

Sent: Friday, 14 March 2014 2:22:09 p.m.

To: TCDC General Mail Address

Subject: Submission on Proposed Thames-Coromandel District Plan

## Proposed Thames-Coromandel District Plan

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### Name

Ruby Powell

### Address

233 Waikanae Valley road  
R.D. 4 Colville 3485  
New Zealand

[Map It](#)

### Email

[rubyjpowell@gmail.com](mailto:rubyjpowell@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.

#### **My further comments:**

I also support Part 3 Section 15 Objective 4:

Settlement development and growth provides for a diverse range of land uses and living choices.

I support Policies 4a, 4d & 4e

Policy 4a

Consistent with existing residential character and potential environmental constraints, a range of residential densities and dwelling forms shall provide for a variety of living choices.

Policy 4d

Rural lifestyle development on the fringes of settlements or in areas with lower quality soils shall provide opportunities to enjoy rural living while enhancing existing or degraded biodiversity.

Policy 4e

Mixed land use should be encouraged where it supports vibrant settlements and does not result in undue reverse sensitivity effects.

2.1 I support these policies because they are culturally inclusive and encourage a variety of lifestyles and "living choices".

2.2 There are a significant number of co-operative groups and intentional communities on the Coromandel Peninsula and they are now acknowledged as part of the cultural heritage of the region.

2.3 These groups have contributed to the cultural and economic wellbeing of the region by involvement in local employment, the creative arts and biodiversity management and ecosystem restoration over 3 – 4 decades.

#### **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,**

Ruby J Powell

**Date**

14/03/2014



# Proposed Thames-Coromandel District Plan



## Submission Form

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

### Your submission can be:

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

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

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

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

### Submitter Details

Full Name(s) Andrea Jacqueline Ryan

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

Email Address northcoro@xtra.co.nz

Postal Address 14 Puriri Place, Tuataewa, RD3, Coromandel

Phone no.  
include area code

Mobile no. 021484558

**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)

Section 29.3 – Rule 2, Section 38.5 – Rule 7

**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 see attached Page 1

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

Retained ☐ Deleted ☐ Amended ☐ as follows:

Please see attached Page 2

## 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 14.3.2014

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

## Trade Competition

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

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

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

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

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

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



Proposed District Plan Submission - 14th March 2014  
Submission  
Andrea Jacqueline Ryan  
Page 1 & 2 as attachments to my Submission

Section 29.3 Rule 2 - Opposed.

I am opposed to this proposed change to the existing District Plan as it prohibits any clearing of indigenous land cover for anyone with a section above 1000m<sup>2</sup> - this places serious restrictions on sections, still within coastal living zones, that are above 1000m<sup>2</sup>. In Tuatua for instance where there are many undeveloped sections, all of which are above 1000m<sup>2</sup> but still residential, would be restricted with no certainty that land owners can even clear a house site or driveway access onto the land.

My work as a Real Estate agent over the last 12 years in this area has highlighted a number of points from observations and working with land owners.

1. There has been very little excessive removal of indigenous cover save exception for the purpose of driveway, house site and a reasonable curtilage area.
2. People are drawn to the area because of its indigenous land cover but by limiting the certainty of being able to clear to build, increasing the cost of assessing such use and the fact that this restriction only pertains to those titles with indigenous cover as opposed to a title that has already been cleared and perhaps planted with exotics and or overgrown with weeds, thereby increasing the cost and reducing the rights of land owners with indigenous land cover.
3. Such restrictions are effectively penalising such land owners by way of reduced ability for even basic clearing, such covenants will have a detrimental effect on saleability and thus value of existing lots previously unencumbered by such ruling and reduce desirability of land offered for sale under the proposed Section 29.3 Rule 2.

Section 38.5 Rule 7 - Opposed in part.

Moving the activity of Subdivision within a residential area from controlled to restricted discretionary. Whilst I am not opposing directly the increase of minimum size within coastal living area from 800m<sup>2</sup> to 1000m<sup>2</sup> as outlined within Table 2 - 2. A) & B) This ruling makes the activity of subdivision much more involved and less certain for any lot in the northern Coromandel as there is no wastewater reticulation available.

Although unopposed to the minimum size increase, I am absolutely opposed to the proposal that even though a coastal living lot connected to wastewater services can subdivide down to a minimum size of 1000m<sup>2</sup>, anyone in the northern peninsula without the ability to connect to such service as they are not in place, will have to rely on council restricted discretionary consent to such an activity.

Clearly the intention of a move from controlled to restricted discretionary is to in fact restrict such activity thereby severely impacting on land owners ability to subdivide where under a controlled activity, any adverse effects are already analysed within the consent process to ensure no unfavourable development occurs. I believe the current status as a controlled activity is sufficient and that moving the activity to one of restricted discretionary is an infringement of what should be the controlled ability of a land owner to subdivide without a blanket rule making the activity less likely and more expensive.





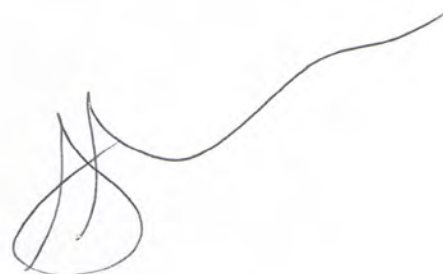
The decision I seek from Council pertaining to my submission is as follows

Section 29.3 - Rule 2 - Deleted

Through extensive involvement with land owners, their planning and objectives for land use in this area, I have seen no significant evidence that there is an issue relating to excess removal of indigenous land cover. Any illegal clearing is outside of the scope of any district plan already and this proposal will likely only lead to more illegal clearing and instances of land owners clearing at their discretion as they have previously to save additional cost and interaction with the local council will. I suggest that this will continue but without appropriate control as it is not permitted.

Section 38.5 - Rule 7 - Amended

I seek that subdivision of land in the coastal living areas remain as a controlled activity. Changing of land use to restricted discretionary, in my view, devalues land and makes it less saleable or desirable. There are already appropriate controls in place and I see no reason to adversely affect value of property owners land at a time where particularly the Northern Coromandel, market section values have already seen reduction in land values, since the peak, of between 10 & 45 % in many cases.





TAX 07 8680234

13 Pages.

Page 1

Proposed Thames-Coromandel

**District Plan****THAMES  
COROMANDEL  
DISTRICT COUNCIL****Submission Form**

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

**Your submission can be:****Online:** [www.tcdc.govt.nz/dpr](http://www.tcdc.govt.nz/dpr)

Using our online submissions form

**Posted to:** Thames-Coromandel District Council  
Proposed Thames-Coromandel District Plan  
Private Bag, Thames 3540  
Attention: District Plan Manager**Email to:** [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)**Delivered to:** Thames-Coromandel District Council, 515 Mackay Street, Thames  
Attention: District Plan Manager (or to the Area Offices in Coromandel, Whangamata or Whitianga)**Submitter Details**Full Name(s) **IAN MICHAEL WERNHAM**

or Organisation (if relevant)

Email Address **michaelwernham@yahoo.co.nz**Postal Address **5 Kelvin Rd Remuera,  
Auckland 1050**Phone no. include area code **09 524 904 8**

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**

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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)

Planning Map 24C. Overlays. and Zone.

① Change address 9-41 Sailors Grave Rd, from rural zone to Coastal Living; Change

② Move Coastal Environment line, to front of 43 Sailors Grave Rd, to position shown on attached Map 24C

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:

① The ~~proposed~~ proposed zoning, with rural, agricultural uses is not suitable for 9-41 Sailors Grave Rd.

② The proposed plan Coastal Environment Line does not reflect the

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

Retained ☐ Deleted ☐ Amended ☒ as follows: Amend Te Karo Bay to Coastal Living

Amend - 9-41 Sailors Grave Rd; amend from rural to Coastal Living; Amend Coastal Environment line, to North

**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 Wernham Date March 14 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

b) does not relate to trade competition or the effects of trade competition.

☐ Y ☐ N

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P3

**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)

Planning Map 24C, Zone and overlay.  
a Section 9-1-1 District Landscape Assessment  
Section 32 Landscape and Natural Character  
Overlay.

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:

Outstanding Landscape do not reflect Landscape Charts prepared by LA4 Landscape Architects, for TCDC.  
Natural character lines don't reflect consented development and

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

① Remove Outstanding Landscapes from Map 24C, and other areas in TCDC, to reflect LA4 2006 study ② Remove Natural Character line.

**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 I. M. Wernham Date March 14 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

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

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Page 4

**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)

Section 29, Rule 3, Clearing Indigenous Vegetation  
in the Rural Area.

**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:


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

Retained ☐ Deleted ☐ Amended ☒ as follows:

① Include the Coastal Environment in rule 3,  
② Include additional permitted activity rules, see attached Page

**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 \_\_\_\_\_

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

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Attached Page,

Page 5

Section 29 Rule 3;

attachment to submission by

I. M. Wernham; to TCDC proposed district plan.

Q. Add the following permitted activity rules to Rule 3.

a). Clearing 3000 Sq M for a house and ancillary buildings, gardens, sewerage, parking is a permitted activity; subject to an approved building platform.

b). ~~Clearing~~ Pruning vegetation ~~for~~ to obtain and maintain views; and sunlight, while maintaining native flaxes, grasses and shrubs, or replanting, is a permitted activity.

c). Clearing 50 M<sup>3</sup> of Manuka per annum for firewood is a permitted activity

d). Clearing 0.1 hA per annum.

e). Clearing 1 native tree per year

f). Clearing for new tracks and fences.

g). Clearing for access to 1 or more approved building platforms.

Delete Rule 29:3.2

Page 6

Change Coastal  
environment line  
to this  
position

TC6013

### MAP 24C OVERLAYS

## SAILOR'S GRAVE ROAD

PROPOSED DISTRICT PLAN - November 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.

THAMES  
COROMANDEL  
DISTRICT COLLEGE

MAP PRINTED  
25 September 2013



Page 7

**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)

Section 6 Biodiversity.

**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:**

The Biodiversity charts in the reports referred to in Section 6; are inconsistent with biodiversity charts prepared in Year 2000.

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

Include reference to Environment Waikato Yr 2000, Ecofx report on Ecological Regionally Significant Areas,

**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. Wernham Date \_\_\_\_\_

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

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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)

SIGNIFICANT TREES

**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:**

Council should be scheduling trees for the protected tree register to, offer the additional protection for mature, and valued trees in Residential Zones.

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

Significant tree section. Require council to nominate trees for scheduling, ~~at any time~~ at any time.

**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 \_\_\_\_\_

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

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

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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)

Rule 23. 2 dwellings per lot,
Rule 12. Minor Unit

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:

Rural and Coastal living Zones are quite large and should give more flexibility for <del>the</del> designing and positioning 2nd dwellings and minor units,
---

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

2 dwellings per lot should be a permitted activity in Rural & Coastal Living Zone; The Minor Unit permitted at 150M <sup>2</sup> , and separate form
--

**Proposed District Plan Hearing**

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

main dwelling

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

Signature of submitter \_\_\_\_\_ Date \_\_\_\_\_

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 ☐ Y ☐ N
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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)

Section 30 Electricity Transmission Buffer.

**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:**

The buffers are too restrictive, there is no scientific evidence of environmental effects, especially with low voltage local lines

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

Retained ☐ Deleted ☒ Amended ☐ as follows:

Delete, requirements for buffers.

**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 \_\_\_\_\_

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

**Trade Competition**

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

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

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

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

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

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

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





**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)

Subdivision Standards and Roadway.

**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:**

Exceeding 1 in 5 gradient for accessways should be restricted discretionary, subject to approval by registered engineer.

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

- ① Allow Accessways to be metalled at a 1 in 5 gradient.
- ② Exceeding a 1 in 5 for accessways, ~~the~~ should be restricted discretionary.

**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 Wernham Date March 14 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
- b) does not relate to trade competition or the effects of trade competition. ☐ Y ☐ N

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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)

Homestay / Farmstay provisions

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:

homestays should allow separate buildings to provide privacy and security for ~~the~~ the owners private residences

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

Up to 12 guests should be a permitted activity in Rural and Coastal Living Zones, with guests accommodated separate to the house

**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 \_\_\_\_\_

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

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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)

*Zone Maps 24 D.*  
*Pumpkin Hill Rd.*

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:

*The Coastal Living Zones in Pumpkin Hill Rd should be changed to Rural, to ~~limit~~ limit subdivision, due to under sized 'carriageways'.*

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

*Change ~~from~~ Pumpkin Hill Rd Coastal Living Zones to Rural, or place restriction on Lot numbers.*

**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. Wernham*

Date

*March 14 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.

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Fax 2 pages. P1

# Proposed Thames-Coromandel District Plan



## Submission Form

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

### Your submission can be:

Online: [www.tcdc.govt.nz/dpr](http://www.tcdc.govt.nz/dpr)

Using our online submissions form

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

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

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

### Submitter Details

Full Name(s) IAN MICHAEL WERNHAM

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

Email Address michaelwernham@yahoo.co.nz

Postal Address 5 Kelvin Rd Remuera,  
Auckland 1050

Phone no. 09 524 9048

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.





P2 of 2

**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)

Planning Map 29 B. Zones.

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:

There is a need for smaller sections for lower cost housing for 1st home buyers, and retired people and for aged care.

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

Amend 342 A Main Rd Tairua to extra density Residential Zone.

**Proposed District Plan Hearing**

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

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

Signature of submitter M. Wernham Date March 14, 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

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

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

# Proposed Thames-Coromandel District Plan



## Submission Form

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

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

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

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

THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: *TAM*  
8 15:20

### Submitter Details

Full Name(s)	<i>MS ALISON TE HUIA</i>	
or Organisation (if relevant)		
Email Address	<i>/</i>	
Postal Address	<i>401/403 THAMES COAST RD TE PURU.</i>	
Phone no. <small>include area code</small>	<i>(07) 868 2119</i>	Mobile no. <i>/</i>

**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)

SECTION 10 - POLICY ~~RULES~~

SECTION 34.11 RULES AROUND CCEL

OVERLAY MAP Z6C TE PURO SOUTH.

### 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:

Incorrect assessment of CCEL

Impinges on property rights

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

Retained ☐ Deleted ☐ Amended ☒ as follows: A. OGDEN SUBMISSION.

CCEL to be re-assessed, not to be shown on LIMS  
Protective walls to be taken into account.

## 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 A. OGDEN Date 15.3.2014

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

## Trade Competition

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

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

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

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

a) adversely affects the environment; and

b) does not relate to trade competition or the effects of trade competition.

☐ Y ☒ N

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# Proposed Thames-Coromandel District Plan



## Submission Form

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

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Using our online submissions form

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

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

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

THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY:

KJA 15:40

### Submitter Details

Full Name(s) \_\_\_\_\_  
or Organisation (if relevant) Audit Committee TCDC.

Email Address skoe.baker@tcdc.govt.nz  
Postal Address Private Bag Thames.

Phone no. 07 8680200  
include area code

Mobile no. \_\_\_\_\_

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

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

### PRIVACY ACT 1993

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





## Your Submission

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

Section 27 Structure Plans.

Section 38 Subdivision: Ref Table 3.

### 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:

to ensure adequate of water supply in peak periods.

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

Tip Require <sup>new</sup> developments connecting to Council water supply infrastructure to be required to install Rain Water collection tanks for non-potable water use on site

## 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 Baker Date 14/3/14

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

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**Proposed Thames Coromandel District Plan**THAMES-COROMANDEL  
DISTRICT COUNCIL

Submission by

Thomas McGrady

14 MAR 2014

Name:

RECEIVED BY: Tani.  
3:06pm

Address:

4B London Pl, Judea, Tauranga, 3110

Phone:

027 968 7500

Email:

thomas.a.mcgrady@gmail.com

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 within the Conservation Zone and classifying mining activities as prohibited activities.
- 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 and the detrimental effects of historical mining in the District.
- Of particular concern to me is the statement "The Plan includes provisions to enable the Council to take the presence of mineral resources into account when assessing proposals for the subdivision, use and development of land." (p73) Along with Section 14.2.2 this gives mining priority over other forms of development. I oppose Mining Activities having such a priority. I completely disagree with the intention of Section 14.2.2 and require this to be removed as it is unrepresentative of community values.
- The Coromandel Peninsula Blueprint, where community values were assessed, has not been fully translated into the Plan and sustainable and development and biodiversity growth are not prioritised. I support the council to change the wording in the PDP to uphold these values expressed by Coromandel communities.
- There is no acknowledgment of the fact that a large number of Coromandel residents are opposed to mining, TCDC must acknowledge this, and that the 40 year history of the 'No Mining' campaign in Coromandel has contributed significantly to our Natural Character.

