Plan is confused, imprecise and unclear, because the draft District Plan fails to specify exactly how it affects the planning considerations set out in the proposed District Plan.
- (iv) Subject to the identified exceptions set out below, the proposed Natural Landscape Overlay in respect of most of the Objection Area is inappropriate and wrong: most of it should be designated instead as Outstanding Landscape so as to protect outstanding landscape and seascape views of Waikawau Bay and undeveloped areas of regenerated native bush.
- (v) The areas which are proposed to be designated only as Amenity Landscape are also wrongly designated; they should not be designated with any overlay at all (other than Coastal Environment). Also and in any event, the specific areas proposed to be designated as only subject to the Amenity landscape Overlay need to be enlarged so as to correspond with existing use.
- (vi) The proposed restrictions on managing land with indigenous vegetation and on harvesting timber and firewood are wholly unjustified and wrong and do not properly respect existing user of property, as required by law.

Yours sincerely,

Max Toomey, 879 Tuataewa Road, Little Bay, Coromandel.

Mail Address: Box 47, Colville, Coromandel.

SUBMISSION ON A PUBLICLY NOTIFIED PROPOSAL FOR A PLAN

Under Clause 6 of the First Schedule to the Resource Management Act 1991

To: Thames-Coromandel District Council (the "Council")

Submission on: **Proposed Thames-Coromandel District Plan**
(the "Proposed Plan")

Name of Submitter: **The General Trust Board of the Anglican Diocese of Auckland** (the "General Trust Board")

Address: C/- Harrison Grierson Consultants Limited
PO Box 5760
Wellesley Street
AUCKLAND 1141

Attention: Amber Tsang

1. Scope of submission

The specific provisions that this submission relates to are the Historic Heritage provisions and the Commercial zoning provisions for the General Trust Board's landholdings at 180-240 Tiki Road, Coromandel and 602-604 Mackay Street, Thames.

2. The General Trust Board's submission is

180-240 Tiki Road, Coromandel

The General Trust Board supports the Commercial zoning for this site as this appropriately reflects the locality of the site being within close proximity to the Coromandel Town Centre. The General Trust Board also supports that a range of activities (including community facilities and churches) are provided for as permitted activities in the Commercial zoning.

602-604 Mackay Street, Thames

The General Trust Board supports the Commercial zoning for this site as this appropriately reflects the locality of the site being within close proximity to the Thames Town Centre. The General Trust Board also supports that a range of activities (including community facilities and churches) are provided for as permitted activities in the Commercial zoning.

The St George Church and hall on the site are identified as an Historic Heritage Item under the Operative and Proposed Plan.

The General Trust Board in general supports Rule 4 (Maintenance and/or Repair) and Rule 6 (Exterior Addition or Alteration) in Section 31.6 Historic Heritage Item Overlay Rules of the Proposed Plan. The General Trust Board considers it is appropriate that minor maintenance of and/or repair to a Historic Heritage Item is

provided for as a permitted activities and exterior additions or alterations are provided for as a restricted discretionary activity.

3. Decision sought

The General Trust Board seeks the following decision from the Council:

- (a) Retain the Commercial zoning for the sites at 180-240 Tiki Road, Coromandel and 602-604 Mackay Street, Thames;
- (b) Retain the Commercial zoning rule provisions;
- (c) Retain Rule 4 (Maintenance and/or Repair) in Section 31.6 Historic Heritage Item Overlay Rules of the Proposed Plan;
- (d) Retain Rule 6 (Exterior Addition or Alteration) in Section 31.6 Historic Heritage Item Overlay Rules of the Proposed Plan;
- (e) Such other additional or consequential relief as is necessary to achieve the consistency with the above and/or satisfy the concerns of the submitter.

4. The General Trust Board wishes to be heard in support of their submission.

5. If others make a similar submission the General Trust Board will consider presenting a joint case with them at a hearing.



Signature

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

Date 13 March 2014

Address for Service The General Trust Board of the Anglican Diocese of Auckland

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12 March 2014

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Attn: Submissions to Proposed District Plan

Dear Sir/Madam

**Waikato Regional Council Submission to the Thames-Coromandel
Proposed District Plan**

Thank you for the opportunity to submit on the Thames-Coromandel Proposed District Plan. Please find attached Waikato Regional Council's submission in regard to this document. Should you have any queries regarding the content of this submission please contact Ursula Lehr directly on (07) 859 0966 or by email at Ursula.lehr@waikatoregion.govt.nz

Yours faithfully

Tracey May
Acting Group Manager, Policy and Transport

Waikato Regional Council appreciates the opportunity to make a submission on the Proposed Thames Coromandel District Plan (Proposed Plan). Overall, Waikato Regional Council (WRC) supports the provisions of the Proposed Plan.

This submission is seeking some amendments to further improve consistency with the Regional Council's statutory provisions. The following provides an overview of the regional provisions against which WRC has assessed the Proposed Plan. Detailed submission points to the Proposed Plan are located in Attachment One.

The regional document considered most relevant to be applied to the Proposed Plan is the Proposed Waikato Regional Policy Statement (PWRPS). It has been used as the primary basis for the WRC submission.

The PWRPS was notified on 3 November 2010. In accordance with Section 75(3)(c) of the Resource Management Act (RMA), District Plans are required to give effect to Regional Policy Statements. In accordance with Section 74(2)(i) of the Resource Management Act, when reviewing the District Plan the territorial authority shall have regard to any proposed regional policy statement. Whilst it is recognised that until it starts to become operative, the PWRPS carries less weight than the Operative RPS under the Resource Management Act, it does reflect WRC direction on significant resource management issues for the Waikato region for the next 10 years.

Decisions on the PWRPS were notified on 2 November 2012, following consideration of all submissions received. This is a significant milestone in terms its progress towards becoming operative, and the regard that the PWRPS should be afforded. Therefore the WRC considers that the PWRPS needs to be given due consideration during the decision making process.

Appeals and s274 notices to the PWRPS have been lodged with the Environment Court, and WRC is in the process of negotiating with appellants. At the time of making this submission no consent orders have been issued by the Court.

In terms of detail, WRC acknowledges that the PWRPS appeals generate a degree of difficulty for territorial authorities seeking to advance plan reviews where there are elements of uncertainty in terms of the overarching policy framework, and where ultimately district plans are required to give effect to operative regional policy statements. However, while the final provisions of the PWRPS have not yet been determined by the Environment Court, WRC considers that it would be inappropriate to dismiss the substantive direction and intent set out in the PWRPS (decisions version).

WRC generally supports the intent of the Proposed Plan. Except where amendments have been requested in the detailed submission points, WRC requests that the Proposed Plan be retained.

The parts of the PWRPS which are considered to be of key relevance in this submission are Policy 6.2 Planning for Development in the Coastal Environment; 6.9 implementing the Coromandel Peninsula Blueprint; Policy 11.2 Protect Significant Indigenous Biodiversity. The underlying PWRPS Chapters relating to these key topics are 6 Built Environment; 11 Indigenous biodiversity; and 13 Natural Hazards.

Natural Hazards

WRC collaborated in several natural hazard projects with Thames Coromandel District Council (TCDC), two of which relate to river flooding and Tsunami. As a partner we have considerable interest in the implementation of these projects through the Proposed Plan. The Plan's policies in Section 10 appear as if primacy is given to coastal hazards, while other natural hazard types such as river flooding are less prominent. Further, the provisions give the impression that the issues of sea level rise and coastal erosion are the only effects from climate change. In comparison, the plan remains relatively quiet on the other effects from global warming, such as drought and more frequent and extreme weather events leading to river flooding and erosion. This submission therefore seeks to have a fair representation of the various hazard types in Section 10. Along with this, the submission seeks that the hazard provisions have particular regard to PWRPS Method 4.1.14 'Incorporating Effects of Climate Change', by reflecting all components of this in a balanced and accurate manner.

Full and correct implementation of the Whitianga Tsunami Risk Management Plan (WTRMP) and those for Tairua/Pauanui and other areas through the Proposed Plan is sought.

Considerable resource has been invested into this collaborative project, and the WTRMP provides detailed recommendations for statutory implementation through the Proposed Plan. It recommends that the establishment of new community facilities such as early childhood, aged care and others should be avoided in the tsunami area. The Proposed Plan takes a more enabling approach than what is provided for in the WTRMP recommendation, the submission seeks to have amended.

Coastal Environment

The mapping of the Coastal Environment Overlay defines the landward extent of the Coastal Environment. In accordance with PWRPS Method 4.1.8 ba) ii) TCDC have taken the option of mapping the landward extent “determined by further detailed investigation”. The Proposed Plan’s mapping has based its mapping on a 2008 assessment of ‘Natural Character of the Coastal Environment’ from a landscape perspective (Stephen Brown) and a 2010 ecological assessment of natural character (Natural Solutions). Combined, this has produced a Coastal Environment overlay which excludes the towns and major settlements along the coast. This raises the question for WRC as to how the Proposed Plan intends to address urban coastal matters and natural resource management in more built-up areas.

It is understood that the intention for the Proposed Plan to address urban coastal proximity without the Coastal Environment Overlay, instead using the area policies and zone rules, however WRC considers that this does not adequately give effect to PWRPS Section 6.2 Planning for Development in the Coastal Environment, as required through Method 6.2.1. The submission therefore seeks that this be addressed through additional area policies and zone rules, or alternatively through an amendment of the Coastal Environment overlay mapping to include townships and settlements.

Maintenance and enhancement of indigenous biodiversity

WRC generally supports the intent of the objectives and policies within section 6 of the Proposed Plan, however some policy directions require amendment to give effect to Chapter 11 of the PWRPS. For example, there is currently no specific objective or policies to give effect to PWRPS Policy 11.2 Significant Indigenous Biodiversity and its methods, while existing policies (for example relating to sustainable use) will not give effect to the PWRPS biodiversity policy directions.

The use of regulatory incentives (i.e. Rules 8 and 10 within section 38 of the plan) as a method to achieve policy directions complementary to other regulation and non-regulatory

methods is supported. Other methods to implement the proposed biodiversity objectives and policies give partial effect to the PWRPS. However there are two important gaps:

- The vegetation clearance rules within section 29 require amendment to give effect to the PWRPS Method 11.1.3 and 11.2.2. Proposals allow for permitted indigenous vegetation clearance subject to a range of “performance standards” which, as drafted, would allow indigenous vegetation clearance without assessment of biodiversity values, or provision of remediation or mitigation to achieve no net loss. The result could potentially be cumulative loss of indigenous biodiversity including areas that are significant. Proposals relating to indigenous vegetation removal in the Coastal Environment need to be amended because as drafted they would allow vegetation clearance without assessment of biodiversity values. Presently the Plan provisions do not adequately give effect to New Zealand Coastal Policy Statement (NZCPS) or PWRPS policies.
- The lack of identification of SNAs on the plan maps is likely to have implications for the way that the plan deals with “overlay” rules in relation to biodiversity and for plan interpretation and administration. Without a clear connection back to specific identified values on the plan maps such an overlay approach may not be as effective as it could be. Overlays are generally used to impose targeted provisions to specific locations where values exist. This approach increases certainty as to who is affected by the additional provisions and who is not. WRC notes that there is internal inconsistency with how other overlays within the plan are dealt with. For example, overlays for natural character, landscape and amenity and coastal environment are all identified on the planning maps. There are also potential cross-boundary and integrated management issues associated with such an approach and the approach adopted by other territorial authorities currently involved in District Plan reviews that have utilised the SNA data to link identification on plan maps to relevant rules within their plans.

Coromandel Peninsula Blueprint

Policy 6.9 of the PWRPS addresses the implementation of the *Coromandel Peninsula Blueprint Framework for Our Future 2009* (Coromandel Blueprint). In clause b) the policy identifies the desired settlement pattern, in which the three identified main centres of Thames, Whitianga and Whangamata may develop beyond their existing urban limits. The aim is to encourage a concentration of development, through intensification and consolidation, in and around these existing centres.

The Thames Coromandel Proposed District Plan Chapter 15 on Settlement Development and Growth should reflect this provision with more clarity. There is no overarching statement referring to these main centres as adopting this particular growth pattern. The submission seeks that the objectives and policies of the Proposed Plan are amended to provide an overarching, clear alignment with the policy direction of the PWRPS.

As discussed above, WRC is generally supportive of the provisions of the Proposed Plan. The specific submission points are in of this submission.

WRC in support of this submission.

Attachment 1

Section 3 – Definitions “Natural Hazard Terms”	Oppose	A definition for the term “Flood Defence” should be included. While descriptive terms of flood defence components are contained in the definition of “Natural Hazard Defence” under “Natural Hazard Terms” in the Glossary, a standalone definition of the term “Flood Defence” is missing. It would be better to have a standalone definition of the term, particularly as it is used in the titles and content of Sections 34.7, and 34.17.	Add to Section 3 “Natural Hazard Terms” part of the Glossary a standalone definition of “Flood Defence” : <u>Flood Defence: A ‘soft’ or ‘hard’ defence used to avoid or mitigate flooding. Examples include, but are not limited to: culvert, detention dam, floodgate, floodwall, pump station, river training groyne, spillway, stopbank, artificial channels, weir, rock rip-rap, bridge, earth stabilisation planting.</u>
Section 3 – Definitions: High Flood Hazard	Support in Part	The definition of High Flood Hazard Area should be consistent with the WRC approach, which are also consistent with recent tsunami hazards approaches determined in conjunction with TCDC. The definitions are likely to be used in other future WRC and TCDC flood hazard documentation.	Amend Section 3 - Definitions High Flood Hazard by substituting the existing text with the following: <u>means</u> <u>an area where flood waters have the potential to impede a person’s ability to rescue themselves or others. When the flow depth exceeds 1.0 m (i.e. adult’s waist depth), a person’s ability to navigate through water flow (both on foot and using a vehicle) is restricted, therefore impeding the rescue of themselves and others.</u> <u>There is a significantly greater risk</u>

			to life when the combination of the flow depth (D) and flow speed (S) exceeds 1.0. International research suggests that structural damage is likely when the flow speed exceeds 2 m/s.
Section 3 – Definitions: Medium Flood Hazard	Support in Part	The definition of Medium Flood Hazard Area should be consistent with the WRC approach, which are also consistent with recent tsunami hazards approaches determined in conjunction with TCDC. The definitions are likely to be used in other future WRC and TCDC flood hazard documentation.	<p>Amend Section 3 – Definitions: Medium Flood Hazard by substituting the existing text with the following:</p> <p><u>means an area where flood waters have the potential to cause a person to become unstable and unable to manoeuvre. International research suggests that there is a danger of being knocked over when the combination of the flow depth (D) and flow speed (S) exceeds 0.5 (refer diagram). Only heavy vehicles or specialist 4wd vehicles are likely to navigate through water.</u></p> <p><u>Buildings with structurally weak points, such as doors and windows, are likely to be damaged when the flow speed exceeds 1 m/s.</u></p>
Section 3 – Definitions: Low Flood Hazard	Support in Part	The definition of Low Flood Hazard Area should be consistent with the WRC approach, which are also consistent with recent tsunami hazards approaches	Amend Section 3 – Definitions: Low Flood Hazard by substituting the existing text with the following:

		determined in conjunction with TCDC. The definitions are likely to be used in other future WRC and TCDC flood hazard documentation.	<u>means an area where flood waters allow an able bodied person to manoeuvre through water flow. Light vehicles (cars and motorbikes) may be restricted by flow depth. Buildings may sustain superficial damage to buildings.</u>
Section 3 – Definitions:	Oppose	There is no definition of what a ‘natural hazard’ includes.	Provide in Section 3 – Definitions a list of natural hazards relevant to the TCDC area. Refer to the Glossary in the PWRPS, which in turn uses the Natural Hazard definition from the RMA.
Section 6 – Biodiversity 6.1 Background	Support in part	<p>This section is generally supported but would benefit from:</p> <ol style="list-style-type: none"> 1. A fuller identification of the biodiversity context and legislative framework to manage biodiversity; and 2. More specific recognition that the district is characterised by its ecological complexity and diversity, providing strongholds for many nationally threatened species, several of which are only found within the Coromandel. <p>The proposed additions will assist to provide improved context for the subsequent issue, objectives and policies that follow.</p>	<p>Amend 6.1, first paragraph, 3rd sentence as follows:</p> <p><u>“The Council has a number of obligations for indigenous biodiversity. S5(2)(b) RMA requires the life-supporting capacity of ecosystems to be safeguarded, while S6c) RMA places a responsibility on Council to protect areas of significant indigenous vegetation and significant habitats for indigenous fauna as a matter of national importance.</u></p> <p><u>Section 7d) also requires Councils</u></p>

			<p><u>to have particular regard to the intrinsic values of ecosystems. The definition of “intrinsic values” in the RMA includes values derived from biological and genetic diversity and the essential characteristics that determine an ecosystems integrity, form, functioning and resilience. These characteristics are also integral to the life-supporting capacity of ecosystems identified in S5(2)(b).</u></p> <p><u>Section 31 of the RMA provides that it is the function of territorial authorities to control the effects of the use of land for the maintenance of indigenous biodiversity. According to S75 RMA district councils must give effect to any national policy statement any New Zealand Coastal Policy Statement (NZCPS) and any regional policy statement.</u></p> <p><u>The Waikato Regional Policy Statement requires the Council to maintain or enhance indigenous biodiversity, ecological processes and to protect areas of significant indigenous vegetation and significant habitats for indigenous fauna through a combination of</u></p>

			<p><u>regulatory and non-regulatory methods.</u></p> <p>Amend 6.1 second paragraph as follows:</p> <p><u>The District has extensive biodiversity values. The Coromandel Peninsula stands out from most other ecological regions in the Waikato for having a diverse and unique array of indigenous flora and fauna species. The survival of this species richness may be primarily attributed to the large and interconnected fragments of indigenous forests, wetlands and scrublands, combined with the relatively late arrival of mammalian pests to the area. However, large portions of the once extensively forested peninsula have been cleared or strongly modified by human activity. More than half the district...</u></p>
6.2 Issues	Support in part	This section identifies some of the important issues relating to biodiversity management for the district. As written the issues are relatively generic and could apply to any district within the region. It would be useful to frame the biodiversity issues based in such a manner to give them a TCDC flavour and relevance. Issue 3 has done this to a certain extent, covering the key issue of fragmentation of lowland and coastal ecosystems within	<p>Retain Issue 1 but amend 6.2 as follows:</p> <p>Subdivision, use and development contribute to the continued loss and reduction <u>in the value of the District's indigenous biodiversity values, resulting in:</u></p>

		<p>the district. Another area that should be covered is the occurrence of a large number of nationally threatened species, many of which only occur on the Coromandel. Nearly 60% of manuka/kanuka scrubland within the district is found on private land, this vegetation type provides for habitat for many threatened fauna and flora species. The management of these species across a range of different habitat types (forest, coastal, aquatic, wetland, and even production environments such as forestry) is a key issue for the plan to address. Issue 1 should be retained but with amendment to add other effects such as reduction in extent of ecosystems and species and cumulative loss. Issue 2 should also be retained with the addition of reference to vegetation clearance and wetland drainage as two key management practices that contribute to biodiversity degradation. These changes will provide for improved consistency with PRPS 11.1 and 11.1.2.</p>	<ul style="list-style-type: none"> a) Loss of.... b) <u>Decline in extent, health and quality of ecosystems and species;</u> c) <u>Cumulative loss or degradation of ecosystems or species;</u> d) Loss of ecosystem services; e) Loss of amenity f) Loss of economic ... g) Loss of choices for future ... <p>Retain Issue 3 but amend as follows:</p> <p>The health and ecological functioning of remaining biodiversity and significant natural areas requires <u>the identification, protection and enhancement of ecological buffers, connections and corridors, particularly for fragmented lowland and coastal habitats.</u></p> <p>Add a new issue (Issue 4) that reflects the importance of managing impacts on the range of habitats used by threatened and endemic species, including kanuka/manuka scrubland and production forestry environments.</p>

