

Sent: Friday, 14 March 2014 11:04:57 a.m.

To: TCDC General Mail Address

Subject: Submission on Proposed Thames-Coromandel District Plan

Proposed Thames-Coromandel District Plan

Name

Zara Lynch

Address

2/26 Highland Park Drive
Auckland 2010
New Zealand
[Map It](#)

Phone

0276177073

Email

zara.lynch@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.

- Yes

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

Yours sincerely,

Zara Lynch

Date

14/03/2014



Form 5
Submission on Proposed Thames-Coromandel District Plan

Clause 6 of First Schedule, Resource Management Act 1991

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

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

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

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

This is a submission on the following proposed district plan:

Proposed Thames-Coromandel District Plan

The Ward Family submission relates to a large number of land holdings that are identified on the plans attached as **Attachment A** to this submission. These properties are located on **Map 1 Zones (Cape Colville)**, **Map 2 Zones (Moechau)**, **Map 6 Zones (Colville)** of the Proposed District Plan Planning Maps, and **Map 1 Overlays (Cape Colville)**, **Map 2 Overlays (Moechau)** and **Map 6 Overlays (Colville)**.

Background

The Ward Family have been farming in the Cape Colville and Moechau area for five generations. Their submission points are listed within the attached table (**Attachment B**). The key concerns for the Ward family is their desire to be able to maintain its current farming practices without having to be tied down with regulation and rules and any resource consent requirements.

Members of the Ward Family have been caretakers of the land for generations and this has meant the landscape and amenity values of the area have been protected. The Ward Family are concerned that due to their excellent record at being a good landowner, that this has meant that they are penalised with outstanding landscape overlays and associated restrictions within the new Proposed District Plan. The Ward Family land holdings can be considered to be some of the most affected properties on the Coromandel Peninsula. **All** of their properties have an outstanding landscape overlay. The Ward Family have been penalised for being good land owners, which is unfair and unreasonable.

The flexibility required for the Ward Family to be able to efficiently operate and make ongoing improvements to their farming practices is imperative. The Ward Family also would like the ability to establish additional dwellings in the future to allow the grandparents to live on their land whilst employing

farm managers/other family members to manage various land holdings. The Proposed District Plan is inflexible because of the outstanding landscape overlay.

The Ward Family submission picks out numerous matters that require careful consideration by the Policy Committee. The Ward Family are very concerned that their way of life; in that their ability to operate a productive farming unit on the Coromandel will be severely affected by the Proposed District Plan. Rather than the District Plan supporting the Ward Family they feel that they are being penalised. The Ward Family could have been a family that slowly subdivided their properties, like many other land owners on the Coromandel Peninsula. If this had happened the land holdings would most likely not be subject to an outstanding landscape overlay under the Proposed District Plan.

The minimal population in the area and due to the Ward Family maintaining and adding to the various land holdings over the years has resulted in the farmland with limited population numbers being faced with undue restrictions to their farming operations. The Ward Family are rightly upset about the Proposed District Plan's rules, which restrict their ability to be productive farmers/landowners.

The amendments and changes requested and referred to in the table in **Attachment B** is strongly linked to section 85(2) of the Resource Management Act 1991 which states that *any person having an interest in land to which any provision or proposed provision of a plan or proposed plan applies, and who considers that the provision or proposed provision would render that interest in land incapable of reasonable use, may challenge that provision or proposed provision on those grounds in a submission made under Part 1 of the First Schedule in respect of a proposed plan.*

The Ward Family seeks the following decision from the Thames-Coromandel District Council:

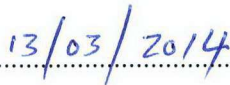
- the amendments and changes referred to in the attached table (**Attachment B**) are accepted; and
- any consequential amendments necessary as a result of the amendments to grant the relief sought above.

The Ward Family wishes to be heard in support of their submission.

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



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



Date

Address for service of submitter:

Telephone: (07) 867 1087

Fax/email:

info@plannersplus.co.nz

Contact person: David Lamason
(Planners Plus Limited)

ATTACHMENT A

WARD FAMILY LAND HOLDINGS



PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.

Property Owners:

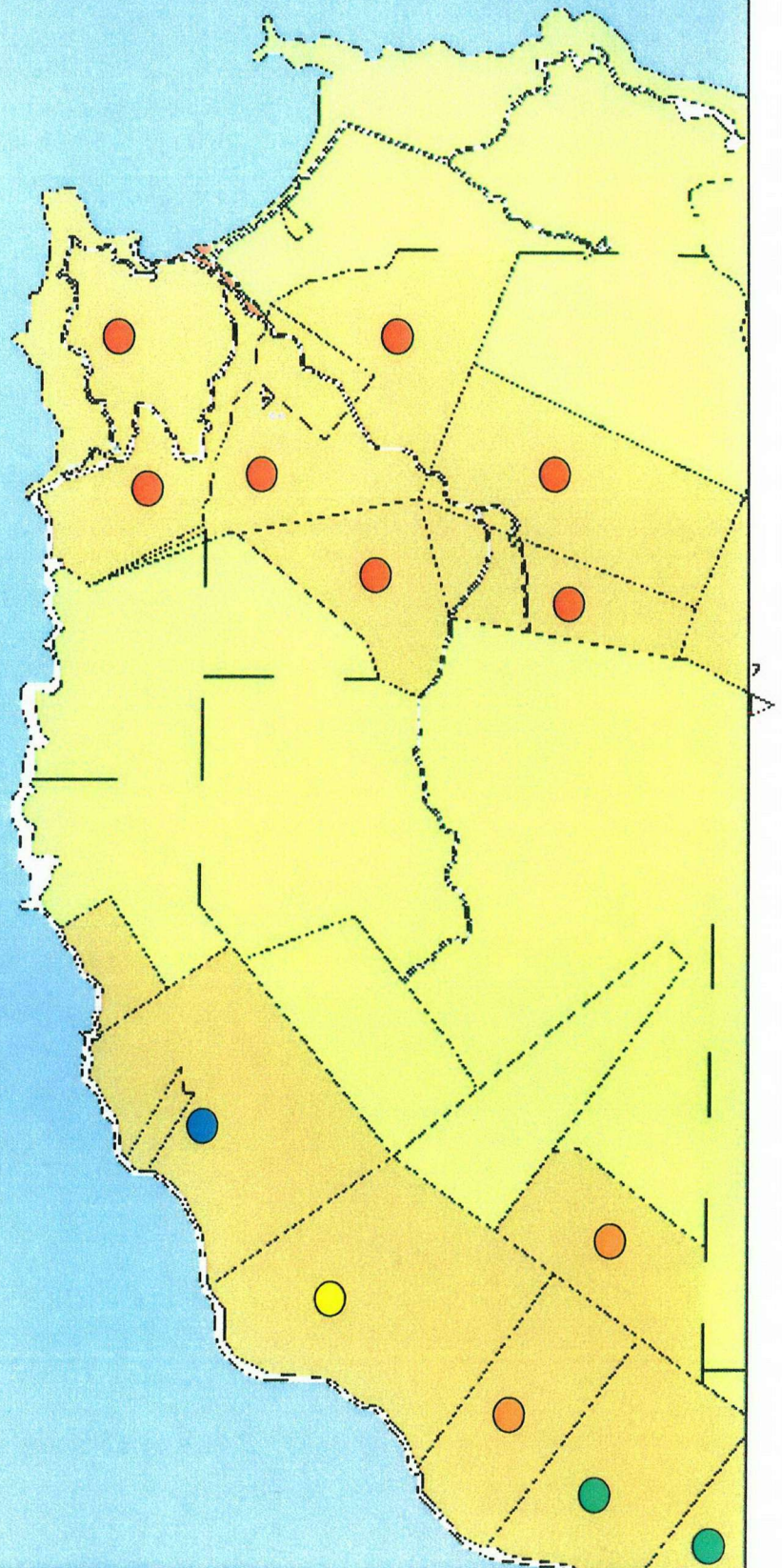
Alexander and Catherine Ward ●

Anthea Ward ●

Harold and Clare Ward ●

Theodora Ward ●

John Ward ●

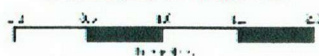


MAP 1 ZONES

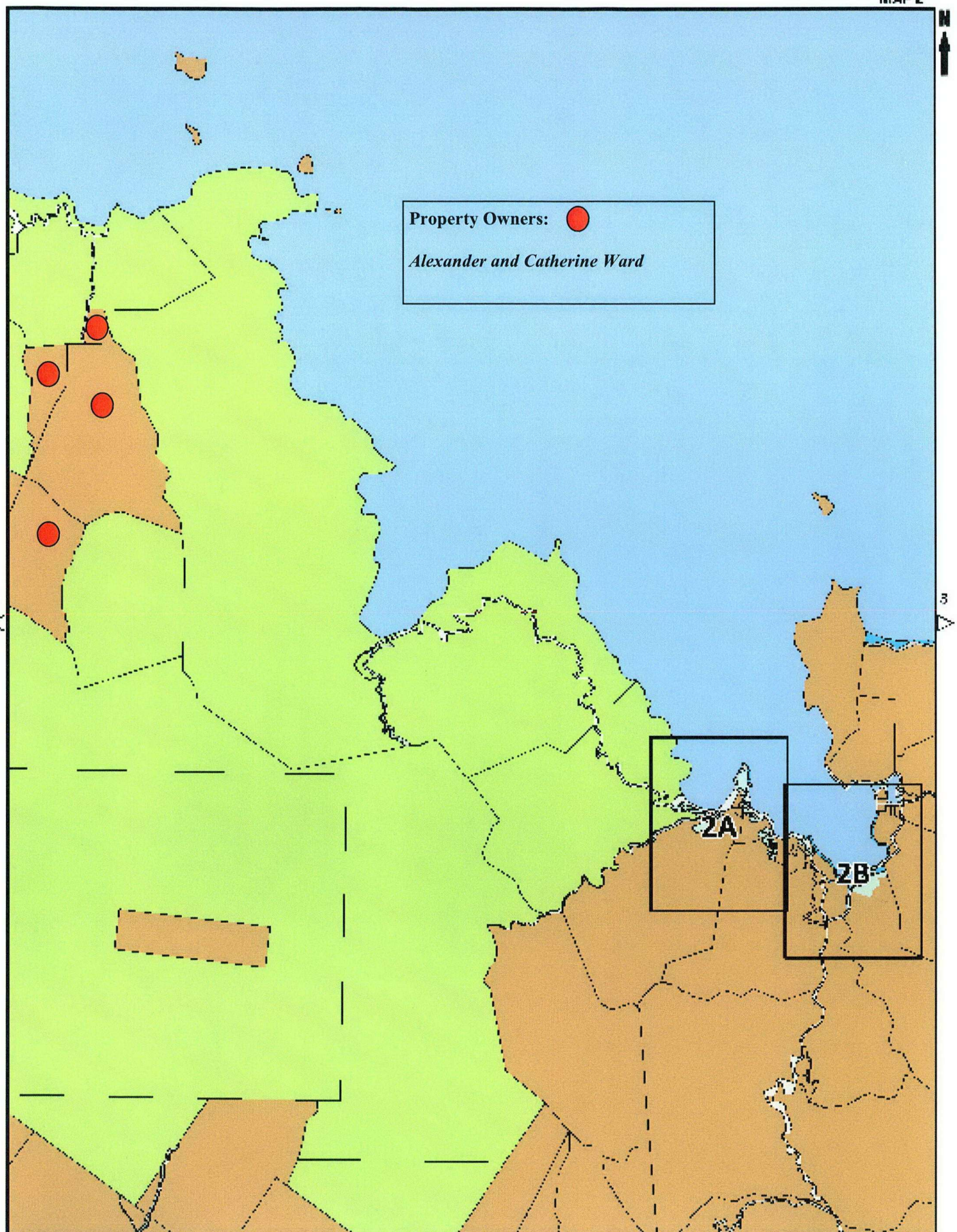
CAPE COLVILLE

PROPOSED DISTRICT PLAN December 2012

Scale 1:50,000 A4 Paper Size



MAP PRINTED
13 December 2013



MAP 2 ZONES

MOEHAU

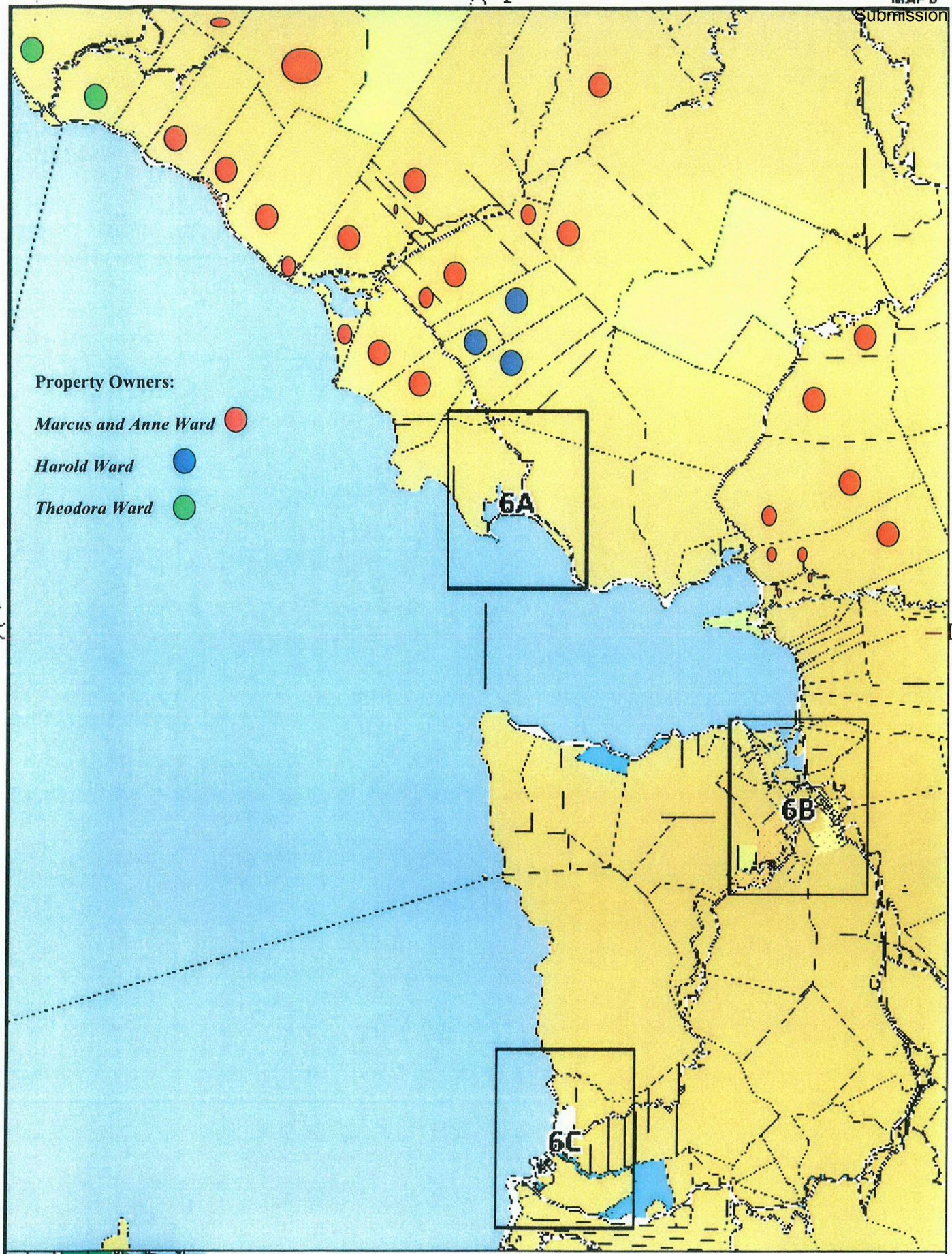
PROPOSED DISTRICT PLAN December 2013
 Scale 1:50,000 (1:44 Paper Size)

0 5 10 20
 Kilometres

© 2013 Thames Coromandel District Council. All rights reserved. No part of this publication may be reproduced without prior written permission.

**THAMES
COROMANDEL**
DISTRICT COUNCIL

MAP PRINTED
13 December 2013



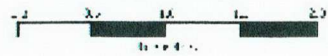
Property Owners:

- Marcus and Anne Ward (Red circle)
- Harold Ward (Blue circle)
- Theodora Ward (Green circle)



MAP 6 ZONES
COLVILLE

PROPOSED DISTRICT PLAN December 2013
Scale 1:50,000 (1:64 Paper Size)



MAP PRINTED
13 December 2013

Property Owners:

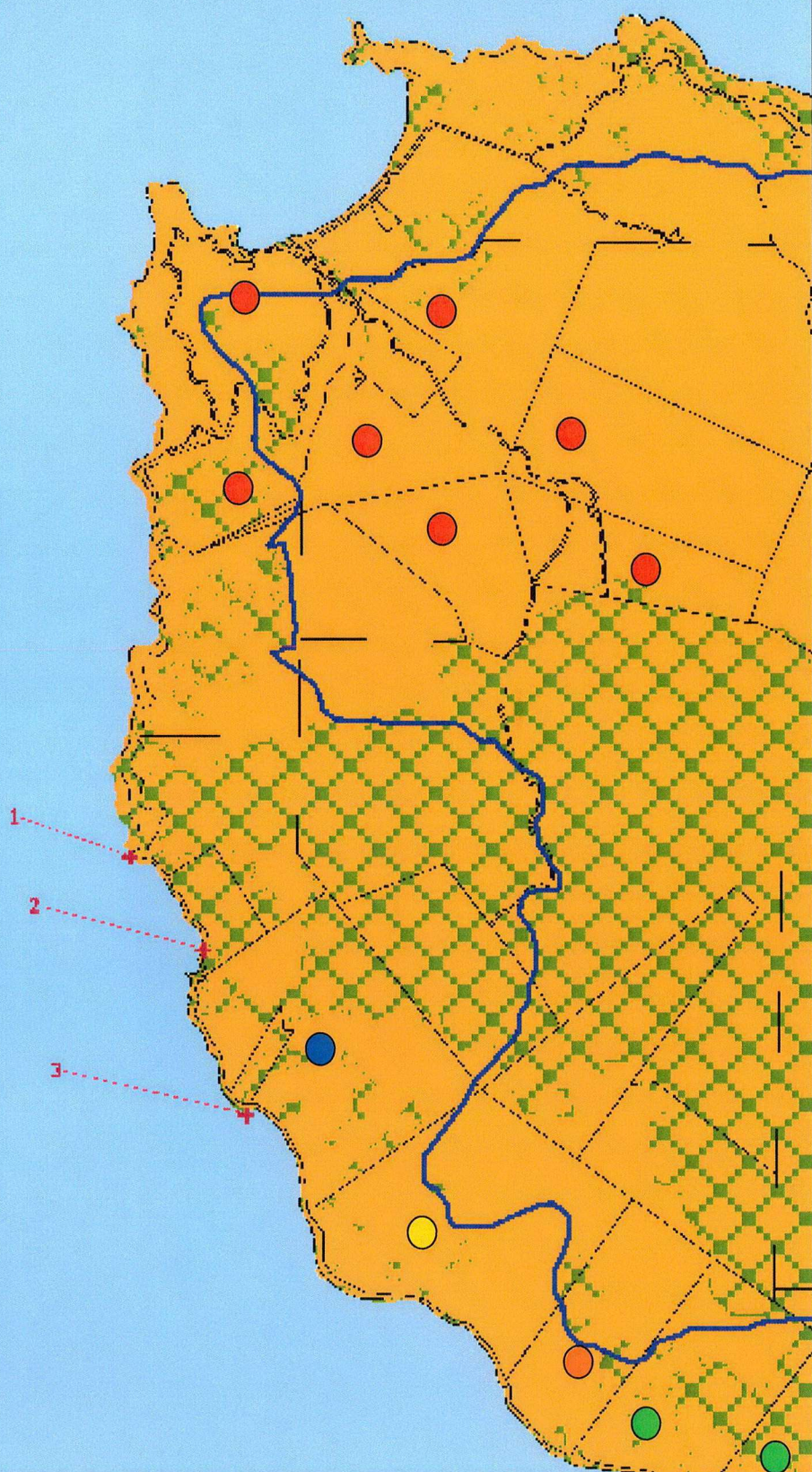
Alexander and Catherine Ward ●

Anthea Ward ●

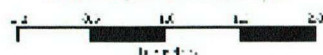
Harold and Clare Ward ●

Theodora Ward ●

John Ward ●

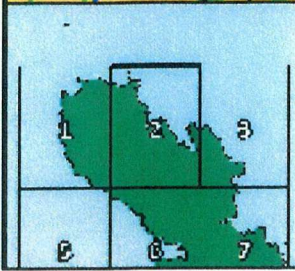
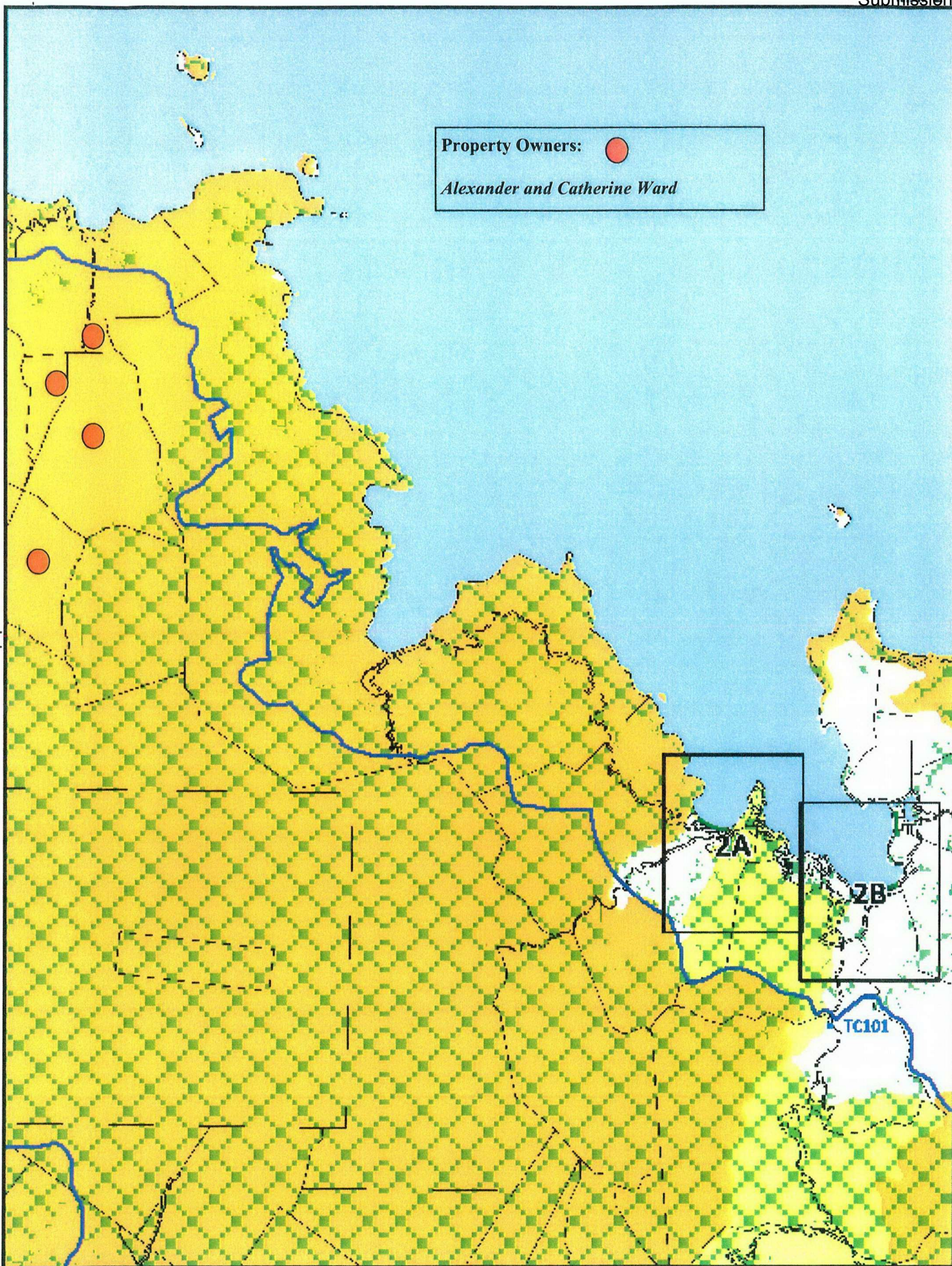


MAP 1 OVERLAYS
CAPE COLVILLE
 PROPOSED DISTRICT PLAN December 2013
 Scale 1:50,000 at A4 Paper Size



MAP PRINTED
 13 December 2013

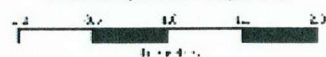
Property Owners: ●
Alexander and Catherine Ward



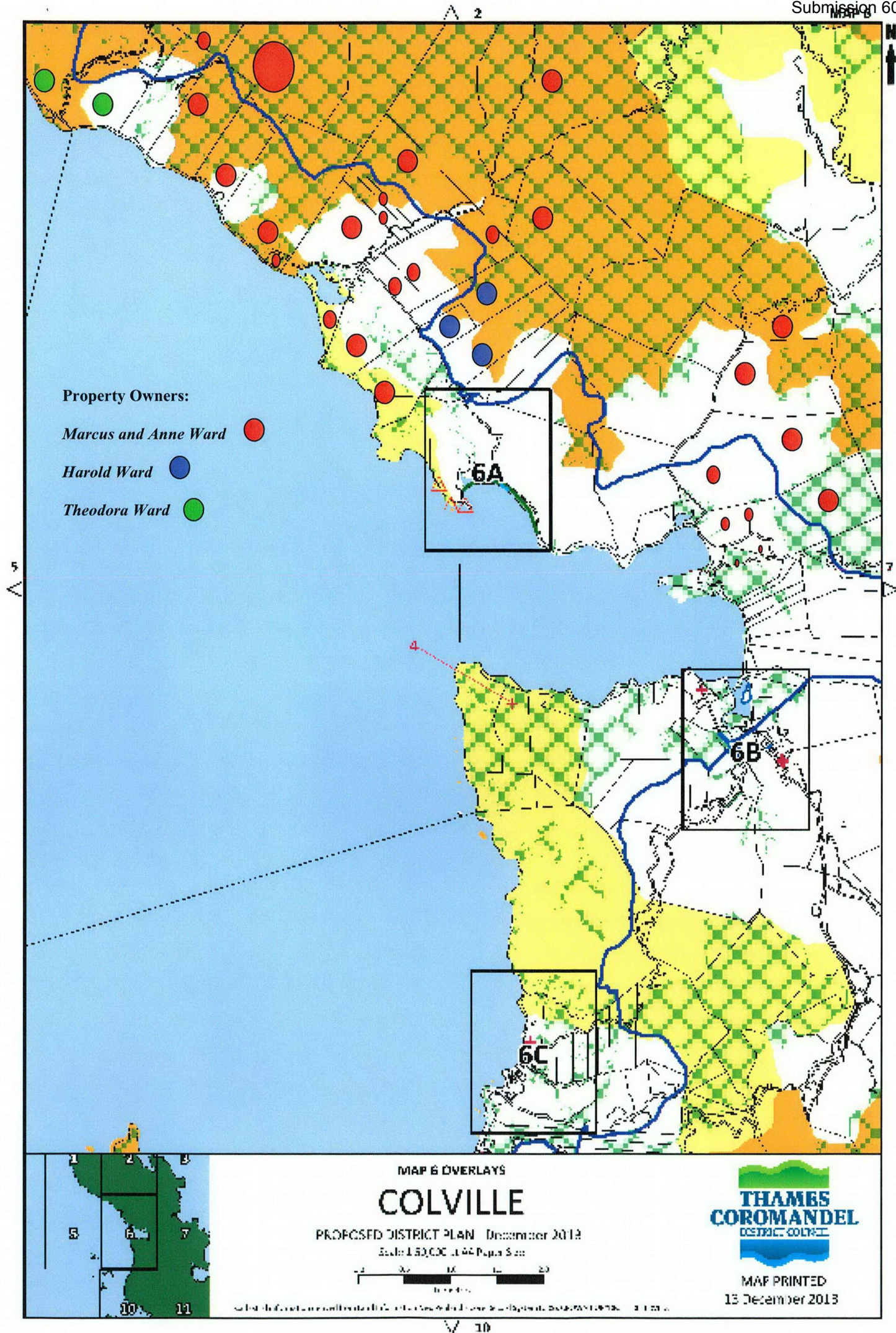
MAP 2 OVERLAYS

MOEHAU

PROPOSED DISTRICT PLAN December 2013
Scale 1:50,000 A4 Paper Size



MAP PRINTED
13 December 2013



ATTACHMENT B

SUBMISSION TABLE



PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
Part I - Section 3 - Definitions				
Section 3 Definitions	Farming	Support	Retain the definition of farming in its entirety.	The definition of farming with the Proposed District Plan is a broad and general definition that also includes activities accessory to farming that are not otherwise referenced in the Plan. This generally enables rural property owners to undertake their everyday farming activities as a permitted activity without the need for resource consent.
Section 3 Definitions	Afforestation	Support	Retain the definition of afforestation in its entirety.	The definition relates to the new planting or regeneration of trees for forestry purposes on land not previously planted in forest.
Section 3 Definitions	Hazardous Facility	Oppose in part	Amend the definition of hazardous facility so that it does not include the use and storage of agrichemicals, fertilisers and fuel storage associated with farm use and activity.	The use and storage of agrichemicals, fertilisers and limited amounts of fuel storage for farm vehicles etc, forms a part of everyday use and activities associated with farming. The definition as it currently stands may mean that resource consent for hazardous substances associated with farming activities may require resource consent under Section 36.6 (Rule 5).
Section 3 Definitions	Intensive Farming	Oppose in part	Amend the definition of intensive farming to exclude traditional farming practices such as the rearing of replacement calves.	The definition requires amending so that it does not include activities that are associated with normal farming activities such as the rearing of replacement calves.
Section 3 Definitions	Site	Support	Retain the definition of site in its entirety.	The definition of site is supported as it can relate to more than one lot, provided that they are adjoining.
Section 3 Definitions	Temporary Living Place	Support	Retain the definition of temporary living place in its entirety.	The definition of temporary living place is supported as it allows for people to stay for one or more night (without a tariff paid) in a tent or camper van on properties within the rural zone and the coastal environment area, without the need for resource consent.
Part II – Section 7 – Coastal Environment				
Section 7 Coastal Environment	Entire Section 7	Oppose	Amend Section 7 including 7.2 Issues and 7.3 Objectives and Policies to recognise that certain activities such as farming occur within the Coastal Environment and farming operations should not be unduly affected as a result.	The provisions of Section 7 place undue restriction on property owners, particularly farmers, where their farming operations are located partly within the Coastal Environment and therefore can no longer operate and develop their properties in the way they have done in the past. The submitter's request that the wording of Section be amended to reflect that this, particularly as part of Objective 1.