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

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

My further comments:

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

Yours sincerely,

Signature:

Date:

13/3/14



THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: *Tmi*  
3:06pm**Proposed Thames Coromandel District Plan****Submission by**Name: *James Crean*Address: *3A Tweed St MT Mangawhai*Phone: *027 254 4003*Email: *james.crean@gmail.com*

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 within the Conservation Zone and classifying mining activities as prohibited activities.
- 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 and the detrimental effects of historical mining in the District.
- Of particular concern to me is the statement "The Plan includes provisions to enable the Council to take the presence of mineral resources into account when assessing proposals for the subdivision, use and development of land." (p73) Along with Section 14.2.2 this gives mining priority over other forms of development. I oppose Mining Activities having such a priority. I completely disagree with the intention of Section 14.2.2 and require this to be removed as it is unrepresentative of community values.
- The Coromandel Peninsula Blueprint, where community values were assessed, has not been fully translated into the Plan and sustainable and development and biodiversity growth are not prioritised. I support the council to change the wording in the PDP to uphold these values expressed by Coromandel communities.
- There is no acknowledgment of the fact that a large number of Coromandel residents are opposed to mining, TCDC must acknowledge this, and that the 40 year history of the 'No Mining' campaign in Coromandel has contributed significantly to our Natural Character.

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

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

My further comments:

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

Yours sincerely,

Signature:



Date:

11-3-14



THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY:

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

Name: Daniel Joseph Berger

Address: 43 London place, Judea, Tauranga.

Phone: 021 616 544

Email: danberger79@gmail.com

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 within the Conservation Zone and classifying mining activities as prohibited activities.
- 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 and the detrimental effects of historical mining in the District.
- Of particular concern to me is the statement "The Plan includes provisions to enable the Council to take the presence of mineral resources into account when assessing proposals for the subdivision, use and development of land." (p73) Along with Section 14.2.2 this gives mining priority over other forms of development. I oppose Mining Activities having such a priority. I completely disagree with the intention of Section 14.2.2 and require this to be removed as it is unrepresentative of community values.
- The Coromandel Peninsula Blueprint, where community values were assessed, has not been fully translated into the Plan and sustainable and development and biodiversity growth are not prioritised. I support the council to change the wording in the PDP to uphold these values expressed by Coromandel communities.
- There is no acknowledgment of the fact that a large number of Coromandel residents are opposed to mining, TCDC must acknowledge this, and that the 40 year history of the 'No Mining' campaign in Coromandel has contributed significantly to our Natural Character.

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

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

My further comments:

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

Yours sincerely,

*Daniel J Berger*

Signature:

*Daniel J Berger*

Date: *10-3-14*



## Proposed Thames Coromandel District Plan

THAMES-COROMANDEL  
DISTRICT COUNCIL

### Submission by

Name: MASON BURCH

Address: 4B LONDON PL, JUDEA - TAURANGA 3110

Phone: 075716670

Email: mason.burch@gmail.com

14 MAR 2014

RECEIVED BY: Tai  
3:40pm

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.**

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

My further comments:

Please don't wreck this planet, it's the only one we have.  
why not invest the resources you would use on this into alternative energy.

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

Yours sincerely,

Signature: *Mason Burn*

Date: *11-3-2014*



THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: Tui  
3:04pm**Proposed Thames Coromandel District Plan**

Submission by

Ann

Name:

Karen Brown

Address:

56 Waiotahi Rd, Thames

Phone:

07) 868 9153

Email:

Katie.nikau@gmail.com

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.**

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

My further comments:

*I am genuinely concerned about the impacts of any mining/prospecting on any part of Coromandel Peninsula. We have special, pristine environment that needs to be totally preserved and NOT mined at all!*

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

Yours sincerely,

Signature:

Date:

*13/3/14*

*KABAR*





**THAMES-COROMANDEL  
DISTRICT COUNCIL**

14 MAR 2014

RECEIVED BY: Tami.  
2:55 PM

Ngā Puke ki Hauraki ka tarehua  
E mihi ana ki te whenua  
E tangi ana ki te tangata  
Mai Ngā Kuri o Whareki Mahurangi  
Tikapa te Moana  
Hauraki te whenua  
Marutuahu te tangata  
Ngāti Maru te iwi  
Tihei mauri ora!

14 March 2014

Mr David Hammond  
Chief Executive

Thames Coromandel District Council  
Private Bag  
**THAMES**

Tena koe

**THAMES COROMANDEL DISTRICT PLAN REVIEW SUBMISSION**

Ngāti Maru Runanga makes this submission on the proposed Thames Coromandel District Plan (comprising this letter and attachment).

The scope of the submission includes the proposed plan provisions dealing with:

- Tangata Whenua/Maori Provisions
- Zoning Generally
- Earthworks provisions
- Papakainga provisions
- Service Land designations
- Place names
- Kopu Land use Zones
- RPS implications
- Landscape assessments
- Significant Natural Areas
- Coastal Zonings
- Heritage Zones
- any other matters
- We will be heard on this submission.

Ngāti Maru also adopts the submissions of Ngāti Tamatera and Ngāti Whanaunga on the proposed plan.

Please ensure all correspondence is sent to Ngāti Maru for the attention of the General Manager.

Nga mihi

Wati Ngamane

Plan Provision		Discussion	Relief
Recognise and provide for the economic, cultural and social development of Māori and Treaty settlement land.		Ngati Maru support the inclusion of provisions which recognise and provide for the economic, cultural and social development of Māori and Treaty settlement land, unencumbered by restrictive overlays or associated rules.	Give effect to the relief sought in this submission.
Recognise and provide for the cultural, and heritage values of Mana Whenua.		The provisions in the Plan which recognise and provide for cultural values and heritage of Mana Whenua are supported by the Ngati Maru. Ngati Maru seeks a framework for Cultural Impact Assessments (CIAs).	Give effect to the relief sought in this submission.
Recognise and provide for customary use and cultural activities of Mana Whenua.		Provisions in the Plan which recognise and provide for customary use and cultural activities are supported by Ngati Maru. However, further consideration is needed to ensure the provisions accurately reflect these practices.	Give effect to the relief sought in this submission.
Inclusion of provisions to support the economic, cultural and social aspirations of Mana Whenua in Tamaki Makaurau.		The Plan includes a range of methods available to Mana Whenua that will assist with achieving aspirations and outcomes. Ngati Maru seek new zones and sites (such as those in Appendix A) to be included in the Plan.	Give effect to the relief sought in this submission.
Entire Plan		The Plan provides some direction on how resource management issues will be managed and addressed. The efficiency and	Ensure appropriate provision is made within relevant council policies, strategies and budgets for the



Plan Provision	Discussion	Relief
	<p>effectiveness of the Plan in addressing the issues relies on the success of its implementation, monitoring and evaluation. This places an obligation on council to ensure implementation of regulatory and non-regulatory methods identified in the Plan are appropriately resourced and monitored - noting that while the Plan is one of the main tools available to council for achieving positive resource management outcomes there are other opportunities available to achieve key objectives (such as the waiving of council fees, education and advocacy, and rates relief).</p>	<p>implementation, monitoring and evaluation of the Plan.</p>
Entire Plan	<p>Ngati Maru remain concerned with the lack of integration horizontally across the objectives and policies of the Plan, and vertically through the methods and rule framework. It is apparent that the Plan has been developed in sections and amalgamation of these sections has resulted in the integration 'gaps'.</p>	<p>Ensure there is integration both horizontally and vertically in the Plan in relation to provisions for Mana Whenua. For example, where consideration of Mana Whenua values forms part of the objective and policy framework this needs to be reflected in the relevant rule assessment criteria for controlled and restricted discretionary activities.</p>
Entire Plan	<p>Ngati Maru remain concerned with adverse effects from activities impacting on customary values, papakainga and marae on adjoining sites. Adverse cultural effects from incompatible activities from adjoining sites can impact on the cultural values and customary use of a site and must be avoided, remedied or mitigated. Provisions to this effect should be included in the Plan.</p>	<p>Provisions are included in the Plan that recognise adverse effects from activities on adjoining sites can impact on cultural and customary uses.</p>



Plan Provision	Discussion	Relief
Entire Plan	Ngati Maru supports the development of 'ancestral rohe' maps as a means to inform where the resource management interests of Mana Whenua are. This will assist with the implementation of processes included in the Plan. Any information of this nature must be developed in conjunction with Mana Whenua.	Include 'ancestral rohe' maps as a non-statutory map layer, or alternatively include a new method in the Plan identifying that ancestral rohe maps will be developed as a non-statutory map layer. In either case the maps must be developed in conjunction with Mana Whenua.
Entire Plan	Ngati Maru recognises that as a result of the relief sought in this submission there may be consequential amendments required in other parts of the Plan.	Make any consequential amendments required to give effect to the relief sought in this submission.
Entire Plan	<p>Ngati Maru seek that all sites referred to in relevant Iwi Management Plans be included in the plan depending on the interests and significance of those sites. For example, places of significance should be included in the overlays for places of significance or places of value.</p> <p>Where iwi seek repatriation with areas of particularly customary value, objectives, policies and rules should be developed for these areas including specific provision for iwi to carry out customary and cultural activities.</p>	Seek that Iwi Management Plans be properly taken into account in relation to the development of the Plan.
Entire Plan	Ngati Maru seek that customary uses and cultural activities be permitted in all zones. Customary activities are fundamental to the customs and traditions of Ngati Maru and were and still are not defined or prescribed by modern planning zones.	Seek customary use as a permitted activity in all zones.

Plan Provision	Discussion	Relief
Entire Plan	<p>Ngāti Maru seeks that an alert layer be developed for the Plan to ensure that all other sites that are not currently included in the overlays are addressed. Objectives, policies and rules should be developed for the alert layer.</p> <p>Such sites include those identified in iwi management plans, all those on the Council Cultural Heritage Inventory or NZAA records and sites that are known to iwi but have not yet been disclosed or where sites are disclosed, eg accidental discoveries etc.</p>	



**Appendix**  
**Ngati Maru Table**

Outcomes	Area
Zoning, overlays, permitted – RDA rules and other measures enabling full exercise of mana whenua spiritual and cultural activities, including customary buildings / structures	
	Crown, Crown Entity, SoE, NZTA and/or council reserve lands as follows:
	Te Aroha
	Moehau
	Pauanui
	Hauturu
	Whakamoehau
	Pukehangi
	Ngapuketurua
	Hikurangi
	Kaitarakihi
	Motutapere
	Panehenehe
	Tararu
	Te Ipu o Moehau
	Table Mountain
	Omahu
	Kirikiri
	Kauaeranga River
	Karaka
	Totara
	Thornton Bay

	Manaia
	Port Jackson
	Fletcher Bay
	Pauanui
	Opoutere
	Kopu
	Ahuahu
	Repanga
	Ruamaahua
<p>Zoning, overlays, permitted – RDA rules and other measures enabling full exercise of:</p> <ul style="list-style-type: none"> <li>❖ Commercial opportunities on our Treaty settlement land, including multi story development</li> <li>❖ mana whenua spiritual and cultural activities, including customary buildings / structures</li> </ul>	
	Crown, Crown Entity, SOE, NZTA and/or council reserve lands as follows:
	Thames justice properties, school properties, housing properties, Rail properties
	Kauaeranga, Whangamatā, Waihou Whangapoua and Tairua forests
	Manaia and Tairua schools
	Port Jackson



# Proposed Thames-Coromandel District Plan



## Submission Form

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

### Your submission can be:

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

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

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

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

THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: Tani  
3:24pm

### Submitter Details

Full Name(s)	Carl Brogtrop	
or Organisation (if relevant)	—	
Email Address	carlbrogtrp@hotmail.com	
Postal Address	96 Bennett Road, Te Mata RD5 Thames 3575	
Phone no. <small>include area code</small>	07 8684796	Mobile no. 027-2172322 (no reception)

**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 zoning change to 96 Bennett Road, Temata in so far as  
the change to rural zoning should not extend to Lot 1

DP 305293

Map 21A

### 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:

Lot 1 does not lend itself to be zoned rural  
(see attached sheets) there are 3 attached  
sheets please check,

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

Lot 1 DP 305293 to the same residential zoning as is  
proposed for adjacent properties to the north/north west on Bennett  
Road

## 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 14/3/14

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

## Trade Competition

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

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

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

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

a) adversely affects the environment; and

b) does not relate to trade competition or the effects of trade competition.

N/A  
☐ Y ☐ N

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

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





Page1.

**Attachment to Submission by Carl Brogtrop in relation to objection to proposed re-zoning of 96 Bennett Road, Te Mata - Lot 1 DP 305293 and Lot 19 DPS 78052**

1.

Lot 1 DP305293 should be in the Coastal Living Zone and in the same zoning as the residential land within the Bennett Road/Te Mata Drive housing settlement

**Topography and Consistency with Adjacent Zoning**

Lot 1 has topography and existing infrastructure that would lend itself to future residential development. It was at an earlier stage part of the original Te Mata Forestry Limited future area for residential development before being added to the original Lot 19 (lifestyle block) land, now together known as 96 Bennett Road.

Lot 1 runs alongside Bennett Road. It is predominantly level to rolling land with only a portion of steeper land to the east. It is directly opposite the residential development and new housing within the current "Coastal Zone - Residential Policy Area" (to be re-zoned Coastal Living Zone).

Lot 1 DP 305293 would be better zoned in the same category – that of the Coastal Living Zone, given its location.

2. In relation to the (balance of No.96 land) Lot 19 DPS 78052)

I submit Lot 19 DPS 78052 would be better served being zoned **Coastal Living Zone**, OR (if there is a zoning within the Proposed Plan of *Coastal/Coastal – Future Development*, OR *Rural Lifestyle* with, in **all** cases (whatever zoning results) the notation that:

3. Lot 19 DPS 78052 is categorised as "land being in a **Location for Conservation Lot Subdivision**".

**Lot 19 DPS 78052** is very similar in size, appearance, topography, use and vegetation appearance to No.152 Bennett Road (adjacent to this lot), yet No.152 has the benefit of the notation under the Proposed District Plan of being in a *Location for Conservation Lot Subdivision* and Lot 19 does not. I **object** to this and require that same notation to be applicable to Lot 19 DPS 78052. No.96 and predominantly the land on Lot 19 DPS 78052 is covered by regenerating scrub and bush with good pockets of native. The land has been allowed to gradually revert back over the last 13 years. There are significant stands of manuka and kanuka.

Lot 19 DPS 78052 (the balance and original Lot – a lifestyle block as was the case when Te Mata Forestry originally applied to subdivide off "lifestyle" blocks with the Council) I submit should be also amended to a zoning better reflecting the proximity of the land to residential houses and development. Lot 19 is utilised as a *lifestyle* block with passive low intensity stock grazing with large areas of regenerating scrub and bush to the south and east. But it is (now with the subdivision of further land adjacent and very near this land since it was first subdivided in the late 90's) better served, I consider, by being within the Coastal zoning.

Under a rural zoning intensive farming and clearing of the land could occur.

The land could change in appearance to be cleared, to have large forestry plantations (whereas previously in the Coastal zone only a smaller percentage of the entire block was able to be planted in exotic trees). The land would and could be exposed to erosion and slippage.

Waikato Regional Council has been promoting the fostering of vegetation growth and soil stability in these areas – the rural activities that could be permitted as of right if the land were rezoned from Coastal to Rural I submit would be a backward step for the new residential community opposite No.96 and for the ecosystem and surrounding environment.

Would adjacent owners want to see intensive farming adjacent to their lawns and village/residential living environment? Or large numbers of pine trees or exotic trees (with pollen plumes landing on their roof-tops and infiltrating their on-site (required) water supply?).

Under Rural zoning, this would give greater opportunity for mining in this area. The Coromandel is an area and has residents with strong ecological, preservation and predominantly anti-mining sentiments. No-one that I know of would want to see a mining company being able to prospect on close-by rural land, let alone proceed further with any mining rights that may be granted given the rural natural of the land.

The Council would have less control than when the land were in the former Coastal zoning or if the land were zoned Coastal Living zone, (Coastal/Future Development) or Rural Lifestyle with the notation in any of the above as to Land in a location for conservation lot subdivision.

#### 4.

##### **There are Not Enough categories within the new zonings**

I submit the zoning changes do not provide adequate protection to the environment in that there are lesser categories of zonings resulting in land being within a zoning category that does not best reflect the land's use and features, proximity to sensitive landscapes, ability to promote and foster ecosystems/the surrounding environment and make for peaceful living for nearby residential developments. Lesser is not *better*. Council removing some of the zonings which were previously applicable to Coastal zones and bulk categorising land within one zone or the other (as with my land) I see only reduces the control and the ability to preserve the nature of the land and locality. I submit, as I submit above for Lot 1 of my land, that Lot 19 DPS 78052 should be in the Coastal Living Zone unless Council create further zonings within the Coastal umbrella for Lot 19 to be zoned under (ie Coastal or Coastal Future Development zones). Again in all cases still having the notation that Lot 19 is in a *Location for Conservation Lot Subdivision*.