6.3 Objective 1	Support in part	The intent of Objective 1 is supported however the maintenance or enhancement of biodiversity is not only reliant on it being used, subdivided or developed.	Amend Objective 1 as follows: Indigenous biodiversity is maintained, restored or enhanced. at the time of subdivision, use and development.
6.3 Policy 1a	Oppose	Policy 1a is written in a way that promotes subdivision, use and development rather than maintaining or enhancing biodiversity or supporting ecological functions and intrinsic values of ecosystems. The policy is also overly detailed and internally inconsistent. For example part b of the policy seems to be inconsistent with many other parts of the policy. The policy can be re-worded to better reflect the objective and the requirements of S5(2)(b), 7d) and 31 RMA as well as PWRPS Policy 11.1.	Delete Policy 1a and replace with the following: <u>Subdivision, use and development maintains and enhances ecosystems, their intrinsic values, natural processes and their ecological benefits by providing for:</u> a) <u>Connectivity within and between habitats, particularly along riparian margins; and</u> b) <u>Buffering of sensitive sites from intensive land use; and</u> c) <u>Retention of habitat for threatened species; and</u> d) <u>Avoidance of edge effects and increased risk of plant and animal pests; and</u> e) <u>Incentives that achieve permanent protection or enhancement of indigenous ecosystems and habitats.</u>
6.3 Policy 1b	Oppose	Policy 1b is currently written as a policy to guide vegetation clearance associated with subdivision, use or development, instead of providing for the maintenance of	Delete Policy 1b and replace with the following:

		<p>biodiversity. The policy direction is an important one as it provides guidance for biodiversity outside of identified areas however it needs to be re-written to reflect the matters covered in S5(2)(b), 7d) and 31(1)(b)(iii) RMA and to improve consistency with PRPS Policy 11.1 and Method 11.1.3. The reference in part d) to natural hazards needs to be amended to reflect that increased erosion and flooding resulting from removal of indigenous vegetation is a result of loss of ecosystem services provided by that vegetation. Matters b) and e) relate to SNAs and should be covered under specific policy related to those sites that meet S6c) RMA requirements (see submission points on this below).</p> <p>WRC would also favour an added provision in this policy for the prevention of the establishment of kauri die-back disease.</p>	<p><u>Maintain and enhance indigenous biodiversity by ensuring that any subdivision, use or development:</u></p> <ul style="list-style-type: none"> a) <u>Retains the viability, integrity and sustainability of indigenous habitats and species;</u> b) <u>Does not adversely affect ecological buffers and corridors;</u> c) <u>Does not reduce the provision of important ecosystem services such as soil retention and flood control;</u> d) <u>Does not adversely affect aquatic and wetland ecosystems, their riparian margins and buffers.</u> e) <u>Prevents the establishment of kauri die-back disease by managing earthworks in the vicinity of SNAs and remnant areas of indigenous biodiversity containing kauri</u> f) <u>Provides appropriate remediation or mitigation for any loss of indigenous vegetation or habitat to achieve no net loss of biodiversity, including through legal protection, re-vegetation and biodiversity enhancement, pest control and stock exclusion.</u>

6.3 Policy 1c	Support	This policy provides direction for targeted subdivision incentives to maintain, restore and enhance indigenous biodiversity consistent with the objective. The policy direction will assist to give effect to PWRPS Chapter 11.	Retain Policy 1c.
6.3 Policy 1d	Support in part	WRC supports the intent of this policy but not the scope of its associated definition. Allowing property owners reasonable use and enjoyment of their land is an important policy direction, however as currently drafted and defined the “sustainable use” policy is a vegetation removal policy that could be viewed as permissive. Assessment of adverse effects on biodiversity from such an approach is required to ensure that biodiversity is being maintained. This will not be achieved through use of permitted or controlled activities. The definition of sustainable use is also considered to be too permissive and will not achieve PWRPS biodiversity policy directions.	<p>Retain Policy 1d but amend as follows:</p> <p><u>Provide for the reasonable use and enjoyment of land through:</u></p> <ul style="list-style-type: none"> a) <u>The maintenance and operation of lawfully established infrastructure and utilities;</u> b) <u>The continuation of existing lawfully established uses of land where the effects of such land use remain the same or similar in character, intensity, and scale;</u> c) <u>Activities undertaken for the purpose of maintenance or enhancement of indigenous biodiversity;</u> d) <u>The collection of material for maintaining traditional Maori cultural practices; and</u> e) <u>Actions necessary to avoid loss of life, injury or serious damage to property.</u> <p>AND</p> <p>Delete the definition of Sustainable</p>

			Use.
6.3 Policy 1e	Support	WRC supports this policy as it provides important direction to avoid adverse effects of activities on indigenous biodiversity within the coastal environment consistent with the NZCPS and PWRPS Policy 11.4.	Retain Policy 1e.
6.3 Objective 2 and Policies	Oppose	This objective and associated policies relates to establishment, maintenance and upgrading of infrastructure and network utilities rather than the maintenance and enhancement of indigenous biodiversity and is not required to address the biodiversity issues outlined in section 6.2. The maintenance of existing infrastructure and utilities can be covered by current policy 1d subject to submissions above, while establishment or significant upgrading is covered by suggested policy 1b above.	Delete Objective 2 and Policies 2a and 2b or move to section 19 of the plan.
6.3 New Objective and Policies		WRC notes that section 6.3 of the plan does not provide any objective or policies that would promote the protection of SNAs. This means that there is currently no specific objective or policies to give effect to PWRPS Policy 11.2 Significant Indigenous Biodiversity and its methods.	<p>Add a new objective to provide for the protection of SNAs as follows:</p> <p><u>Significant Natural Areas retain their biological diversity and the natural functioning of these areas is protected or enhanced.</u></p> <p>Add the following policies to provide additional direction to implement the above objective as follows:</p> <p><u>Protect the values and characteristics associated with Significant Natural Areas by ensuring that:</u></p> <p>a) <u>The clearance of indigenous</u></p>

			<p><u>vegetation or ground disturbance for any activity does not reduce the ecological sustainability or values and characteristics of the SNA; and</u></p> <p>b) <u>Any loss of indigenous vegetation or habitat that cannot be avoided is remedied or mitigated to achieve no net loss of biodiversity, including through legal protection, re-vegetation and biodiversity enhancement, pest control and stock exclusion.</u></p> <p>c) <u>The health and functioning of SNA is maintained through building setbacks.</u></p> <p>d) <u>Activities that enhance or restore buffers around SNA and ecological connections and corridors between SNAs are encouraged.</u></p> <p>e) <u>The introduction of cats or dogs into SNA is avoided.</u></p> <p>f) <u>All practical options for locating the activity outside of the SNA have been considered.</u></p> <p><u>Indigenous biodiversity values are maintained and where appropriate, effectively integrated within subdivision, use and development activities in a way that protects or</u></p>

			<p><u>enhances Significant Natural Areas, indigenous buffers around and corridors to Significant Natural Areas, ecological processes, and overall indigenous biodiversity.</u></p> <p><u>Where loss of or damage to an SNA is authorised then the residual adverse effects that cannot be avoided, remedied or mitigated shall be offset in line with international best practice.</u></p>
6.4 Non Regulatory Method 2	Support in part	WRC supports the review of the TCDC Biodiversity Strategy however as part of such a review we would favour recognition of the collaborative development of a local biodiversity strategy as another method within the district plan. This would give effect to Method 11.1.10 of the PWRPS and enable the most appropriate mix of regulatory and non-regulatory methods to manage biodiversity for the Thames-Coromandel District.	<p>Amend 6.4 Non Regulatory Method 2 as follows:</p> <p><u>The council will partner with Waikato Regional Council to develop a local indigenous biodiversity strategy that will identify the spatial picture of the biodiversity resource in the Thames-Coromandel District, and identify local management approaches to maintain and enhance that resource.</u></p> <p><u>Development of the strategy will involve working with iwi, affected landowners, resource managers and other key stakeholders. As a minimum the strategy will:</u></p>

			<ul style="list-style-type: none"> • <u>Utilise existing biodiversity data / inventory</u> • <u>Identify priority actions and / or locations for action</u> • <u>Include an implementation timeframe</u> • <u>Identify potential funding sources</u> • <u>Allocate roles and responsibilities</u> • <u>Provide a reporting, monitoring and review framework</u> • <u>Inform the most appropriate mix of regulatory and non-regulatory methods to manage biodiversity for TCDC district.</u>
Section 7 Coastal Environment 7.1.3 How was the coastal environment determined?	Support in part	<p>The Proposed Plan took the option in PWRPS 4.1.8 ba) ii) of detailed investigation to map the land ward extent of the coastal environment 'by the relevant territorial authority'.</p> <p>The Proposed Plan refers in 7.1.3 to six components on which the landward boundary for the Coastal Environment was mapped, and is predominantly natural character based. The mapping has the townships excluded from the Coastal Environment.</p> <p>For the District Council to appropriately undertake its functions it is important that the coastal environment applies in all areas along the coastline and does not stop at towns and built up areas to merge into a coastal erosion line. The extent of the coastal environment should accurately reflect all the characteristics identified</p>	<p>Ensure that Section 7 and all other provisions including mapping include all the characteristics in Policy 1 of the NZCPS including clauses d) and i). Consequently amend the Coastal Environment Line in the Planning maps to include all coastal townships and built-up areas which fall within the Coastal Environment .</p> <p>OR alternatively:</p> <p>Amend the policies and rules for all Policy Areas and Zones pertaining</p>

		<p>in Policy 1 of the NZCPS including clauses d) and i). As an alternative to a re-adjustment of the line to include the townships, the WRC submission seeks to have the Proposed Plan's area policies and zone rules address PWRPS Policy 6.2 "Planning for Development in the Coastal Environment" and give effect to Method 6.2.1.</p>	<p>to the towns, as submitted under the relevant area policies and zone rules, in order to give effect to PWRPS Policy 6.2, particularly b) c) d) f) h) j) and k):</p> <p><i>6.2 Planning for development in the coastal environment: Development of the built environment in the coastal environment occurs in a way that:</i></p> <p><i>b. protects hydrological processes and natural functions of back dune areas;</i></p> <p><i>c. has regard to local coastal character;</i></p> <p><i>d. allows for the potential effects of sea level rise, including allowing for sufficient coastal habitat inland migration opportunities;</i></p> <p><i>f. ensures adequate water, stormwater and wastewater services will be provided for the development;</i></p> <p><i>h. has regard to the potential effects of a tsunami event, and takes appropriate steps to avoid, remedy or mitigate that risk;</i></p> <p><i>j. does not compromise the function or operation of existing or planned coastal infrastructure; and</i></p>

			<i>k. provides for safe and efficient connectivity between activities occurring in the coastal marine area and associated land-based infrastructure.</i>
Section 9 – Landscape and natural Character 9.1.4 Background	Support in part	WRC generally supports this section however for completeness the last sentence of the first paragraph should be amended to reflect that the PWRPS has methods to restore natural character where it has been degraded.	Amend 9.1.4 last sentence of the first paragraph as follows: The RPS also has policy and methods to identify and preserve natural character <u>and to restore natural character where it has been degraded.</u>
9.2 Issue 1	Support	Issue 1 generally identifies the important matters to be addressed and is supported. A minor amendment to part h) to add the word “numerous” will help to clarify that it is the number of small activities that may eventually reach a threshold of having adverse effect on landscape values or ability to absorb visual impacts.	Retain Issue 1 with minor amendment to part h) as follows: h) Providing for <u>numerous</u> small activities with minor adverse effects
9.2 Issue 2	Support	Issue 2 generally identifies the important matters to be addressed and is supported. A minor amendment to part b) to remove the word “especially” and replace it with “including” will help to clarify that the focus of the issue is broader than just rare or vulnerable ecosystems.	Retain Issue 2 with minor amendment to part b) as follows: b) Introducing human elements thatfunctioning ecosystems, <u>especially including</u> rare or vulnerable...
9.2 New Issue		This section requires a new issue to highlight that appropriate subdivision and use can be utilised to enhance natural character in already degraded areas. This would provide for improved consistency with PWRPS Policy 12.3.	Add new issue 3 as follows: <u>Subdivision, use and development in areas of degraded natural character may provide opportunities</u>

			<u>for natural character to be restored or enhanced.</u>
9.3 Objective 1	Support	The wording of Objective 1 is generally consistent with S6b) RMA and with Policy 12.1 of the PWRPS.	Retain Objective 1.
9.3 Policies 1a, 1b and 1d	Support	The intent of the policies are generally supported as they reflect S6b) RMA and Objective 1. Policy 1a is written in a way that is inclusive of and consistent with Policy 15a of the NZCPS. Policy 1b provides additional direction for buildings and structures and picks up on some of the matters covered in Policy 1a that assist to avoid adverse effects. Policy 1d is supported as it covers the important matter of cumulative adverse effects.	Retain Policies 1a, 1b and 1d.
9.3 Policies 1c and 1e	Oppose	Policies 1c and 1e are inconsistent with the Objective to protect the values of Outstanding Landscapes. The intent of Policy 1c would better sit in the Network Utilities section of the plan. The word “temporary” in policy 1e is not defined and is too loose to be retained as part of the policy. In addition the word “restored” suggests that landscape values have not been protected and so the policy direction is inconsistent with the objective.	Delete Policy 1c and add to section 19 Utilities. Delete Policy 1e.
9.3 Objective 2	Support	The intent of Objective 2 is supported however to improve consistency with PWRPS Policy 12.4 it should also reflect historic and scientific values and natural features.	Retain Objective 2 with the following amendment: The qualities and characteristics of Amenity landscapes are maintained or enhanced and continue to contribute to the pleasantness, aesthetic coherence and cultural and recreational values of the landscape <u>their cultural, historic, recreation and natural values continue to contribute to its pleasantness and aesthetic</u>

9.3 Policy 2a	Support in part	The policy covers some of the important matters that need to be managed to maintain and enhance amenity values. However, the wording of the policy could be improved to clarify that earthworks and vegetation clearance are also activities that need to be managed to meet the objective.	<p><u>coherence.</u></p> <p>Amend Policy 2a as follows:</p> <p>Subdivision, use and development should maintain and wherever possible opportunity exists enhance Amenity landscapes by designing and locating buildings, structures, and lot boundaries and managing earthworks and vegetation clearance to:</p> <ul style="list-style-type: none"> a) Follow natural... b) Avoid prominent... c) Retain areas of open.... d) <u>Retain areas of vegetation, especially indigenous vegetation;</u> e) <u>Control the extent of earthworks;</u> f) Maintain views to the... g) etc
9.3 Policy 2b	Support	The policy is supported as it gives effect to PWRPS Policy 12.4 a) and assists to give effect to NZCPS Policy 15.	Retain Policy 2b.
9.3 Objective 3	Support	The intent of the objective is supported as it is largely consistent with RMA S6a), NZCPS Policy 13, and PWRPS Policy 12.3.	Retain Policy 2b.
9.3 Policy 3a	Support in part	This policy identifies areas with high and outstanding natural character captured by the natural character overlay. The policy to avoid activities that damage or diminish the level of natural character of these areas is supported as it is consistent with S6a) RMA, PWRPS Policy 12.3 and with NZCPS policies in relation to coastal	<p>Amend the list of natural character areas within Policy 3a, by deleting the activities, and state only the areas, as follows:</p> <ul style="list-style-type: none"> a) <u>Gravel and boulder beaches</u>

		<p>natural character. The policy also currently lists the type of activities that may be inappropriate to the specified areas of high natural character. While this may be useful, it also provides a potential problem if not all potentially adverse activities are listed. For example, under part e) of the policy, coastal forests may also be at risk from coastal subdivision and building development however these activities are not listed. It may be more useful to keep the policy more generic so that particular types of activities that may not perhaps have been identified or considered by the policy can still be captured by it. In addition, the scope of the specified areas needs to be extended to meet the objective so that it captures natural character of wetland, river and stream margins as well as the wetlands, rivers and streams themselves.</p>	<p>b) <u>Coastal cliff/escarpments</u> c) <u>Sand dunes</u> d) <u>Inland and coastal wetlands and their margins</u> e) <u>Coastal and riparian forests</u> f) <u>Rivers and streams and their margins.</u></p>
9.3 Policy 3b	Support in part	<p>This policy applies to areas with high and outstanding natural character captured by the natural character overlay. Although the policy is generally supported, the direction to avoid significant adverse effects as opposed to any adverse effect in relation to areas of outstanding natural character does not give effect to NZCPS Policy 13(1)(a) and is inconsistent with Objective 3.</p>	<p>Amend Policy 3b as follows:</p> <p>Significant—aAdverse effects on natural character in the within the Natural Character Overlay shall be avoided and other adverse effects shall be avoided, remedied or mitigated.</p>
9.3 Policy 3c	Support in part	<p>The intent of the policy to locate and design buildings and structures to integrate with surrounding natural character values is supported. However the current wording of the policy is confusing and does not make sense, and in addition focuses on integrating development into the natural character overlay rather than natural character values or the level of natural character present. The policy also needs to apply more direction around avoiding, remedying or mitigating adverse effects to give effect to PWRPS Policy 12.3 and</p>	<p>Amend Policy 3c as follows:</p> <p>Buildings and other structures shall be located and designed <u>The location, design and form of buildings and other structures shall be appropriate to the level of natural character of the area, to integrate with surrounding Natural Character values Overlay, and</u></p>

		<p>NZCPS Policy 13.</p> <p>One of the important mechanisms for protecting and enhancing natural character is the use of suitable development setbacks, especially from riparian and coastal margins. This section of the plan would benefit from a specific policy direction relating to this as it would improve consistency with PWRPS Policy 12.3, with NZCPS Policy 14, and with Objective 3.</p>	<p>avoid, remedy or mitigate with any adverse effects. on Natural Character.</p> <p>AND</p> <p>Add a new policy as follows:</p> <p><u>Provide for development setbacks from coastal and riparian margins to avoid a sense of encroachment of built form and provide for the protection and potential restoration of natural character in these locations.</u></p>
9.3 Policy 3d	Support	Policy 3d provides for natural character (within the natural character overlay) to be enhanced, consistent with the objective and with PWRPS Policy 12.3b). As a minor point it is natural character values that need to be enhanced rather than the natural character overlay.	Retain Policy 3d but replace the words “the Natural Character Overlay” with “natural character” and replace the words “natural character processes” in part I) with “natural ecological processes”.
9.3 Objective 4	Support	The Objective provides direction for managing natural character outside of the Natural Character Overlay consistent with PWRPS Policy 12.3 and NZCPS Policy 13 and 14.	Retain Objective 4.
9.3 Policy 4a	Support	The policy direction is consistent with Objective 4.	Retain Policy 4a..
9.3 Policy 4b	Support	The policy direction provides for is supported as it covers the important aspect of enhancing natural character in areas where it has already been compromised. This provides for consistency with PWRPS Policy 12.3 and method 12.3.2 and with NZCPS Policy 14. Some minor wording amendments to the policy can assist to improve clarity, for example part I) should reference “natural	Retain Policy 4b but replace the words “natural character processes” in part I) with “natural ecological processes”.

		ecological processes” rather than “natural character processes”.	
Section 10 Natural hazards	-	There is no inclusion or regard to CDEM (including lifeline utilities) issues when assessing any natural hazard risk.	Include assessment of CDEM issues in relevant policies, as per PWRPS Policy 13.3 ‘High impact, low probability natural hazard events’.
Section 10 Natural hazards – 10.1 Background, risk and consequence tables	Support in part	<p>The incorporation of a risk based approach to hazard planning is supporting current ‘best practice’. However, determining the ‘acceptable’, ‘tolerable’ and intolerable’ risk terms in the Risk table should ideally be through public/community consultation. Further, the consequence table should be based on specialist information.</p> <p>Refer to the GNS Toolbox http://www.gns.cri.nz/Home/RBP/Risk-based-planning/A-toolbox/Assumptions-limitations-and-uncertainties</p> <p>specifically the following points in the GNS toolbox:</p> <ul style="list-style-type: none"> • <i>A robust public engagement and risk communication process needs to be implemented alongside the table and associated process (provided as part of the Envirolink toolkit). This is to ensure that the community and key stakeholders are informed of the process and that the council can receive constructive and useful feedback. This public engagement process helps inform the acceptable, tolerable and intolerable risk levels and the associated consent categories.</i> • <i>The hazard information a Council has available is sufficiently accurate to allow for the calculation of the consequences from the hazard event. To be able to use the consequence table, the hazard information needs to be relatively detailed and scientifically</i> 	<p>In the Background section 10.1 provide full information on the process taken (or to be taken) to determine the contents of Risk and Consequence Tables.</p> <p>Conduct a review of the Risk and Consequence Tables to ensure the risk classifications and resulting consent requirements are appropriate for all Natural Hazard issues and ‘owned’ by communities.</p> <p>Subsequently amend the Risk and Consequence Tables based on the obtained further background information.</p>

		<p><i>robust. Furthermore, in order to be able to populate some of the consequence table categories, specialist information may be required (for example a risk modeller may be required to determine the number of deaths from a natural hazard scenario).</i></p> <p>It is necessary to clarify if any public/community consultation has been undertaken on this, or if this submission process is meant to form the whole of, or part of the public consultation on determining the appropriate risk parameters in the Consequence Table.</p> <p>Based on the Risk Table in Section 10.1, WRC does not agree that for an 'Almost Certain' event, the risk classification for a 'moderate' impact is 'Tolerable', when Moderate includes '2-10 dead and/or 11-100 injured', is an appropriate classification for a 'new development'.</p>	
Section 10 Natural hazards; 10.2 – Issue 4	Support in Part	Issue 4 refers to long term risk of increasing sea level rise on coastal hazards. However increasing sea level rise is only one aspect of climate change and that there are likely other natural hazards expected to have increased risk due to climate change. Therefore, other natural hazards (such as flooding, drought) should also be included as a specific issue relating to climate change.	Amend Issue 4 to the following: With long term risk from sea level rise over the next 100 years, t <u>There is a long-term risk of increasing coastal erosion and inundation natural hazards (coastal erosion and inundation, river flooding, drought etc) due to the effects from projected climate change.</u>
Section 10 Natural hazards; 10.3 – Objective 1	Support in part	Objective 1 is unclear when referring to new or existing subdivision, use and development.	Amend Objective 1 to the following: Natural hazard risk to life, property and community assets resulting from <u>new</u> subdivision, use and development are acceptable, and tolerable for existing risk areas subdivision, use or development.