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
Part III - Section 15 – Settlement Development and Growth				
Section 15.3 Objectives and Policies	Policy 10b – Moehau Peninsula	Oppose	Delete reference to Moehau Peninsula and replace with a correct place of reference (i.e. the Moehau Range).	The Ward Family has not heard of a reference ever being made to the “Moehau Peninsula” and seek clarification as to whether Policy 10b relates to the northern end of the Coromandel Peninsula. The Ward Family has always known the term “Moehau Range” which extends from Cape Colville in the north to Big Bay in the south. Mt Moehau is the highest point in that range.
Part III - Section 16 - Subdivision				
Section 16.3 Objectives and Policies	Objective 11 and Policy 11a	Oppose	Delete Objective 11 and Policy 11a.	The Proposed District Plan should identify ‘high class soils’ for primary production, otherwise during the resource consent process the Council will require specialist soil tests to confirm whether the high class soils are affected. A reasonable portion of the soils on the Coromandel are not ‘high class’ but applicants will have to prove that they are not by engaging the services of a soil scientist (at great expense to the applicant and farmer).
Section 16.3 Objectives and Policies	Policy 11b	Oppose	Add discretionary activity assessment criteria and move appropriate objectives and policies into the assessment criteria that provides guidance to applicants to appropriately design their subdivision or development.	The fundamental problem with the District Plan is that there are no ‘discretionary activity’ assessment criteria and therefore assessment criteria such as Policy 11b is hidden in the objectives and policies of the Proposed District Plan. In other words, Discretionary Activities are being treated like they are Non-Complying Activities.
Part IV - Section 24 – Rural Area				
Section 24- Rural Area	24.1 Background	Support	Retain 24.1 Background description to the Rural Area of the Thames Coromandel District	The background description of the Rural Area is supported, particularly paragraphs 2 and 3.
Section 24- Rural Area	24.3 Objectives and Policies – Policy 1a	Support	Retain Policy 1a	Policy 1a identifies and acknowledges that primary production and rural industrial activities have a functional need to locate in the Rural Zone and that they should occur here where the adverse effects on rural character and the natural environment are remedied or mitigated.
Section 24- Rural Area	24.3 Objectives and Policies – Policy 1c	Support in part	Amend Policy 1c by deleting the word “priority”	Policy 1 c promotes subdivision in the Rural Zone in circumstances where indigenous vegetation is restored or enhanced and legally protected. However, this policy should not just be limited to “priority” areas of

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
				indigenous vegetation. There needs to be flexibility with the policy.
Section 24- Rural Area	24.3 Objectives and Policies – Objective 2	Support	Retain Objective 2	Objective 2 seeks that the District's rural land resource is safeguarded for primary production.
Section 24 – Rural Area	Policy 4a	Oppose in part	Delete a)	Policy 4a (a) is not enforceable and vague. This policy is basically a 'shut down' of all development whose properties do not have access to the state highway. A lot of properties have absolutely no choice but to use roads that link to the state highway.
Section 24- Rural Area	24.3 Objectives and Policies – Policy 5b	Oppose in part	Add at end of Policy 5b "unless clearance is for maintaining pasture for farming operations."	Policy 5b is very concerning for the submitter. Operational farms have good and bad times based on market fluctuations. Some pasture can revert back to indigenous vegetation if not maintained. Depending on the market conditions, some tracts of land may not be cleared and maintained as pasture. The submitter is concerned that this Policy does not take account of the commercial reality of operational farms, which deal with difficult farmland from a topographical perspective. The submitter does not want to be applying for resource consents for land that has reverted to indigenous vegetation. Furthermore farmers should be allowed to clear indigenous vegetation in order to prepare and maintain fence lines. It is acknowledged that clearance of indigenous vegetation should be discouraged in the Coastal Environment. However, the submitters are attempting to maintain their livelihood and the clearance of indigenous vegetation for maintaining pasture for farming should be provided for.
Section 24- Rural Area	24.3 Objectives and Policies – Objective 6	Oppose in part	Amend Objective 6 so that it reads: "The natural character and landscape values of the Coastal Environment, particularly outside existing settlements, is retained "	The submitter would like the word 'enhance' deleted from the objective. The NZCPS 2010 (Policies 13, 14 and 15) requires preservation of natural character; promotes the restoration of natural character; and protects natural features and natural landscapes. There is no mention about the 'enhancing' of these landscapes within the NZCPS 2010, therefore the District Plan Objective 6 is requiring 'enhancement', which is beyond National Policy.
Section 24 – Rural Area	Policy 6c	Oppose in part	Take out 'screen planting measures' and replace with 'integrated landscape mitigation measures'.	Screen planting in front of a house because someone can view the house from the road is onerous. I also suspect that a number of these houses would most likely have views of the ocean and therefore would need to be screened as a result of Policy 6c. Policy 6c is therefore an onerous policy

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
				that is also unenforceable.
Part VI - Section 29 - Biodiversity				
Section 29 - Biodiversity	29.3 (Rule 3) Clearing indigenous vegetation in the Rural Area	Support in part	Amend Section 29.3 (Rule 3) to include the clearing of up to 5m ³ of manuka or kanuka per 12 month period for firewood purposes as a permitted activity.	The Operative District Plan allowed for <i>clearing up to 5m³ of manuka or kanuka per 12 month period for firewood purposes that is not located over pasture</i> as a Permitted Activity. This has not been carried through to the Proposed District Plan rules and provides major uncertainty for property owners who has undertaken this activity in the past or wish to undertake it in the future. A number of property owners in the district rely on this activity for heating their homes over winter. Service groups and other individuals also donate firewood to elderly and people in need of firewood for heating. The new biodiversity rules require property owners to get resource consent, the written approval of neighbouring property owners and provide relevant ecological reports just so they can cut scrub for firewood.
	29.5 Table 1 (1) Controlled Activity Matters	Oppose	Delete Assessment Criteria (1) from Table 1 – Controlled Activity Matters	The identification and “ground-truthing” of the area of indigenous biodiversity should be paid for and undertaken by the Council. If this has been undertaken by the Council then an assessment can be undertaken against the finding of the investigation. The landowner should not have to pay for the initial investigation of their property in the first instance.
Part VI - Section 31 – Historic Heritage: Archaeological Sites; Historic Heritage Items and Historic Heritage Areas Overlay				
Section 31.5 – Archaeological Sites and Maori Cultural Sites Overlay Rules	31.5 (Rule 3) Land Disturbance	Support in part	Retain Rule 3 but seek clarification from Council that Rule 3 only relates to land disturbance activities on archaeological sites and Maori cultural sites identified on the Planning Maps and within Appendix 1.	Clarification is sought to provide certainty to the submitter.
Part VI - Section 32- Landscape and Natural Character				
Section 32 – Landscape and Natural Character	32.3 Outstanding Landscape Overlay Rules (Rule 1) Any other activity	Oppose in part	Amend Rule 1.1(a) so that the maximum gross floor area restriction of 50m ² for all buildings <u>not</u> be applied to buildings accessory to farming activities (i.e.	A 50m ² gross floor area restriction for accessory buildings associated with farming is too restrictive; unpractical and would severely limit the operation of the farming operation. To not allow a farm to have an implement shed for machinery; feed etc... is totally unrealistic and unfair. Furthermore, the Ward Family farm in a remote and isolated area on the

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
			an implement shed should be a permitted activity on a working farm). Workers accommodation and “granny flat” type housing shall be a permitted activity.	Northern Coromandel. It is essential that employee accommodation be provided for and that “granny flat” type accommodation be provided for elderly relatives and their carers without the need to apply for resource consent.
Section 32 – Landscape and Natural Character	32.3 Outstanding Landscape Overlay Rules (Rule 2) Earthworks	Oppose in part	Amend Rule 2 Earthworks so that it excludes farming activities from the rule.	The standards listed in Rule 2 (i.e. 10m ³ of earthworks per site per calendar year) are extremely restrictive for farming activities and would severely limit the operation of the farming operations of a farm that is located in areas containing an outstanding landscape overlay. In terms of the submitters, a resource consent would be required each time they got their digger out. In other words the earthwork rules for a productive farming unit are unworkable; unfair; and not practical.
Section 32 – Landscape and Natural Character	32.3 Outstanding Landscape Overlay Rules (Rule 5) One dwelling per lot	Oppose	Amend Rule 5 so that one dwelling per lot in areas containing the outstanding landscape overlay be deemed to be a controlled activity if it complies with the relevant standards. If it does not then amend it to be assessed as a discretionary activity.	The Council is making it harder and more expensive to build a dwelling on an allotment. Provided the necessary standards are met and relevant conditions of consent are placed on the decision for a controlled activity application then the effects of a dwelling in an area containing an Outstanding Landscape Overlay should be no more than minor.
Section 32 – Landscape and Natural Character	32.3 Outstanding Landscape Overlay Rules (Rule 7) Afforestation, All subdivision activities, Two or more dwellings per lot	Oppose	Delete the references to afforestation, all subdivision activities, and two or more dwellings per lot from Rule 7 which requires these activities to obtain resource consent as a non-complying activity.	Rule 7 places undue restriction on property owners where the Outstanding Landscape Overlay provides a blanket cover over their properties and therefore can no longer operate and develop their properties in the way they have done in the past. Underlying zone rules and standards will still apply to these activities, as will Outstanding Landscape Overlay Rule 1. In most instances resource consent will be required, but not as a non-complying activity. This is an unfair and unreasonable requirement.
Section 32 – Landscape and Natural Character	32.4 Table 1 – Outstanding Landscape Standards	Oppose in part	Amend point 4 of Table 1 so that it reads “the highest point of any building must be below the nearest ridgeline that has the sea/sky as a backdrop”	A building on a ridgeline that has additional higher bushclad hills as a backdrop is not going to result in the same effects as a building located on a ridgeline with the sea or sky as a backdrop.