##### **Reasons in support of the above:**

##### **Infrastructure and Services in support of Lot 1 being within Coastal Living Zone**

Lot 1 has legal road frontage to (the now extended) Bennett Road AND has right of way access. Services are available: power is to the boundary road frontage and also installed up the right of way. Telecom is also laid and available to boundaries (front and right of way). Stormwater provisions are already laid.

Lot 1 adjoins the residential subdivision of Te Mata Forestry (which includes land still to be further developed/subdivided).

Development of Lot 1 would not adversely impact on the aesthetics of the area given the surrounding land to the north, north east, north-west are for residential use.

Consistent with the residential sections already developed by Te Mata Forestry, there would be on-site water, on-site effluent disposal, power and telephone already at boundary and road frontage to a legal road and/or right of way access available without further formation or construction required.

To have Lot 1 revert back to rural does not appear consistent with adjacent/nearby residential use. To have Lot 19 revert from Coastal to Rural does not appear to be consistent with the ecological and environmental values the Council appears to want to foster and protect on the Peninsula.



### **Activities in a Rural Zone**

The possibility of rural activities within Lot 1 DP305293 affecting the lifestyle of the residential owners of adjacent land is another factor it is submitted Council needs to take into account. Whilst my current ownership of No.96 operates passive low-numbered stock grazing on the property, a change to rural zoning may see (with any future change of ownership) more intensive rural farming and other permitted activities being conducted adjacent to residential areas. The use of chemicals, noise, trucks, smells and the like, associated with usual farming practice would be permitted activities in very close proximity to residential housing. The building construction requirements for a rural zone would be more relaxed than those provided for within the coastal residential zoning and may prove unsightly and detract from the aesthetic values within the village residential settlement areas as they exist. (The standards for buildings in the coastal zone seem far more restrictive than those in a rural zone – ie recessive colours and structures in a coastal zone but not so stringent in a rural zone.)

Ancillary farm buildings, utility sheds, stock yards, could be constructed on Lot 1 as a permitted activity including intensive type farming (calf rearing/piggery/forestry planting) as permitted in a rural zone, adjacent to a residential area. Construction of buildings including a dwelling within the rural zone with the more relaxed requirements for colour, reflection, types of buildings may be considered a detraction from the current aesthetic values of the residential subdivision.

There could be numerous types of farm animals and farm pets (including pigs, dogs, chooks and roosters in large numbers) within Lot 1 in near proximity to residential owners. Intensive farming could occur.

### **Prejudices Future Development**

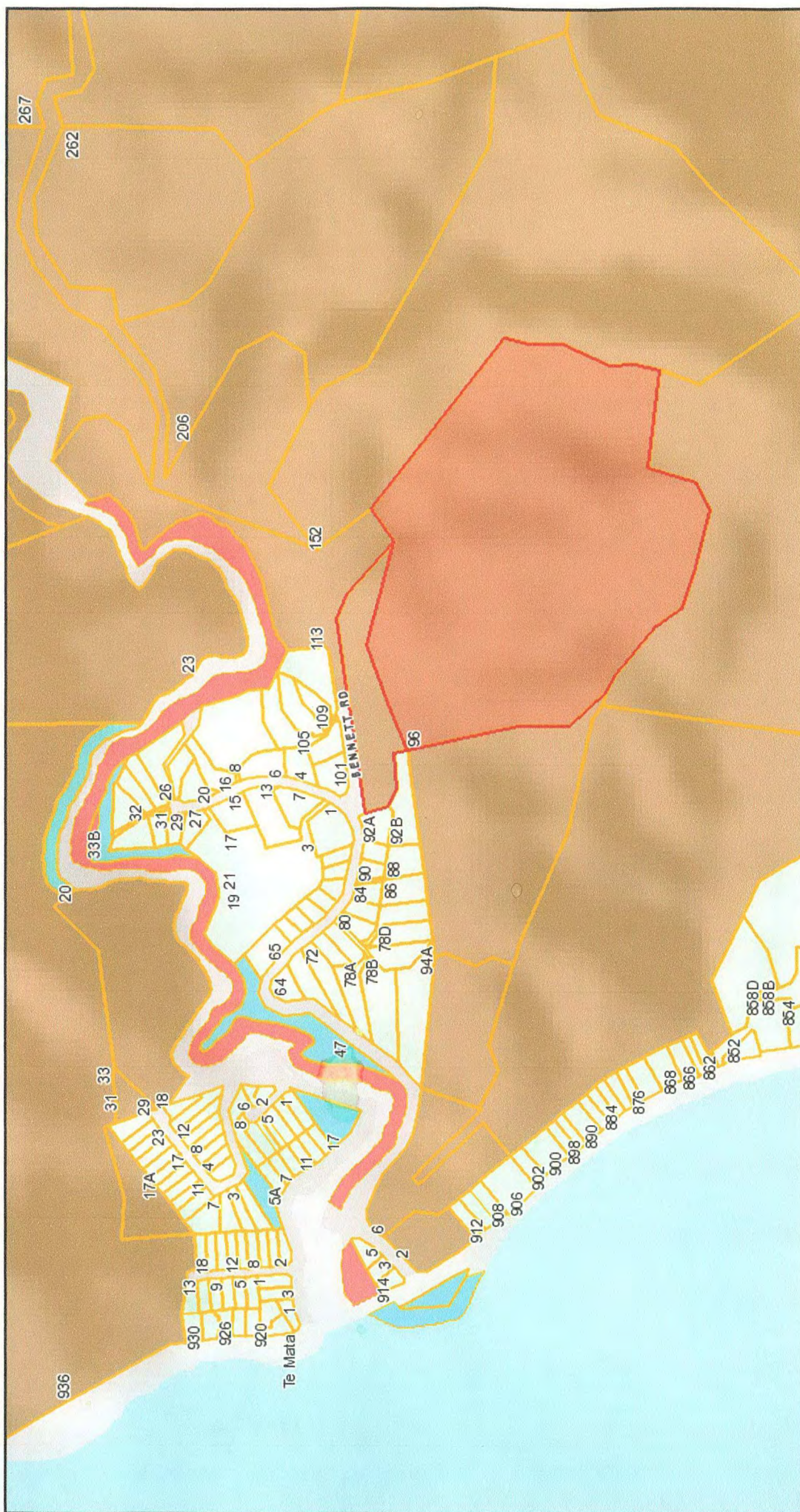
The re-zoning prejudices future development of the land. The change from Coastal to Rural is significant and impacts detrimentally on the ability to develop the property in the future.



Original Sheet Size A4

Print Date: 9/03/2014

Print Time: 10:50:02 p.m.



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**Scale:** 1:8000

Projection: NZGD2000 / New Zealand Transverse





## Submission on Proposed Thames-Coromandel District Plan

By Gilbert James  
 Email goldmarine@xtra.co.nz  
 Postal Address PO Box 716, Thames 3540  
 Phone 07 868 1355  
 Mobile 027 222 6380  
 By before 5pm Fri 14/3/14 to [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)

THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY:  
K.A. 15:15

The specific provisions of the Proposed District Plan that my submission relates to are:

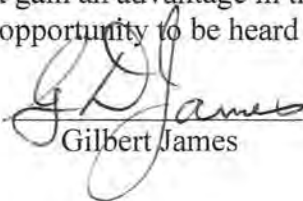
Provisions of special interest	Support or Oppose	Reason for decision sought	Changes sought
Chapter 17 Tangata Whenua, all of it but notably Issues and especially the Objectives and Policies.	Oppose	No such special provision should be made for one group on the basis of race as that creates confusion and an associated anti-development inertia and special privilege and unnecessary conflict in sustainable management under the Plan. The Treaty was and is a recognition of; one-law, fully-equal citizenship and undisturbed property rights. The 'tangata-whenua' for any site should just be the landowner. The Issues and Objectives and Policies are beyond unhelpful and indeed will be counterproductive. Their meaning and effect is unclear. The provisions do not appear to carry through to related Rules but may nevertheless may be variously interpreted to apply to activities in the District, ie have real meaning and effect. Specific Sites of Significance to Maori are already recognized and in the few instances of further site specific recognition being sought, they must only be recognized after having been fairly established by an independent expert process, as special and appropriate. The property rights of residents are significantly and unnecessarily affected by this, with a negative flow on effect and subsequent reduction in land sale-ability and values and in the enthusiasm for sustainable development in the District. The proposed provisions are at best patronizing and unhelpful and are almost certainly counterproductive.	The decision I seek from Council is that these provisions be deleted in their entirety. Site specific provision should be applied where established after due process as appropriate. New legislation eg a possible Hauraki Treaty Settlement Act, should be given effect only when and as required.

Rural Zone re Earthworks	Support	Support current provisions (eg s.56, Rule 6.1, a to g & h) which allow a farm track to be formed and maintained as a Permitted activity.	Support as is
SNAs	Oppose	These have been formulated by Waikato RC and are part of their mapping and will be supplied to potential buyers on a LIM report. It is not at all easy to see how TCDC and this plan interprets such SNA areas however I seek that any and all considerations of and references to SNAs be deleted from this plan	That any and all considerations of and references to SNAs be deleted from this plan
Zoning Map11E; The Proposed Zone for the land south of the mouth of Furey's Creek, at Coromandel Harbour, between Pita Street & Strongman Road & including part of Strongman Road, is Proposed as a Rural Zone	Oppose	The Plan should provide for Marine Activity in this area. A Rural Zone does not recognise some existing uses of the area nor allow for its reasonable development for Marine Activity	Provide for Marine Activity Zone for this land at Furey's creek mouth, near Coromandel Town
Overlay Map11E; The Proposed labelling of the area south of the mouth of Furey's Creek, at Coromandel Harbour, between Pita Street & Strongman Road & including part of Strongman Road, is Proposed as an area of Natural Character	Oppose	The natural character overlay should be removed because this area is already substantially modified and is not natural. Rather it is relatively recently human-made shoreline that is often mobile mud-dominated and with some mangroves and also some grassy land and does not have significant intrinsic natural character	Remove the Natural Character overlay from this area.
Overlay Map11E; The Proposed Overlays for my property at upper Warehoe Road	Support	The Nil Overlays as shown for this property (apart from the TRANZ1 Designation along the SE boundary), are appropriate	Nil, Support as is

I could not gain an advantage in trade competition through this submission.

I seek the opportunity to be heard and would consider presenting a joint case with others

Signed:

  
Gilbert James



# Proposed Thames-Coromandel District Plan

THAMES  
COROMANDEL  
DISTRICT COUNCIL

## Submission Form

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

### Your submission can be:

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

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

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

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

THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: TCM

3:44pm

### Submitter Details

Full Name(s) George Robert Foster

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

Email Address gm.foster@clear.net.nz

Postal Address 139 ~~Road~~ manaia Rd RD1  
Coromandel

Phone no.  
include area code

07/8667017

Mobile no.

0211671390

**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)

~~amended~~ please see Attached 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:

I believe parts of POP to restrictive and our rights being lost  
please see Attached submission

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

Retained ☐ Deleted ☐ Amended ☐ as follows:

Please see Attached 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 G.R. Foster Date 14-3-14

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

## Trade Competition

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

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

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

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

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

☒ Y ☐ N

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

THAMES-COROMANDEL DISTRICT COUNCIL  
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SNA's were put on us less than 2 years ago, after a public outcry the council decided to drop it. Now they have come back with something worse, in the name of biodiversity. Of the land mass on the Coromandel Peninsula only a small amount is of farmland.

Why the need for more Indigenous coverage. These new rules will effect our ability to farm properly and effect potential land sales and if we can no longer build in coastal zones.

The phrase humans rights is heard often today, but the Government via the RMA treats us farmers like we don't count. Part of our rates goes to designs that work against us instead of for us. The rules are very complex and the average person can't understand them. Consultation with farming groups before new district plans are written would be better, rather than after.

#### UNDER PERMITTED ACTIVITIES

##### 29.3

##### Rule 3-ie

It seems reasonable for the clearing of regrowth scrub on rural land.

#### UNDER RULE 29.3.1 J

There is mention of clearing vegetation for a fence line, ie 1 metre either side or 2 metres total. If you're able to clear it manually for a fence only, that's reasonable for a short fence. To get a bulldozer in you need 4 metres wide just to manoeuvre the machine. If you require a road on one side 4 metres would be the minimum width required. Often parts of a road fence need room for a big tractor both sides at 2 metres it would be dangerous even for a quad and trailer on the edge of a slope. I want it increased for safety reasons.

#### Rule 3.4 FIREWOOD

The 5m firewood issue is denying peoples rights under section 85 of the RMA and the Magna Carta

I understand 5m on a small section may not suit the biodiversity plan, but if a person owns a 200 acre block of manuka, he is not allowed to clear it for farming but should be able to take the produce off it (firewood) to sell to make a reasonable living and for his own use and to pay his rates. Due to the prolific growth of manuka a block of 200 acres or bigger would always be predominantly covered, therefore a sustainable use situation. Please make a flexible rule for bigger property's, and not less than 15 metres for smaller property's, I don't mean sections.

#### WITH REGARD TO SECTION S.6.2

Many would like to see all farm bush fenced off. My Grandfather cleared much of my farm before 1900 and left bush in selected areas for stock shelter. I would like to keep it that way because stock needs shelter.

## PART 11 SECTION 7.3

Account should be taken of the need to have produce and employment from farms on the coast. The economic factor of non-farming development on parts of coastal should be considered also... Regarding the coastal environment line (with its potential restrictions) it has been applied arbitrarily and it is too far inland from the coastline, accordingly I request that it be independently reviewed.

PART 11 SECTION 9 OUTSTANDING  
LANDSCAPES.

A prominent hill - combined rock that is mainly on my neighbors has an outstanding landscape overlay. It comes way down into my paddock. I would like an independent review to get it removed on the lower end.

Thanks for the opportunity to respond to the proposed district plan.

G R Foster



# Proposed Thames-Coromandel District Plan



## Submission Form

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

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Attention: District Plan Manager (or to the Area Offices in Coromandel, Whangamata or Whitianga)

THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY:

*KHA* 15:30

### Submitter Details

Full Name(s)	Carol Margaret Isdale	
or Organisation (if relevant)		
Email Address	cjsdale@extra.co.nz	
Postal Address	PO Box 79 Thames	
Phone no. <small>include area code</small>	(07) 8689725	Mobile no. 0274862293

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

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

See attached & additional pages.

### 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 attached pages

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

Retained ☐ Deleted ☐ Amended ☐ as follows:

See attached pages

## 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 C. M. Isdale Date 14/3/2014

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

## Trade Competition

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

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

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

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

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## Submission to TCDC District plan C.M.Isdale additional pages

Part one section three, definitions, H: Historic Heritage terms, amend 'Addition' by adding ICOMOS NZ charter definition to existing definition.

I: add to definitions starting with the letter I ICOMOS NZ Charter as defined in the charter.

Reason, for these two amendments the ICOMOS NZ Charter is the accepted standard throughout New Zealand to the treatment of historic heritage buildings and structures.

8.1 historic heritage, background amend by replacing heritage values in the last sentence by historic heritage.

Reason, "heritage values" values is subjective;" historic heritage" a recognise term.

8.1.1 Archaeological and Maori heritage amend by adding as second paragraph. "The District recognises that all buildings and structures constructed/ built/ made over a century, One hundred years, ago are part of our historic heritage and given appropriate protection under this district plan as such. This protection to be in line with that given by the register and no less than the protection given pre-1900 by the New Zealand Historic Places Act.

Reason, as a comparatively young country (even taking into account Maori history) the Centenary of any building or structure indicates that significant historical heritage is attached to that building or structure. In the year of the beginning of four years of remembrance for the Great War/ WW1 100 years ago, reflected in the WW100 observances, it is fitting to recognise that any building or structure on reaching its Centenary becomes a part of the fabric of our historic heritage simply by virtue of its age. This provision is as well not instead of the archaeological protection inherent in the New Zealand historic places act and recognises the increasing historic heritage value of buildings and structures with the passage of time. This does not preclude important historical heritage buildings and structures such as the 1928 Kopu Bridge and the Carnegie library from having protection through the register until they reach this age.

8.1.1 Waikato Regional Policy Statement (RPS) Amendment that definition be included at this point or were ever reference to the statement first appears that were Waikato or New Zealand history is mentioned it is deemed to mean our district's history the old Auckland provincial area or New Zealand.

Reason while our district is currently part of the Waikato regional Council area we are Hauraki, Waikato is Waikato in Maori terms linked but not joined "Pare Hauraki Pare Waikato". Historically and currently this district is strongest links are almost certainly with Auckland and the wider Auckland provincial area not Hamilton and the Waikato, the Coromandel as Aucklanders term in the district is very much the playground for Auckland. Evidence of this contention can be seen in the

new Bridge at Kopu to enable Aucklanders to get to the Coromandel holiday homes as quickly as possible.