Section 10 Natural hazards; 10.3 – Policy 1a	Support in part	Policy 1a is unclear when referring to new or existing subdivision, use and development.	Amend Policy 1a to the following: Any new subdivision, use and development shall ensure that life, property and community assets, including on adjacent sites, are protected from the adverse effects of natural hazards to an acceptable level of risk, <u>or tolerable risk in an existing subdivision, use and development,</u> in a manner that maintains the resilience of the natural environment.'
Section 10 Natural hazards; 10.3 – Policy 1b	Support in part	Policy 1b should refer to effective 'soft' defences and their appropriateness for each site. Should refer to the NZCPS policy 26 that addresses natural or 'soft' coastal defences.	Amend Policy 1b to the following: 'Soft' coastal defences that <u>can effectively defend</u> existing dwellings and community assets from coastal hazard risk should be encouraged where they do not increase coastal hazard risk to other sites <u>appropriate</u> . Refer to NZCPS Policy 26.
Section 10 Natural hazards; 10.3 – Policy 1c	Support in part	Policy 1c is unclear if it is referring to new or existing subdivision, use and development. WRC assumes it refers to existing. It also should refer to the defences not only failing, but subjected to greater than design events.	Amend Policy 1c to the following: Existing subdivision, use and development in areas that benefit from natural hazard defences shall be controlled so that the risk of loss or damage to life or property through failure of the defence <u>or being subjected to greater than design events,</u> is tolerable, while recognising the functional benefits of those defences.
Section 10 Natural hazards;	Support in	It is unclear as to what constitutes a 'Community asset'	Provide a definition of 'community

Objective 1 10.3 – Policy 1d and 1e	part	(Objective 1) or ‘Community Infrastructure’ (Policy 1e) (i.e. are reticulated services such as water and waste water included as community assets and infrastructure?) Policy 1d should include all natural hazards, not just coastal erosion and inundation.	infrastructure’ and ‘community assets’ in Section 3. AND Either amend Policy 1d to include other hazards OR add an additional policy that addresses other hazards out to the 100 year time frame, including climate change effects.
Section 10 Natural hazards; 10.3 – Policy 1f	Support in part	Policy 1f is not fully consistent with the NZCPS. Policy 3 in the NZCPS directs the precautionary approach where effects are uncertain, unknown, or little understood (not “highly uncertain”). Accordingly, it is applied where information about the risk is “uncertain”, not “highly uncertain”.	Retain Policy 1f with the following change: “A precautionary approach should be adopted when assessing development proposals in areas subject to natural hazard risk where information about that risk is either absent or highly uncertain.”
Section 10 Natural hazards; 10.3 – Policy 1g	Support in part	Policy 1g refers solely to explanation of the NZCPS (which focuses on coastal issues). Policy 1g should also account for other than coastal hazards affected by climate change such as river flooding, drought. There is direction in the PWRPS Method 4.1.14 that needs to be fully reflected.	Retain Policy 1g with the following amendment: “The potential effects of future climate change over the next 100 years, particularly including sea level rise, river flooding, drought and other, should be considered when assessing natural hazard risks, as explained in the NZCPS Policy 24, and using <u>the most recent national guidance on sea level rise projections as in the PWRPS Method 4.1.14.</u> ” Ensure that the rules are fully consistent with this part of the

			policy.
Section 10 Natural hazards; 10.3 – Policy 1h	Support in part	<p>Policy 1h aims to ensure sites are not assessed on a single hazard alone and/or needs to provide for multiple hazards to give an overall risk based on multiple hazards.</p> <p>There are a number of scenarios when dealing with multiple hazards and the relationship between the hazards.</p> <p>1) - The hazards are NOT directly linked or have any influence on increasing/decreasing risk on each other. These multiple risks should then be assessed <u>individually</u> to provide an overall risk for the site. E.g. earthquake and wind hazard.</p> <p>2) –</p> <p>a) One primary hazard triggering one or more secondary hazard events. E.g. Earthquake causing a landslide.</p> <p>b) A series of triggering relationships forming a cascade or domino event. E.g. Earthquake destroying pump stations and or flood protection then a flood occurs.</p> <p>c) One primary hazard changing the probability of an event occurring. E.g. Rising sea level increasing ground water levels which is likely to increase risk of liquefaction in certain areas.</p> <p>d) Two or more primary hazards coinciding so as to trigger or increase the probability of secondary hazards. E.g. Coastal storm surge combining with river flood event to cause increased flooding.</p>	<p>Either Amend Policy 1h to : better clarify and define (Using Section 3) multiple hazard risks</p> <p>OR</p> <p>Simplify the wording to: 'When a site is subject to multiple hazards, the combined effect of the hazards shall be assessed.'</p> <p>Note that when assessing multiple hazards and there interactivity, a precautionary approach shall be used as per Policy 1f.</p>
10.3 – Objective 3 and Policy 3b	Support in part	The Whitianga Tsunami Risk Management Plan (WTRMP) and upcoming similar plans for the Coromandel east coast high tsunami risk areas have	Ensure that the policies under Objective 3 implement the Tsunami Risk Management Plans fully and

		been developed in collaboration with other partners including the WRC. The WTRMP recommends on pages 10 and 28 the implementation through land use planning rules which should be considered more widely and consistently than the present content in Objective 3, policy 3b and a rule.	consistently, by following the recommendations in pages 10 and 28 In the WTRMP.
Section 10 Natural hazards; 10.3 – Policy 3b Section 34.15 Rule 16	Oppose	The policy and its rules make it possible to have new critical public facilities in Tsunami areas (with vertical evacuation areas). The Whitianga Tsunami Risk Management Plan states in Appendix 4 under Land use Planning - Recommendations on page 28: Land Use planning; avoidance; recommendations: “Recommended that restriction of new development be limited to critical public facilities initially (defined as emergency services, hospitals, rest homes, libraries, Government departments, pools, schools, preschools, and water/wastewater treatment plants) . Rules along the following lines may be considered: Need to give primary consideration to avoiding new critical facilities in tsunami hazard zones – especially in the high and medium hazard zones”.	Amend Policy 3b to the following: <u>New, and re-development of critical public facilities (defined as emergency services, hospitals, rest homes, libraries, Government departments, pools, schools, preschools, and water/wastewater treatment plants) in the tsunami area is avoided, as primary consideration in high and medium tsunami hazard zones. Existing development of facilities for children, aged care facilities, libraries and hospitals within areas at risk of tsunami with a 0.1% AEP should have vertical evacuation areas that are sturdy enough to withstand a tsunami and elevated above expected tsunami inundation for a 0.1 AEP event.</u> Ensure this is implemented with corresponding rules in the rule section. The restricted discretionary activity status in Section 34.15 Rule 16 is not consistent with avoidance. This should be at least a non-

			complying activity.
10.3 – Policy 3c	Oppose	Policy 3c significantly limits the consideration of natural hazards other than those stated. The full range of natural hazards types should be considered.	Amend Policy 3c to the following: <u>New and existing development should consider the risk of all known natural hazards coastal inundation (including sea level rise), land instability and bushfires where relevant.</u>
10.3 – Objective 4 and policies a – e	Support	Policy 13.2.f) of the PWRPS is to discourage hard protection structures and promoting the use of alternatives to them. Objective 4 and its policies a - e reflect this well.	Retain the overall approach with most aspects of Objective 4 and its policies, apart from the changes listed in the submission points below.
10.3 – Objective 4	Support in part	Objective 4 is not in alignment with NZCPS Policy 27.4 in regard to defending existing dwellings with 'hard' coastal defences. NZCPS Policy 27.4 states: <i>'Hard protection structures, where considered necessary to protect private assets, should not be located on public land if there is no significant public or environmental benefit in doing so.'</i> Objective 4 implies that new 'hard' defences are acceptable to defend any existing dwelling if deemed the only option. However, if the 'hard' coastal defence is to be on public land, then that is contrary to the NZCPS.	Amend Objective 4 to be consistent with NZCPS Policy 27.
10.3 - Policy 4a	Support	For new mitigation measures and defences soft engineering options should be given the preference.	Amend Policy 4a to the following: Natural hazard mitigation measures ... to reduce risk. <u>In this regard, for new mitigation measures and defences soft engineering options are given the preference.</u>
10.3 – Policy 4b and 4d	Support in part	The policies protect natural features and systems as natural hazard protection measures and provide natural	Retain policies 4b and 4d.

		systems with the space to migrate inland under the effects of climate change. This is in accordance with PWRPS 6.2.3.f). Policy 4b of these is not clear in defining subdivision, use and development as being new or existing.	Amend Policy 4b to state if it is referring to subdivision, use and development as being new, existing or both.
Section 10 Natural hazards; 10.3 – Policy 4c	Support in part	Policy 4c wording suggests that new subdivision, use or development is allowed if the resulting risk is 'acceptable' once defences are installed. This does not fully cover to give effect to the PWRPS Policy 13.2 e) and f). The term "acceptable" should be used along "tolerable" as stated in PWRPS Policy 13.2.	Amend Policy 4c to: 'New subdivision, use and development in the coastal environment shall not occur where it is dependent on installation of new defences to make natural hazard risk <u>acceptable or tolerable</u> .'
Section 10 Natural hazards; 10.3 – Policy 4e	Support in part	Policy 4e suggests that the only feasible option to replace a 'hard' coastal defence is to replace with a 'soft' coastal defence. However, there are potentially other possible options other than just 'soft' coastal defence.	Amend Policy 4e to: 'Once a 'hard' coastal defence requires replacement or major restoration work, the structure should be replaced with a soft ... <u>protection from natural hazard shall be assessed as if it is a new structure and a full options assessment and AEE be undertaken.</u> '
Section 10 Natural hazards; 10.4 – Methods 1 and 2	Support in part	Local and Regional CDEM groups (including Waikato LifeLines User Group) should also be informed and included in any consultation.	Amend Section 10.4 Method 1 and 2 to include Local and Regional CDEM groups in any information and consultation.
Section 15.3 Settlement Development and Growth; Policy 7c	Support in part	Policy 7c wording suggests that settlement growth is allowed if the resulting risk is 'acceptable' once defences are installed. This does not fully cover to give effect to the PWRPS Policy 13.2 e) and f).	Amend Policy 7c to: Settlement growth in areas subject to natural hazards should not be justified on the basis that 'hard' engineering structures will be installed to lower the risk to a

			tolerable level. <u>New subdivision, use and development in the coastal environment shall not occur where it is dependent on installation of new defences to make natural hazard risk acceptable or tolerable.</u>
15.3 - Policy 7d	Support in part	Policy 7d identifies any rezoning of Rural land to a Residential Area should consider implications of tsunami risk if the land is below 5m above mean sea level. However, recent modeling has shown that land below 10 m above sea level could be at reasonable risk from tsunami.	Amend Policy 7d and Rule 16 to include land below 10m above mean sea level instead of 5m.
Section 15 Settlement Development and Growth; Objective 10 and Policies 10q; 10r; and 10t	Support in part	<p>The PWRPS states in provision 6.9.6 District Plan provisions: <i>Thames-Coromandel District Council should include provisions in the Thames-Coromandel District Plan that give effect to policy 6.9. Policy 6.9 b) states: focus future urban development (beyond the existing zoning and infrastructure provision) on the three identified main centres of Thames, Whitianga and Whangamata; and encourage concentrated development through intensification and consolidation.</i></p> <p>Policies 10q; 10r; and 10t provides for each of these main centre' concentrated development. The present provisions are not sufficient to clearly reflect the PWRPS provisions 6.9.1 and 6.9 b). The consistency with PWRPS 6.9 on their identified status will be clearer when Objective 10 states the towns by name as the main growth centres.</p>	<p>Retain policies 10q; 10r; and 10t in their current content.</p> <p>Amend Objective 10: "The unique characteristics of each settlement are recognised and guide settlement development and growth in the District. <u>Future urban development (beyond the existing zoning and infrastructure provision) should be focussed in and around the three main centres of Thames, Whitianga and Whangamata.</u>"</p>
Section 15 – Settlement Development and Growth – 15.3 Objectives and policies –	Support	WRC supports Policy 1f in relation to on-site water tanks.	Retain Policy 1f

Objective 1 - Policy 1f – “On-site water tanks”			
15.3 Objective 6 - Policy 6d – “Stormwater infrastructure shall...”	Support	WRC supports Policy 6d in relation to stormwater infrastructure.	Retain Policy 6d.
15.3 Objectives and policies Policy 9a) g) j)	Support	WRC is encouraged to see that TCDC is promoting implementation of Low Impact Design (LID) measures and stormwater management devices to avoid and/or mitigate the actual and potential adverse effects of stormwater diversion and discharge activities.	Retain Policy 9a g) and j).
16.3 Objective 1	Support in part	While the intent of Objective 1 is supported additional workin gisneded for the objective to have a better connect to the issue(s) in section 16.2.	Amend Objective 1 as follows: Subdivision benefits the district by being ‘the right thing in the right place’ <u>appropriately located and designed to maintains and enhances—amenity, biodiversity, natural character, landscape and ecosystems and fits within its landscape and surroundings.</u>
16.3 Policy 1c	Support	The policy provides direction for the use of regulatory incentive in the Rural Lifestyle Zone to enhance biodiversity values consistent with policy direction in section 6 of the plan and with Policy 11.1 PRPS.	Retain Policy 1c..
16.3 Objective 5 & associated policies	Oppose	Objective 5 is too constrained to be useful, focussing on contour and landform alteration, rather than on landscape, natural character, biodiversity and cultural values, which its supporting policy (5a) covers. Objective 5 needs to be rewritten to improve consistency with sections 6, 8 and 9 of the plan. Policy 5a) also needs to be rewritten to change its emphasis to maintaining and enhancing natural values within subdivision. There should also be policy direction for those areas within the	Amend Objective 5 as follows: <u>Protect and enhance the district’s natural environment by maintaining its natural functioning, natural character, natural features and landscapes, and indigenous biodiversity.</u>

		plan that have been identified as outstanding, amenity or high natural character in relation to subdivision activities to assist with achieving policy directions in section 9 of the plan.	<p>Amend Policy 5a as follows:</p> <p><u>Maintain and enhance the natural environment by ensuring that existing landform, indigenous vegetation and waterways are retained within the design and layout of the subdivision and development.</u></p> <p>Add a new policy as follows:</p> <p><u>Maintain and enhance the values of the identified landscapes and natural character areas of this plan by avoiding subdivision patterns that would lead to inappropriate siting of buildings, associated infrastructure, driveways and road configuration.</u></p>
16.3 Objective 6	Support	The intent of the objective is supported as it provides for protection and enhancement of biodiversity at the time of subdivision. The objective sets the direction to provide for regulatory incentives via subdivision rules as an additional method to implement the objectives and policies in section 6 of the plan.	Retain Objective 6.
16.3 Policy 6a	Support in part	The policy provides for subdivision creating 1 or more conservation lots in the Rural Area, which is supported. However the reference to policy 1d is at odds with achieving both objective 6 (16.3) and objective 1 (6.3). The correct policy reference to link to is Policy 1c in section 6.3 of the plan.	Retain Policy 6a but delete reference to policy 1d and replace it with reference to policy 1c.
16.3 Policies 6b to 6e	Support	The policies provide additional direction to achieve	Retain Policies

		objective 6 and are supported. Policy 6b part a) references the criteria within the PWRPS, however Rule 8 part 1b) references an area identified on Figure 1 "Priority Locations for Indigenous Ecosystem Restoration and Enhancement". Clarification is required as to whether these 2 references are one and the same or different. If they are different then the policy should be amended to be consistent with Rule 8 and reference the priority locations on Figure 1.	AND clarify whether Policy 6b part a) is consistent with Rule 8 part 1b), and if not amend accordingly.
16.3 Objective 7 & associated policies.	Support	The objective and policies are supported as they cover important aspects of water quality and quantity that may be adversely affected by subdivision. They are also consistent with policy directions to protect and enhance biodiversity, natural character and the coastal environment elsewhere in the plan.	Retain Objective 7 & associated policies..
16.3 Objective 8	Support in part	The objective provides an appropriate basis for provision of esplanade reserves and strips consistent with s229 RMA.	Retain Objective 8.
16.3 Policy 8a	Support in part	The policy generally provides appropriate direction for when esplanade areas are to be established with the exception of part b) of the policy. Establishing an esplanade reserve for the purpose of recreational use is subject to that use being compatible with conservation values (RMA s229 c)).	Amend Policy 8a part b) by highlighting that recreational use must be compatible with conservation values.
16.3 Policy 8b	Support in part	The policy generally provides appropriate direction for when esplanade areas may be reduced in width, however part c) of the policy should reference that recreational use is subject to that use being compatible with conservation values.	Amend Policy 8b part c) to reference recreation use compatible with conservation values.
16.3 Policies 8c to 8e	Support	The policies are supported as they are largely consistent with the objective. Policy 8d could be more directly worded to ensure that esplanade reserves may only be waived for the reasons set out in parts a to d of the	Retain Policies 8c and 8e AND