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
Section 32 – Landscape and Natural Character	32.7 Natural Character Overlay Rules (Rule 15) Earthworks	Oppose in part	Amend Rule 15 Earthworks so that it excludes farming activities from the rule.	The standards listed in Rule 15 (i.e. 10m ³ of earthworks per site per calendar year) are extremely restrictive for farming activities and would severely limit the operation of the farming operations of a farm that is located in areas containing a natural character overlay. In terms of the submitters, a resource consent would be required each time they got their digger out. In other words the earthwork rules for a productive farming unit are unworkable; unfair; and not practical.
Part VII - Section 38 - Subdivision				
Section 38 - Subdivision	38.5 (Rule 8) Subdivision creating one or more conservation lots	Oppose	Figure 1 Priority Locations for Indigenous Ecosystem Restoration and Enhancement be amended. Amend conservation lot subdivisions that are not in a priority areas but contain land worthy of protecting so that they are assessed as restricted discretionary activities, not discretionary or non-complying activities.	Figure 1 is too vague and at a scale that makes it difficult to see whether it relates to a particular property or not. Furthermore Figure 1 does not include all rural land (e.g. at the northern end of the peninsula) that may include areas worthy of protecting by way of conservation lot development. Properties that have areas that are worthy of protection should not be penalised or discouraged to protect these areas by making the consent process harder (i.e. deeming them to be discretionary or non-complying activities). Protecting significant areas should be encouraged and made as easy as possible, not as costly as possible.
Section 38 - Subdivision	38.6 (Rule 9) Subdivision creating one or more allotments	Oppose	Either amend Rule 9 so that subdivision creating one or more additional lots within the Rural Area (provided it meets the standards of Table 2 and 3) be deemed a restricted discretionary activity or if it remains a discretionary activity it should not require the written approvals of adjoining property owners.	A subdivision that meets the average lot size and relevant standards for the zone should not be subject to the extra expense of the possibility of a notified application. The average lot size rule and standards ensure that development in the rural area reflects the scale and character of what residents of the District can expect and anticipate in the rural area. The need for written approvals can place undue and unnecessary costs and delays on an applicant if for some reason a neighbour decides not to provide written approval.
Part VII - Section 39 - Transport				
39.2 Permitted Activities	39.2 (Rule 8) Airstrip	Support	Retain Rule 8 in its entirety	Airstrips as a permitted activity in the Rural Area, provided it is accessory to a farming activity, is supported.
Part VIII - Section 56 – Rural Zone				
Section 56 –	56.2 Zone Purpose	Support in part	Delete the sixth bullet point from	The purpose of the Rural Zone is generally supported apart from the sixth

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
Rural Zone			56.2 Zone Purpose.	bullet point that refers to “increased nutrient runoff, riparian degradation and nitrification of waterways associated with intensive farming practices”. This component of the Rural Zone is not a District Council issue and should be deleted from the list of components that contribute to the character of the Rural Zone.
Section 56 – Rural Zone	56.3 Activity Table	Oppose in part	Amend those activities not provided for in Section 56, but listed in the Activity Summary Table so that they require resource consent as a Discretionary Activity rather than as a Non-Complying Activity	Those activities listed in the Activity Summary Table have effects that are identifiable and known. It is therefore considered more appropriate that that these particular activities be included as Discretionary Activities.
Section 56 – Rural Zone	56.4 (Rule 2) Produce Stall	Support	Rule 2 (Produce Stall) to be retained as a Permitted Activity.	Produce stalls as a Permitted Activity within the Rural Zone are supported.
Section 56 – Rural Zone	56.4 (Rule 4) Farming	Support	Rule 4 (Farming) to be retained as a Permitted Activity.	Farming as a Permitted Activity within the Rural Zone is supported.
Section 56 – Rural Zone	56.4 (Rule 4) Temporary Living Place	Support	Rule 4 (Temporary Living Place) to be retained as a Permitted Activity.	Temporary Living Places as a Permitted Activity within the Rural Zone are supported.
Section 56 – Rural Zone	56.4 (Rule 6) Earthworks	Support in part	Amend Rule 6 to include earthworks for the maintenance of operational roads, fence lines, tracks or stock races.	The maintenance of fence lines, farm tracks and stock races are an ongoing activity associated with farming in the Rural Zone. The maintenance of the fence lines, tracks and races should be exempt from the minimum setback distances and overall earthworks thresholds listed in Table 2 and 3 of Rule 6.
Section 56 – Rural Zone	56.4 (Rule 11) Afforestation	Support in part	Delete 1(b) from Rule 11 and amend 1(d) so that it refers to Table 4, not Table 3.	Afforestation as a permitted activity within the Rural Zone is supported however the reference to afforestation occurring in the Coastal Environment requiring afforestation to be a restricted discretionary activity is not supported. Large farm holdings, particularly within the northern part of the Coromandel Peninsula are located in rural zoned land that extends into the Coastal Environment area. Farmers should have the ability to use those areas of their property that are not suitable for stock grazing, for the purpose of planting for forestry production purposes without the need for resource consent. Rule 11.1(b) places undue restraint and costs on common farming practices if located within the Coastal

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
				<p>Environment. Farmers do not invest all their money in one area – they diversify. Afforestation is an option for a farmer to diversify, but the provisions of the Proposed District Plan will not allow a farmer to diversify.</p> <p>The reference to Table 3 in Rule 11.1(d) is incorrect and should be amended to read Table 4.</p>
Section 56 – Rural Zone	56.4 (Rule 12) Accessory Building	Support in part	Amend Rule 12 to include accessory buildings associated with farming activities as a permitted activity in the Rural Zone.	The way the District Plan is written at the moment does not provide for farming accessory buildings (e.g. farm implement sheds, hay barns, storage sheds) as permitted activities. The definition of accessory building only relates to residential activities and the definition of farming does not specifically include farm accessory buildings. It is considered most appropriate to include farming accessory buildings within Rule 12 so that any proposed building is subject to the standards in Table 6 and the specific standards in Table 9.
Section 56 – Rural Zone	56.4 (Rule 13) Goat Farming	Support	Rule 13 (Goat Farming) to be retained as a Permitted Activity.	Goat Farming as a Permitted Activity within the Rural Zone is supported.
Section 56 – Rural Zone	56.4 (Rule 14.1(a)) Noise	Support	Retain Rule 14.1(a) and Note 1.	Noise associated with farming and forestry activity as permitted activities is supported. Note 1 is also supported as it includes temporary noise from animals, harvesting, cultivation, fertilising, spraying and similar farming and forestry activities.
Section 56 – Rural Zone	56.4 (Rule 15) Home Business	Support in part	Amend Rule 15.1(e) to exclude farm agricultural contracting home business activities during harvesting/peak season where more than two non-residents are usually required to undertake the activity.	A number of the larger farm land holdings in the district undertake farm agricultural contracting activities from their property. This type of home business is able to meet the permitted activity requirements of Rule 15 apart from the number of non-residents carrying out the activity during times of harvesting/peak season. An exemption to Rule 15.1(e) will ensure that the effects are no more than minor, but allow for the extra workers without requiring resource consent.
Zone Maps				
Zone Maps	Map 1 Zones (Cape Colville)	Clarification sought	Clarification is sought on the Open Space Zoning that is shown on Map 1 Zones (Cape Colville)	Clarification is sought as to why this property is zoned Open Space Zone. This is private land and a working farm yard is located in the area. The open space zone will adversely affect the operation of the farming unit.
Overlay Maps	Map 1, 2 and 6	Oppose in part	That the coastal environment lines	The Ward family is very concerned that the coastal environment lines are

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
	overlays		are amended to actually reflect the coastal environment. An independent, open and transparent landscape assessment is undertaken to determine the coastal environment line and take into account activities such as farming, which as identified in Section 7.1.2 is equally important to the social, economic and cultural wellbeing of people and communities and needs to be carefully balanced.	<p>located between 4km and 8kms inland over their operational farms and do not reflect the coastal environment. It is difficult to accept that farmland 4 kms to 8 kms from the queens chain and is referred to being “<i>subject to coastal processes and influences and where coastal qualities are significant</i>” (Section 7.1.1 – What is the Coastal Environment).</p> <p>Section 7.1.2 of the Proposed District Plan confirms the following: “<i>While the Coastal Environment is appreciated by many for its open space qualities, natural character, landscape, and recreational opportunities, activities such as aquaculture, farming and marine service industries also depend on the use of its natural and physical resources. These activities are equally important to the social, economic and cultural wellbeing of people and communities and need to be carefully balanced.</i>” *bold for emphasis</p> <p>The Ward family is concerned that the Proposed District Plan statement above has not been taken into account. The submitters are of the opinion that the Proposed District Plan is not balanced and that operational farms, which “are equally important” has not been reflected in the rules applicable to the various land holdings affected by the outstanding landscape, natural character, and the coastal environment line.</p> <p>Section 7.1.3 lists a number of items to identify the coastal environmental line. The last bullet point “<i>A practical and reasonable approach</i>” is not apparent. Section 7.1.2 confirms that farming is very important to the wellbeing of people and communities but has not been taken into account when determining the coastal environmental lines.</p> <p>The coastal environmental lines cover too much land area and are linked to very restrictive rules that would adversely affect the social, economic and cultural wellbeing of the Ward family and their community.</p>



Form 5
Submission on Proposed Thames-Coromandel District Plan

Clause 6 of First Schedule, Resource Management Act 1991

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

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

Name of submitter: Cooks Beach Futures Limited
c/- Planners Plus Limited
PO Box 218
WHITIANGA 3542

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

This is a submission on the following proposed district plan:

Proposed Thames-Coromandel District Plan

Cooks Beach Futures Limited's submission relates to the area of land located at 823 Purangi Road, Cooks Beach, with the legal description of Lot 1 DPS 36125. The property is located on **Map 18I Zones (Cooks Beach)** and **Map 18I Overlays (Cooks Beach)**.

Cooks Beach Futures Limited's submission is as follows:

1) To amend Planning Map 18I Zones (Cooks Beach) by rezoning 823 Purangi Road, Cooks Beach (Lot 1 DPS 36125) to Low Density Residential Zone.

- 1.1 The Proposed District Plan identifies 823 Purangi Road, Cooks Beach as being located within the Rural Zone. In my opinion, the Council needs to take account of future growth opportunities as the Proposed District Plan is the key planning document for the next 15 years (based on how long it took for the current District Plan to become Operative). Low density residential development adjacent to a highly modified built environment is best planning practice. The Council should encourage future growth that is consistent with the built character and amenity of the Cooks Beach Settlement rather than dealing with non-complying activity rural development (i.e. subdivision).
- 1.2 Not just this particular site but several properties have undertaken discretionary or non-complying subdivision and/or land use consents for more than two houses on one allotment. Most (if not all) of these applications have been publicly notified and have been granted consent. You only have to view the planning maps and aerials (**Attachment A**) of the Rural Zoned land that borders the Cooks Beach Settlement to realise that there has been considerable development in this area.