8.1.2 The opening statement be amended to read 'In the district plan all buildings and structures over 100 years old are deemed worthy of the designation of "heritage items" by virtue of the age. These century old buildings structures whether included in the Historic Heritage schedule listed as appendix 1C shall have the same "heritage item" protection as more modern buildings and structures that are so listed.'

Reason, as per the amendment to 8.1.1 note; the present opening statement would become the 2<sup>nd</sup> paragraph.

8.1.2 Historic Heritage items the definition be amended to include 'all buildings and structures over 100 years old shall be deemed to meet the criteria'

Reason, as per amendment to 8.1.1 but also as buildings and structures over 100 years old will invariably meet criteria from the RPS such as e.g.

iii. The potential of the place to provide knowledge of Waikato or New Zealand history

vi. the potential of the place of public education

xi .the extent to which the place forms part of a wider historic call and cultural complex or historical and cultural landscape.

8.1.2 Amend, any other areas in 8.1.2 to reflect the above amendments. Note; this may include other policies rules etc in other parts of the plan.

Reason to ensure continuity and overall consistency of the plan

8.2 **Issues** in line with my submission on the importance and irreplaceable nature of hundred year old buildings and structure I support whole heartedly the third (3.) Statement

Reason this recognises in the words "that cannot be replaced or replicated" the vital importance of protection through the District Plan for our historic heritage.

### **8.3 Objectives and Policies**

Amendment objective 1 after Historic insert, Heritage before Maori historic heritage to read '...and historic heritage Maori cultural sites..' . This amendment to emphasise the importance of Maori cultural sites should continue throughout section

Reason, there is a need to emphasise the historic heritage importance of Maori sites in our district.

#### **Historic heritage items and historic heritage areas**

Objective three support the general statement "The district's historical identity is maintained and enhanced"

Reason historical identity can be taken include storage heritage in the statement is the basis of my submission.



Policy 3.a amended by adding **and be in accordance with the provisions of New Zealand ICOMOS charter** . After "original features:"

Policy 3.b amend by changing 'should' to shall and adding reference to ICOMOS as above

Policy 3.d amend by changing 'should' to shall and adding reference to ICOMOS as above

Policy 3.e amend by adding reference to ICOMOS as above as c) to read **and this is in accordance with the provisions of the New Zealand ICOMOS charter**

Reason for the above 3a,b,d,e are that these changes amendments ensure the preservation of historic heritage and acknowledge ICOMOS

**Objective 4** amend by adding to the start of the objective **Ensure that**

Reason ; the plans job in this instance is to make sure that subdivision and other activities do not degrade the historic heritage areas historic heritage!

#### 8.4 non-regulatory methods

**Amend** by adding 3) the Council will ensure there is an appropriate heritage committee(s) to oversight historic heritage in the district in accordance with the district plan.

4) The Council will employee designate a staff member familiar with the districts historic heritage to support the above committee and provide specialised advice to council.

5) The Council will acknowledge and incorporate were ever applicable the provisions and policies of the **New Zealand ICOMOS charter**.

Reason; there has been an obvious lack of local input into Council decisions that are concerned with historic heritage in spite of recent efforts such as reviving the umbrella organisation heritage Hauraki Coromandel which all so covers the Hauraki district area. The last amendment edition may not be a strictly non-regulatory method in that Council in the past has formally recognised **the provisions of the New Zealand ICOMOS charter** in district plans and may well do so in this one.

#### **Appendices the register schedule of historic items**

1. In line with my submission 100-year-old buildings any and all items removed from the previous register schedule should be restored to the one for this plan.

Reason as many of the items removed would have been hundred-year-old buildings and may well of meet RPS criteria they should be restored to their previous designation.

2. Items such as the Carnegie building old Thames free library should be known by the historical name not the group currently using or occupying their historic site. I am sure if the Thames Little Theatre was still using occupying this building they would see at an appropriate that the building was known as the Thames Little Theatre .

**Overlay Historic Heritage Areas** I note with dismay that the Grahamstown HHA has had areas previously included when it was the Grahamstown heritage policy area or zone excluded in the new overlay. I feel that once the street houses etc are included in a HHA this should not be change. In the case of the Grahamstown HHA this needs to be extended to include the areas that historically worked for and with Grahamstown such as Irish town Thames as far South as Mary Street and of course Robert Grahams other urban development on The Thames at Tararu.

I request that the overlay be amended to reinstate any excluded areas keep any areas added to the HHA in the proposed plan and add the areas mentioned to the overlay to give a truly historic Grahamstown HHA.

I also see that the proposed pollen Street heritage area termed Shortland would be included in the extension to Mary Street I am seeking and should not be instituted.



# Proposed Thames-Coromandel District Plan



## Submission Form

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

THAMES-COROMANDEL  
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: Tami  
3:20pm

### Your submission can be:

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Proposed Thames-Coromandel District Plan  
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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)	ALAN & AGNES OGDEN	
or Organisation (if relevant)		
Email Address	nesandalan@xtra.co.nz	
Postal Address	405 THAMES COAST RD. TE PUHU.	
Phone no. <small>include area code</small>	(07) 868 2773	Mobile no. <input checked="" type="checkbox"/>

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

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## Your Submission

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

SECTION 10 - POLICY, SECTION 34.11 RULES  
AROUND CCEL.  
MAP OVERLAY 26C - TE PURU SOUTH.

### 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:

FLAWED ASSESSMENT IN DETERMINING CCEL  
CONTRAVENES PRIVATE PROPERTY RIGHTS  
GROSSLY ERODES PROPERTY VALUES

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

CCEL TO BE REDUCED, AND NOT TO BE SHOWN ON  
LIM REPORT. PROTECTIVE WALLS TO BE TAKEN INTO ACCOUNT.

## Proposed District Plan Hearing

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

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

Signature of submitter [Signature] Date 15-3-2014

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

## Trade Competition

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

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

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

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

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

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# SUBMISSION

## refer 9.

### 2013

# FIG ①

IN THE MATTER OF a proposed  
amendment to the  
District Plan of the Thames  
Coromandel District Council  
in respect of coastal erosion.

This submission is made as a group submission by a number of property owners in Te Puru whose names appear at the foot hereof. Almost all of these property owners have made individual submissions, which should be read with this group submission.

1. This submission is directed to the proposed amendments to the Thames Coromandel District Council's District Plan relating to measures to combat possible coastal erosion at Te Puru. The properties covered by this submission are:  
401,403,405,407,409,411,413,415,417 and 419 Thames Coast Road and 3,5,7 and 9 Sarjants Road, Te Puru.
2. Many of these properties have been in the same family ownership for decades; some as far back as the 1920's. The owners are therefore very familiar with the area and are able to supplement the knowledge of those who formulated the proposal.
3. The effect of the proposals, if implemented, would be to diminish considerably the values of the respective properties by reducing the areas on which the present or any subsequent owners could build without a resource consent.
4. The coastal boundary of a number of these properties is the mean high water mark. There are others where there is a reserve between the coastal boundary and the mean high water mark. There is already a 15 metre set-back line on the seaward side on which no buildings or structures can be erected. The proposed primary line would extend that set-back line further back into the properties affected.
5. Under the proposals, the area between the primary line and the secondary line would become a discretionary activity requiring a resource consent, not merely a building permit, in which a determining factor would be the increased risk deemed to arise from erosion. This would involve the property owners in the expense of engineering reports and the possibility of long delays in processing the application, an expense they would have to bear even if their applications were rejected. But more than that, there is the possibility that the building would have to be relocated on the site or built in different materials. The existing controls available to the Council under the Building Act are sufficient to allow it to control building near the foreshore.
6. In the view of your submitters the set-back lines are entirely unnecessary. The experience of Isobel McMullin, Harvey Reid, Clive O'Halloran and Bernard Wenzlick, whose families have each been in the area for up to eighty years, and the experience of other owners who are permanent residents, is that the degree of invasion by the sea or erosion of the properties predicated in the Council's proposals is quite unrealistic. The existing sea walls have proved entirely satisfactory over the long period they have been in place and erosion of the properties by the invasion of the sea is not a factor for which further provision needs to be made.

...2/



7. If the Council adopts the proposed primary and secondary lines then the effect on the values of the affected properties will be enormous, amounting to many millions of dollars.
8. It is also to be noted that within the past ten or twelve years, in one instance as recent as a year ago, the Council has allowed substantial and expensive homes to be built within the areas it now considers to be subject to inundation by the sea. There is no justification for the proposed changes in policy or direction.
9. The Council has applied a global approach to the proposed set-backs instead of having regard to the fact that Te Puru South (the area covered by these submissions) is deltaic and subject to long term progradation rather than recession, an observation backed by historical and local knowledge. In the 1998 District Plan, the Council had proposed a setback of 20 metres but accepted a submission that from Tararu to Waikawau the setback should be retained at 15 metres, which it now is. The reason given for the retreat from the 20 metre line and the retention of the 15 metre line was "E.W. has collected a lot of data which forms the basis of the setback". It is the experience of the property owners included in this submission that there have been no changes since, which would justify an arbitrary setback of 20 metres.
10. The data supplied by Environment Waikato on sea levels is not convincing. We note that the highest recorded sea level on the Firth of Thames was 2.8 metres; that was in 1938. The next highest was 2.48 metres recorded at Tararu on 14 July 1995. If the increase said to have been recorded at Queen's Wharf, Auckland is the 1.2 mms per annum since 1920, this amounts to an increase of only 100 mms (4 inches) over the past 87 years.
11. The map supplied by Environment Waikato showing historical foreshore variations at Te Puru since 1968 seems to be based more on supposition than reality.
12. If the Te Puru properties are to be inundated to the point where the Council's proposals are justified, the remedial work done to the Thames Coast Road will be insufficient to prevent a major catastrophe.

The names of the property owners included in this submission are: Carl and Alison Te Huia, Alan and Agnes Ogden, Toby and Betty Robinson, William and Sophie Black, Harvey Reid, Duncan and Isobel McMullin, Greg Semmens, The O'Halloran Family Trust (Clive O'Halloran and Sue Lewis-O'Halloran), The Storey Family, Julie Leach, Bernard and Sheryl Wenzlick, AMF Trust (The Rodney Aitken Family), Stephen Tordeich and Sarah McMullin. Their address for service of any notices is

C/- Mr Alan Ogden, 405 Thames Coast Road, Te Puru.



# SUBMISSION FIG(2)

refer 9.

## Proposed Coastal Hazard Setbacks: Comment on Landowner Submissions

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Prepared for Thames Coromandel District Council

November 2013

DRAFT



focus

resource management group

## 1.1 Ogden, Alan: Te Puru

In relation to commenter #36 (Mr Alan Ogden), we are familiar with his concerns and provide comment below on his points 6, 9, 10, 11 and 12 as requested.

Point 6 of the submission argues that the existing seawalls provided adequate protection to the properties from erosion for several decades and therefore the setbacks are unnecessary. However, it is important to appreciate that the setbacks do not take existing seawalls into account as they are not consented as a long term solution to the potential erosion hazard.

Point 9 of the submission argues that Te Puru is deltaic and the relevant properties have exhibited a long term trend for progradation. This is not correct as the present shoreline is similar in location to that shown in aerial photographs taken over the last 70 years and to historic shorelines surveyed in the late 1800s. The ongoing need for the existing seawalls (many of which are more than 50 years old) provide further evidence that the shoreline in this area is not undergoing net accretion.

Mr Ogden also notes that the coastal setback was set at 15 m in 1998. This was an arbitrary value adopted by Council until more detailed analysis was completed. The PDS (equivalent to the current CCEL) was increased to 25 m in the Dahm & Munro (2002) hazard assessment report. The 2009 review considered updated information, including that provided by property owners, and reduced the width of the CCEL, which is now typically 15-20 m wide at the southern end of Te Puru.

In relation to point 10 of the submission, it is agreed that the flood levels noted by Mr Ogden are the most severe on record. However, the CCEL setback relates to coastal erosion, and not to sea level rise. Extreme sea levels are managed by minimum floor level controls.

We are not aware of the map referred to by Mr Ogden, but a map of historic shorelines compiled by Environment Waikato clearly shows evidence of significant erosion in this area prior to the construction of seawalls.

**Recommendation:** No change to the proposed setbacks.

## 1.2 Hooker, A: Whangamata

Commenter #39 (Mr Allan Hooker) notes differences between the most recent review of the CCEL (2009) and an earlier site specific report (2007) prepared for his property (201 Hinemoa St, Whangamata) by Eco Nomos Ltd.

Mr Hooker is correct as the 2009 CCEL on his property (and properties north and south) is approximately 14.5 m from his seaward boundary, instead of the 11 m advised in 2007.

The site specific report prepared for this property in 2007 reviewed only the PDS (equivalent to current CCEL) as it related to a building consent application. The site specific report placed the seaward extent of worst likely storm erosion 11 m inside the property boundary, as noted by



# Submission Fig. ③

## COPY



25 Adams Road, Thornton Bay,  
Thames

E mail: jdahm@xtra.co.nz

11 April 2005

Mr Peter Thomas  
Thames Coromandel District Council  
Private Bag  
Thames

Dear Sir

### **Coastal Hazards: 7 Sarjants Road: Te Puru**

The owners of 7 Sergeants Road in Te Puru are seeking consent for various alterations to their existing dwelling – as shown on the architects plans attached to the building consent application.

The property lies within the Primary Development Setback, this being the higher risk area in terms of exposure to coastal erosion and coastal inundation. As such a site-specific coastal hazard assessment report is required to assist Council in their assessment of the application.

#### **1 Vulnerability of the Property to Coastal Erosion**

At present, the beach fronting the southern shoreline of Te Puru, including 7 Sergeants Road, is in an accreted condition – with a reasonable width (varies but generally >10m) of grassed reserve and high tide dry beach seaward of the property at 7 Sarjants Road. The present healthy state of the beach primarily reflects the significant volumes of sediment delivered to the coast in recent years – particularly during the “Weather Bomb” flood event.

However, coastal erosion problems have been experienced along the Te Puru shoreline in the past – the most recent example being the erosion in front of the school in the 1990’s. (This area also presently being in an accreted state, the shoreline well seaward of the seawall placed after the 1990’s erosion). Other erosion problems have also been experienced in the past along significant lengths of the Te Puru shoreline.

including the properties along the southern shoreline of Te Puru, with a wide range of seawalls and other ad hoc structures (some currently buried by the present healthy beach) having had to be placed.

Most of the existing seawalls have not been designed or consented as long-term solutions to coastal erosion. It is also unlikely that many of these structures will be consented as long-term solutions in the future – given design limitations and a variety of other issues (e.g. adverse effects on coastal values during erosional periods – when the beach in front of the walls can be significantly reduced). Therefore, while these structures do provide some useful protection, erosion is assessed as if the armouring structures were not present.

The maximum erosion likely along the foreshore of 7 Sergeants Road has been assessed using:

- Available cadastral surveys for the Te Puru shoreline, which provide information on shoreline change dating from the late 1800's to the mid 1990's;
- Available beach profile data (relating the area seaward of the school)
- Historical aerial photographs – both vertical and oblique covering the period from the 1940's to the 1990's
- Field inspection of the site.

The data for this property is relatively good, with the earliest surveys dating from 1898 and 1913.

The shoreline area further north between the end of Sarjants Road (i.e. north of Lot 17 DPS 1664) and Tatahi Street has advanced significantly (up to 20m in places) since the early 1920's.

However, while the shoreline near 7 Sarjants Road advanced nearly 20m between the surveys of 1898 and 1913, other surveys (e.g. Sept 1995) and data (e.g. historical photographs) suggest there is no trend for permanent shoreline advance near this property. Similarly, though, the data suggests the shoreline in this area is not experiencing any trend for permanent long-term retreat.

Rather, it appears that the shoreline is subject to significant shoreline fluctuations – with at least 20m difference between the most seaward shoreline position shown on historical records (a MHW survey of 1913) and the most eroded position (a HWM survey of 1898). The most seaward shoreline positions lie well seaward of the property boundary (as at present) but the most eroded positions extend within the front property boundary (the maximum recorded erosion being on the northern boundary, extending some 5-6m within the property).

The historical shoreline surveys and photographs are merely isolated snapshots and do not necessarily show either the most eroded or the most prograded shoreline positions that can occur. As such, it would be wise to assume that erosion may on occasions extend even further seaward into the property than the 1898 survey.



Therefore, the existing hazard line, based on maximum shoreline fluctuations recorded at Te Puru, is probably a reasonable representation of the maximum likely erosion with existing coastal processes.