		policy. In addition part d of the policy should be clarified to ensure that conservation values can still be maintained and enhanced without the esplanade reserve.	Amend Policy 8d as follows: An esplanade reserve may <u>only</u> be waived when: a) The land is.....; or b) Vesting an.....; or c) Special values..; or d) The area is remote and public access is not desirable <u>and conservation values can still be maintained or enhanced without a reserve.</u>
16.3 Policy 9b	Support	This is a requirement of the Waikato Regional Plan.	Retain Policy 9b with one minor addition: “...each lot can be serviced with a wastewater <u>treatment and</u> disposal system that meets the requirements of the Waikato Regional Council.”
16.3 Objective 9 – Policy 9c	Support in part	On-site wastewater systems cannot serve more than one property as a permitted activity under the Waikato Regional Plan. Such developments would require resource consent.	Retain Policy 9c with additional wording: <u>Such developments would likely require discharge consent from Waikato Regional Council.</u>
16.3 Objective 9 – Policy 9f	Support	WRC is encouraged to see that TCDC is promoting implementation of Low Impact Design (LID) measures and stormwater management devices to avoid and/or mitigate the actual and potential adverse effects of stormwater diversion and discharge activities. LID's comprise design and development practices that utilise natural systems and low-impact technologies and the management of stormwater at-source where appropriate. Key elements include working with natural site features,	Retain Policy 9f

		avoiding or minimising impervious surfaces, minimising earthworks in construction, and utilising vegetation to assist in trapping sediment and pollutants.	
Section 18 - Transport Background	Support in part	WRC note Section 18 provides a brief description on the network characteristics and the role of transport modes in the local context. However there is no discussion around the role of public transport in the district. It is also expected that public transport is likely to play an increased role in the future as a result of changing demographic patterns (e.g. ageing population). It is suggested that some discussion around public transport would be appropriate in this section as there is likely to be an increasing demand for public transport, particularly for isolated rural communities to access essential services.	Include reference to public transport in section 18.1. to discuss the existing and future role of public transport in the District.
18.2 Issues Issue 3	Support in part	This issue statement needs to be rewritten so it clearly reflects the cause of the problem. High traffic-generating activity is not necessarily the issue. The real problem is more related to uncoordinated land use and infrastructure planning which could lead to increased traffic volume that is not appropriately serviced by infrastructure.	<p>Amend Issue 3 to read (or to this effect):</p> <p><u>Land use development that is not appropriate serviced by infrastructure</u> Larger traffic-generating activities can adversely impact the transport network's efficiency and functionality by:</p> <ul style="list-style-type: none"> a) Altering road or pedestrian safety; b) Damaging pavements; c) Increasing on-street vehicle parking and servicing;

			d) Seeking access which is incompatible with the transport network function and design
18.2 Issues Issue 4	Support in part	This issue statement does not clearly articulate what the real problem is. Similar to the comments above, WRC believes the real problem is more related uncoordinated land use planning which could result in reverse sensitive effects. WRC suggests that this issue statement be re-written (or re-framed) so the problem is more clearly articulated.	Amend Issue 4 to read (or to this effect): Activities close to road and rail corridors that are sensitive to the operational effects of those road and rail corridors (such as noise, vibration and air pollution) can adversely affect the transport network's efficiency and functionality by requiring mitigation measures to reduce those effects. Land-use incompatibility and reverse-sensitivity effects can occur if sensitive development is located adjacent to state highways, major arterials and railway lines; and these effects could adversely impact on the efficient operation of the transport network.
18.3 Objectives and policies – general	Support	WRC generally support the objectives and policies identified in 18.3, and in particular, objectives 1, 2, 3 and 4; and policies 1b, 2a, 2b, 3a, 3d, 4a and 4b. These objective and policies are consistent with the objective and policy direction identified in the Regional Land Transport Strategy (RLTS).	Retain 18.3 Objectives and Policies.
18.3 Objectives and policies	Support in	.	

Policy 2c	part		
18.4 Methods	Support	WRC supports the method of using road classification to manage the effects of land use activities. The road classification for the District which is based on the regional transport hierarchy as identified in the RLTS will ensure a more consistent approach with regard to the management of the strategic corridors.	Retain 18.4 method and table 1.
Part IV – Area Issues, Objectives and Policies			
Section 20 Commercial Area Provisions	Oppose	The area is likely to be close to coast or harbour, but not included in the Coastal Environment Overlay. The provisions should be at least giving effect to Policy 6.2 of the PWRPS is required. The necessary provisions to address Policy 6.2 and Method 6.2.1 need to be added.	<p>Provide in Section 20 objectives and policies to give effect to PWRPS Policy 6.2 b) c) d) f) h) j) k), and Method 6.2.1.</p> <p>Also reflect this in the rules section.</p> <p>PWRPS Policy 6.2: <i>6.2 Planning for development in the coastal environment: Development of the built environment in the coastal environment occurs in a way that:</i></p> <p><i>b. protects hydrological processes and natural functions of back dune areas;</i></p> <p><i>c. has regard to local coastal character;</i></p> <p><i>d. allows for the potential effects of sea level rise, including allowing for sufficient coastal habitat inland migration opportunities;</i></p>

			<p><i>f. ensures adequate water, stormwater and wastewater services will be provided for the development;</i></p> <p><i>h. has regard to the potential effects of a tsunami event, and takes appropriate steps to avoid, remedy or mitigate that risk;</i></p> <p><i>j. does not compromise the function or operation of existing or planned coastal infrastructure; and</i></p> <p><i>k. provides for safe and efficient connectivity between activities occurring in the coastal marine area and associated land-based infrastructure.</i></p>
Section 21 Industrial Area Provisions	Oppose	The area is likely to be close to coast or harbour, but not included in the Coastal Environment Overlay. The provisions should be at least giving effect to Policy 6.2 of the PWRPS. The necessary provisions to address Policy 6.2 and Method 6.2.1 should be added.	<p>Provide in Section 21 objectives and policies to give effect to PWRPS Policy 6.2 b) c) d) f) h) k), and Method 6.2.1.</p> <p>Also reflect this in the rules section.</p> <p>PWRPS Policy 6.2: <i>6.2 Planning for development in the coastal environment: Development of the built environment in the coastal environment occurs in a way that:</i></p> <p><i>b. protects hydrological processes and natural functions of back dune</i></p>

			<p>areas;</p> <p><i>c. has regard to local coastal character;</i></p> <p><i>d. allows for the potential effects of sea level rise, including allowing for sufficient coastal habitat inland migration opportunities;</i></p> <p><i>f. ensures adequate water, stormwater and wastewater services will be provided for the development;</i></p> <p><i>h. has regard to the potential effects of a tsunami event, and takes appropriate steps to avoid, remedy or mitigate that risk;</i></p> <p><i>j. does not compromise the function or operation of existing or planned coastal infrastructure; and</i></p> <p><i>k. provides for safe and efficient connectivity between activities occurring in the coastal marine area and associated land-based infrastructure.</i></p>
Section 23 Residential Area Provisions	Oppose	The area is likely to be close to coast or harbour, but not included in the Coastal Environment Overlay. The provisions should be at least giving effect to Policy 6.2 of the PWRPS. The necessary provisions to address Policy 6.2 and Method 6.2.1 should be added.	<p>Provide in Section 23 objectives and policies to give effect to PWRPS Policy 6.2 b) c) d) f) h) k), and Method 6.2.1.</p> <p>Also reflect this in the rules section.</p>

			<p>PWRPS Policy 6.2: <i>6.2 Planning for development in the coastal environment: Development of the built environment in the coastal environment occurs in a way that:</i></p> <ul style="list-style-type: none"> <i>b. protects hydrological processes and natural functions of back dune areas;</i> <i>c. has regard to local coastal character;</i> <i>d. allows for the potential effects of sea level rise, including allowing for sufficient coastal habitat inland migration opportunities;</i> <i>f. ensures adequate water, stormwater and wastewater services will be provided for the development;</i> <i>h. has regard to the potential effects of a tsunami event, and takes appropriate steps to avoid, remedy or mitigate that risk;</i> <i>j. does not compromise the function or operation of existing or planned coastal infrastructure; and</i> <i>k. provides for safe and efficient connectivity between activities occurring in the coastal marine area and associated land-based infrastructure.</i>

Section 23 Residential Area Objective 7 and Policies 7a and 7b	Support in part	The Objective and Policies relating to the Coastal Environment (areas in the Coastal Environment overlay) are supported and should be retained. Further reference to PWRPS Policy 6.2 may be necessary, as required under Method 6.2.1.	<p>Retain Objective 7 and Policies 7a and 7b. Amend any missing points in relation to PWRPS Policy 6.2. (Also reflect this in the rules section.)</p> <p>PWRPS Policy 6.2: <i>6.2 Planning for Development in the coastal Environment: Development of the built environment in the coastal environment occurs in a way that:</i></p> <ul style="list-style-type: none"> <i>a) ensures sufficient development setbacks to protect coastal natural character, public access, indigenous biodiversity, natural physical processes, amenity and natural hazard mitigation functions of the coast;</i> <i>b) protects hydrological processes and natural functions of back dune areas;</i> <i>c) has regard to local coastal character;</i> <i>d) allows for the potential effects of sea level rise, including allowing for sufficient coastal habitat inland migration opportunities;</i> <i>e) protects the valued characteristics of remaining</i>

			<p><i>undeveloped, or largely undeveloped coastal environments;</i></p> <p><i>f) ensures adequate water, stormwater and wastewater services will be provided for the development;</i></p> <p><i>g) avoids increasing natural hazard risk associated with coastal erosion and inundation;</i></p> <p><i>h) has regard to the potential effects of a tsunami event, and takes appropriate steps to avoid, remedy or mitigate that risk;</i></p> <p><i>i) avoids ribbon development along coastal margins;</i></p> <p><i>j) does not compromise the function or operation of existing or planned coastal infrastructure; and</i></p> <p><i>k) provides for safe and efficient connectivity between activities occurring in the coastal marine area and associated land-based infrastructure</i></p>
Section 24 – Rural Area 24.2 Issues	Support in part	Issue 1 highlights that activities within the rural area can adversely affect natural values, while Issue 3 identifies that inappropriate development in the Rural Lifestyle Zone contributes to isolation or fragmentation of areas of indigenous vegetation and the loss of rural character. While this is supported, the issue needs to be expanded to further consider impacts on indigenous habitats, and	<p>Retain Issue 4</p> <p>AND</p> <p>Amend Issue 1 by adding as new part d) the following:</p>

		aquatic and riparian ecosystems for the rural area as a whole. Issue 4 highlights potential impacts on the coastal environment and is supported.	<u>d) contribute to the loss or fragmentation of indigenous vegetation and habitats, and adverse effects on aquatic and riparian ecosystems.</u>
24.3 Objective 1 and policies	Support in part	Policies 1b, 1c and 1f are supported. Policy 1c supports the implementation of the biodiversity objectives and policies in section 6 of the plan, while policy 1f gives effect to NZCPS policy 16. Policy 1a contains confusing terminology such as “functional need to locate” that is more relevant to use in policies relating to the Coastal Environment. The policy also only provides for effects to be remedied or mitigated, rather than avoided. Policy 1d is supported as it provides for public access to and along the coast, however it is not clear why the policy does not also cover access to and along the margins of rivers and lakes consistent with PRPS Policy 12.5. Policy 1e provides strong direction to provide for certain types of infrastructure in the Coastal Environment that goes beyond the requirements of the NZCPS. The policy needs to be amended to better reflect Policy 6 (1) (a) NZCPS.	<p>Retain Policies 1b, 1c and 1f</p> <p>AND</p> <p>Amend Policy 1a by removing reference to other activities with a functional need to locate in the Rural Zone and include as part of amended Policy 1e) below to give effect to the NZCPS. Add reference to avoidance of effects as well as remediation and mitigation.</p> <p>AND</p> <p>Amend Policy 1d) by adding reference to provision of public access to and along rivers and lakes in the rest of the Rural Area.</p> <p>AND</p> <p>Amend Policy 1e) as follows:</p> <p>Infrastructure for harbour, aquaculture and renewable energy generation facilities that provide</p>

			social and economic benefits should <u>may</u> be provided for in <u>appropriate places</u> in the <u>, especially where such activities have a functional need to locate within the CMA,</u>
24.3 Objectives & Policies – New Policy		The current objectives and policies fail to provide direction on maintaining and enhancing ecosystems and indigenous biodiversity in the rural area beyond the coastal environment. An additional policy or policies can be added under Objective 4 that seeks to maintain rural character and amenity as indigenous ecosystems and habitats are a component of rural character.	Add a new policy under Objective 4 to maintain and enhance ecosystems and indigenous biodiversity in the rural area beyond the coastal environment.
24.3 Objective 4	Support in part	Objective 4 provides direction to maintain rural character. The objective needs to be amended to reflect that indigenous ecosystems and habitats are an important component of rural character.	Amend Objective 4 as follows: Subdivision, use and development in the Rural Area maintains the rural character, and—amenity, <u>indigenous habitats, and aquatic and riparian ecosystems of the zone in which they are located.</u>
24.3 Policy 5a	Support in part	Policy 5a relates to minimising discharge of sediments and contaminants to water in the Coastal Environment which assists to give effect to NZCPS policies 22 and 23. However it would be helpful if the policy provides more specific direction, particularly for those aspects of land use control highlighted in the NZCPS, such as control of plantation forest harvesting (Policy 22(3)), reduced sediment loadings in stormwater systems (Policy 22(4)) and reducing contaminant and sediment loadings in stormwater at source (Policy 23(4)(b)).	Amend Policy 5a by adding specific reference to land use control of plantation forest harvesting, reduced sediment loadings in stormwater systems and reducing contaminant and sediment loadings in stormwater at source. OR Provide for these additional

			directions as new policies.
24.3 Policy 5b	Support in part	Policy 5b partly gives effect to NZCPS Policy 11 and PWRPS Policy 11.4, however additional reference to avoiding adverse effects on significant indigenous biodiversity would improve consistency.	Amend Policy 5b as follows: <u>Protect indigenous biodiversity within the coastal environment by avoiding adverse effects on significant areas of indigenous vegetation and habitats of significant fauna and discouraging clearance or modification of other indigenous vegetation and habitat.</u>
24.3 Policy 5c	Support	The policy provides specific direction for particularly vulnerable coastal habitats and ecosystems consistent with NZCPS Policy 11(b)(iii) and PWRPS Policy 11.4 a)iv).	Retain.
24.3 New Policy		The suite of policies under Objective 5 does not provide direction on natural features, ecological functions and physical processes and as such will not aid in implementation of the objective or give effect to NZCPS or PWRPS.	Add in 24.3 a new policy as follows: <u>Provide for coastal development setbacks in the coastal environment of sufficient width to maintain and enhance natural features, natural ecosystem functioning and natural physical processes including the ability for inland migration of coastal ecosystems in response to sea level rise.</u>
24.3 Objective 6	Support in part	The objective is largely supported as it gives effect to NZCPS policies 13, 14 and 15. Additional reference to natural features will improve consistency as will removal of reference to “particularly outside existing settlements” which unnecessarily limits the scope of the objective, particularly when dealing with restoration of natural	Amend Objective 6 by adding reference to natural features and removing reference to “particularly outside existing settlements”.

		character consistent with NZCPS Policy 14 and PRPS Method 12.3.2.	
24.3 Policies 6a to 6c	Oppose	<p>The policies are not consistent with objective 6 and are too limited in scope. The policies read like assessment matters for Restricted Discretionary or Discretionary activities in relation to landscape and natural features as much as to natural character, and may be better placed in the relevant assessment criteria tables for subdivision rules, zone rules and overlay rules. The objective is responding to NZCPS Policies 13, 14 and 15 which provide strong direction to avoid adverse effects on natural character, natural features and landscapes in certain situations and avoid, remedy and mitigate other adverse effects. Direction is also provided for the restoration of natural character in the coastal environment. The policies need to be substantially rewritten to give effect to the NZCPS and PWRPS Chapter 12.</p>	<p>Delete Policies 6a to 6c and replace with more appropriate policies, for example:</p> <p><u>Identify areas of high and outstanding natural character in the coastal environment and protect such areas by avoiding adverse effects from inappropriate subdivision, use and development.</u></p> <p><u>In areas where natural character has already been compromised seek opportunities for it to be restored and enhanced.</u></p> <p><u>Encourage the restoration of indigenous biodiversity and habitats and enhancement of water quality within the coastal environment as part of subdivision, use and development.</u></p>
24.3 Objective 7 and associated policies	Support in part	<p>The objective and policies are largely supported as they give effect to NZCPS Policy 6(1)(c). Policy 7b should also add reference to opportunities to maintain and restore natural character within the coastal environment, consistent with Policy 14 NZCPS and PWRPS Method 12.3.2.</p>	<p>Retain Objective 7 and Policy 7a.</p> <p>Amend Policy 7b to add reference to the maintenance and enhancement of natural character of the coastal environment or include as a separate new policy.</p>

Section 29 – Biodiversity Whole section	Support in part	<p>Section 29 Biodiversity sits within the overlay rules section of the plan however the plan does not identify any biodiversity sites on the plan maps. This will have implications for the way that the plan deals with “overlay” rules in relation to biodiversity, for example what is the overlay rule applying to and where? It will also have implications for plan interpretation and administration. Without a clear connection back to specific identified values on the plan maps, such an overlay approach may not be as effective as it could be. Overlays are generally used to impose targeted provisions to specific locations where values exist. This approach increases certainty as to who is affected by the additional provisions and who is not.</p> <p>There is also internal inconsistency with how other overlays within the plan are dealt with. For example, overlays for natural character, landscape and amenity and coastal environment are all identified on the planning maps. While it is acknowledged that there are various means of identifying and protecting SNAs in a district plan, WRC considers that the best approach is the same or similar to that which has been undertaken for natural character, landscape, amenity and the coastal environment.</p> <p>There are also potential issues (cross-boundary and integrated management) associated with such an approach and the approach adopted by other TAs currently involved in District Plan reviews (for example, Waipa, South Waikato, Hamilton City and particularly Hauraki District which borders TCDC) who have utilised the SNA data to link identification on plan maps to relevant rules within their plans. Although the PWRPS</p>	Identify significant biodiversity sites on the planning maps and link to the biodiversity overlay rules.