- 1.3 Under the Proposed District Plan provisions, certain properties have been identified as being located within a Natural Character; Amenity Landscape; or Outstanding Landscape overlay (please refer to **Attachment B**). If a property is located within these specific overlays additional rules and regulations are applicable to maintain and protect the environment. The subject site is not affected by any specific overlays and based on the various District Plan landscape assessments, has not been identified as a site requiring special attention. It is reasonable to make the comment that the site is surrounded by residential activities and that the site falls within a modified environment.
- 1.4 When you view the Proposed District Plan planning map for the site (**Attachment C**), the northern properties are all located within the Coastal Living Zone. The surrounding properties have been recently subdivided and a new road (Resolution Rise) constructed. The applicant requests that the entire property be rezoned so that it is located within the Low Density Residential Zone, which is consistent with the surrounding landholdings.
- 1.5 Section 24.1 (Rural Area) of the Proposed District Plan states:

*“The Rural Zone is a place where most of the District’s **primary production and rural industry** is located. It is an active work area that contributes to the social and economic wellbeing of the District but is also a place where people live and use for recreation. The wide uses of the Rural Area can lead to ‘**reverse sensitivity**’ effects where largely **residential activities conflict with traditional rural activities** that generate noise, smell, dust and other effects that should be expected in the Rural Area.”*

*Bold for emphasis

- 1.6 It is highly unlikely that the subject site, due to its size constraints would revert to a productive rural unit. Secondly, the residential development that borders the majority of the subject site would be a deterrent for primary production and rural industry to occur due to ‘reverse sensitivity’ issues. The subject site just does not fit the ‘Rural Area’ Background section of the Proposed District Plan and therefore the Rural Zone is unsuitable for this particular site.
- 1.7 The outcome of changing the subject site from Rural Zone to Low Density Residential Zone has a number of positives such as:
- (i) No loss in primary production;
 - (ii) An efficient use of unproductive land resource;
 - (iii) The subject site has the potential to accommodate future growth at Cooks Beach whilst maintaining the built character and amenity of the Cooks Beach village;
 - (iv) The subdivision design of the subject site will be able to accommodate a vegetative backdrop for the Cooks Beach settlement;
 - (v) The site is able to incorporate residential development that is self-sufficient (i.e. incorporates on-site infrastructure such as water and wastewater) and provides an opportunity to control stormwater disposal from the subject site by use of engineering solutions;
 - (vi) The rezoning of the subject site takes into account the existing built environment and the proposal would not compromise the settlement’s built character or visual amenity;

- (vii) The subject site is able to utilise existing roading infrastructure, which is an efficient use of existing facilities; and
- (viii) It is good planning practice to locate low density housing adjacent to existing settlements and modified environments and also provides for market choice.
- 1.8 In terms of good planning practice, utilising ‘unsuitable’ land for rural production and rural industry is exactly the type of land that should be utilised for residential activities that are closely linked to the Cooks Beach Settlement and is part of a modified environment such as the 823 Purangi Road property.
- 1.9 Please refer to the attached plan, which illustrates the subject site that in my professional opinion would be suited for the Low Density Residential Zone (**Attachment D**).
- 1.10 Altering the portion of Rural Zoned land to Low Density Residential Zone is good planning practice; efficient use of a limited land resource; provides for future growth of the Cooks Beach Settlement; and due to the site’s location falls inland and behind the existing built environment and does not stretch along the coastline. The proposed rezoning would not be contrary to Section 15.3 – Policies 1e; 3a; and Objectives 4 and 5 of the Proposed District Plan.
- 1.11 In my professional opinion, the rezoning of the subject site to Low Density Residential will not be contrary to the Residential Area (Section 23 of the Proposed District Plan) objectives and policies. The proposed rezoning would be an efficient use of the land resource without compromising the existing character and amenity of the Cooks Beach Settlement.

2) Oppose in part Section 10.3 - Policy 10a – Cooks Beach and Ferry Landing.

- 2.1 Cooks Beach Futures Limited is concerned with the description of Cooks Beach backdrop contained within Policy 10a. The Cooks Beach backdrop is not rural or perceived to hold high natural character. The description should confirm that the backdrop to Cooks Beach is moderately modified and contains a number of residential dwellings integrated into the environment. The description in Policy 10a is inaccurate and should be changed to reflect the actual backdrop of Cooks Beach.

Cooks Beach Futures Limited seeks the following decision from the Thames-Coromandel District Council:

- To amend Map 18I Zones (Cooks Beach) to Low Density Residential Zone as per the plan attached to the submission (**Attachment “D”**);
- To change the description contained within Section 10.3 - Policy 10a; and
- Any consequential amendments necessary as a result of the amendments to grant the relief sought above.

Cooks Beach Futures Limited wishes to be heard in support of its submission.

If others make a similar submission, Cooks Beach Futures Limited will consider presenting a joint case with them at a hearing.

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

A handwritten signature in black ink, appearing to read 'D W Lamason', with a long horizontal stroke extending to the right.

Date 13/03/2014

Address for service of submitter:

Telephone: (07) 867 1087

Fax/email:

info@plannersplus.co.nz

Contact person: David Lamason
(Planners Plus Limited)

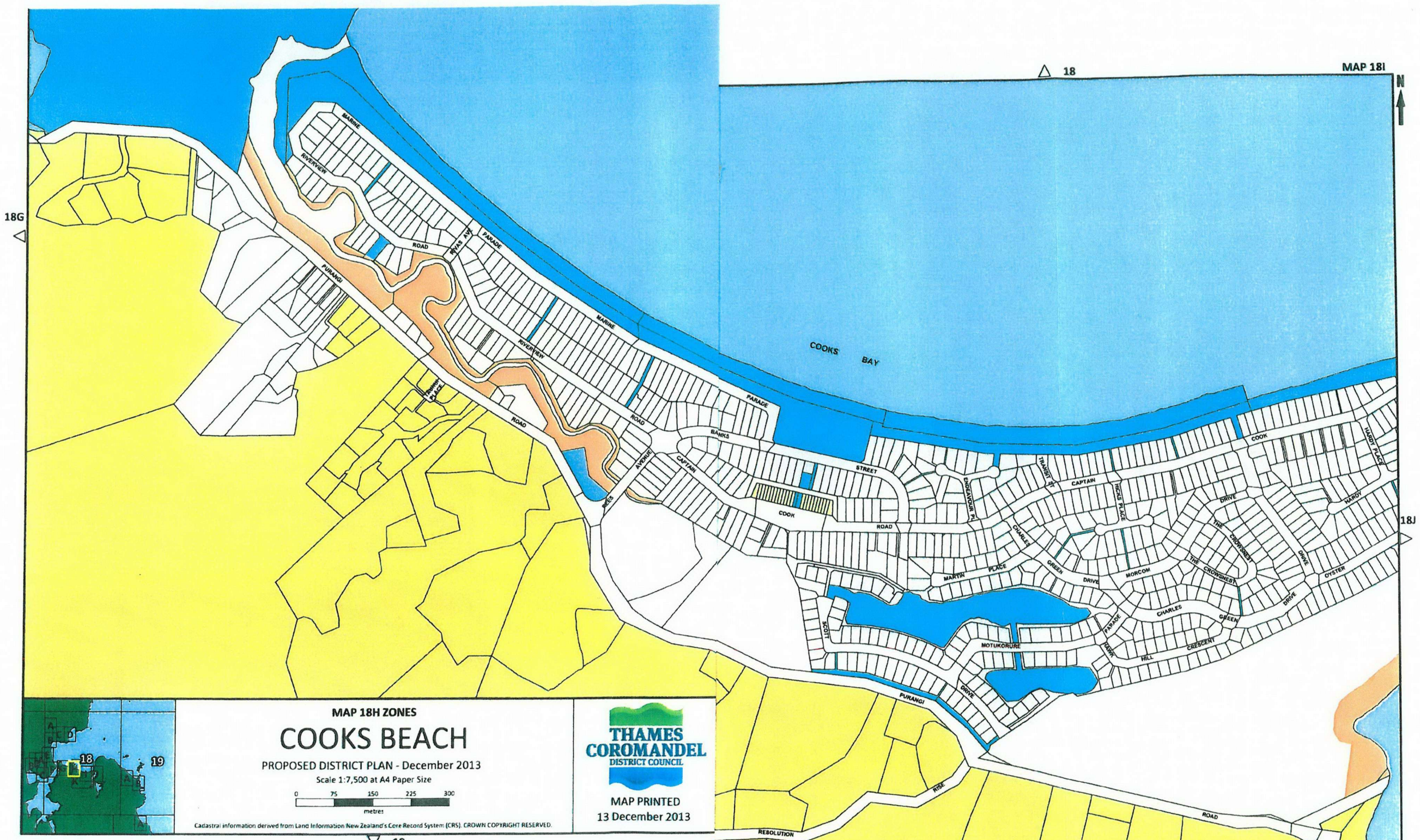
ATTACHMENT A

LOW DENSITY TO RURAL-RESIDENTIAL ALLOTMENTS BACKDROP COOKS BEACH

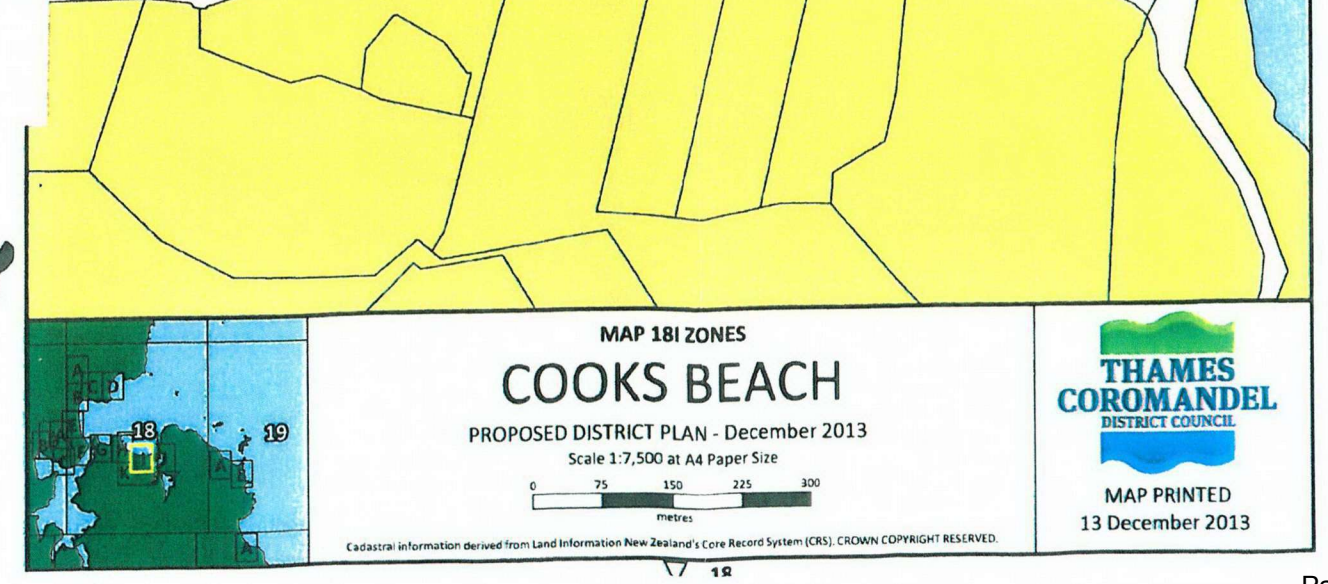


PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.