However, it is also clear from available data that such extreme erosion is very rare in this area. For instance, it was not experienced in the 1990's when some other parts of the Te Puru shoreline (e.g. the area fronting the school; shorelines to the north of the boat ramp) were experiencing quite rare and severe erosion.

Similarly, the recent shoreline trends have been for advance, associated with the sediment influx to the Te Puru following the "Weather Bomb", and the shoreline is now generally in an accreted state. As we are currently in a la Nina dominated phase of climate conditions, with higher than normal risks of major flood events (which would deliver more sediment to the Te Puru delta), the risk of severe erosion is relatively low in the near future.

Any risk posed by erosion to the property or even (with very severe erosion) the existing house, can also be relatively simply mitigated by appropriate placement of dredged river gravels offshore. For example, materials regularly excavated from the Te Puru Stream for maintenance of flood protection works. While these coarse gravels and rocks are not suitable for direct placement on the beach (this practice has occurred in the past at Te Puru but is likely to cease as a condition of resource consent applications presently being sought for the river dredging), they can be appropriately placed further offshore. Experiments I have recently conducted at Waikawau indicate that placement of such sediments on the intertidal platform some distance offshore from the beach will readily result in beach quality materials (i.e. sands and fine gravels) being winnowed out of the coarser rock and gravel and moved onshore. With this technique, which mimics nature, it is possible to restore a wide sand and gravel beach fairly quickly and easily.

Therefore, while any new dwelling on this property should go landward of the setback to provide long-term security, the risk from coastal erosion to the existing dwelling over the next few years is low and can be readily and appropriately mitigated – if the need arises. As such, it is my opinion that the present low risk from coastal erosion should not be a significant impediment to the granting of consents for the proposed renovations.

## 2 Vulnerability to Coastal Flooding

The Thames Coast is occasionally subject to extreme sea levels associated with storm surge effects superimposed on large tides – often aggravated also by wave effects (wave runup and wave setup) associated with northerly storm swell.

The most recent such events occurred in July 1995 and January 1997 (Cyclone Drena) and caused extensive sea flooding along the coast, including properties at Te Puru.

The July 1995 event did not involve major wave action, but attained very high sea levels (RL 2.48m being recorded at the Tararu tide gauge, this elevation being with



respect to the Tararu mean sea level datum) - due to the very rare combination of storm surge effects with a very high (perigee) tide.

The Cyclone Drena event involved much less extreme sea levels than the 1995 event but much more severe wave effects - with high energy ocean storm waves penetrating deep into the Firth. The height of these northerly storm waves was much reduced within the Firth (being typically less than 1m, except near breaking, compared to >5m at a wave recorder in the Hauraki Gulf). Nonetheless, the waves were much higher energy than the normal locally generated wind waves and caused severe erosion and flooding. In some exposed areas, the wave runup overtopped banks with elevations of RL 2.8m and flooded low-lying areas further landward. However, the property at 7 Sarjants Road is less exposed to northerly swell.

Historical records suggest that 5-8 sea flood events of similar severity to these two recent events have occurred over the last century. Therefore, while the events are not common they have an annual probability of at least 5% and are therefore of sufficient frequency to be relevant to building consent applications.

It does not appear from local information that either of these recent events significantly affected the property at 7 Sarjants Road. This is also consistent with the relatively high ground levels fronting the existing dwelling (these being in the order of RL 2.81-RL 3.06) and the existing floor level of RL 2.95m (as fixed by Millington PW Ltd 20 December 2004).

However, there is indication from historical data that more significant extreme sea levels can be experienced. For instance, the maximum extreme sea flood level so far recorded in the upper reaches of the Firth was approximately 3m above mean sea level - recorded at Pipiroa during the May 1938 storm event. This storm overtopped the (then lower) stopbanks protecting the Hauraki Plains and caused extensive flooding. There are also anecdotal reports that this event came up to the window sills of the Lady Bowen Hotel in Thames - though I have not myself seen any firm evidence of this persistent story, despite searching local papers around the date of the event.

The annual probability of this extreme sea level is unknown and is probably less than 1% (Dahm and Munro, 2002). Nonetheless, to err on the side of caution, both TCDC and Environment Waikato currently adopt the 1938 water level as the best present estimate of the 1% AEP coastal flooding level (i.e. the extreme coastal flood level that has an annual probability of 1% of being equalled or exceeded - commonly referred to as the "100 year event"). To this is added a freeboard of 0.5m to obtain the minimum recommended floor level of RL 3.5m - applied to new dwellings in the area vulnerable to sea flooding.

Therefore, while the existing house at 7 Sarjants Road does not appear to have been flooded by the July 1995 and Cyclone Drena events, it would be vulnerable to coastal flooding with any repeat of the May 1938 extreme sea level.

However, it is not possible to raise the existing house due to concrete foundations. Moreover, the existing dwelling is only at risk from very rare and extreme coastal flood events (i.e. similar to the 1938 event) - that probably have an annual probability



of less than 1% with present sea level. As such, it is my opinion that the level of risk does not warrant decline of building consents for the proposed renovations.

Nonetheless, the owners need to be aware of the potential risk from rare and extreme coastal flood events. Any new house on this property should adopt a minimum floor level of RL 3.5m to ensure a high level of protection from coastal flooding.

### 3 Summary

The risk posed to the present dwelling by coastal erosion and coastal flooding is very low and in my opinion should not affect granting of consent for the proposed renovations.

However, in the event that the existing house is replaced, a greater setback and a minimum floor level of RL 3.5m should be adopted to further mitigate risk.

Yours faithfully



Jim Dahm  
Eco Nomos Ltd

SUBMISSION

FIG. (4)

CHRIS HOWELL  
027 683 7142**Resource Consent  
Certificate**Andrew Whaiti  
868 0200.  
Senior Policy Pla

**Resource Consent:** 117973

**Consent Type:** Coastal

**Consent Subtype:** Deposit

Lorraine  
(07-8599277)  
(Leane Lawrence)

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Waikato Regional Council  
P O Box 4010  
HAMILTON EAST 2032

(hereinafter referred to as the Consent Holder)

**Activity authorised:** To place gravel and sand from the Te Puru Stream onto the coastal marine area of the Thames Coast, and use associated motorised vehicles on the foreshore during works

**Location:** Te Puru Stream & Te Puru Beach, SH 25 - Te Puru

**Map Reference:** NZMS260 T12:344-583

**Consent Duration:** This consent will commence on the date of decision notification and expire on 30 April 2025.

**Subject to the conditions overleaf:**

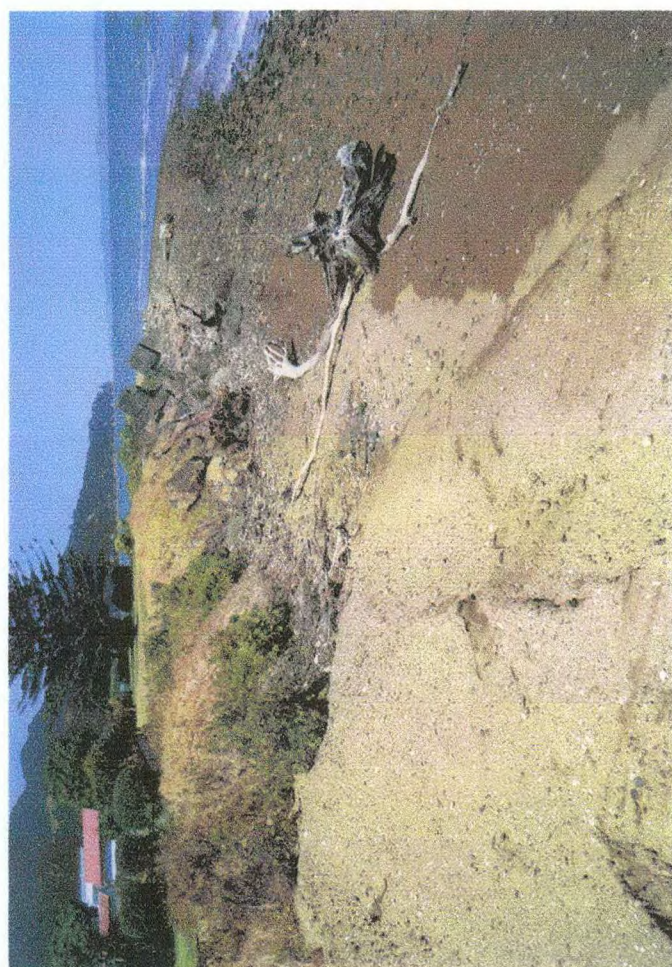


USING SAND FROM  
STREAM MOUTH TO  
BUILD BEACH WHEN  
PREVIOUSLY ROCKS .  
DEPRIVING EXISTING  
BEACHES OF NATURAL  
REPLENISHMENT.  
DUMPED APPROX.

25-2-14

Fig. ⑤

SUBMISSION





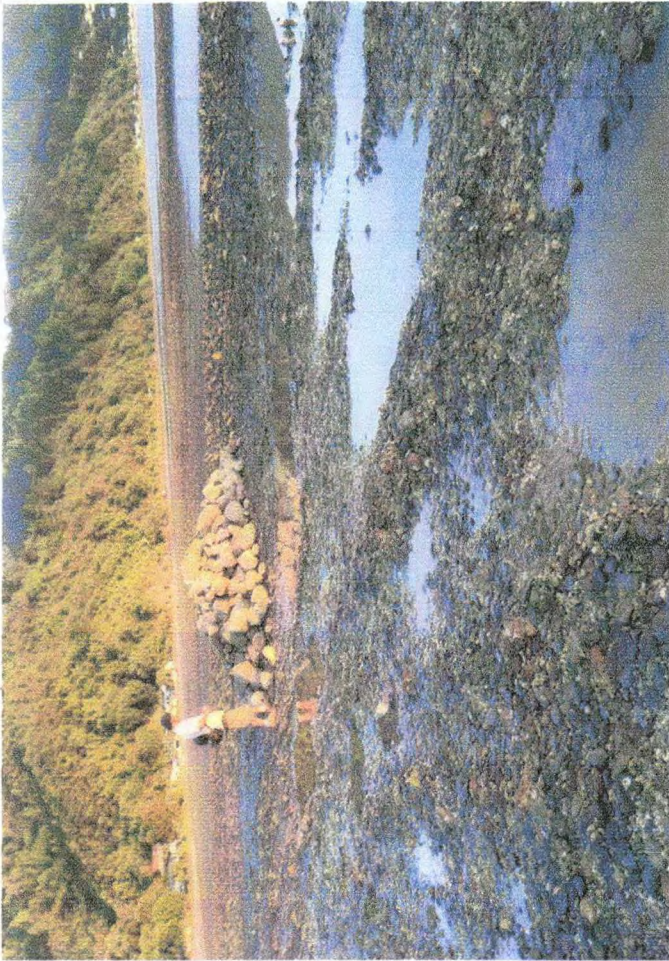
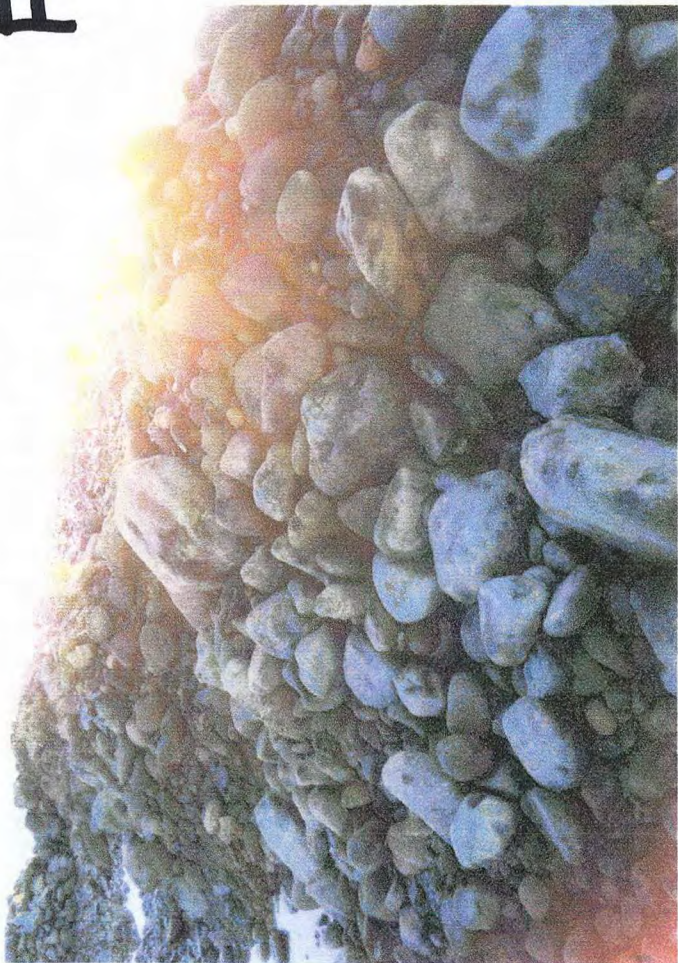


Fig 6



NOISSIWBUS



# SUBMISSION FIG 7

Thames-Coromandel District Council

7

## Decisions on Submissions

## Proposed District Plan

Further Submission : 1569/8623 Opposing

Submitted On : 39/12/648/2266

Report/Issue : 39/12 -

Summary : 1. Amend 301.6 Method 9 Natural Hazards to read : "Show 30 and 60 metre hazard setback lines as a basis for District Plan rules for setbacks from the coast for buildings and structures".  
2. Amend 501.5 (rules applicable to activities within natural hazard areas): Coastal erosion and flooding areas:

Setback: This should be rule under District Plan, not a requirement under the Building Act. Delete the sentence which says "This provision is not a rule under the District Plan".

Setback: increase the specific setback for buildings on the West coast to at least 20 metres. This is consistent with

- (a) findings since the recent cyclone events;
- (b) the need to provide esplanade reserves of 20 metres.

3. Consequential amendments to activity status or standards tables.

### Decision

Accept 39/12/648/2266

By amending Method 9 in 301.6 to read:

"Show on maps 30 and 60 metre hazard setback lines on the east coast for buildings and structures, and 15 metre setback on the west coast, from Tararu to Waikawau on the Thames Coast for buildings and structures. Carry out studies to refine these setbacks as more information is gained."

By amending 501.5 under the heading "Coastal Flooding and Erosion areas" 2nd sentence after "15m" to read:

"On the Thames Coast from Tararu to Waikawau from the natural shoreline."

### Reason

The 30m and 60m hazard set back lines on the east coast have been applied for the last 10 years and have worked well in practice. The setback can be determined on the ground by a building inspector in consultation with Environment Waikato scientists. A similar hazard setback is appropriate for the Thames Coast to avoid coastal erosion and sea flooding hazards. Environment Waikato has recommended a setback of 15m from the natural shoreline, as a blanket protection. Environment Waikato advise this is quite a liberal standard as a 20m setback is required in many of the settlements. Environment Waikato are undertaking studies with the District Council to refine this setback in particular areas along the coast. The 15m setback has been based on recent and historic cyclonic and storm events. Environment Waikato has collected a lot of data which forms the basis of the setback.

### Attachments

Nil

# Thames County Council

Submission 816

Address all communications to

P.O. Box 409, Thames

WAS:MDC

Council Chambers,

Mary Street,

Thames, 1 October, 1973

In reply please quote  
K.1(c)

FIG.

(8)

## SUBMISSION

A.A. & J.B.Reid,  
No. 2 R.D.  
PERRE

Dear Sir,

Re : Town and Country Planning Act 1953 -  
Thames County Council District Scheme.

The Thames County Council hereby gives notice of its decision in regard to the following objections to the Thames County Council proposed District Scheme pursuant to Section 25 of the Town and Country Planning Act 1953 and to Regulation 23 of the Town and Country Planning Regulations 1960.

As an objector, and a person who supported the following objections, you are notified of the Council's decision in respect of these objections.

OBJECTIONS No: 50 to 60 inclusive

OBJECTORS: E.F.Storey; M.Griffith; E.Gough;  
B.M.McIntyre; R.A. & M.A.Atkinson;  
Puru South Water Supply Society;  
A.A. & J.B.Reid; A.J.Wood; E.J.Toner  
& E.M.Torr; E.J.Bingham; D.A.Rhodes.

### COUNCIL DECISION:

"The Council resolved that the designation of Proposed Esplanade Reserve over parts of the properties on the Western side of State Highway No.25 at the southern end of Puru Township should be removed; and Council accordingly resolved that the objections of E.F.Storey, M.Griffith, E.Gough, B.M.McIntyre, R.A. & M.A.Atkinson, the Puru South Water Supply Society, A.A. & J.B.Reid, A.J.Wood, E.J.Toner & E.M.Torr to this designation, should be allowed.