		<p>does not explicitly require SNAs to be mapped, there are numerous reasons that would support such an approach in terms of plan effectiveness.</p> <p>Mapping biodiversity sites on the plan maps will provide:</p> <ul style="list-style-type: none"> • internal plan consistency; • improved cross-boundary and integrated management of biodiversity resources; • increased certainty for landowners; and • improved plan interpretation and implementation. 	
29.3	Support in part	The focus of the rules in section 29.3 is on clearance of indigenous vegetation. Although this is supported as it is the key adverse effect on indigenous biodiversity it should not be the sole focus of rules. This section needs to be expanded to include control over other activities that can adversely affect biodiversity such as earthworks and drainage, buildings and structures, pests and weeds, stormwater run-off.	Extend the scope of Rule 29.3 to cover other activities, including earthworks and drainage, buildings and structures, pests and weeds, and stormwater run-off as discretionary activities and provide appropriate assessment criteria to address adverse effects on biodiversity values.
Section 29	Support in part	The application of section 29 to indigenous biodiversity generally is supported, however further clarity is required as to how the rule distinguishes between areas that have been assessed as significant and those that have been assessed as important but not significant. To give effect to PWRPS Policies 11.1 and 11.2 and specifically to Methods 11.1.3 and 11.2.2 any clearing of indigenous vegetation or habitat in SNAs in any zone or area should be a discretionary or non-complying activity unless it is for one of the purposes outlined as exemptions within the scope of reasonable use (outlined in submission to policy 1d above and to Rule 29.3.2 and 29.3.3 below). The assessment matters for discretionary or non-complying activities outlined in submission to 29.5 below would then	<p>Amend 29.1 Background and 29.3 Permitted Activities to clarify that for biodiversity outside of SNAs any clearing of indigenous vegetation in any zone or area (unless it is captured by the reasonable use provision) should be a restricted discretionary activity.</p> <p>Amend Rule 29.5 Table 2 to distinguish appropriate Restricted Discretionary Activities assessment matters for non-significant biodiversity.</p>

		apply. For biodiversity outside of SNAs any clearing of indigenous vegetation in any zone or area (unless it is captured by the reasonable use provision) should be a restricted discretionary activity. There may be a need to refine the list of assessment matters in Rule 29.5 to apply more specifically to biodiversity outside of SNAs and to remediation and mitigation of adverse effects rather than to avoidance, remediation, and mitigation for SNAs.	
29.1 Background 2 nd paragraph	Support	The rules in section 29 of the plan address control of adverse effects on indigenous biodiversity and link resource consent requirements to the PWRPS to ascertain potential significance of a site. This approach is supported as it allows for ongoing updates to the original SNA data as a result of ground-truthing, updated surveys and other information. It also allows for those areas that are less than 0.5ha in size that are difficult to detect at the regional scale to be captured and assessed, consistent with PWRPS Methods 11.2.2 and 11.2.3. This approach is supported by Rules 29.5 Table 1, controlled activity matter 1 and Table 2, discretionary criteria 1b) that actually trigger the assessment for significance.	Retain 29.1 Background second paragraph, AND Retain Rules 29.5 Table 1, controlled activity matter 1 and Table 2, discretionary criteria 1b).
29.3 Rule 2	Oppose	This rule provides for the clearance of indigenous vegetation outside of the Conservation Zone, Rural Zone and Rural Lifestyle Zones as a permitted activity. This approach implies that that biodiversity within urban or coastal living areas is not important, whether it is an SNA or not. This is inconsistent with a traditional overlay approach which applies rules/provisions to where the values exist. Data analysis to support such an approach needs to be re-visited. The majority of SNA and other biodiversity within urban areas will be small, less than 0.5ha. Many of	Delete Rule 2.

		<p>these small areas will not be identified as part of WRC's SNA database due to the regional scale of data capture. The PWRPS relies on district plans to adequately provide for such small but important areas. Under the proposed direction this will not occur and therefore, it will not give effect to the PWRPS.</p> <p>Proposals for managing SNAs and biodiversity in the coastal living zone, which presumably occur largely within the coastal environment, appear to be at odds with both the NZCPS (Policy 11) and the PWRPS (Policy 11.1, 11.2 and 11.4). These policy directions require adverse effects on indigenous biodiversity in the coastal environment to be avoided, or avoided, remedied or mitigated where such values occur. However the proposed direction provides no regulatory framework for indigenous biodiversity in the coastal living zone on lots less than 4000m² whether or not biodiversity values exist.</p>	
29.3 Rule 3	Oppose	<p>The permitted activity rules as proposed will not maintain indigenous biodiversity or protect the values and characteristics of SNAs consistent with PWRPS Policies 11.1 and 11.2. The long list of exemptions also means that the rule is unclear and confusing. The Rule could result in significant cumulative adverse effects on indigenous biodiversity and SNAs without adequate assessment. The exceptionally high ecological values of the peninsula means that in some instances the preference of avoiding development of SNAs needs to be considered. Where clearance is considered appropriate, remediation or mitigation should be applied. Permitted Activity status does not allow for this to occur. Any matters listed as part of the rule need to be consistent with having a less than minor adverse effect on</p>	<p>Delete Rule 3.1 and replace with the following list of exemptions that have less than minor adverse effects on indigenous biodiversity.</p> <ul style="list-style-type: none"> a) <u>The maintenance and operation of lawfully established infrastructure and utilities;</u> b) <u>The continuation of existing lawfully established uses of land where the effects of such land use remain the same or similar in character, intensity, and scale;</u> c) <u>Activities undertaken for the purpose of maintenance or</u>

		indigenous biodiversity (see submission point on 6.3 Policy 1d relating to “reasonable use). The activity status of activities that do not meet the standards listed should at minimum be a discretionary activity and given the rarity and significance of the values at risk, non-complying status would be more appropriate.	<p><u>enhancement of indigenous biodiversity;</u></p> <p>d) <u>The collection of material for maintaining traditional Maori cultural practices; and</u></p> <p>e) <u>Actions necessary to avoid loss of life, injury or serious damage to property.</u></p> <p>Amend Rules 3.2 and 3.4 so that vegetation clearance is considered as a non-complying activity.</p> <p>Amend the Rule so that it applies across all zones/areas (i.e. replaces Rule 2).</p>
29.4	Oppose	Assessment of adverse effects on biodiversity from such an approach is required to ensure that biodiversity is being maintained. This will not be achieved through use of permitted or controlled activities. The definition of sustainable use is also considered to be too permissive and will not achieve PWRPS biodiversity policy directions. Reasonable use can be provided for as a permitted activity against a list of exemptions that have less than minor adverse effects on indigenous biodiversity (as part of revamped Rule 3).	Delete Rule 29.4.
29.5	Support in part	Table 1 provides for some of the potential adverse effects on biodiversity from activities that need to be assessed as part of any discretionary consent, such as habitat fragmentation. However, this section needs to be amended to provide a more comprehensive set of criteria consistent with PWRPS guidance within Policy 11.1 and method 11.1.2. The criteria also need to be able to apply	<p>Amend Table 2 to read:</p> <p><u>Table 2 – Biodiversity assessment matters for Non-Complying and Discretionary Activities.</u></p> <p>Delete contents of current Table 1</p>

		to Non-Complying (for SNA) and Discretionary (for other biodiversity) activities.	<p>and replace with the following:</p> <p><u>(a) The characteristics and values that deem the area to be a significant natural area and the extent to which the activity adversely affects those characteristics and values including, in terms of:</u></p> <p><u>(i) Fragmentation and isolation of indigenous ecosystems and habitats; and</u></p> <p><u>(ii) Reduction in the extent of indigenous ecosystems and habitats (including loss of riparian and buffer vegetation) and impact on the ecological functions and integrity of the Significant Natural Area; and</u></p> <p><u>(iii) Impact on the ecological relationship between the Significant Natural Area and other SNAs or areas of biodiversity (e.g. connectivity and buffering); and</u></p> <p><u>(iv) Loss or disruption to migratory pathways in water, land or air; and</u></p> <p><u>(v) Loss or diminishment of hydrological flows, water levels and water quality; and</u></p> <p><u>(vi) Changes resulting in an increased threat from animal and plant pests; and</u></p>

			<p><u>(vii) Effects which contribute to a cumulative loss or degradation of indigenous habitats and ecosystems; and</u></p> <p><u>(viii) Loss or reduction of amenity values, cultural values or natural character; and</u></p> <p><u>(ix) Any proposals for rehabilitation including riparian management; and</u></p> <p><u>(x) A reduction in the value of the cultural and spiritual association with indigenous biodiversity which are held by tāngata whenua; and</u></p> <p><u>(xi) Noise and disturbance [from people and vehicles] on indigenous species; and</u></p> <p><u>(xii) Loss of habitat that supports indigenous species under threat of extinction; and</u></p> <p><u>(xiii) A demonstrated necessity to locate the activity within the SNA, including the ability for the activity to be reasonably located or undertaken on another part of the site in a way that will result in a nil or lesser impact on the Significant Natural Area; and</u></p> <p><u>(xiv) The extent to which any runoff or stormwater resulting from the establishment of the activity will lead to siltation; and</u></p> <p><u>(xv) The extent to which the activity can provide opportunities for</u></p>

			<u>enhancement of ecological health and values of the Significant Natural Area.</u>
Section 32 – Landscape and Natural Character Overlay Rules 32 Whole section	Support in part	The background explains how the overlay rule intends to protect outstanding landscapes and natural character and maintain amenity landscapes. It is the district-wide or zone rules that trigger activity status before linking to the overlay rule in terms of additional standards or assessment criteria. The overlays also have rules which manage specific activities that impact on the particular values captured by the overlays, without need for reference back to zone or district-wide rules. Reliance on the zone and district-wide rules requires activities within each of those zones to be assessed for potential adverse effects on landscape, natural character and amenity, which is onerous and potentially confusing. The addition of specific overlay rules is helpful, as it targets the values to be managed more effectively. However the combination of the two approaches may make plan interpretation and administration more difficult. In addition, it is unclear how either approach has dealt effectively with cumulative adverse effects and as currently written the rules may not implement the objectives and policies from section 9 of the plan.	Make amendments to Rules 32.3, 32.4, 32.5, 32.6, 32.7 & 32.8 as outlined in submissions below.
32.3 Rule 5	Support in part	The intent of managing one dwelling per lot as a Restricted Discretionary activity subject to standards and criteria is supported. However, as currently written the rule will not adequately provide for assessment of cumulative adverse effects of numerous single dwelling applications within the same Outstanding Landscape area. This will not implement the direction of 9.3 Objective 1 of the plan.	Amend Rule 5 or its related assessment criteria to provide for assessment of cumulative effects of each and every additional dwelling.
32.3 Rules 6 and 8	Support	The rules provide for the adequate control of activities	Retain Rules 6 and 8.

		with impacts on landscape values and characteristics and implement the directions of section 9 of the plan.	
32.3 Rule 7	Support in part	The rule provides for a number of activities to be managed as Non-Complying activities within Outstanding Landscapes and these are generally supported as they implement the policy directions in section 9 of the plan. The rule needs to be amended to provide for vegetation clearance as an activity that can have significant impacts on the values and characteristics of Outstanding Landscapes. Vegetation, particularly indigenous vegetation, is one of the key factors in identifying landscapes as outstanding. Issue 9.2 of the plan identifies its removal as something that needs to be addressed.	Amend Rule 7 by adding reference to indigenous vegetation clearance.
32.4 Table 2 Outstanding Landscape Restricted Discretionary Matters - Assessment Criteria	Support in part	Rule 32.4 provides for a range of assessment criteria for restricted discretionary activity matters. While Table 2 provides for some of the matters that need to be assessed in terms of landscape impacts, it requires additional matters to be covered if it is to effectively implement the directions outlined in section 9.3 of the plan. The assessment matters should also apply to Discretionary and Non-Complying activities.	<p>Amend Table 2 so that it applies to RD, D and NC activities.</p> <p>AND</p> <p>Amend Table 2 to include the following matters: The extent to which the activity reduces or impacts on the values and characteristics that have determined the locations status as an Outstanding landscape or natural feature.</p> <p>AND</p> <p>Add new earthworks matter as 1d)</p> <p>1d) The extent to which earthworks</p>

			<p>are visible from a public place.</p> <p>AND</p> <p>Add as new Building/structure matter as 2h)</p> <p>2h) The ability for the Outstanding Landscape to absorb the cumulative impact of each additional dwelling or structure.</p>
Rules 32.7 and 32.8		<p>Section 32 of the plan sets out the rules to manage the effects of activities on areas of natural character. The natural character policy section of the plan highlights vegetation removal and built elements as important effects/activities to be managed across all the types of natural character areas listed. However, vegetation removal or buildings/structures are not one of the activities listed in the rule within section 32.7. For the natural character overlay, extra matters of discretion are added to permitted, controlled or Restricted Discretionary activities from the underlying zone and district wide rules sections. Vegetation removal and built development and their potential adverse effects on natural character should be one of these activities. This means that there is a mis-match between the policy directions in section 9 and the rules in section 32.7.</p> <p>In addition some of the rule thresholds within section 32.7 do not seem appropriate as they relate to a set distance from water bodies (5m in the case of rule 15.1.a) rather than the actual extent of the overlay on the</p>	<p>Add a new rule to 32.7 that covers the following activities as Discretionary Activities:</p> <p>Vegetation removal and earthworks within and adjacent to areas of identified natural character and within 20m of waterways.</p> <p>A building setback rule for buildings, structures and infrastructure within and adjacent to areas of identified natural character and within 25m of waterways.</p> <p>Amend Rule 32.8 by adding assessment matters to address impacts on natural character as follows:</p>

		<p>maps. That is natural character should be determined by the extent of the mapped area, which may be variable across the different areas of natural character, rather than fixed to an arbitrary threshold of 5m.</p> <p>The overlay rule needs to provide for some specific assessment criteria in relation to natural character if it is to achieve the policy directions outlined in section 9.3 Objective 3 and policies 3a to 3d. The criteria need to apply to both the ecological functioning side of natural character as well as to visual experience (or attributes of naturalness) as outlined in 9.1.4 of the Plan.</p> <p>The current wording of the criteria in Table 5 that relate to natural character require amendment if they are to effectively address the range of potential adverse effects on natural character. For example, 1a seeks earthworks to be minimised, rather than looking at the extent to which earthworks may adversely impact on natural processes, natural features, and ecological functioning and how the activity can be appropriately avoided, remedied or mitigated. Many of the other criteria in this table also require amendment along the same lines to effectively implement the policy directions.</p>	<p><u>The extent to which the activity reduces or impacts on the values and characteristics that have determined the locations status as an area of high or outstanding natural character.</u></p> <p><u>The extent to which the proposed activity or building would impede natural ecological functioning of waterways and the maintenance and enhancement of riparian habitat.</u></p> <p><u>The extent to which the activity impacts on public access to and along coastal and riparian margins.</u></p> <p><u>The extent to which the activity provides opportunities to enhance and restore natural character where it has already been degraded.</u></p> <p>Amend the wording of Rule 32.8 assessment matters 1-5 to effectively cover potential impacts on natural processes, natural features, and ecological functioning. As an example, matter 1a) should be amended as follows:</p> <p><u>1a) The extent to which earthworks impact on natural processes,</u></p>

			<u>natural features, and ecological functioning and opportunities for those impacts to be avoided, remedied or mitigated.</u>
Section 34 - Natural Hazards 34.2.2 Design river flood event and modeling	Support in part	<p>The design river flood event used in the modeling undertaken in 2004/2005 is not likely to be a 'worst case' as a larger than design event could occur. Also, the climate change parameters used in 2004/2005 have now been superseded; of significance is the use of at least 0.8 m for sea level rise over the next 100 years (note that the Future Coastal Protection Line uses 0.9 m for sea level rise).</p> <p>Remodelling of the Tararu and Te Puru Streams have been undertaken by WRC and will be supplied to TCDC as and when required.</p>	<p>Amend the first sentence of Rule 34.2.2 to: 'The land use controls rely on detailed flood modeling of the following 'worst case' design river flood event:'</p> <p>Amend Rule 34.2.2 a) to: 'Detailed topographical information including ground contours from LiDAR in 2004. The Tararu and Te Puru Streams are planned to be remodelled <u>have been modeled</u> using 2013 LiDAR. The flood extent information was validated against recorded historical flood data.'</p> <p>State in Section 34.2.2 that the climate change parameters used for the modeling have been superseded and that updated modeling should be undertaken (in line with the updated coastal erosion setbacks) and that any new development should have a floor levels based on recent, current best practice modeling for both river and coastal inundation.</p>
Section 34 - Natural Hazards	Support in	Remove the estimate of a '1% chance of erosion risk' in	Amend the last paragraph in Rule

34.5.2 Coastal erosion Setbacks	part	the first sentence of the last paragraph as the exact probability is unlikely to be known.	34.5.2 to: A Future Coastal Protection Line (FCPL) is also applied that corresponds to an estimate of 1% a possible chance of erosion risk in the year 2100. This factors ...
Section 34.6 Tsunami	Support in part	Minor change to align the terminology of source areas with terminology used during public consultations.	Amend second paragraph of 34.6: The main local <u>near</u> -source of tsunami is the Tonga-Kermadec Trench ...
Section 34.11 Current coastal erosion areas Rule 11	Support in part	Support that a hard coastal defence is a non-complying activity, however unclear as to what the subdivision is relating to: it would not be a subdivision creating lots for housing development, so the purpose of subdivision should be specified.	Specify the type of Subdivision in Rule 11, such as "subdivision for ... development creating one or more additional lots."
Section 34.15 Rule 16	Oppose	The rule for new community facilities is not consistent with the recommendation in the WTRMP pages 10 and 28 to avoid new facilities in the tsunami areas. The activity status should be changed from restricted discretionary to non-complying.	Change Rule 16 to a <u>non-complying activity</u> .
Part VII - District-Wide Rules			
Section 37 – Mining Activities Rules Provision 37.4 2. states that quarrying that is a restricted discretionary activity in Table 1 must: b) Include a site management plan with the application which includes matters [i) – xi)]	Support in part	Table 3 matters setting out the assessment criteria for a restricted discretionary activity include Stormwater issues 2(c), (d), 5(c) and Earthworks 6 issues but the management plan required under 37.4(2)b does not require any detail on these matters – hence the Council will have no detail on which to assess some of the matters set out within provision 37.4 Table 3.	Amend the requirements of quarry management plan requirements of provision 37.4 (2) to include Stormwater issues 2(c), (d), 5(c) and Earthworks 6 issues as set out in provision 37.4, Table 3.
37.3 Rule 2	Oppose	Providing for removal of indigenous vegetation of up to 50m ² as a permitted activity will not allow for assessment against significance criteria nor will it allow for effects to	Delete Rule 2 OR provide for clearance as a

		be avoided, remedied or mitigated. The rule is inconsistent with policy directions of section 6 of the plan and with PRPS policies 11.1 and 11.2.	Discretionary Activity (to be assessed against Rule 29.5 of the plan).
37.4 Table 3	Support in part	The Restricted Discretionary Assessment Criteria are currently deficient in being able to assess the potential adverse effects from mining and quarrying in various zones on indigenous biodiversity. This is inconsistent with policy directions of section 6 of the plan and with PRPS policies 11.1 and 11.2. Table 3 needs to be amended to include assessment matters from Rule 29.5 or a clear cross reference made to it. The assessment matters should also relate to Discretionary and Non-Complying activities as well.	Amend Rule 37.4 Table 3 by applying them to Discretionary and Non-complying Activities and adding the assessment matters from Rule 29.5 or make a clear cross reference within the rule to those matters so they can be included as part of consent assessment.
Section 38 – Subdivision Rules 38.7 Assessment Standards, Matters and Criteria – Table 2 – Coastal Living Zone b) minimum lot area when lot is unable to connect to wastewater reticulation = 1000 m ² .	Support	This minimum lot size will require all such properties to utilise secondary treatment plants or gain discretionary consent from WRC to utilise septic tanks. WRC recognises the potential for cumulative adverse effects from on-site wastewater discharges across the Waikato region and that such effects need to be considered where a number of separate on-site systems are located in close proximity. This can be addressed via the consent application process. Allowing widespread development serviced by on-site sewage systems does increase the risk of cumulative adverse environmental effects with respect to ground water and surface water bodies.	Retain the proposed minimum lot area of 1000m ² in the Coastal Living Zone.
38.5. Rule 8	Support	The use of regulatory incentives as a method to achieve policy directions complementary to other regulation and non-regulatory methods is supported. Prioritising and targeting the use of incentives such as conservation lots to those more threatened and at risk habitats and ecosystems is also supported. The provisions assist to	Retain Rule 8.

		give effect to PRPS Chapter 11.	
38.6 Rule 10	Support	This regulatory incentive supports the targeted incentive in Rule 8, but provides for a broader scope of biodiversity restoration and enhancement options which can include SNAs that are not priorities within Rule 8, and other important areas that buffer or link to SNAs. It may also provide for those currently degraded areas that have important value as ecological connections. The provisions assist to give effect to PRPS Chapter 11.	Retain rule 10.
Part VIII - Zone Rules			
Section 41 – Coastal Living Zone	Support in part	The Rules have to ultimately, once the PWRPS is operative, give effect to PWRPS Policy 6.2, as required under Method 6.2.1 as this is a coastal zone and should address the coastal environment. Policy 6.2 does not explicitly refer to new development so applies also to built-up areas and any kind of re-development.	Amend Rules to ultimately once PWRPS operative, give full effect to Policy 6.2 of the PWRPS.
Section 42 Commercial Zone Section 44 – Extra Density Residential Zone; Section 46 – Industrial Zone; Section 47 - Light Industrial Zone; Section 48 – Low Density Residential Zone; Section 49 – Marine Service zone; Section 51 – Pedestrian Core Zone; Section 54 – Residential Zone Section 55 - Road Zone Section 58 – Village Zone Section 59 – Waterfront Zone	Support in part	The Rules in these sections have to ultimately, once the PWRPS is operative, give effect to PWRPS Policy 6.2, as required under Method 6.2.1 where this zone is in coastal or harbour proximity. Policy 6.2 applies to new development and re-development in built-up areas.	Amend Rules to ultimately once PWRPS operative, give full effect to Policy 6.2 of the PWRPS.