Attachment 'A'
Low Density to Rural-
Residential Allotments backdrop
Cooks Beach.



ATTACHMENT B

PROPOSED DISTRICT PLAN OVERLAY MAP



PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.

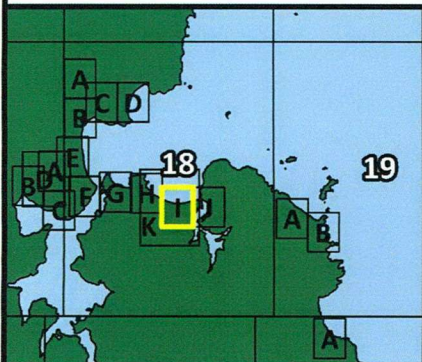
18

MAP 18I



18H
18

18J

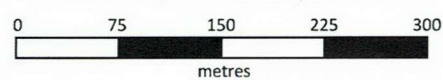


MAP 18I OVERLAYS

COOKS BEACH

PROPOSED DISTRICT PLAN - December 2013

Scale 1:7,500 at A4 Paper Size



Cadastral information derived from Land Information New Zealand's Core Record System (CRS). CROWN COPYRIGHT RESERVED.



MAP PRINTED
13 December 2013

18

ATTACHMENT C

PROPOSED DISTRICT PLAN ZONES MAP



PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.

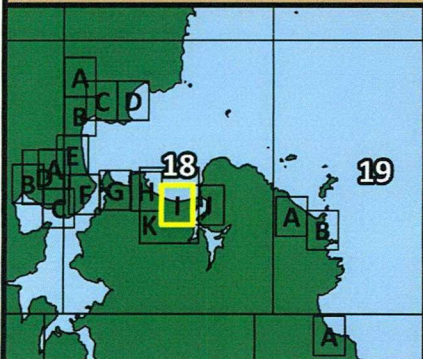
18

MAP 18I



18H
18

18J

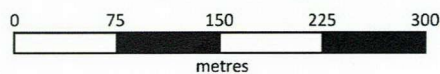


MAP 18I ZONES

COOKS BEACH

PROPOSED DISTRICT PLAN - December 2013

Scale 1:7,500 at A4 Paper Size



Cadastral information derived from Land Information New Zealand's Core Record System (CRS). CROWN COPYRIGHT RESERVED.



MAP PRINTED
13 December 2013

18

ATTACHMENT D

SUBJECT SITE TO BE REZONED TO LOW DENSITY RESIDENTIAL

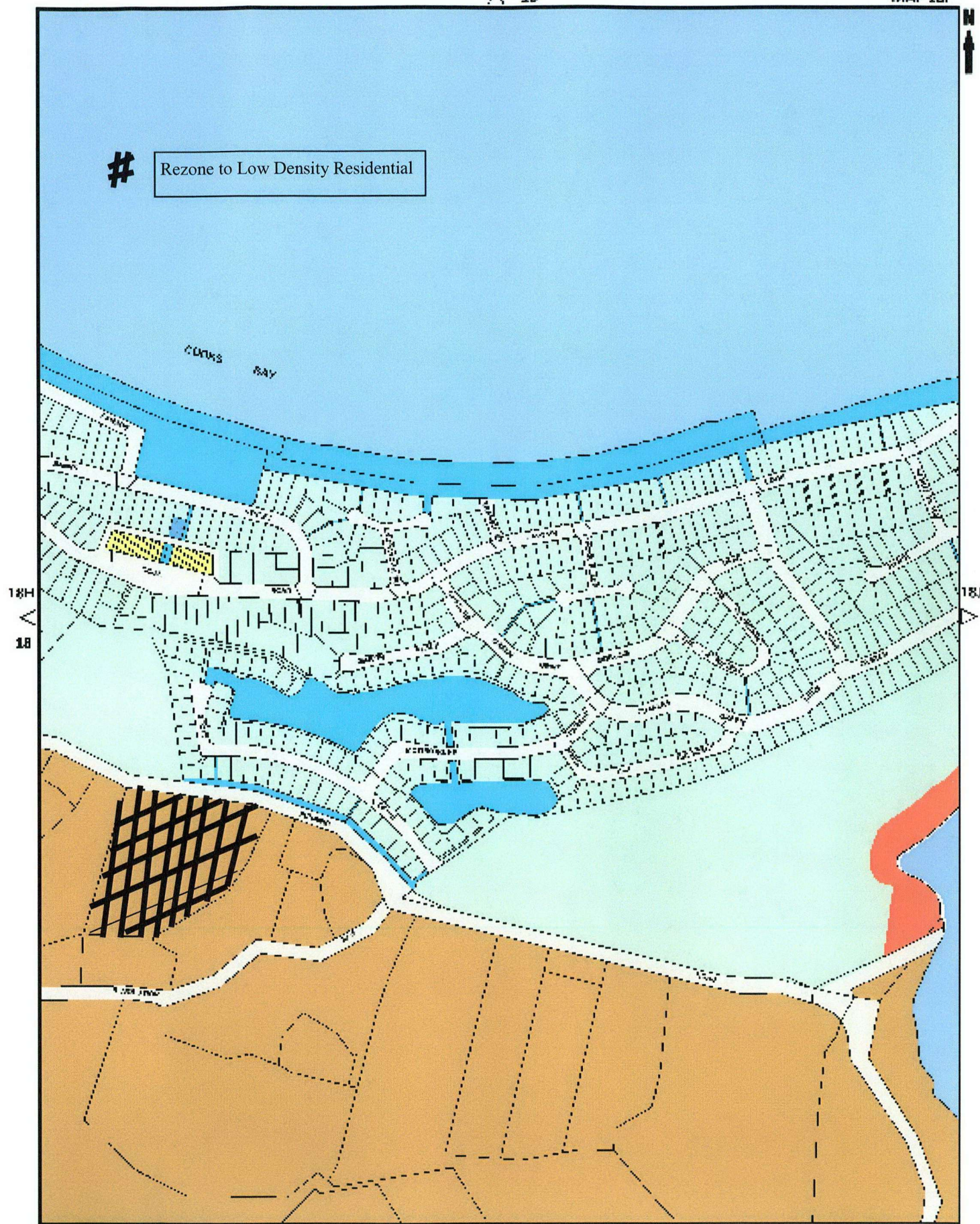


PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.

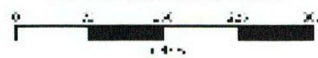
#

Rezone to Low Density Residential



MAP 18I ZONES COOKS BEACH

PROPOSED DISTRICT PLAN December 2013
Scale 1:7,500 at A4 Paper Size



MAP PRINTED
13 December 2013



Form 5
Submission on Proposed Thames-Coromandel District Plan

Clause 6 of First Schedule, Resource Management Act 1991

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

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

Name of submitter: Buffalo Beach Home Owners Association
c/- Planners Plus Limited
PO Box 218
WHITIANGA 3542

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

This is a submission on the following proposed district plan:

Proposed Thames-Coromandel District Plan

The Buffalo Beach Home Owners Association's submission relates to 16 properties that directly front onto Buffalo Beach comprising 107, 109A and B, 111, 113, 115, 117, 119, 121, 123, 125, 127, 129, 131, 133, 135, and 137 Buffalo Beach Road, Whitianga. These properties are located on **Map 18B Zones (Whitianga)** and **Map 18B Overlays (Whitianga)** and are highlighted in the map attached as **Attachment A** to this submission.

The Buffalo Beach Home Owners Association is very concerned that properties that are affected by coastal erosion have very few options available to them with regard to protecting their properties. The Buffalo Beach Home Owners Association would like flexibility in the rules relating to existing and legally established 'Hard' Defence Structures. The activity status to obtain further consents for existing Hard Defence Structures should be a discretionary activity and not a non-complying activity.

The non-complying activity status means that the Council has not considered Hard Defence Structures as an option, but the objectives and policies actually refer to Hard Defence Structures. It makes no sense to the Buffalo Beach Home Owners Association that an activity such as a Hard Defence Structure whose effects are known to the Council still requires consent for a non-complying activity.

The Buffalo Beach Home Owners Association's view is that once a Hard Defence Structure is established and granted consent, the residential activities that occur behind the defence structure should be assessed under less stringent activity status. Accordingly the Coastal Protection lines should be situated on top of the Hard Defence Structure within the overlay maps.

The Buffalo Beach Home Owners Association's submission is detailed on the table attached as **Attachment B**.

The Buffalo Beach Home Owners Association seeks the following decision from the Thames-Coromandel District Council:

- the amendments and changes referred to in the attached table (**Attachment B**) are accepted; and
- any consequential amendments necessary as a result of the amendments to grant the relief sought above.

The Buffalo Beach Home Owners Association wishes to be heard in support of their submission.

If others make a similar submission, the Buffalo Beach Home Owners Association will consider presenting a joint case with them at a hearing.