Council further resolved that, pursuant to Section 22a (1a) of the Town and Country Planning Act 1953, it should vary the proposed District Scheme by publicly notifying a variation of the Scheme to provide for the imposition of Building Line Restrictions over the western portions of the properties.

The Building Line Restriction should accordingly be imposed at the following distances from the road boundary:

#### Lot 1, DP 15125 : E.F.STOREY:

Northern Boundary 234 feet  
Southern Boundary 234 feet

#### Lot 1 DP 15125 : M.GRIFFITHS:

Northern Boundary 234 feet  
Southern Boundary 234 feet

.....





401-405

FIG. ⑨

Submission





SUBMISSION FIG. 10





NGATI TAMATERA TREATY SETTLEMENT TRUST  
P.O BOX 116  
PAEROA  
3640

14 March 2014

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

Tena koutou

### **NGATI TAMATERA SUBMISSION TO THE PROPOSED THAMES COROMANDEL DISTRICT PLAN**

1. This is the submission of Ngāti Tamaterā to the Proposed Thames Coromandel District Plan (the Plan). The submission seeks the retention of those parts of the Plan that support Ngāti Tamaterā aspirations and outcomes and seek amendments or removals to other parts of the Plan that we do not support.
2. The submitter is the Ngāti Tamaterā Treaty Settlement Trust (the Trust). The Trust was ratified in 2012 as the post settlement governance entity for Ngāti Tamaterā and is responsible for administering the commercial and cultural treaty settlement assets of Ngāti Tamaterā and to generally uphold the mana and rangatiratanga and provide for their cultural, social and economic well-being of the Iwi. The Trust is an Iwi Authority representing Ngāti Tamaterā for the purposes of the Resource Management Act 1991.
3. The key submissions are attached.

No reira  
Noho ora mai  
Naku noa, na

Liane Ngamane  
Ngati Tamatera

District Plan Provision	Support/Oppose	Discussion	Relief Sought
<b>PART I - INTRODUCTION</b>			
Section 1 and 2 – Background and Statutory Acknowledgments	Support in part	Support the reference to Maori and treaty settlement mechanisms in the introductory section. However, this is the only section in Part 1 that references the relationship of Maori and their lands in the District. Part 1 requires some background to the Hauraki Iwi and clear context and linkage to the Waikato Regional Policy Statement provisions for Maori. Section 2 refers to statutory acknowledgments as one treaty settlement mechanism however it is only one of a number of mechanisms that are available through the treaty settlement process, i.e. land transfers.	Background to the Iwi of Hauraki would be appropriate in the Introduction part of the Plan either in a revised section 1 or a revised section 2 of the Plan to enlarge on the Iwi of Hauraki and their social, cultural, economic aspirations; a description of treaty settlement mechanisms pertaining to this District and clear linkages to the relevant provisions of the Waikato Regional Policy Statement in respect to the Maori provisions in the RPS that must be given effect to by the Council in this Plan.
<b>PART II OVERLAY ISSUES, OBJECTIVES AND POLICIES</b>			
Entire Part II	Support in part	Some of the issues, objectives, policies and methods Part II do not adequately recognise and provide for the relationship of Maori, their culture and traditions with their ancestral lands, waters, sites, wahi tapu and other taonga and the role as kaitiaki. Further the Part II policy	Ngati Tamateras relationship with biodiversity is adequately recognized and given effect in the biodiversity policy framework and does not restrict the enabling provisions for Maori land and treaty



		framework ought to enable customary use and cultural activities important to Ngati Tamatera and to provide enabling provisions for Maori land and treaty settlement.	settlement land; the role of Ngati Tamatera as kaitiaki and the use of biodiversity resources for customary use and cultural activities.
Section 6 - Biodiversity	Oppose	The issues, objectives, policies and methods within the Biodiversity section do not adequately recognise and provide for the relationship of Maori, their culture and traditions with their ancestral lands, waters, sites, wahi tapu and other taonga or as their role as kaitiaki. Further biodiversity is important to Ngati Tamatera for customary use and cultural activities on lands that are and are not held as Maori land and treaty settlement land. Enabling provisions of this Plan in respect to Maori and treaty settlement land should not be able to be vetoed through this biodiversity overlay.	Ngati Tamatera relationship with biodiversity is adequately recognized and given effect in the biodiversity policy framework and does not restrict the enabling provisions for Maori land and treaty settlement land; the role of Ngati Tamatera as kaitiaki and the use of biodiversity resources for customary use and cultural activities.
Section 7 – Coastal Environment	Support in part Oppose	Third bullet point recognizes the relationship of Ngati Tamatera with the coastal environment but does not state that it will provide for it. (section 7.3)	Add “provide” to the third bullet point in section 7.3, objective 1.
Section 7.2 Issues	Oppose	The Issues pertaining to tangata whenua relationship with the coastal environment including Maori land and treaty settlement land, role as kaitiaki and customary use and cultural activities have	A policy framework for the coastal environment that recognizes and gives effect to the importance of the coast environment to Ngati Tamatera

		not been considered fully so it sets up an inadequate framework for the objectives, policies and methods that follow.	for their social, cultural and economic wellbeing, for the expression of their role as kaitiaki and to undertake customary use and cultural activities.
Section 8 Historic Heritage	Support in part.	Recognising historic heritage and its correlation to the relationship of Maori and their culture and traditions as a matter of national importance is supported. There is however a concern that a precautionary approach has not been adopted in the Plan when dealing with archaeological sites and Maori Cultural sites.	Adopting a precautionary approach in respect to Maori historic heritage.  Amending the Plan as required to reflect this approach.
8.1.1 Archaeological Sites: Maori Cultural Sites	Support in part	The significance of the 11,000 archaeological sites to Ngati Tamatera has not been recognized and provided for in the assessment of determining significance. The NZHPT does not protect pre 1900 sites because it facilitates the modification or destruction of such sites regardless of their significance to Maori. The NZHPT process has not been successful in protecting Maori heritage sites on the Coromandel Peninsula.	The Maori heritage sites within the 11,000 archaeological sites are included in the significant archaeological and Maori cultural heritage sites identified on the Planning Maps and listed in the Archaeological Sites Schedule and Maori cultural sites Schedule and that provisions clarify that Maori must be involved in the process for determining significance.
Section 8.3 Objective 1	Support in part	Support the intent of the objective	An objective that recognizes



	Oppose	however these historic and cultural values should be protected and in appropriate circumstances, enhanced not just maintained. Further their protection is not only for the benefit of the districts history and culture but also to recognize and provide for the relationship of Maori, their culture and traditions, with these sites.	that protection and enhancement of sites is necessary and an amendment that this objective also is for the recognition and provision of the relationship of Maori, their culture and traditions with these sites.
Section 8, Policy 1a	Support in part Oppose	Avoiding the modification, destruction and damage of archaeological and amaori heritage sites is supported however in some instances the modification of sites for reconstruction or rehabilitation purposes enhances the historic and cultural values of the site. This is particularly relevant to Maori land and treaty settlement lands.	An amendment that recognizes instances where modification may enhance the cultural values of a site.
Section 9 Landscape and natural character	Oppose	Ngati Tamatera were not involved in the Blueprint or district landscape assessment that resulted in the development of these objectives, policies and methods. Further, the correlation and linkage between the relationship of Maori with their lands, waters, sites, wahi tapu and other taonga, and landscape and natural character, has not been made in this section.	A policy framework for Landscape and natural character that recognizes and gives effect to the relationship of Ngati Tamatera with their lands, waters, sites, wahi tapu and other taonga; recognizes their kaitiaki role, enables use and development of Maori land and treaty settlement land and enables customary use and

		<p>No provision has been made in this section or any section of the Plan on ancestral landscapes. Fuller recognition and provision of Maori of biodiversity resources are required. Recognition and provision for the fact that Maori utilize biodiversity resources, landscape and natural character values of the district for customary use and cultural activities also needs to be given effect to.</p> <p>The enabling provisions for Maori land and treaty settlement land and Maori historic heritage should not be restricted by landscape and natural character policies and rules of this overlay. This is particularly so in relation to the coastal environment. Further, the land within the Department of Conservation estate is not all high landscape and natural character value and more accuracy is required in the Plan to differentiate this.</p>	cultural activities to be exercised.
<b>PART III DISTRICT WIDE ISSUES, OBJECTIVES AND POLICIES</b>			
Policy 3a	Support in part	<p>The idea of development existing around current settlements is recognized however Maori land and treaty settlement land may not meet this policy which would then adversely affect the ability of Maori to meet their social,</p>	<p>This section should incorporate Maori social, cultural and economic aspirations and make specific provision for Maori land and treaty settlement land</p>



Policy 3c and Policy 4f	Support in part	<p>cultural aspirations.</p> <p>While planned growth in the coastal environment is recognized there is no provision that recognizes the importance of providing for the relationship of Maori and their ability to meet their social, cultural aspirations in the coastal environment.</p>	<p>Add a provision that recognizes and provides for the relationship of Maori, their culture and traditions particularly on Maori land and treaty settlement land in the coastal environment. (Policy 4f) enlarged</p>
Policy 8c	support	<p>This should not be limited to papakainga housing but include marae and other developments that provide for social, cultural, economic aspirations</p>	<p>Amendment to broaden from papakainga housing only.</p>
<b>PART III – DISTRICT WIDE ISSUES, OBJECTIVES AND POLICIES</b>			
Section 15 – Settlement Development and Growth		<p>Ngati Tamatera were not involved in the development of preferences for settlement development and growth in the district. Ngati Tamatera seek the ability to sustainably develop Maori land and treaty settlement land in the district to meet their social, cultural and economic aspirations.</p>	<p>This section should incorporate Maori social, cultural and economic aspirations and make specific provision for Maori land and treaty settlement land.</p>
Section 15 – Settlement Development and Growth, Objective 10 Policy 10b and Policy 10p	Oppose	<p>Moehau is an area of great cultural significance to Ngati Tamatera and while the qualities of its remote nature are recognized that is not to the extent of allowing no development. The enabling provisions in the Plan towards Maori land and treaty settlement land of Ngati</p>	<p>Request that the name of Moehau be changed from “Moehau Peninsula” to “Moehau”</p> <p>Amend Policy 10b (Moehau) and Policy 10p (Thames Coast)</p>

		<p>Tamatera should not be prejudiced just because many of those interests are located at Moehau.</p> <p>Moehau has never been known as a Peninsula and has always been known as "Moehau".</p> <p>The same concerns exist for Ngati Tamatera regarding Thames Coast settlements policy.</p>	<p>to better recognize and provide for the relationship of Ngati Tamatera with their ancestral lands, waters, sites, wahi tapu and other taonga including Maori land and treaty settlement land.</p> <p>Any other amendments deemed necessary in the Plan to give effect to the relief sought.</p>
Policy 1a - subdivision	Support in part		<p>Linkage to a broader schedule of Maori archaeological sites and heritage sites</p>
Policy 3a and policy 3b	Oppose	<p>Maori land and treaty settlement land should not be subject to the removal of land for public access. Ngati Tamatera have generously and at times in the face of their opposition, had their land taken for public access purposes. The location of the Tapu Hall and Tapu Camping Ground is one example of this policy in practice in recent times by Council.</p>	<p>Add an additional exception to Policy 3a to exempt Maori land and treaty settlement land from this provision</p>
Policy 5a	Support	<p>Note modifying the natural landform which is the subject of a Maori cultural site could enhance it.</p>	<p>Add enhance alongside maintain.</p>
Section 17	Support in part	<p>The provision for the relationship of</p>	<p>Retain and shift to an overlay.</p>



		Maori is fully supported. However there is a concern that placed as a district objective it could be overridden by other values which would be inconsistent with the intent of this policy.	
Section 17.1.2	Support in part	Support reference to the treaty settlement but consider a fuller explanation is required. Further Ngati Tamatera seek their matters to be incorporated into the district plan rather than through a future plan change where possible. A list of treaty settlement land redress is described in attachment 1.	Amend to make provision in the plan for Ngati Tamatera treaty settlement lands.  Make the description in this section broader to encompass treaty settlement transfers, SA's and co-governance regimes.
Section 17.1.4	Support in part	Support the intent of the provision to provide for the relationship on Maori land. This should also extend to treaty settlement land. There is no description of what cultural and traditional activities are nor whether a recognition of cultural activities and customary use can be contemporary expressions, for example, a cultural centre rather than a traditional marae, or moorings as a modern day expression of Tauranga waka.	Ensure provisions extend to treaty settlement land and provide for customary use and cultural activities of Ngati Tamatera.
Policy 1a (section 17.3)	Support in part	State statutory requirement regarding Iwi authorities under the RMA and under provisions of this Plan that recognize and provide for Maori involvement. These are	Include the word "shall" or must in terms of statutory and plan requirements to consult with Maori.

Policy 1b	Oppose	not voluntary. It is not for Council to direct what should be contained in Iwi Management Plans. Whether sites are identified through IMPs or some other mechanism they will require protection in the Plan.	Amend to reflect the status of IMP in decision making under the RMA rather than directives on what should be incorporated into them.
Policy 1c	Support		Retain Policy 1c
Policy 3a	Support in part		Should include treaty settlement land
<b>PART IV – AREA ISSUES, OBJECTIVES AND POLICIES</b>			
Sections 20 - 24	Support in part	The issues, objectives and policies pertaining to Area Issues, Objectives and Policies relate to use and development in the district. Ngati Tamatera expect, in respect to Maori land and treaty settlement land held by Ngati Tamatera that these provisions enable the social, cultural and economic aspirations of Ngati Tamatera rather than be restrictive or have the effect of a veto to Ngati Tamatera development. This is because Maori land and treaty settlement land exists across all zones and does not necessarily align to the zoning contained in the Plan.	Amend and make linkages to other Parts of the Plan to ensure that provisions for Maori land and treaty settlement land override underlying zones where the zones conflict with the social, cultural, economic aspirations of Ngati Tamatera in respect to Maori land and treaty settlement land.
<b>PART V SPECIAL PURPOSE PROVISIONS</b>			
Section 25 – Site Development Plans	Support in part and oppose.	Site development plans are designed as a tool to enable development where underlying zone rules are inappropriate.	Enabling development including cultural activities on Maori land and treaty



		<p>It is very likely that Maori land and treaty settlement land in the district will fall into this category. An amended section 25 or a similar additional provision to enable development on Maori land and treaty settlement land is necessary including identifying settlement redress sites in the site development plan index as subject to the enabling effects of the special purpose provisions. Section 25.1.2.b(ii) is supported.</p>	<p>settlement land through revised special purpose provisions.</p>
Section 26 – Site Specific Activities	Oppose.	<p>Maori land and treaty settlement lands have well established activities that have been exercised by Ngati Tamatera over time to provide for their social, cultural and economic well-being and therefore the exclusion of Maori land from these enabling provisions are opposed.</p>	<p>Enabling development including cultural activities on Maori land and treaty settlement land through revised site specific Activities section.</p> <p>The intent is to amend the Plan as required to ensure both vertical and horizontal alignment of the enabling provisions for Maori land and treaty settlement lands.</p>
Section 27 – Structure Plans	Oppose	<p>The development and re-development aspirations of Ngati Tamatera on Maori land and treaty settlement land to provide for their social, cultural and economic well-being is not provided for</p>	<p>Enabling development including cultural activities on Maori land and treaty settlement land through revised Structure Plan section.</p>

			through section 27 and is opposed.	The intent is to amend the Plan as required to ensure both vertical and horizontal alignment of the enabling provisions for Maori land and treaty settlement lands.
<b>PART VI OVERLAY RULES</b>				
Entire Part VI	Support in part Oppose		Supportive of rules that enable use and development of Maori land and treaty settlement land to meet the social, cultural and economic aspirations of Ngati Tamatera. Do not support rules that; restrict the ability of Ngati Tamatera to meet their social, cultural and economic imperatives; do not recognize the role of Ngati Tamatera as kaitiaki and do not provide for customary use and cultural activities important to Ngati Tamatera.	Amendment, replacement of rules so as to ensure that the use and development of Maori land and treaty settlement land is enabled; the kaitiaki role of Ngati Tamatera is given effect to and Ngati Tamatera is able to practice customary use and cultural activities of importance to Ngati Tamatera  Any subsequent amendments required to other sections of the Plan to provide for these matters.
Section 29 – Biodiversity Overlay	Oppose		Ngati Tamatera supports the retention of the rich biodiversity resources of the district. However it opposes the rules in this section because they do not recognize or provide for the role of Ngati Tamatera	Biodiversity rules in the Plan that do not restrict the enabling provisions for the use and development of Maori land and treaty settlement land;