Section 56 – Rural Zone Provision 56.4 Rule 6 (1)	Support in part	Rule 6 (1) subsections f), and h)(v) require ‘...earthworks are stabilised within 3 months from when the work started...’ however the term ‘stabilised’ is not defined and so this provision is vague and unenforceable. Stabilisation of earthworks may be in terms of geotechnical stability or surface protection to prevent erosion and sediment discharge. The term ‘stabilisation’ is defined within the <i>"Erosion and Sediment Control - Guidelines for Soil Disturbing Activities"</i> . WRC Technical Report No. 2009/02 (January 2009) in relation to surface protection to prevent erosion and sediment discharge.	Define the term ‘stabilised’ in relation to Rule 6 (1) subsections f), and h)(v), in relation to both geotechnical stability and surface protection to prevent erosion and sediment discharge to provide certainty to land users and for compliance purposes.
Provision 56.4 Rule 6 1. Earthworks are a permitted activity provided: h) They meet the following standards: ii) Silt and sediment resulting from the earthworks remains within the site.	Support in part	It is not normally possible to keep all sediment resulting from earthworks within a site as a result of sites topography, activities and of rainfall characteristics.	In rule 6 an alternative ‘minimalistic’ approach is: require erosion and sediment controls to be implemented on all earthworks sites and that those controls must be sited, designed constructed and maintained in accordance with a recognised standard.
Rule 11 Table 4 – Setback Standards for Afforestation 5. From a permanent stream or	Support in part	Planting setbacks from wetlands is supported however the term ‘wetland’ is not defined and there is no minimum area of wetland requiring a planting setback.	Define in 3 Definitions the term ‘wetland’ AND establish in Rule 11 the minimum area size of the

wetland draining an upstream catchment of 50 ha or less - 5m			'wetland' that is subject to planting setbacks/other rules
Rule 11 Table 4 – Setback Standards for Afforestation 6. From a permanent stream or wetland draining an upstream catchment of more than 50 ha - 10m	Oppose	As above	As above
Rule 11 Table 4 - – Setback Standards for Afforestation	Oppose	Planting setbacks from the CMA and estuarine areas are not present. These are required to reduce potential future harvesting effects on the CMA/estuarine area.	Establish in Rule 11 planting setbacks from the CMA and estuarine areas.
Flood Hazard maps Plan change 3 areas	Support in Part	The planning maps representing flood hazards should clearly show the extent of the flood modeling (Plan Change 3) in each catchment area. Also, in some areas the flood modeling overlaps and is not clear which flood model has precedence	Integrate in the Flood Hazard Maps the Waikato Regional Council flood model extents and precedent rules (where models overlap) to update the relevant Flood Hazard Maps.
Coastal Environment Line	Support in part	Refer to discussion and relief on Section 7.1.3 which offers two alternatives.	Consider in the Coastal Environment Line the use of all the characteristics in Policy 1 of the NZCPS including clauses d and i, as an overall measure as discussed in submission point on Section 7.1.3. Amend the Coastal

			Environment Line accordingly in the Planning Maps, which should consequently result in an inclusion of all coastal townships and built-up areas along harbours and coasts.

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)

Submitter Details

Full Name(s) Robert McGregor Thom and Barry Allen Hare

or Organisation (if relevant) _____

Email Address snichols.rthom@xtra.co.nz

Postal Address 303 Warren Pa Road RD4 Pukekohe 2679

Phone no.
include area code 09 2321944

Mobile no. 027 2780876

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 restrictions and or prohibitions contained in the Proposed District Plan in the Natural Character Overlay Provisions and in other provisions contained in the Proposed District Plan as they affect our ability to build structures on and develop our five sections in Cuvier Crescent Kuaotunu. The legal descriptions and addresses of the five said sections are contained in the attached sheet marked A

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:

We oppose the Natural Character Overlay rules and provisions and the other rules and provisions in the Proposed District Plan as they relate to building and development as they affect our five residential sections in Cuvier Crescent Kuaotunu as we believe

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

(Continued on attached sheet)
(marker B)

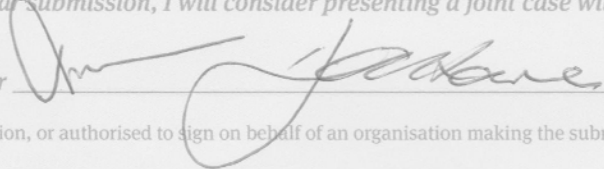
Retained ☐ Deleted ☐ Amended ☒ as follows:

By the removal of the restrictions and or prohibitions contained in the Proposed District Plan under the Natural Character overlay provisions and in other provisions
(Continued in the attached sheet marked C)

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  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

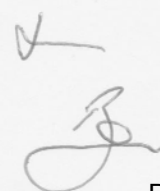
If you require further information about the Proposed District Plan please visit the Council website www.tcdc.govt.nz/dpr

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



(A)

13 Cuvier Crescent Kuaotunu West	Lot 2 DPS 25891
15 Cuvier Crescent Kuaotunu West	Lot 3 DPS 25892
19 Cuvier Crescent Kuaotunu West	Lot 5 DPS 25892
23 Cuvier Crescent Kuaotunu West	Lot 23 DPS 25892
25 Cuvier Crescent Kuaotunu West	Lot 8 DPS 25892



B)

It is not appropriate to restrict our ability to build structures on or develop the land in the way they are restricted.

A handwritten signature in dark ink, consisting of a stylized 'A' or 'J' shape with a horizontal line above it.

C)

Contained in the Proposed District Plan as it affects our ability to build structures and develop our five sections at Kuaotunu.

A handwritten signature in black ink, consisting of a stylized 'A' followed by a large, loopy flourish.

**SUBMISSION ON THE PUBLICLY NOTIFIED
PROPOSED THAMES-COROMANDEL DISTRICT PLAN**

To: Thames-Coromandel District Council
Private Bag
Thames 3540

Attn: District Plan Manager

From: Meteorological Service of New Zealand Ltd (MetService)
PO Box 722
Wellington 6140

1. Overview

MetService has specific recognition in terms of the Act as a requiring authority with approval granted by the Minister in August 1994. MetService was approved as a requiring authority for its “network operation of a system comprising telecommunications links to permit telecommunication and radiocommunication”. This status is used to designate various strategic MetService sites throughout the country in order to protect the integrity and ongoing operation and efficiency of its network.

MetService is the prime forecaster of weather in New Zealand and a major contributor to weather observations and forecasting in the Southern Hemisphere.

MetService is contracted to government and a range of other agencies to provide an extensive range of weather information. This service provides hazardous weather warnings, marine forecasts, mountain forecasts and “short forecasts” for the whole of New Zealand.

Weather forecasting is an important aspect of the daily lives of all New Zealanders. MetService is the primary agency providing this service, and operates an extensive network of weather stations monitoring and reporting actual weather conditions. Because the data from these stations is also used for climate monitoring, it is important that the sites are protected from development that could alter their exposure. Without this network of reliable and accurate observations the accuracy and value of forecasts and climate records would be significantly compromised.

The areas in which forecasting benefits the general public are:

- Protection of life and property. Warnings of hazardous weather relating to rain, snow, hail, tornadoes, gales and damaging heavy coastal swells.
- Marine forecasts for recreational, coastal and open ocean areas. These include gale and storm warnings.
- Forecasts that support decision making in economic activities such as agriculture and horticulture, aviation, transport, construction, and the offshore petroleum exploration and extraction industry.
- Weather dependent social and recreational activities.
- Mountain safety.
- General welfare, such as daily activities and travel plans of the general public.

2. The specific provisions of the proposed Plan that MetService's submission relates to are as follows:

1. Part I – Introduction, Section 3 – Definitions
2. Part VIII – Zone Rules

3. The MetService submission is as follows:

MetService is a Network Utility Operator and as such MetService wish to see the term 'meteorological activities' added to the 'Network Utilities' definition in Part 1 Introduction, Section 3 – Definitions.

Other District Plans have used slightly differing definitions but the term 'meteorological activities' with the following definition seems the most logical:

Meteorological Activities - Means facilities and installations or equipment to measure, collect and distribute meteorological and atmospheric information.

The term 'meteorological activities' should also be added to the Activity Tables in each of the Zone Descriptions in Part VIII – Zone Rules. Given the MetService requiring authority status is linked to the radio and telecommunication aspect of our network, the logical place for 'meteorological activities' to be grouped is with telecommunication activities, as the scale of activities is considered to be similar.

MetService automatic weather stations range from simple (6-7m) masts with

attached meteorological sensors, up to full automatic weather stations with 11m masts (including sensors) and a small 'garden shed' type building. In both cases communication antennas may be required depending on the location of the weather station.


The table activities "Telecommunication mast, tower, dish and associated antenna equipment" and "Electricity or telecommunication facility" in the Zone Activity Tables should have the term 'meteorological activities' added to them.

4. MetService seeks the following decision from Thames-Coromandel District Council:

1. The Proposed District Plan be amended to include the definition 'meteorological activities' as described above.
2. The Proposed District Plan Zone Activities be amended to include the term 'meteorological activities'.

5. MetService does wish to be heard in support of this submission.

6. If others make a similar submission, MetService would not consider presenting a joint case with them at any hearing.



*Property Relationships and Project Manager
Meteorological Service of New Zealand Ltd*

13 March 2014

*Address for Service:
Meteorological Service of New Zealand Ltd
PO Box 722
Wellington 6140
Attn: Jeremy Lumley*

*Ph: 04 2961 917
Fax: 04 2973 213
Email: lumley@metservice.com*

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
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- 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)	FAYE ELIZABETH ABEL		
or Organisation (if relevant)			
Email Address	fabel@xtra.co.nz		
Postal Address	3A Fayette Place Te Atatu South Auckland 0610		
Phone no. <small>include area code</small>	(09) 8364905	Mobile no.	027 617 3936

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)

TC 3012. Proposed Plan - Te Kōwhiri o Māori with SH25
UT3 PP13227

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:

As per attached.

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

As per attached

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 Louise E Abel Date 12.03.2014

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

THAMES-COROMANDEL DISTRICT COUNCIL
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phone: 07 868 0200 | fax: 07 868 0234
customer.services@tcdc.govt.nz | www.tcdc.govt.nz



**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY
STATEMENT OR PLAN**

(Clause 6 of the First Schedule, Resource Management Act 1991)

TO: The General Manager
 Thames Coromandel District Council
 Private Bag
 THAMES 3540

 Attention: District Plan Manager
 Email: customer.services@tcdc.govt.nz

SUBMITTER DETAILS:

Faye Elizabeth Abel

Email: fable@xtra.co.nz

c/- Bush Forbes, Barristers and Solicitors
P O Box 526
TAURANGA 3140

Telephone No: 09 8364905 (Home) 027 617 3936 (Mobile)

The specific provisions of the proposed District Plan to which my submission relates are:

The requirement for a designation for public works to be included within the proposed District Plan (TC3012 Te Kouma Road intersection).

The proposed Plan change TC3012 giving notice of the requirement for designation for a public work namely the realignment of Te Kouma Road with State Highway 25.

My interest is that I am affected by the proposal as the owner of the properties at 10 and 45 Te Kouma Road being respectively 1.533 hectares more or less being Lot 3, Deposited Plan 13227 and 15.6646 hectares more or less being part Lot 2, Deposited

Plan 35279 being one of the Trustees of the Marjorie Moore Family Trust (“the trust”).

The Submission of Faye Elizabeth Abel is:

1. I oppose the requirement for a designation for a public work as it applies to Lot 3, DP 13227, and as appears on the diagram attached to the document part of Lot 2 DP 35279, to be inserted into the Proposed District Plan in its present form.
2. The reasons for my views are:
 - (a) The notice contains the wrong address for Lot 3, DP13227 which is 10 Te Kouma Road.
 - (b) The plan attached to the Notice makes it clear that part of our land at 45 Te Kouma Road which is part of Lot 2, Deposited Plan 35279 is also affected by the requirement. This is not stated in the document but is clear from the diagram.
 - (c) It is not possible to gauge the nature or extent of the proposed public work from the information provided to me and my co-trustees. The effect upon the intersection cannot be assessed except that according to the plans there is not room to allow the heavy and towed vehicles that use it to properly manoeuvre. Neither is there provision for areas on the side of State Highway 25 for vehicles turning into T Kouma Road to pull off and give way to approaching traffic.
 - (d) It is wrong to state that proposed conditions will be assessed via the formal notice of requirement process. This is already underway. Once the requirement for designation is finalised no conditions can be imposed, or if this is not so, I as an affected land owner will not have any right to submit my views or appeal the content of the conditions. The designation should not proceed until these have been settled.

- (e) It is also wrong for the designating authority to say that it will defer assessment of the effects the public work will have on the environment, and the way any adverse ones will be mitigated until the formal notice of requirement process takes place. The process is already underway and they should be addressed now by the designating authority. It is clear from the plans that there must be an effect on the Opu Creek.
- (f) There has been no consideration or investigation into alternative sites and the matter has proceeded on the assumption that the proposed road realignment and intersection reconfiguration must take place at the present intersection. The designating authority is required under Section 168A (3) (b) to give adequate consideration to alternative sites, routes or methods of undertaking the work. It is clear from the documents that this has not been done. The possibility of other options must be eliminated.
- (g) No evidence has been provided that the proposed public work will improve traffic safety at the State Highway 25/Te Kouma Road intersection. The configuration of the land at the intersection and surrounding it is such that no improvement is likely to occur according to the diagram attached to the notice. The vision/sight line and steep grade to the South remains unchanged. There is still no room for traffic from the North turning into T Kouma Road to pull off and give way to vehicles travelling north.
- (h) I have an intimate knowledge of the intersection as the property the subject to the requirement was owned by my grandfather who acquired it in the 1920s and subsequently by my mother. Throughout my lifetime I have been a regular visitor. So far as I know there have been no accidents, but I believe this probably because traffic has to negotiate the corner with care. If the corner is eased it should be done so that it does not encourage over confidence. In my opinion the real difficulty is that Te Kouma Road is the only route to what is effectively an industrial installation at the Sugar Loaf Wharf which generates traffic

from vehicles towing boats, persons embarking upon charter fishing trips, and the transportation by heavy vehicles of mussels from the barges which unload them there. Everything to do with wharfe is inadequate because it and the road cannot cope.

- (i) In the information accompanying the Notice of Requirement there appears to be no consideration given to the growing use of Te Kouma Road for recreational purposes by pedestrians and cyclists.
- (j) Although I am advised that consultation is not a requirement imposed upon the designating authority I am also told that in the Environment Court in the case of *Watercare Services Limited v Auckland City Council* decision [2011] NZEnvC 155 at paragraph 33 stated that consultation is “best practice”. The advice I have received is that once the notice of requirement for designation is in place there will be no opportunity for owners or other affected persons to be consulted.
- (k) The designation does not accurately describe the land affected. The plan of the boundaries of the proposed designation shows land to be taken both from 45 Te Kouma Road, which is Part Lot 2, DP35279 and 10 Te Kouma Road, which is the proper address of Lot 3, DP13277. 10 Te Kouma Road contains 1.533 hectares with boundaries on the Opu Creek and Te Kouma Road. No estimate of the area to be acquired or any detail of the extent of the proposed works has been provided.
- (l) I and my co-trustees will be adversely affected by the proposal as road works carried out in the past on Te Kouma Road have had unsatisfactory effects on our property. These range from wrongly constructed entrances to erosion on the foreshore which we own through historical riparian rights.
- (m) The contour and shape of the boundaries of 10 Te Kouma Road are such that the small area remaining after the acquisition is in all likelihood going to be affected by matters relating to drainage, berms

and other unsatisfactory and injurious physical features. These are almost sure to include adverse effects on Opu Creek.

- (n) The proposal as shown on the plan will prevent access to other land owned by the trust on the Northern side of the Opu Creek. The location of the gateway to the residual area of Lot 3DP13277 as shown on the plan is impractical.
- (o) I reserve the right to add to and expand these submissions at a hearing.
- 3. I seek the following decision from the territorial authority:

That the notice of requirement for the designation for a public work (Council Reference TC3012) should not be included in the proposed District Plan until all details are available of the nature of the proposed public works and its effect upon the environment and our property.

Proposed District Plan Hearing

4. I wish to be heard in support of my Submission.
5. If others make a similar submission I will consider presenting a joint case with them at a hearing.

Faye Elizabeth Abel

A handwritten signature in cursive script, reading "Faye E Abel", written over a horizontal dashed line.

Date: 13th March 2014

Address for Service of
Submitter:

Bush Forbes
Barristers and Solicitors
4 Willow Street
P O Box 526
DX HP40017
TAURANGA

Telephone No: 577 6039

Facsimile No: 577 6863

Email: alex.bush@bushforbes.co.nz

**SUBMISSION ON REQUIREMENT THAT DESIGNATION THAT IS
SUBJECT TO PUBLIC NOTIFICATION**

(Section 168A, Resource Management Act 1991)

TO: The General Manager
 Thames Coromandel District Council
 Private Bag
 THAMES 3540

 Attention: District Plan Manager
 Email: customer.services@tcdc.govt.nz

SUBMITTER DETAILS:

Faye Elizabeth Abel as one of the Trustees of the Marjorie Moore Family Trust

Email: fable@xtra.co.nz

c/- Bush Forbes, Barristers and Solicitors
P O Box 526
TAURANGA 3140

Telephone No: 09 8364905 (Home) 027 617 3936 (Mobile)

This is a submission on the notice of requirement from Thames Coromandel District Council for a designation for public works to be included in the proposed District Plan Te Kouma Road intersection TC3012 ("the notice of requirement).

- The relevant designation is a notice of requirement for designation dated 16 October 2013 made by the Thames Coromandel District Council pursuant to Section 168A in clause 4 Schedule 1 of the Resource Management Act 1991 requiring a designation for a public work (Council reference TC3012) on Lot 3, DP13227 SH25/Te Kouma Road intersection, Te Kouma. The site where the proposed designation for public works is located is at the Te Kouma Road intersection with State Highway 25.

- Faye Elizabeth Abel is affected as one of the owners of the land the subject of the Notice of Requirement.

The specific parts of the notice of requirement that my submission relates to are:

The whole of the notice of requirement for designation for public works at State Highway 25/Te Kouma Road intersection.

My submission is:

1. I oppose the proposal for a designation for a public work as it applies to Lot 3, DP 13227 which is 10 Te Kouma Road not 45, and as appears on the diagram attached to the document part of Lot 2, DP 35279 which is 45 Te Kouma Road in its present form.
2. The reasons for my views are:
 - (a) The notice contains the wrong address for Lot 3, DP13227 which is 10 Te Kouma Road.
 - (b) The plan attached to the Notice makes it clear that part of our land at 45 Te Kouma Road which is part of Lot 2, Deposited Plan 35279 is also affected by the requirement. This is not stated in the document but is clear from the diagram.
 - (c) It is not possible to gauge the nature or extent of the proposed public work from the information provided to me and my co-trustees. The effect upon the intersection cannot be assessed except that according to the plans there is not room to allow the heavy and towed vehicles that use it to properly manoeuvre. Neither is there provision for areas on the side of State Highway 25 for vehicles turning into T Kouma Road to pull off and give way to approaching traffic.
 - (d) It is wrong to state that proposed conditions will be assessed via the formal notice of requirement process. This is already underway. Once the requirement for designation is finalised no conditions can be imposed, or if this is not so, I as an affected land owner will not have

any right to submit my views or appeal the content of the conditions.
The designation should not proceed until these have been settled.