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



Date 13/03/2014

Address for service of submitter:

Telephone: (07) 867 1087

Fax/email:

info@plannersplus.co.nz

Contact person: David Lamason
(Planners Plus Limited)

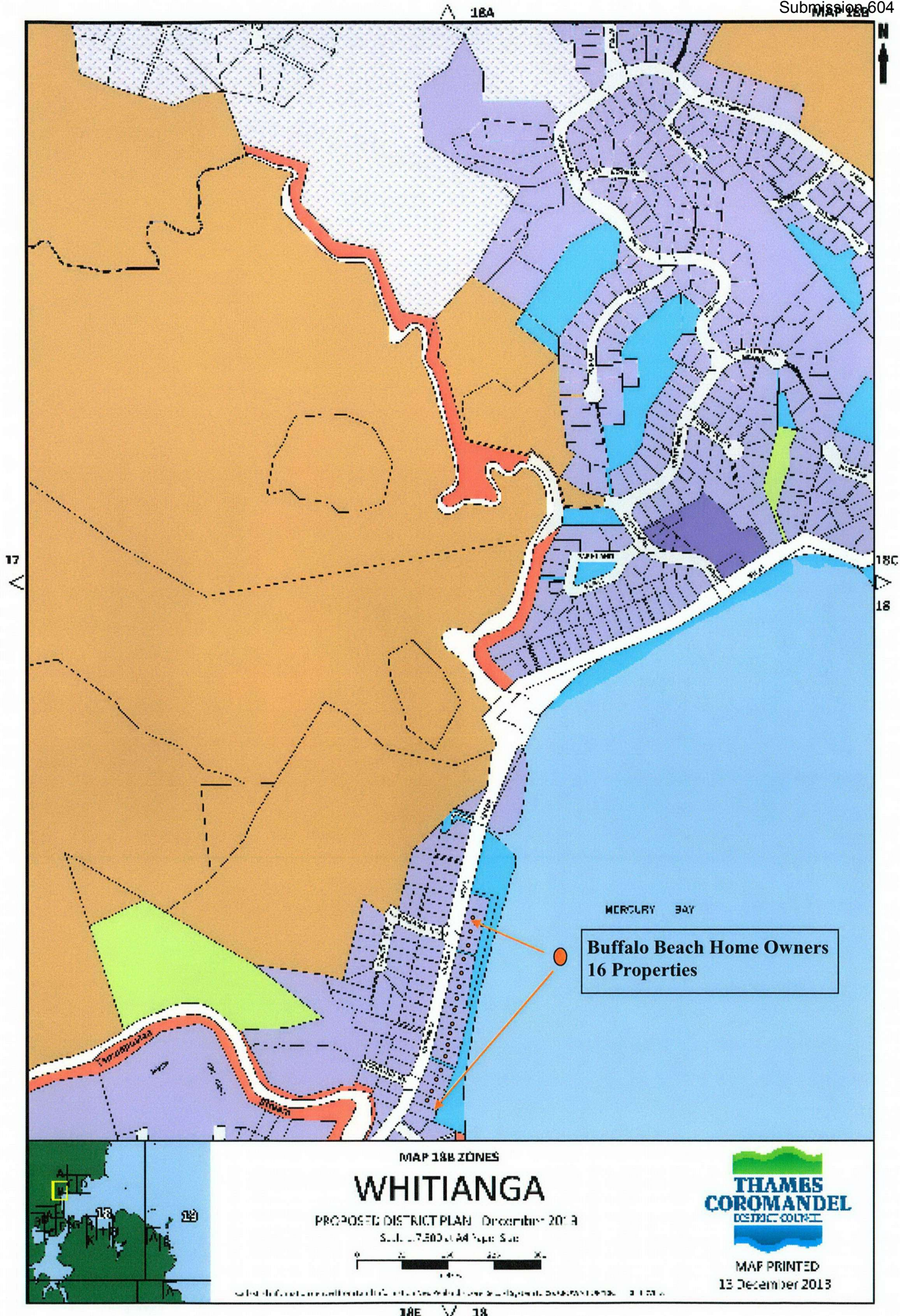
ATTACHMENT A

**MAP SHOWING BUFFALO BEACH HOMEOWNERS
PROPERTIES**



PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.



ATTACHMENT B

SUBMISSION TABLE



PLANNERS PLUS LIMITED

Land Development, Resource Consent and Planning Specialists.

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
Part I – Section 3 Definitions				
Section 3 Definitions	'Hard' Defence	Support	Retain the definition of 'Hard' Defence as a natural hazard term.	The definition of 'hard' defence and the examples given (e.g. groynes, concrete sea walls, rock revetments) are supported.
Section 3 Definitions	'Soft' Defence	Support	Retain the definition of 'Soft' Defence as a natural hazard term.	The definition of 'soft' defence and the examples given are supported.
Part II – Section 10 Natural Hazards				
Section 10 Natural Hazards	Policy 1b	Support in part	Retain Policy 1b and include 'Hard' coastal defence structures that defend existing dwellings when 'Soft' coastal defences are impractical or not a safe solution to defend existing dwellings.	Policy 1b encourages 'soft' coastal defences that defend existing dwellings provided they do not increase coastal hazard risk to other sites. While the Homeowners Association supports the policy, there needs to be flexibility in the policy to allow 'Hard' defence structures when 'Soft' solutions are unable to defend the existing houses (i.e. the 'Soft' coastal defences are no longer a solution to protect the existing dwellings).
Section 10 Natural Hazards	Policy 1d	Oppose in part	Add in wording that 'additions to dwellings are acceptable where already protected by a legally established and consented 'Hard' Coastal Defence Structure'.	Hard Coastal Defence Structures mitigate the potential adverse effects of coastal erosion, which allows for additions to existing dwellings to occur. Public reserves and roading do not apply to the Policy and if this is the case then existing residential dwellings on private property should be afforded the same benefits as public infrastructure.
Section 10 Natural Hazards	Policy 1g	Support in part	Policy 1g picks out 'one' particular part of Policy 24 of the NZCPS. Either the entire policy should be quoted or remove altogether as the National Policy provides decision makers direction.	It is unfair and unreasonable for one part of the NZCP 2010 to be used as a policy within the Proposed District Plan if the entire matters are not highlighted otherwise the decision making at time of resource consent is not balanced.
Section 10 Natural Hazards	Objective 4	Support	Retain Objective 4	Objective 4 acknowledges that 'hard' coastal defences are acceptable where no other option is available to safeguard life, existing dwellings and key community assets. This objective therefore gives the Council direction to amend 'hard' coastal defences in section 34.11 of the Plan to that of a discretionary activity (rather than a non-complying activity).
Section 10 Natural Hazards	Policy 4a	Support in part	Add in the words, ' <i>As far as practical</i> natural hazard mitigation measures and defences should be in keeping with the coast's natural character, ...	The policy requires some amending given the fact that it is very difficult for a 'hard' coastal defence structure to be in keeping with the coast's natural character.

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
Section 10 Natural Hazards	Policy 4e	Support	Retain Policy 4e	Policy 4e acknowledges that 'hard' coastal defences are acceptable where no other feasible option is available maintain existing protection from natural hazards. This policy therefore gives the Council direction to amend 'hard' coastal defences in section 34.11 of the Plan to that of a discretionary activity (rather than a non-complying activity).
Part VI – Section 34 Natural Hazards: River Flooding, Coastal Erosion, Tsunami and Flood Defences Overlay				
Section 34.5 Coastal Erosion	34.5.2 Coastal erosion setbacks	Oppose in Part	Amend section 34.5.2 to mention that certain parts of the coastal environment are protected by coastal defence structures that have been approved by the Waikato Regional Council and which provide further protection to properties from the effects of coastal erosion.	To some extent the coastal erosion setbacks are irrelevant for particular properties that are protected by Coastal Defence Structures. The Current Coastal Erosion Line therefore needs to be amended on the overlay maps in situations where authorised Coastal Defence Structures are in place.
Section 34.11 Current Coastal Erosion Area Rules	Section 34.11 (Rule 9) Any other activity	Oppose	Amend Rule 9 so that any activity that erects or relocates a new building or extends an existing building in the Current Coastal Erosion Area Overlay, on a site that is protected by a Council approved coastal defence structure, is a permitted activity (rather than a non-complying activity).	Council approved coastal defence structures (both District Council and Regional Council) have gone through extensive engineering assessment and environmental assessment to ensure the structures provide adequate protection for the land and buildings in which it has been designed to protect. New buildings or extensions of existing buildings in these situations should not require additional resource consents and therefore should be deemed Permitted Activities.
Section 34.11 Current Coastal Erosion Area Rules	Section 34.11 (Rule 10) Earthworks	Support	Retain Rule 10.	The submitters support the activity status of the underlying zone for earthworks particularly where the earthworks relate to installing a consented or permitted building, structure or coastal defence.
Section 34.11 Current Coastal Erosion Area Rules	Section 34.11 (Rule 11) 'Hard' coastal defence	Oppose	Amend 'hard' coastal defence structures to that of a discretionary activity (rather than a non-complying activity).	'Hard' coastal defence structures as a non-complying activity is opposed and it is requested that it be amended to that of a discretionary activity and that the assessment criteria be similar to the assessment criteria listed as Table 3 of Section 34.11. There are instances where property owners have limited options in terms of protecting their properties. The discretionary

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
				activity status would be consistent with Section 10 – Objective 4 where hard defence structures are appropriate where no other options are available.
Section 34.11 Current Coastal Erosion Area Rules	Section 34.11 (Rule 13) 'Soft' coastal defence	Support	Retain 'soft' coastal defence structures as a restricted discretionary activity (provided any rock, concrete, metal, timber or geotextile component is buried). Furthermore retain the assessment of an application under this rule without public notification.	Rule 13 is supported.
Section 34.12 Assessment Matters and Criteria	Table 3	Support	Retain the matters and assessment criteria listed in Table 3 of Section 34.12 be retained but also be amended to include assessment matters and criteria for 'hard' coastal defence structures.	The matters and assessment criteria are supported but the submitters also consider it relevant to use these matters and criteria when assessing 'hard' coastal defence structures.
Part VIII – Section 54 Residential Zone				
Section 54 Residential Zone	54.4 Permitted Activities (Rule 4) Earthworks	Support	Retain Rule 4.1(e) as a permitted activity.	Rule 4.1(e) deems earthworks as part of a Beachcare activity or other beach and dune restoration activity authorised by the Council or the Waikato Regional Council to be a Permitted Activity. This is supported.
Overlay Maps				
Overlay Map	All relevant overlay maps identifying Coastal Protection Lines	Oppose in part	Amend the location of coastal protection lines on all relevant overlay maps where authorised coastal defence structures are in place.	Coastal defence structures have been put into place to protect property and buildings and therefore the coastal protection lines should not relate to properties where a coastal defence structure is in place. In the Home Owners Association situation, all their existing residential dwellings are already located seaward of the current coastal protection line. The District Plan rules and activity status need to take account of this specific situation. Obtaining a resource consent for a Coastal Defence Structure and then another resource consent for a building addition is a double up on consent costs and information requirements.

SECTION	PROVISION	OPPOSE/ SUPPORT	DECISION SOUGHT	DISCUSSION
Part VIII – Section 53 Recreation Passive Zone				
Section 53 Recreation Passive Zone	Section 53.4 Permitted Activities (Rule 6) Earthworks	Support in part	Either amend to include earthworks associated with the establishment of soft and hard coastal defence structures or add a new rule providing for soft and hard coastal defence structures to protect passive recreation reserves and private properties from coastal erosion as a restricted discretionary activity.	A number of passive recreation reserves are affected by coastal erosion and it makes perfect sense for the community to protect these passive reserves via soft or hard coastal defence structures as a restricted discretionary activity. The Council needs to be aware that at times coastal erosion also affects passive recreation reserves such as walkways and it would be useful for a collaborative approach to resolving coastal erosion concerns for both private property owners and the Council's public reserves.