		as kaitiaki; the right for Ngati Tamatera to undertake customary use and cultural activities and potentially restricts the ability of Ngati Tamatera to use their lands (Maori land and treaty settlement land) for their social, cultural and economic wellbeing.	recognize the role of kaitiaki and provide for customary use and cultural activities associated with biodiversity of the district.
Section 31 – Historic Heritage Overlay	Support in part.	Ngati Tamatera supports the Historic Heritage Overlay as a tool to protect Maori cultural heritage however is opposed to these rules for the reasons set out in our submissions in respect to section 8 of the Plan.	Same relief as sought in respect to our submission on section 8 of the Plan.
Section 32 – Landscape and Natural Character Overlay (in its entirety)	Oppose	Ngati Tamatera opposes the Landscape and Natural Character Overlay rules for the reasons set out in our submissions in respect to section 9 of the Plan.	Same relief as sought in respect to our submission on section 8 of the Plan.
Section 33 – Maori Land Overlay (in its entirety)	Support in part.	Ngati Tamatera supports the Maori Land Overlay rules but considers what constitutes the use and development that these rules are designed to enable (marae and papakainga) are too narrow and do not go far enough to enable the wide range of potential activities and uses on Maori land, for example cultural centre.  Ngati Tamatera is also concerned that no reference is made to treaty settlement lands that Ngati Tamatera consider are	Retain the supportive and enabling provisions of this section in respect to Maori land. Amend and add to the provisions to enable a wide range of activities and uses of Maori land and incorporate treaty settlement land into this policy framework. Change activity status where it is inconsistent with enabling use and development of Maori land

		the same in value as Maori land.	and treaty settlement land.
<b>PART VII DISTRICT WIDE RULES</b>			
Entire Part VII		Supportive of rules that enable use and development of Maori land and treaty settlement land to meet the social, cultural and economic aspirations of Ngati Tamatera. Do not support rules that; restrict the ability of Ngati Tamatera to meet their social, cultural and economic imperatives; do not recognize the role of Ngati Tamatera as kaitiaki and do not provide for customary use and cultural activities important to Ngati Tamatera.	Amendment, replacement of rules so as to ensure that the use and development of Maori land and treaty settlement land is enabled; the kaitiaki role of Ngati Tamatera is given effect to and Ngati Tamatera is able to practice customary use and cultural activities of importance to Ngati Tamatera.
<b>PART VIII ZONE RULES</b>			
Entire Part VIII	Oppose Support in part	Supportive of rules that enable use and development of Maori land and treaty settlement land to meet the social, cultural and economic aspirations of Ngati Tamatera. Do not support rules that; restrict the ability of Ngati Tamatera to meet their social, cultural and economic imperatives; do not recognize the role of Ngati Tamatera as kaitiaki and do not provide for customary use and cultural activities important to Ngati Tamatera.	Amendment, replacement of rules so as to ensure that the use and development of Maori land and treaty settlement land is enabled; the kaitiaki role of Ngati Tamatera is given effect to and Ngati Tamatera is able to practice customary use and cultural activities of importance to Ngati Tamatera  Any subsequent amendments required to other sections of



			the Plan to provide for these matters.
Section 41 – Coastal Living Zone	Oppose Support in part	Supports the reference to the characteristics of the zone including “cultural and historical values to tangata whenua” however there is no explicit recognition and provision that the coastal environment is highly valued by tangata whenua for their social, cultural and economic wellbeing; to exercise their role as kaitiaki and to undertake customary use and cultural activities.	Amendment, replacement of rules so as to ensure that the use and development of Maori land and treaty settlement land is enabled; the kaitiaki role of Ngati Tamatera is given effect to and Ngati Tamatera is able to practice customary use and cultural activities of importance to Ngati Tamatera  Any subsequent amendments required to other sections of the Plan to provide for these matters.
Section 43 – Conservation Zone	Oppose	Supportive of rules that enable use and development of Maori land and treaty settlement land to meet the social, cultural and economic aspirations of Ngati Tamatera. Do not support rules that; restrict the ability of Ngati Tamatera	Amendment, replacement of rules so as to ensure that the use and development of Maori land and treaty settlement land is enabled; the kaitiaki role of Ngati Tamatera is given effect

		to meet their social, cultural and economic imperatives; do not recognize the role of Ngati Tamatera as kaitiaki and do not provide for customary use and cultural activities important to Ngati Tamatera. Concerned at the accuracy of the data and information that determined the conservation significance of lands held by the Department of Conservation.	to and Ngati Tamatera is able to practice customary use and cultural activities of importance to Ngati Tamatera.  Any subsequent amendments required to other sections of the Plan to provide for these matters.
<b>APPENDICES</b>			
Appendix 1 – Historic Heritage Schedule	Support in part.	Ngati Tamatera supports the need for a Historic Heritage schedule in the Plan. However Ngati Tamatera opposes an assessment process to determine significance of Ngati Tamatera heritage sites and wahi tapu that does not involve them in decision making. A precautionary approach to the protection of sites is required that includes the inclusion of all recorded archaeological sites of Maori origin in the district until such time the relative significance of sites to Ngati Tamatera is determined in conjunction with Ngati Tamatera. Ngati Tamatera seek to add particular sites to this schedule.	Amend the approach to protection of Maori historic heritage by adopting a precautionary approach.  Include Ngati Tamatera sites into the schedule as identified by Ngati Tamatera at Moehau and the Thames Coast from Te Kiritā to Te Puru.
Appendix 2 - Designations	Oppose in part	Oppose designations where they adversely impact on Maori land and	Ensure designations do not adversely impact on Maori land



		treaty settlement lands and sites of significance to Maori.	and treaty settlement lands; sites of significance to Maori.
Appendix 4 – Subdivision Design	Oppose in part	Support the inclusion of Maori design principles and the protection of Maori heritage sites in conjunction and in consultation with kaitiaki.	The inclusion of Maori design principles and the protection of Maori heritage sites and other taonga in conjunction and in consultation with kaitiaki.
<b>PLANNING MAPS</b>			
All Planning Maps			Maori land, treaty settlement land, statutory acknowledgments and other place based redress should be identified on the planning maps and aligned to enabling provisions for Maori land and treaty settlement land within the Plan.
Customary Use and Cultural Activities.	Oppose	Insufficient provision for customary use and cultural activities exercised by Ngati Tamatera.	Make explicit provision for customary use and cultural activities of Ngati Tamatera in a way that recognizes and provides for both traditional and contemporary contexts.
Definitions	Oppose	Not all words contained in the Plan are defined in the Definitions section of the Plan.	All Maori terms and words contained in the Plan are contained in the list of definitions.
Inclusion of Treaty settlement lands.	General support	Ngati Tamatera seeks the inclusion of treaty settlement lands as sites of	Inclusion of Ngati Tamatera treaty settlement lands at

		significance to Maori contained in the Historic Heritage register and/or areas where Ngati Tamatera are enabled to provide for their social, cultural and economic well-being.	Moehau and the Thames Coast into the supportive and enabling provisions of the Plan.
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Sent: Friday, 14 March 2014 4:53:58 p.m.

To: TCDC General Mail Address

Subject: Submission on Proposed Thames-Coromandel District Plan

## Proposed Thames-Coromandel District Plan

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### Name

Leila Banks

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### 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,**

Leila Banks

**Date**

14/03/2014



Sent: Friday, 14 March 2014 4:53:30 p.m.

To: TCDC General Mail Address

Subject: Submission on Proposed Thames-Coromandel District Plan

## Proposed Thames-Coromandel District Plan

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### Name

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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.

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**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,**

Eva wrassky-bulmer

**Date**

14/03/2014



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**I WISH TO BE HEARD IN SUPPORT OF MY SUBMISSION.**

**I DO NOT WANT TO CONSIDER PRESENTING A JOINT CASE WITH OTHER SUBMITTERS ON THESE ITEMS.**

**SUBMISSION DETAILS**

Section 14 – Mining Activities

**Introduction**

I seriously question just why this section is included in this District Plan at all.

Why is there no similar section for farming or forestry for example? Both involve the use (and potential abuse) of large tracts of land which, like mining, may or may not be visible and of concern to the general public. Both, especially dairy farming, have an effect from their processing activities which can also be well or poorly managed. So why the extraordinary attention given in this plan to mining? If there are effects from all these activities surely they can be dealt with in a similar way using the RMA process and on a site specific basis.

Unfortunately TCDC has had a long history of singling out mining for special attention going back to the 1980's largely due to pressure from anti-mining lobby groups and a sympathetic bureaucracy. The worst example of this was the drawing of a straight line across the peninsula from the Thames GPO to Mt. Pauanui in the 1980's under the then mayor, Alasdair Thompson. Mining was to be allowed (with conditions) south of this line but not to the north. This straight line had absolutely no validity based on either geological, landscape, or topographical features; nor did it follow drainage divides as is done elsewhere in the world.

The present effects-based approach is much more sensible and a great improvement. Presumably this change in approach is partly a consequence of several decades of large and small scale mining on the peninsula with very little detrimental effect, despite the dire predictions of the lobby groups. These groups will no doubt be submitting extensively and en mass to this district plan as is obviously their right. However, their objections have to be considered in the light of the minimal detrimental effects of both large and small scale surface and underground modern mining practices undertaken at multiple locations on the Coromandel since the 1980's. The considerable economic benefits to both the district and the nation and the many thousands of jobs created over the years need to be considered as well.

Proposed change:

In the meantime I will address the present section as follows:

#### 14.1 BACKGROUND

While the tone of this section is better than it was in the draft version it is still presents an overly negative view of mining activities and their effects on the community and environment.

More acknowledgment needs to be made of the very different effects of surface and underground mining operations. Underground operations have very little effect on the surface and these are largely restricted to roading issues and a few surface buildings. Processing can be done partly underground with the remainder possibly located off site in a more suitable location or even an existing treatment facility. Open pit mining obviously has a larger surface impact and the seriousness and public acceptability of this will differ from location to location.

Suggested changes are listed below:

AMEND paras 3-5 as follows:

As well as the historic mining areas, there are known but not yet quantified mineral resources and unknown and unquantified mineral resources throughout the District. The District's known mineral resources have been identified so far using historical information and the results from more recent prospecting and exploration. However, as of November 2013 the mining industry has not confirmed any specific locations where significant mineral concentrations have potential for a viable mining operation but this could well change in the future. 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.

While mining can have very significant social and economic benefits to the District including employment, training in a diverse range of skills, and support for small communities and schools, mining operations also have the potential to adversely affect the natural and built environment, unless carefully managed. These impacts depend on the sensitivity and importance of the area, the nature (eg. underground or surface) and scale of the operation, and how well the operation is managed.

Industrial rock and aggregate is currently extracted from small local quarries. It is used primarily within the local area for access tracks and other infrastructure as part of farming and forestry operations. There are options for the resource to be exported outside the District, especially by barging to Auckland as was done in the past with the Paritu Granite that was used for many significant public buildings such as the Wellington Parliament Buildings, Auckland Post Office (now Britomart) and Auckland War Memorial Museum.

#### 14.2 ISSUES

1. Mineral extraction and processing can result in the degradation and loss of:

- a) Coastal and rural amenity
- b) Outstanding and amenity landscapes
- c) Natural character of the coastal environment and ecosystems
- d) Areas of significant indigenous biodiversity
- e) Sites and areas of significance to Māori
- f) Historical and archaeological sites
- g) Public land access and enjoyment
- h) High class soils.

However, these activities can also result in positive benefits such as:

- i) Discovery of previously lost Maori and European historical and archaeological sites
- j) Improvement of soil structure and drainage through rehabilitation following mining operations
- k) Public access to otherwise inaccessible areas through new roading
- l) Support for endangered species through funding (eg. Dotterel recovery)

2. Access to mineral and aggregate resources can be compromised by land uses or developments above or near mineral deposits, thereby inhibiting the community's ability to provide for its social and economic wellbeing.

3. Mineral exploration, extraction and processing can result in contamination of the environment and has the potential to adversely affect the health and safety of communities.



5. Mining activities can provide new roads and infrastructure at no cost to the ratepayer (eg. upgraded electrical infrastructure).

### 14.3 OBJECTIVES AND POLICIES

#### Policy 1a

Mining activities shall avoid significant and long lasting adverse effects on the Outstanding Landscape Overlay, Natural Character Overlay, and areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Reason: This wording change is consistent with Objective 1a wording.

#### Policy 1b

Mining activities shall remedy, mitigate or compensate adverse effects on existing natural values within the Coastal Environment as far as practical.

#### Policy 1c

Existing mining extraction activities shall:

a) Remedy or mitigate land modification and adverse effects on the ecological, landscape, heritage, natural character, soils, water quality, cultural and amenity values of surrounding areas and on the amenity values of settlements as far as practical; and

d) Avoid mobilisation of harmful and significant heavy metal and sulphide concentrates outside the excavation and fill area; and

e) Manage (not "Limit") heavy vehicle movements to a scale that does not compromise the safety of road users and the amenity values of the neighbourhood.

#### Policy 1d

Sites of mining activities shall be (delete : "fully") rehabilitated if necessary as far as practical and able to be reused.

#### Policy 1e

New mining activities shall avoid, remedy or mitigate any adverse effects on existing coastal, rural, or local community amenity values as far as practical.

#### Policy 1g

New mining activities should not locate near existing incompatible activities where adverse effects cannot be avoided or remedied.

Comment: The term "incompatible" needs to be carefully defined and will vary depending on the scale and type of operation proposed. Thus the need for site specific conditions for all operations in keeping with the RMA concept.

#### Objective 2

Mining activities are not unduly constrained by subdivision, use and development.

Comment: I fully support this objective and policy 2a below:

#### Policy 2a

Subdivision, use and development shall be located and use appropriate buffers to safeguard the efficient operation of and access to existing aggregate extraction and mining operations.

Comment: I support this policy.

#### Policy 3b

Mining activities shall be located so that any residual risks to people, property and the environment, particularly soil and water contamination, are minimised.

Comment: This is unreasonable and should be removed. Mines must occur where the minerals occur in the ground as ore deposits. They can not be moved to convenient locations to suit planning rules. On the other hand in some cases it may be possible to relocate or site processing facilities away from the actual mining operation depending on the costs incurred.

#### Objective 4

Historic and cultural heritage values of archaeological sites and Māori cultural sites are protected from inappropriate mining activities.

#### Policy 4a

Mining activities that are likely to destroy or damage the historic and cultural values of historic sites, archaeological sites and Māori cultural sites shall be avoided where possible and practical. Cost/ benefit analysis should be done on a case by case basis to assist in reaching Objective 4.

## Section 24 - Rural Area

**Policy 2b**

Rural lifestyle development shall be directed away from areas subject to natural hazards beyond acceptable risk (see Section 10 Natural Hazards), high class soils and known mineral resources.

**Policy 3c**

New intensive farming and industrial activities that establish in the **Rural Zone** shall be located and managed in a way that avoids effects from noise, odour, dust, vibration, glare and light spill that are not compatible with the rural amenity of the area.

*Comment: I wish to support these, especially the provisions regarding high class soils as well as glare and light spill.*

*N.B. Both glare and light spill need to be included in the definitions in Part 1 Section 3. Suitable definitions are available from the International Dark Sky Association and local bodies such as the Royal Astronomical Society of New Zealand who have extensive online resources concerning efficient and light pollution free fixtures.*

*It is essential that these glare and light spill regulations are extended into all other areas covered by Sections 20-23 inclusive. Light pollution in an industrial or commercial area can very adversely affect the night sky for many miles around and into the rural area so protection of the rural area has to involve these other area as well.*

**Policy 4e**

Land use and development in the Rural Area shall be designed to minimise glare and light spill at night.

*Comment: I wish to support this, especially as modified.*



## Section 28 Airfield Height and Noise Overlay

### 28.3 AIRFIELD HEIGHT

**Table 1 Obstacle limitation surface (as shown in the Planning Maps)**

Whitianga subsidiary 1:20 1:4 until 2 m height is reached

I oppose this rule and seek the following amendment:

Alter 1:20 to 1:40 to be consistent with the Main runway limits. Future expansion of the traffic and activity at the airfield is signalled in the text and it may become desirable sometime in the future to preserve the necessary clearance to enable this subsidiary runway to accept aircraft requiring this glideslope. To retain the 1:20 will unnecessarily hinder development of the airfield in the future...now is the time to preserve the appropriate clearances. Most of the affected land is currently farmed, especially to the north.

## Section 37 – Mining Activities

### 37.3 PERMITTED ACTIVITIES

#### **RULE 1 Prospecting**

1. Prospecting is a **permitted activity**.

#### **RULE 2 Exploration**

1. Exploration is a **permitted activity**, provided:

*Exploration is defined as “any activity” in the definitions section (Part 1, Section 3) so might well include airborne geophysical or mapping methods...these are very low impact and should be permitted activities in all areas and zones.*

*These methods can reveal information that could be useful outside the immediate zone being overflown. These techniques can also give valuable structural information that could help locate potentially hazardous subsurface structures on a district or regional scale. These could include hidden faults that could be the site of earthquakes or land slips in the future.*

### 37.4 Other Mining Activities

Table 1.