- (e) It is also wrong for the designating authority to say that it will defer assessment of the effects the public work will have on the environment, and the way any adverse ones will be mitigated until the formal notice of requirement process takes place. The process is already underway and they should be addressed now by the designating authority. It is clear from the plans that there must be an effect on the Opu Creek.
- (f) There has been no consideration or investigation into alternative sites and the matter has proceeded on the assumption that the proposed road realignment and intersection reconfiguration must take place at the present intersection. The designating authority is required under Section 168A (3) (b) to give adequate consideration to alternative sites, routes or methods of undertaking the work. It is clear from the documents that this has not been done. The possibility of other options must be eliminated.
- (g) No evidence has been provided that the proposed public work will improve traffic safety at the State Highway 25/Te Kouma Road intersection. The configuration of the land at the intersection and surrounding it is such that no improvement is likely to occur according to the diagram attached to the notice. The vision/sight line and steep grade to the South remains unchanged. There is still no room for traffic from the North turning into T Kouma Road to pull off and give way to vehicles travelling north.
- (h) I have an intimate knowledge of the intersection as the property the subject to the requirement was owned by my grandfather who acquired it in the 1920s and subsequently by my mother. Throughout my lifetime I have been a regular visitor. So far as I know there have been no accidents, but I believe this probably because traffic has to negotiate the corner with care. If the corner is eased it should be done so that it

does not encourage over confidence. In my opinion the real difficulty is that Te Kouma Road is the only route to what is effectively an industrial installation at the Sugar Loaf Wharf which generates traffic from vehicles towing boats, persons embarking upon charter fishing trips, and the transportation by heavy vehicles of mussels from the barges which unload them there. Everything to do with wharfe is inadequate because it and the road cannot cope.

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- (m) The contour and shape of the boundaries of 10 Te Kouma Road are such that the small area remaining after the acquisition is in all likelihood going to be affected by matters relating to drainage, berms and other unsatisfactory and injurious physical features. These are almost sure to include adverse effects on Opu Creek.
- (n) The proposal as shown on the plan will prevent access to other land owned by the trust on the Northern side of the Opu Creek. The location of the gateway to the residual area of Lot 3DP13277 as shown on the plan is impractical.
- (o) I reserve the right to add to and expand these submissions at a hearing.

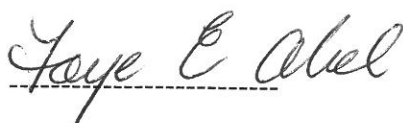
3. I seek the following decision from the territorial authority:

That the notice of requirement for the designation for a public work (Council Reference TC3012) should not be granted or included in the proposed District Plan until all details are available of the nature of the proposed public works and its effect upon the environment and our property.

Proposed District Plan Hearing

4. I wish to be heard in support of my Submission.
5. If others make a similar submission I will consider presenting a joint case with them at a hearing.

Faye Elizabeth Abel



Date: 13th March 2014

Address for Service of
Submitter:

Bush Forbes
Barristers and Solicitors
4 Willow Street
P O Box 526
DX HP40017
TAURANGA

Telephone No: 577 6039

Facsimile No: 577 6863

Email: alex.bush@bushforbes.co.nz

Proposed Thames-Coromandel District Plan

Submission

Submitter:- Simon Ritchie

Submitter's e-mail address:- simon_ritchie@wave.co.nz

Submitter's postal address:- 507 Tapu Coroglen Rd, Tapu.

Submitter's phone number:- 07 868 4569

Submitter's mobile phone number:- 027 222 4001

The specific provision of the Proposed District Plan that my submission relates to is:-

Part VIII - Zone Rules - Section 56 - Rural Zone - Rule 5, Festival, event. (The issues raised below will also be relevant to the rules for Festivals, events in other zones).

My submission is that:

I OPPOSE the specific parts of the Proposed District Plan and wish to have amendments made.

Reasons:-

The rules specified for a music festival's compliance as a permitted activity in the Proposed District Plan are clearly an improvement over the *status quo* - but are insufficient to deal adequately with the issues raised for local residents. *In particular, the extraordinary omission of any reference to the views of residents living close to these events when there is the possibility of considerable noise pollution is an unacceptable oversight that needs to be rectified.*

In addition, I believe that the definition of festival / event given in the Introduction Section 3 Definitions is far too broad for generic rules to be applied. *For example, take a weekend squash tournament or a week's chess convention - both would safely fall into the definition of a festival or event. Application of rule 5e would mean that they are both discretionary activities, requiring resource consent. Surely this is not the intention? I believe that the range of possible festival / event types needs to be subdivided with a different set of rules for each category. I suggest that a "Music Festival" should be defined as a specific type of event to which specific rules should apply.*

The decision I seek from the Council is that:

In general terms, I'd like to see **the Council taking a much stronger line on allowing these events to take place if local residents are opposed.** *Once the event has started, there's little that can be done about moderating the noise (see my final comments).*

Specifically,

If Section 56 RULE 5 Festival, event 1 a is to be included, the organiser / landowner should be under an obligation to produce evidence that the defined noise levels will not be exceeded. In general it may not be possible to assess before the event what the noise levels will be. An organiser / landowner can easily claim that they "intend" the noise level to be below a specified

level without any strong justification or effort to ensure it will be. They can then claim that the event is a permitted activity. If evidence is not required then this rule might just as well be removed for all the effect it will have.

I suggest that Council should consider elements of the following rules (there is considerable overlap between them) to be applied to all music festivals involving amplified music:

A music festival will be a discretionary activity if amplified music occurs for more than four hours within any 24 hour period unless the organiser/landowner has received written approval for the event from all local residents and others who may be affected by noise.

Noise pollution is not subject to temporal boundaries. If a music festival will result in excessive noise at any time of day and there are residents who may be affected, I believe the activity should need a resource consent so that the Council can judge whether local residents are being unreasonably exposed to noise pollution. Issues such as whether residents have individually chosen to live in a property next to an established music festival site can then be taken into account. As can issues balancing any economic benefit to the community with resident inconvenience.

A music festival will be a discretionary activity if the organiser/landowner has not provided local residents and others who may be affected by noise full details of the music festival at least two weeks in advance of the event.

It's only reasonable that local residents should be aware of these events well in advance so that, if necessary, they can make alternative arrangements - like go away for the day/weekend or deal with pets / other animals who may be disturbed by noise and or light shows. If festival organisers are unable or unwilling to do this I believe the Council should exercise judgement about the likely effects on local residents.

A music festival will be a discretionary activity if the organisers have not registered the music festival with the Thames Coromandel District Council, so that a list of forthcoming music festivals can appear on their web site. *I think it's sensible that the Council and, indeed, the public should be made aware of these large gatherings well beforehand - if not just in preparation for potential noise abatement issues but as a central resource for information for emergency services etc. This also facilitates issues associated with the paragraphs above.*

Finally, I would like to refer to the web site (<http://www.tcdc.govt.nz/Our-Services/Noise-control/>) **“We take noise complaints very seriously on the Coromandel...”**. From my experience dealing with the Council unfortunately this is NOT the case currently. In particular, it has become clear, from direct experience, that once an event has started the noise control processes carried out by TCDC are insufficiently resilient to deal with the excessive noise. I believe that a more aggressive stance in the next District Plan will go some way to rectify this. **The main objective should be to prevent the problematic events starting rather than have to deal with them once they have.**

I wish to be heard in support of my submission.

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

I will have no advantage in trade competition through this submission.

Proposed Thames-Coromandel District Plan

Submission

Submitter:- Simon Ritchie

Submitter's e-mail address:- simon_ritchie@wave.co.nz

Submitter's postal address:- 507 Tapu Coroglen Rd, Tapu.

Submitter's phone number:- 07 868 4569

Submitter's mobile phone number:- 027 222 4001

The specific provision of the Proposed District Plan that my submission relates to is:-

Part II - Overlay issues - Section 9 - Landscape and Natural Character.

My submission is that:-

I OPPOSE the specific parts of the Proposed District Plan and wish to have amendments made.

Reasons:-

The allocation of geographical areas to specific overlays appears to have been carried out in a rather arbitrary manner and should not form the basis of restrictive rules for landowners in its current form.

I'm told that the allocation of geographic areas to overlays is based on the contents of several reports, the formal status of which, I understand, is uncertain. But, it appears likely that the primary source of information, for my property at least, has been aerial photography without any direct assessment involving a site visit (this region cannot be seen from any road, and I am unaware of any visits to assess my property). This has given a very misleading result as can be seen in the image below.



The rather poor image shows part of my property with the Natural Character overlay obtained from TCDC's on-line IntraMaps facility. The overlay includes part of two fields, and the whole of another, which have been used for grazing stock for at least 40 years. In addition, the overlay's boundary intersects my house (which has been there for 30 years) claiming two rooms.

I contend that this is inconsistent with the (rather vague) description of Natural Character in Section 9.1.4. Furthermore, I believe that a site inspection would immediately reveal the lack of any areas of "ecological significance" or "naturalness" in these regions.

I have similar reservations about the Locations for Conservation Lot Subdivision layer on my property. The Significant Natural Area overlay previously used (and still present on TCDC's IntraMap service) was even more inappropriate, with absolutely no relationship at all to natural or ecological features (as I pointed out in my submission to the Draft District Plan which I sent on 23 January 2013, but to which I received no response of any sort)

In my view these inconsistencies raise serious questions about the validity of the layer definition process and I understand such discrepancies have been found elsewhere in the District. Is it really acceptable that onerous restrictions to be imposed on land-owners described in the Draft Plan should be based on evidence obtained in an inadequately rigorous manner?

I'm concerned about this in general terms, but the allocation of Natural Character to this part of my property will affect me personally because policy 3d a) may mean I'm unable to run stock any more and policy 3d c) will require me to be "encouraging natural regeneration of indigenous species" in these grazing pastures which have been there for as long as anyone can remember.

The decision I seek from the Council is that:-

Rules applicable to a specific overlay on a property shall not be implemented by TCDC until an assessment confirms that the preliminary allocation of the overlay to a geographic region as shown in the Proposed District Plan maps is appropriate. This process will be carried out by an independent assessor, will involve a site visit, will be carried out with the land-owner's involvement and shall not incur any financial cost to the land-owner.

I wish to be heard in support of my submission.

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

I will have no advantage in trade competition through this submission.

Proposed Thames Coromandel District Plan

12 March 2014

Submission by:

Karolina Nilsson

812 Mount Pleasant Road, Thames

021-1514743

kanin@gmail.com

I have some concerns I would like considered for the upcoming Thames Coromandel District Plan.

I have lived in Thames area for almost 4 years and I have enjoyed the beauty of the landscape and everything it has to offer. I love showing people around and taking them to those special spots dotted around the peninsula. I care deeply about the Coromandel Peninsula, both its natural environment and the people that live here. I believe that we need to protect this environment from exploitation.

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.

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 thank the TCDC for the opportunity to submit on the Proposed District Plan and I would speak on my submission or would consider presenting a joint case with others who have made a similar submission.

Yours sincerely,

Karolina Nilsson
812 Mount Pleasant Road, Thames
021-1514743
kanin@gmail.com

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)

Submitter Details

Full Name(s) Patricia Molly Gilbert

or Organisation (if relevant) _____

Email Address brucepat@xtra.co.nz

Postal Address 81 Manaia Road
Tairua 3508

Phone no. (include area code) (07) 864 8727

Mobile no. 022 672 0024

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)

S 49 Marine Service Zone

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: in part

See attachment

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

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 Pat Gilbert 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

THAMES-COROMANDEL DISTRICT COUNCIL
Private Bag, 515 Markay Street, Thames 3640
phone: 07 868 0200 | fax: 07 868 0234
customer.services@tcdc.govt.nz | www.tcdc.govt.nz



Attachment for my submission Pat Gilbert

Policy 49.1 Zone description oppose in part

It is the intention of the developers to build townhouses and an apartment block on the site and it is sited within an existing residential zone and the surrounding land is currently zoned for high density housing. Tairua marina should not be included in this zone. It has been designed to function in the same manner as a waterways complex, with apartments/townhouses adjoining a marina berth area.

Policy 49.2 Purpose oppose in part

Marine farming or fishing industries could not operate from the space available and would have an adverse effect on the surrounding (both existing and proposed) residential housing. Tairua Marina is not suitable for industrial activities. The marina basin abuts the Esplanade beach and boat launch area and any industrial activity would impact on the existing use. As part of the marina construction the developers are to provide a beach, creation area and a public walkway around the shoreline. Industrial activities would not fit within this existing Environment Court approved development.

Policy 49.4 Permitted activities

Commercial accept

Industrial Oppose

I oppose any industrial activity on this site.

1. The Commissioners Hearing and Environment Court approval of this marina was based on the premise that no industrial activities such as boat haul out or maintenance would take place on the site.

Any industrial activity is opposed on this site. The existing structure plan for Tairua provides for three or more houses in a comprehensive development, travellers accommodation, restaurants and offices.

Boat maintenance activities or haul out facilities would be highly inappropriate in this area and would adversely affect adjoining properties.

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

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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)	Patricia Molly Gilbert	
or Organisation (if relevant)		
Email Address	brucepat@xtra.co.nz	
Postal Address	81 Manaia Road Tairua 3508	
Phone no. <small>include area code</small>	(07) 864 8727	Mobile no. 022 672 0024

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.

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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)

Mining Section 37
Activities

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:

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: Pat Gilbert

Date: 13.3.14

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

Trade Competition

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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 Markey Street, Thames 3710
phone: 07 868 0200 | fax: 07 868 0234
customer.services@tcdc.govt.nz | www.tcdc.govt.nz



District Plan submission Pat Gilberd Section 37 Mining Activities

I oppose mining activities having such a priority.

A large number of Coromandel residents are opposed to mining and fought hard to keep our peninsula free from mining as we believe tourism is our main focus and this is not compatible with mining. Also we believe the Coromandel peninsula is too precious to mine.

37.3 Permitted activities

I oppose these activities and would like them deleted.

I would like Table 1 in 37.4 to state that all mining activities (including mineral processing, surface mining, underground mining, waste rock/tailings storage, prospecting & exploration, but excluding quarrying) are prohibited.

FROM:

LITTLE BAY RATEPAYERS ASSN

Chris Chisholm

Secretary

Email: chiscons@xtra.co.nz

FAO District Plan Manager

Thames-Coromandel District Council

Draft District Plan

Private Bag THAMES 3540

Coromandel

New Zealand

By email:

customer.services@tcdc.govt.nz

13 March 2014

Dear Sir,

OBJECTIONS TO THE DRAFT DISTRICT PLAN

1. We wish to object to the proposals in the draft District Plan in relation to the area of Little Bay (Appendix Maps 7 and 7A) and in particular in relation to the following ("the Objection Area"):

- The area encompassing the whole of Little Bay and its surrounds

2. Summary of the Grounds of Objection:

- (i) The published plans Nos 7 and 7A on TCDC's website relating to Waikawau Bay and Little Bay are confused, confusing and misleading because they do not properly or accurately disclose the various overlays to which TCDC proposes to subject the Objection Area
- (ii) TCDC has failed to give any, or any proper, consideration to the Objection Area under the relevant legislation, as required by law
- (iii) The designation of "Coastal Environment" in the draft District Plan is confused, imprecise and unclear, because the draft District Plan fails to specify exactly how it affects the planning considerations set out in the proposed District Plan: see Section C below.

A. The Plans annexed to the Draft District Plan are confused and confusing:

3. Most, if not all, of our members at Little Bay have puzzled at great length to understand the plans which are annexed to the draft Plan. The maps relating to Little Bay and Waikawau Bay, i.e. Maps 7, 7A (zones) and 7A (overlays), are, between them, confusing, confused and (in important respects) misleading.

First, Map 7 has no overlays at all when plainly these need to be shown.

Secondly, the printed colours on Map 7A (Overlays) - as shown on the TCDC website - do not accurately or properly follow the Map Legend or the colour coding as set out in the Map Legend.

4. One of our members has spoken to one of the District Plan Team at Thames on Friday 7 March 2014 and was informed that:-

- (a) It is proposed that the whole of the Objection Area is to be zoned as **Rural Zone**.
- (b) The whole of the Objection Area is also within the seaward side of line of coastal living zone (but you would be hard pressed to realise that). It is therefore within the **Coastal Environment**, as designated by Waikato Regional Council.
- (c) The whole of the Objection Area is also proposed to be subject to the **Amenity Landscape Overlay** and its rules.
- (d) The whole of the Objection Area is also proposed to be subject to the **Natural Character Overlay** and its rules, with the exception of those spots marked only in ochre/yellow, to which only the Amenity Landscape Overlay will apply.

5. There is no way to check on-line whether we have been correctly informed, since Plan 7A is hopelessly misleading because the zones and different overlays are not clearly and differently marked.

6. We are very concerned to know that what I have set out in Paragraph 8 is actually being proposed by TCDC, since it is not plain and clear to any reader of the draft Plan what Plan 7A (Zone) and 7A (Overlay) are intended to show. The overlays are not properly or separately marked in accordance with the designated and different colours, as they ought to be. No overlays are shown at all on Map 7.

7. If we have been wrongly informed by TCDC in relation to para 2(i) to (iv) above, then we strongly **object to the proposed District Plan by TCDC** which contains such a botched sets of unintelligible maps and proposals.

B. No proper consideration has been given by TCDC under the relevant legislation:

8. No consideration, or no sufficient and proper consideration, for our existing rights as owners of properties at Little Bay and our existing reasonable use of our properties has been given, as is required under S.62 of the NZ Biodiversity Act, S.85 of the NZ Resource Management Act 1991 and in accordance with Principle 5 of the National Biodiversity Strategy 2000.

C. The designation “Coastal Environment” within the proposed District Plan is imprecise and unclear:

9. The area defined as part of the Coastal Environment or Coastal Zone comes from the exercise of statutory powers by the Waikato Regional Council and is plainly intended to segregate the areas so designated from the other parts of the area covered by TCDC, and in particular (so far as we are concerned) the area around Waikawau Bay and Little Bay.

10. The proposed coupling of Coastal Environment with the designation of Rural Zone is thoroughly confusing and wrongly-considered, since by definition the designation of an area as Coastal Environment means that the land cannot be properly simultaneously defined as Rural. That is the whole point of it being specifically and separately designated by Waikato Regional Council as Coastal Zone in the first place.

11. So, why do away with the Coastal Living Zone and replace it with a dual designation? Surely the obvious solution needs to be that there is a zone within the District called “Coastal Environment” or “Coastal Zone” so that Waikato RC’s designation and areas and TCDC’s designation areas actually correspond with each other.

The District Plan should aim for simplicity and easy of understanding, not administrative complexity which will outwit any normal reader. The most frequent complaint from our neighbours is that they simply cannot follow the complexities of the planning scheme which is now being proposed in the draft District Plan.

12. As now proposed, Coastal Environment is a designation of specific areas by Waikato Regional Council which straddles both the Zones and Overlays as proposed by TCDC, but nowhere in the proposed TCDC District Plan does it actually say what the designation by Waikato RC actually is for planning purposes so far as concerns residents/owners in the Thames-Coromandel District.

Is it a Zone or is it an Overlay? Or what is it?

How exactly does it impact on Rural Zone and which takes precedence?

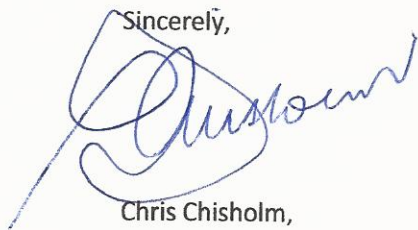
The draft District Plan fails to explain that Coastal Environment takes precedence because it is a designation by the Regional Authority, Waikato Regional Council. That needs to be spelt out, together with its planning implications.

13. We object to Section 7 of the draft District Plan. It is very unclear and seems to be deliberately so worded so as to be vague and imprecise, when accuracy and precision are what is required by law.

Conclusion:

14. We object to the draft District Plan for all of the above reasons. In particular the fact that the majority of our ratepayers are totally confused as to what changes are actually proposed in our area and, more importantly, the ultimate impact of these changes.

Sincerely,



Chris Chisholm,

Secretary, Little Bay Ratepayers Assn.

Sent: Thursday, 13 March 2014 3:52:22 p.m.

To: TCDC General Mail Address

Subject: Submission on Proposed Thames-Coromandel District Plan

Proposed Thames-Coromandel District Plan

Name

toralee mckenzie

Address

91 Willerton Ave New Lynn
Auckland 0600
New Zealand

[Map It](#)

Email

mckenziertora@gmail.com

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.

- No

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

- No

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

Yours sincerely,

toralee mckenzie

Date

13/03/2014

Sent: Friday, 14 March 2014 00:04:20

To: TCDC General Mail Address

Subject: Submission on Proposed Thames-Coromandel District Plan

Proposed Thames-Coromandel District Plan

Name

Rowan Campbell

Address

65 Packtrack Rd RD 2
Thames 3577
New Zealand
[Map It](#)

Phone

6478689664

Email

modcons@gmail.com

My submission is:

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- 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.

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I would like to speak to my submission.

- Yes

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

- No

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

Yours sincerely,

Rowan Campbell

Date

14/03/2014

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)

Submitter Details

Full Name(s)	KAREN BOOTTEN	
or Organisation (if relevant)		
Email Address	Karen.bootten@hotmail.co.nz	
Postal Address	26 LANDSCAPE RD, MT EDEN AUCKLAND 1024	
Phone no. <small>include area code</small>	(09) 6388994	Mobile no. 021 756134

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  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

Form 5

Submission on publicly notified Proposed District Plan

Clause 6 of First Schedule, Resource Management Act 1991



To Thames Coromandel District Council

Name of submitter:

KAREN BOOTTEN
119 MERCURY VIEW, MATARANGI

This is a submission on the THAMES COROMANDEL PROPOSED DISTRICT PLAN (PDP):

Notified on 13 December 2013

The specific provisions of the proposal that my submission relates to are:

Objectives Policies & Rules relating to Matarangi Settlement, Matarangi Structure Plan, Matarangi Golf Course and the land containing Holes 1 & 2 in particular.

OUR SUBMISSION:

We **SUPPORT** the inclusion of the Matarangi Golf Course land and "greenkeepers hill" within the Open Space Zone.

We **SUPPORT** the extension of the Matarangi Structure Plan to include land containing holes 1 and 2 of the Golf Course.

We seek amendments to ensure the spit end zoned open space zone where land containing the Matarangi Golf Course lies outside the Structure Plan Area is maintained as open space, free of buildings and structures.

REASONS:

The development of Matarangi as a coastal settlement was based on retaining open space around clusters of residential development. The land currently containing the Matarangi Golf Course has been set aside as open space to delineate the residential clusters. It is appropriate that the Golf Course land including Holes 1 and 2 (Lot 36 DPS 72837) is zoned as open space. It is also appropriate that objectives policies and rules are in place to ensure that the open space is not compromised. The Structure Plan overlay with Open Space is an appropriate method for ensuring the golf course land is retained as open space.

DECISION SOUGHT

The Matarangi Structure Plan overlay is retained as the primary method of retaining open space qualities at Matarangi. Open space zone is applied to the entire golf course land and to greenkeeper's hill.

The open space zone applies to the land currently occupied by golf course and golfing activities whether or not the land is retained as a golf course or for playing golf.

The Open Space Zone is retained as the appropriate zone to ensure golf course land provides the open space relief from buildings or structures between residential clusters to maintain natural values *characteristics and attributes of the sand spit.*

Objectives Rules and Open Space Zone Purpose and Description are amended to make clear that the open space zone has no development rights because all development rights have been transferred into the development clusters zoned residential commercial and industrial at Matarangi.

OUR SUBMISSION:

We Seek the following amendment to 27.3.1 Objective 1 to recognise that where open space is not *currently accessible by the public for example the land containing holes 1 and 2 of the golf course* it is to remain as open space because the development rights have been transferred to development cells.

DECISION SOUGHT

Delete Objective 1 and replace with the following:

"Matarangi remains a high amenity settlement based on neighbourhood cells defined by areas of private and public open space."

OUR SUBMISSION:

We Support the Amenity Landscape Overlay at Matarangi and seek an amendment to their boundaries to more consistently apply over length and depth of ocean beach.

The Amenity Landscape Overlay is inconsistently applied to ocean beach margins and spit end. The *overlay needs to be extended to include all the land that meets the qualities the objectives and policies for Amenity Landscapes seek to protect. This includes the contribution to open space and natural values made by the land containing Holes 1 and 2 of the golf course.*

DECISION SOUGHT

Extend the Amenity Landscape to cover Holes 1 and 2 (Lot 36 DPS 72837)

OUR SUBMISSION

We Support Part II Overlay Objectives & Policies Section : Section 7 Coastal Environment Objective 1 for subdivision use and development in the coastal environment with amendment to provide a new additional policy to ensure that where open space has been provided in exchange for subdivision and development opportunities, that open space is protected from future subdivision and development regardless of who owns the land.

Within the coastal environment new settlements such as Matarangi are established on the basis of *identifying land for development and preserving land to provide open space free of buildings and structures* so that the development is contained within cells or neighbourhoods separated by green belts.

This will ensure high level objectives and policies give effect to Policy 6 NZCPS (2010) and provide the framework for the Matarangi Structure Plan provisions that in turn lock in place the trade off for allowing development to occur in exchange for open space. This needs to be made transparent so that future developers do not double dip by expanding development into the green belt that has been set aside from development under the guise of consolidating development on an existing settlement.

DECISION SOUGHT

Add new to Section 7.3 a new Policy1a as follows:

Avoid buildings in structures in open space areas set aside to preserve natural attributes and contain development to clusters within settlements located in the coastal environment.

OUR SUBMISSION

We seek an amendment to 27.3.5 Matarangi Structure Plan Rules Rule 1.1 d) to limit the extent to which buildings and structures may be erected in the open space zone containing the golf course at Matarangi.

DECISION SOUGHT

Add to Rule 1.1 c) the words "and the maximum number of buildings on the site shall not exceed 3."

Amend the standard for site coverage in Rule 1.1 d) to "1% or 75m2 gross floor area whichever is the more restrictive"

Amend Rule 3 Subdivision in the Open Space Zone by adding a new proviso as follows:

"c) The new lots shall remain part of "site" for the purpose of applying 27.3.5 Rule 1."

OUR SUBMISIUON

We seek a consequential decision to amend the definition of "site" in Part II Section 3 Definition to be in line with the definition for site in Operative District plan provision for development on the Matarangi Golf Course land.

DECISION SOUGHT

Add to definition of "site" the following: " the Matarangi Golf Course on Lot 1 DPS 83350, Lot 36 DPS 72837, Part of Lot 19 DP 331131 & Lot 101 DP 365624, including the golf course club rooms which are restricted to Lot 1 DPS 83350."

OUR SUBMISSION

We seek amendments to Section 50 Open Space Zone Description and Purpose to ensure the primary purpose of the zone is made clear for Matarangi.

DECISION SOUGHT

Add to Open Space Zone purpose at Matarangi the following words:

The primary purpose of the zone is to ensure:

- open space qualities are achieved and natural attributes are preserved,
 - open space zone applied to land in private ownership development rights identifies where development rights have been transferred out into the development cells or clusters
 - open space zone vested in Council is to be managed as open space free of buildings or community facilities. Buildings and structures required for recreation purposes are located within the Recreation Area or land specifically identified for the purpose at time of subdivision (eg tennis courts, skate park, emergency services, boat trailer parking etc)
-

OUR SUBMISSION

We seek consequential amendments or relief or such other relief that would meet the submitters concerns

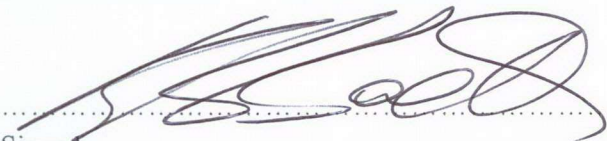
DECISION SOUGHT

Any other consequential amendments or such other relief required to give effect to the submitters concerns.

I /We wish to be heard in support of my submission.

If others make a similar submission, I/we will consider presenting a joint case with them at a hearing.

I/We could not gain a trade advantage through this submission.


.....
Signed

Date 13/3/14

Address for service of submitter: 26 LANDSCAPE RD, MT EDEN, AUCKLAND 1024
Telephone: 6388994
Email: Karen.bootten@hotmail.co.nz
Contact person: KAREN BOOTTEN

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
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Proposed Thames-Coromandel District Plan
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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) Mark Patrick Johnston

or Organisation (if relevant) _____

Email Address mj2582@gmail.com

Postal Address 100 Monument Road, RD 2, Papakura, Auckland 2582

Phone no. (include area code) 09-292-9220

Mobile no. 0275-754-365

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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(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.

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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 M. P. Johnston Date 13-3-14

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

Trade Competition

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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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10th March 2014

Dear Mayor Leach and TCDC Councilors,

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

My name is Mark Johnston and I own a holiday home in Otama.

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,

Mark Johnston

Submission to the Proposed Thames-Coromandel District Plan

By... Alan James

Email... Jamesdrainage Dextra . Co. NZ

Postal Address: Po Box 13
Coromandel

Phone 021 07 8668308

Mobile 021 726850

The specific Provision of the Proposed District Plan our submission relates to:

Map 11F Zones – Coromandel

Residential Zone 1 Albert St, Coromandel

I support this rezoning and the reasons are:

- 1) Coromandel Town needs growth to allow for affordable housing for its work force, retired people and holiday house owners.
- 2) With the projected increase in employees in the aquaculture industry and the possibility of a commuter ferry from Auckland the Town must be allowed to grow.
- 3) The Greenhill's development does not interfere with the Heritage Streetscape of the Town.
- 4) The zoning of 1 Albert St for residential allows for a park to be formed to service the existing Greenhill's subdivision.

The decision I seek from Council is that the zoning of 1 Albert St in the Proposed District Plan is retained.

I do/ do not wish to be heard in support of my submission.

Signature... 

Date... 12-3-14

Sec 4:**P39:**

4-3.1 a) to f). 2, 3, 4, 5 -a,b,c, 6, 7-a,b i) ii), 8

I support these requirements providing they are monitored and adhered to.

Sec 6: Biodiversity - p47:

With the loss of wetland habitat through reclamation, encroachment, infestation of weeds and unsuitable subdivision, this has a huge impact on the biodiversity and significant habitats and of fauna. Indigenous fauna as stated by the RMA and RPS is a matter of national importance. I ask that greater priority is given to protection and restoration of these habitats for future generations.

I support **6-2** Issues, particularly no. 2.3.

6.3 Objectives and Policies.

Policy 1a:

Subdivision, use and development - must instead of shall. This enforces the importance of a) to g).

Policy 1b:

The clearance must be undertaken for a) - e)

Policy 1c:

Support.

Sec 8**p52:****8.1**

How can the protection of historic heritage be enforced when so many houses of heritage and historic significance have been removed from the register. I ask that the number of deleted houses both from the previous District Plan and NZHPT register be reconsidered as the loss of any of them cannot be replaced and historic integrity and fabric will be lost, particularly in Coromandel town.

8.2

I ask that the importance of consulting local people who have a wide knowledge of local history be taken into consideration throughout this section.

8.3

Policy 1a,b and 2a and 2b:

Should be continually monitored to retain stated objectives.

Policy 3a: Objective 3:

Support.

p54:

Policy 3b: a) and b):

Support.

Policy 3g:

'Should' be replaced with 'must'.

Objective 4:

The word 'must' in place of 'should' and 'shall' would ensure that Policies 4a,4b,4c (a & d) and policy 4d are recognised as of the utmost importance. The DP must reflect the importance of this objective.

Category 1 Kopu Historic Bridge:

I wish to support HKBS's submission, particularly Option 11 and ask Council to refer to and uphold Policy 3c, 3d, and 3e (a). The retention of the bridge is vital to telling the story of not only the

Peninsula's history but also National history.

Sec 9

p 56:

9-1-2: I do not agree that the term "outstanding natural features and landscape" be shortened to "outstanding landscapes".

9-1-3: How can the landscape's balance be retained by maintaining the main elements through subdivision use and development"? Please explain.

p57:

9-1-4:

Support Coromandel Peninsula Ecological Assessment and Natural Character, Jan 2010.

9.2: Issues 1:

'Avoid' rather than mitigate' or 'remedy' a) to h).

2: a) to d:

Support

Policy 1b add further bullet point (e)

To monitor resource and building requirements to ensure the rules are adhered to.

p59:

Policy 3d:

The word 'may' allows too much room to deviate from bullet points a) to j).

Replace with 'must'.

Objective 3:

Must be indicated on a map.

p60:

Objective 4:

Must have reference to a map.

Sec10: Natural Hazards:

Support NZ Coastal Policy Statement and Regional Policy Statement. Long term planning must take account of results of recent events, flooding of low-lying land and future sea level changes.

p63: 10.3:

Man-made defences in areas that should not be allowed to develop are costly.

Development must be avoided at all times.

Sec11 Significant trees: p66:

I ask that the decision to remove previously scheduled trees from the proposed plan be revisited as the STEM SCORE of a minimum of 170 is set too high and gives no reflection of the overall part these trees have played in the town/district's history and Landscape.

I ask that the area of the schedule be expanded to include rural areas of the Peninsula.

p74:

Policy 1g:

I don't agree that 'Extra Density Residential' shall be encouraged in the Waterfront Zone.

This is not compatible with Hazard areas. p61,62,63 Sec 10.

Policy 1f:

(12a) On-site water tank for water conservation must be a requirement of all new building consents

p79:

Policy 5d

(b) Add the use of swales instead of curb and channel to avoid an increase of storm water run off within new subdivisions.

(a) a) (c-g) support.

Policy 6a:

Support - Need to be clarified on local and district maps.

p88:

Objective 11:

Fully support protection of high-class soils.

p93/94:

18.3 Objective 1:

Needs to take into account the needs of an ageing population, particularly disabled persons safety.

Policy 1b:

Support.

p95:

18.4 Table 1

Coromandel bypass needs prioritising as main street congestion becoming dangerous and congestion at bank corner will increase as new 4-Square building becomes operative.

Request council support the reintroduction of BC rating on local roads by Central Government as many more visitors are using our roads.

p104:

Policy 4g; Pedestrian Core Zone:

Minimalisation of structural walls within a building

How does this ensure that buildings meet earthquake protection standards? I ask that this bullet point be changed or deleted.

p107:

Objective 5a:

Fully agree with.

P306 Permitted Activities

41-4 Rule 2 Visitor Accommodation:

a) 6 tariff paying visitors on site at any one time.

What number of visitors is allowed to place and stay in tents on the same property?

What impact would that have on infrastructure? What is the impact if property located in flood or tsunami prone areas, i.e. East Coast of Peninsula?

I ask that this rule be reconsidered.

- Thank you for taking the time to consider my submission.

Submission to
Thames-Coromandel District Council

Proposed District Plan

2014

Submission from:
Sue Wright
147 Woollams Ave
Coromandel Town 3506

Ph 07 8668039
Longveiw@ihug.co.nz

Thank you for the opportunity to submit on this proposed plan.
I wish to be heard in support of this submission.

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
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)

Submitter Details

Full Name(s)	Rebecca Clarkson	
or Organisation (if relevant)	Aquaculture New Zealand	
Email Address	rebecca@aquaculture.org.nz	
Postal Address	1st Floor, Wakahu House, 28 Montgomery Square NELSON	
Phone no. <small>include area code</small>	(03) 5488944	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)

AQW's submission relates to provisions affecting aquaculture.
Our submission is provided in an appended document.

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:

n/a see appended document

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

Retained ☐ Deleted ☐ Amended ☐ as follows:

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  Date 13/03/14

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 ☐ 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

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





Aquaculture New Zealand Submission on the Proposed Thames-Coromandel District Plan

To the District Plan Manager

Submission made online
13 March 2014

Thank you for the opportunity to comment on the Proposed Thames-Coromandel District Plan. This submission supports the submission of the Coromandel Marine Farmers' Association.

Introduction

Aquaculture New Zealand (AQNZ) represents the interests of the aquaculture sector in New Zealand. This sector has export earnings in excess of \$300m and a growth strategy with a goal of reaching \$1 billion per year in sales by 2025.

Aquaculture makes an important contribution to Thames-Coromandel, currently providing at least 400 FTEs and returning more than \$31 million both directly and indirectly into the local economy. When measured for its value to the national economy, the Coromandel aquaculture industry contributes \$77.4 million in GDP and generates a total of 1,193 FTEs.

The potential for growth over the next 15 years has been estimated at \$96.6 million in GDP, with the generation of 1,190 FTEs for the region; and nationally at a contribution of \$194.9 million and 2,775 FTEs¹. Furthermore, through current participation and access to new space, Maori in the district will benefit both culturally and economically from their participation in the growth of the industry.

The industry prides itself on its commitment to preserving and enhancing the coastal marine environment and AQNZ is currently extending the industry's Environmental Management System in order to maintain our world-leading stewardship status.

The Government's Aquaculture Strategy and Five Year Action Plan to Support Aquaculture identifies that quality planning and permitting and effective and responsive regulation are key strategic requirements to help enable growth. The Proposed Thames-Coromandel District Plan plays an important role in delivering effective planning for the region's marine farming activities.

Submission

AQNZ fully supports the submission of the Coromandel Marine Farmers' Association (CoroMFA).

We particularly support the zoning of Sugarloaf Wharf as a Marine Service Zone as it is an essential facility for the industry and its future, servicing over 90% of district's marine farm wharf related activities. AQNZ notes Policy 1h in the Proposed Plan which highlights the importance of maintaining

¹ Sapere Research Group (2011). *Economic Impact of Coromandel Aquaculture*.

the efficiency of the District's key infrastructure including wharves. Policy 3c(n) requires that in the Coastal Environment, settlement and growth shall '*provide infrastructure that supports marine based industries and sea transport*'. Appropriate planning provisions that protect and enhance the Sugarloaf Wharf as key infrastructure to the region's marine farming industry are therefore essential and the Proposed Plan should reflect this with Marine Service Zone status and related provisions.

Yours sincerely



Rebecca Clarkson
Environment Manager

Sent: Friday, 14 March 2014 01:28:31

To: TCDC General Mail Address

Subject: Submission on Proposed Thames-Coromandel District Plan

Proposed Thames-Coromandel District Plan

Name

Erik Hayward

Address

5
Twists ave Ct21
United Kingdom
[Map It](#)

Email

Erik.hayward@hotmail.co.uk

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,

Erik hayward

Date

13/03/2014

Sent: Thursday, 13 March 2014 5:18:55 p.m.

To: TCDC General Mail Address

Subject: Submission on Proposed Thames-Coromandel District Plan

Proposed Thames-Coromandel District Plan

Name

toni earby

Address

114 hakanoa street
huntly 3700
New Zealand

[Map It](#)

Email

toniearby@hotmail.co.nz

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- Yes

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- Yes

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

Yours sincerely,

toni earby

Date

13/03/2014