*This whole table needs reworking. In particular:*

*a. There is no need to have a distinction between quarrying and surface mining. Each application should be treated in a site specific manner regardless of whether it is a quarrying or mining operation.*

*b. Underground mining and waste rock/tailings storage should be discretionary activities in all zones.*



## APPENDICES

### A1.3 HISTORIC HERITAGE ITEMS AND AREAS SCHEDULE

Table 3:

This listing has very significant changes from the current operative district plan. Many of these are based on reports such as that prepared for TCDC by Dr. Ann McEwan. These listings need to be properly notified and considered by the public at large as many people are unaware of the changes.

**It is recommended that until this has been done the proposed district plan retains the schedule in the currently operative plan.** This will allow time for the public to learn of and make further submissions on items that have been deleted or added to the register. There is no need to rush through the McEwan report's changes before the public has had time to consider the many changes.

As an example of new items that could be added are some buildings along SH25 just north of Thames in Kuranui Bay opposite the BBQ and picnic tables. Some of these, eg the red roofed building at 404 SH 25 is an iconic mining area structure and is not listed (none of the buildings in this coastal area are listed). However, this building is sufficiently unusual and interesting to be used in a photograph on pg. 5 of the TCDC Draft 2014/2015 Annual Plan Summary. These buildings provide a wonderful entrance to Thames when travelling from the north and provide a significant reminder of the mining heritage of Thames and the wider Coromandel area.

**SUBMISSION ON PROPOSED THAMES COROMANDEL DISTRICT PLAN UNDER CLAUSE 6 OF  
SCHEDULE 1 TO THE RESOURCE MANAGEMENT ACT 1991**

**To** Thames Coromandel District Council  
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Attention: District Plan Manager

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## **1.0 Introduction**

This submission by Northern Land Property Limited (“NLPL”) is in relation to the property known as Te Pungapunga Station at Whangapoua and Wainuiototo (New Chums) Beach. The extent of property is described in Section 2.1 below and shown in the map attached in Appendix 1. The relief sought in this submission is not however limited to this property, seeking as it does changes to wider District Plan objectives, policies and rules, as well as the application of structure plan to the property, which may where appropriate include neighbouring sites.

The property is currently farmed and has large areas of native forest.

It is acknowledged that the area in and around Te Pungapunga Station has come under increasing pressure for ongoing and additional public access to coastal areas. NLPL seeks through this submission a District Plan regime which enables appropriate subdivision, use and development of the property in a manner which protects and enhances its ecological and landscape values, while providing opportunities to enhance public access around the coastal edge to New Chums Beach. These are positive environmental outcomes which can be achieved with appropriate subdivision, use and development.

NLPL seeks to achieve this through both amendments to the Proposed Plan provisions as notified, as well as through the application of a structure plan. These matters are expanded further in the submission below.



The Thames Coromandel Proposed District Plan (“the Proposed Plan”) does not enable the positive environmental outcomes sought by NLPL and, promoted through the Proposed Plan’s objectives, to be achieved.

As such the Proposed Plan does not meet the sustainable management purpose of the RMA 1991 section 5, provide for the matters of national importance at section 6, or have proper regard to the other matters at section 7.

As set out in this submission, the Proposed Plan will not achieve the integrated management function of the Council under the RMA with respect to the subject property. As also set out below in section 32 RMA terms, the objectives do not achieve the purpose of the RMA 1991 and the policies and rules are not the most appropriate way to achieve the objectives.

Without limiting the generality of the above, the specific reasons are set out in further detail below.

## **2.0 Area to which this submission relates**

2.1 NLPL have an interest in the property described below and as shown on the attached map. The submission however, is not limited to these properties:

- Lot 8 DP DPS 85952 (SA67D/765)
- Lot 2-5 DPS 85952 (SA64D/338)
- Lot 12 DPS 87447 (SA64D/338)
- Lot 37 DPS 87447 (SA64D/338)
- Lot 1-2 DPS 88707 (SA64D/338)
- Lot 13 DPS 87447 (SA64D/339)
- Part Pungapunga 2B Block (SA634/229)
- Part Allotment 6 Parish of Wainuiototo (SA29D/773)
- South Western Portion Allotment 2 Parish of Wainuiototo (SA29D/773)
- North Eastern Portion Allotment 2 Parish of Wainuiototo (SA29D/773)
- Part Western Portion Allotment 5 Parish of Wainuiototo (SA29D/773)

2.2 The Proposed Plan applies Rural zoning to all of this land and the following overlays:

- a. Outstanding Landscape
- b. Natural Character
- c. Coastal Environment

## **3.0 Specific provisions of the Proposed District Plan this submission relates to**

3.1 Part II – Overlay Issues, Objectives and Policies

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- i. Section 6 – Bio-diversity
- ii. Section 7 – Coastal Environment
- iii. Section 9 – Landscape and Natural Character
- 3.2 Part III - District-wide Issues, Objectives and Policies
  - i. Section 15 – Settlement Development and Growth
  - ii. Section 16 – Subdivision
- 3.3 Area Issues Objectives and Policies
  - i. Section 24 – Rural Area
- 3.4 Part VI – Overlay Rules
  - i. Section 32 – Landscape and Natural Character Overlay
- 3.5 Part VIII – Zone Rules:
  - i. Section 56 –Rural Zone
- 3.6 Part VII – District-wide Rules:
  - i. Section 38 – Subdivision
- 4.0 Submission details and reasons for decision sought**

#### **Special Purpose Provisions**

#### **Section 27 – Structure Plan**

- 4.1 In addition to the detailed modifications to the Proposed Plan sought below, NLPL considers that a structure plan approach will best achieve integrated management outcomes for the property and best deliver the environmental and public access enhancements that have been promoted.
- 4.2 NLPL considers that land described above, and potentially incorporating neighbouring sites, would be best managed through a comprehensive and integrated master planning approach. This approach would enable a level of sustainable appropriate development whilst making allowance for the conservation of biodiversity and public access.
- 4.3 Accordingly, NLPL seeks the inclusion of a structure plan within the Proposed Plan that covers the submitter’s property and possibly neighbouring sites.
- 4.4 While further work is required to define this Structure Plan, broadly the outcomes sought would be to provide for an appropriate level of residential development in carefully sited locations to minimise environmental effects. It would also allow for integrated management of the property of a whole, including a continuation of farming and preservation and enhancement of natural values (including native bush). Enhancement of public access opportunities along the coastal edge of this property, including to and along Wainuiototo (New Chums) Beach would also be a key feature of the Structure Plan.

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### Objectives and Policies

- 4.5 The Proposed Plan as notified has a number of objectives and policies which recognise that in both coastal environments and in outstanding landscapes it is not only possible to achieve “appropriate development, use and development”, but that it can be carried out in a way that protects and enhances its natural character and values and that enhances public access around the coastal edge.
- 4.6 These include:
- (a) Objective 1, Section 7 recognises that subdivision, use and development can be carried out in certain ways in the coastal environment.
  - (b) Objective 1, Section 6 seeks the maintenance, restoration or enhancement of indigenous biodiversity at the time of subdivision, use or development.
  - (c) Policy 1c, Section 6 provides for the restoration or enhancement of indigenous biodiversity through subdivision.
  - (d) Objective 1, Section 9 also requires that Outstanding Landscapes remain outstanding and protected from “*inappropriate*” development, use and development.
  - (e) Policies 1a-e, Section 9 clarifies how the values and characteristics could be maintained, as well as how permanent buildings and structures could be designed and located in these landscapes to reduce their visual impact.
  - (f) Objective, Section 6, seeks the enhancement or restoration, and protection, of indigenous biodiversity at the time of subdivision.
- 4.7 These objectives are broadly consistent with the vision NLPL has for the property that is the subject to this submission.
- 4.8 These outcomes can best be delivered through conservation lot subdivision. Changes are sought through this submission to provide mechanisms in the Proposed Plan for achieving the enhancement and protection aspirations of the objectives and policies set out above.
- 4.9 Policy 1c, Section 24 of the Plan acknowledges that appropriate subdivision shall be provided for where priority areas of indigenous vegetation are restored or enhanced and legally protected. As discussed below, the rule regime which follows will not achieve the outcome sought by this policy.
- 4.10 Other policies and methods do not support the outcomes sought by the objectives and policies set out above. They will significantly limit the opportunities to effect land use change on the property and thereby enable the benefits discussed above.
- 4.11 Policy 3d, Section 9 seeks to promote the enhancement of the Natural Character Overlay in the Coastal Environment through various means, including the legal protection of indigenous ecosystems and stock exclusion.
- 4.12 This submission seeks however that recognition of conservation lot subdivisions be provided in this policy to align with those set out above.

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- 4.13 Policy 3a, Section 15 states that *“Growth in the Coastal Environment should be clustered in, around or adjacent to existing settlements and shall retain the existing character, scale and density of that settlement. Development in the Coastal Environment outside existing settlements and existing and planned infrastructure shall be discouraged.”* This policy does not differentiate between appropriate or inappropriate forms of development, and runs contrary to the wider approach of the Proposed Plan of enabling appropriate subdivision, use and development that protects and enhances landscape and natural character values and enhances public access.
- 4.14 Accordingly, this submission seeks changes to Policy 3a, Section 15 to allow for “appropriate” subdivision, use and development in the Coastal Environment. With a conservation subdivision approach it is possible to protect and enhance the values of the land through *appropriate* subdivision.
- 4.15 Policy 10s, Section 15 of the Proposed District Plan addresses the settlements of Whangapoua and Te Rerenga specifically stating that *“any development or growth should enhance natural character, particularly on headlands and along the Pungapunga River and should not stretch along the coastline. Development and growth should not occur where it increases demand for additional water, wastewater, stormwater and roading network infrastructure.”*
- 4.16 Again the policy does not acknowledge that there may be appropriate forms of development, which could be integrated into the coastal environment along the coastline. NLPL seeks amendments to allow for appropriate development. Accordingly changes are sought to this policy in the relief sought below.
- 4.17 Policy 7a, Section 24 directs residential development in the Coastal Environment to existing settlements, without acknowledging that certain forms of residential development outside of existing settlements, where these bring environmental benefits, may be appropriate. NLPL seek amendments to this policy to allow for appropriate development.

### Rules

#### **Notification**

- 4.18 NLPL seek the insertion of a rule within the Proposed Plan that requires resource consent applications for controlled and restricted discretionary activities to be processed by Council on a non-notified basis to ensure consistency with the equivalent Operative District Plan rules.

### **Section 32- Landscape and Natural Character Overlay**

#### ***Outstanding Landscape***

- 4.19 The position of the Outstanding Landscape and Natural Character Overlays appears to be done based on broad mapping and in the submitter’s view can be improved by ground truthing. Accordingly, the submitter seeks that ground truthing of the Outstanding Landscape Overlay occur and a more suitable alignment is identified that provides for both sustainable management of the landscape, while also enabling appropriate subdivision, use, management and development of the property.

#### ***Earthworks***

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- 4.20 Rule 2, Section 32 covers earthworks in the Outstanding Landscape Overlay. Under this rules, earthworks within the overlay retain the activity status of the underlying zone unless condition 1 a) to c) are breached. Condition 1 c) requires a maximum volume of 10m<sup>3</sup> per site per calendar year, as a permitted activity. Condition 2 goes on to clarify that up to a maximum of 200m<sup>3</sup> per site per calendar year is a restricted discretionary activity, beyond which earthworks are a non-complying activity.
- 4.21 These same limitations also apply in the Natural Character Overlay under Rule 15, Section 32 covers earthworks in the Natural Character Overlay.
- 4.22 Ancillary earthworks are an expected, and necessary part of established ongoing rural activities on the property. Earthworks are also required for future potential activities that are provided for under the provisions elsewhere in the Proposed Plan. Allowing for only 10m<sup>3</sup> of earthworks on an annual basis as a permitted activity is not considered adequate to allow for these activities, nor is the non-complying activity status for earthworks over 200m<sup>3</sup>. Particularly, as assessment criteria have been included in Tables 2 and 5, Section 32 to address earthworks specifically.
- 4.23 NLPL request that the rules be amended to allow for up to 200m<sup>3</sup> per site per calendar year as a permitted activity and above that as a restricted discretionary activity, thus removing the non-complying activity status for any earthworks.

***Subdivision in the Outstanding Landscape Overlay***

- 4.24 Rule 7, Section 32 classifies all subdivision activities within an Outstanding Landscape Overlay as a non-complying activity. As noted above, the property that is the subject of this submission is within an outstanding landscape.
- 4.25 As noted in the discussion above, the objectives and policy directives in Section 9 (including Objective 1 and Policies 1a, 1b, 1d and 1e) recognise and provide for appropriate subdivision within Outstanding Landscape Overlay. Policy 1 in particular acknowledges that subdivision can avoid adverse effects on Outstanding Landscapes and maintain their values and characteristics through sensitive design and location.
- 4.26 Rule 7, Section 32 is a 'blanket' rule covering all types of subdivision and is at disconnect from the outcomes sought in the objectives and policies of the Plan identified above. In Section 32 RMA 1991 terms, it is not the most appropriate way to give effect to these objectives and policies.
- 4.27 The presumption of the non-complying activity status is that no subdivision should occur in the in the Outstanding Landscape Overlay.
- 4.28 The property that is the subject of this submission has an Outstanding Landscape Overlay only over its coastal edge. Subdivision under the Proposed Plan would be a non-complying on the coastal side of this line and provided for as a discretionary activity on the landward edge. This does not lead to integrated land management outcomes and may lead to undesirable and arbitrary subdivisions patterns, whereby boundaries along the Outstanding Landscape Overlay occur, rather than to a logical point that provides for the best land management outcomes for the property.

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- 4.29 The presumption against subdivision in the Outstanding Landscape Overlay is incorrect. Subdivision provides for the pattern of ownership and therefore land management. Integrated land management should be able to occur irrespective of Outstanding Landscape Overlay. Rather, the focus of that overlay should be on the design and position of built form and other land development outcomes such as earthworks. These methods are included elsewhere in the Proposed Plan. By way of example, even building activities would need to be assessed against standards addressing visual impact, reflectivity, glazing and water body setbacks.
- 4.30 It is acknowledged that the subdivision of land within the Outstanding Landscape Overlay requires some form of control; however the activity class should be no different from subdivision in other landscape and natural character overlays. Accordingly, this submission seeks that subdivision in the Outstanding Landscape Overlay should be a restricted discretionary activity, and seeks amendments changes to the rule in the relief below to allow for this outcome. This would enable any subdivision to be assessed against the specific restricted discretionary matters contained in Table 2, Section 32, addressing activities that would result in a discernable impact on the landscape, i.e. earthworks (including site access), building/structure visibility and contrast with its surroundings, alternative locations of buildings/structures and vegetation planting.
- 4.31 It is noted further that matters of design and layout would be assessed against the Residential Subdivision Design Principles in Appendix 4. The Appendix provides design principles to assist people undertaking subdivision and building within the Rural Area generally, including the Coastal Environment. Many of these principles address landscape matters that should apply equally to areas with the Outstanding Landscape Overlay.

### ***Dwellings***

- 4.32 NLPL notes that one dwelling per lot within the Outstanding Landscape Overlay is a restricted discretionary activity, under rule 5, Section 32.
- 4.33 However, this activity status is limited on a maximum gross floor area of 250m<sup>2</sup>, over which the activity status defaults to a non-complying.
- 4.34 It is inappropriate to apply a non-complying activity status to the construction of a dwelling beyond the arbitrary gross floor area limit. Such a dwelling would not necessarily result in great adverse effects. The magnitude of effects on the landscape would be a function of the building's design, location within the landscape and any specific measures taken to avoid, remedy or mitigate such effects. NLPL requests the deletion of the 250m<sup>2</sup> limit at condition 1. a) of Rule 5, Section 32.
- 4.35 It is further noted in this regard that there are specific criteria contained in in Table 2, Section 32: Outstanding Landscape Restricted Discretionary Matters that could be used to assess the impact of any dwelling on the landscape – irrespective of size. In particular Criteria 2. c): *Whether the building or structure is designed and sited so that adverse effects on the Outstanding Landscape are avoided remedied or mitigated.*

### **Section 38 – Subdivision**

#### ***Boundary Adjustments***

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- 4.36 Rule 2, Section 38 relates to boundary adjustments and provides for them as a controlled activity subject to various conditions including not changing the boundary line by more than 5%, that the subject titles are within the same lots and zone, and that the adjustment involves a common boundary between contiguous lots.
- 4.37 To enable an integrated approach to subdivisions NLPL request the deletion of clause 1 a) of Rule 2, Section 38, and clause 1 c) of the rule to allow for boundary adjacent of titles that may be across zones or overlays. In addition, NLPL seek to amend clause 1 d) to not limit boundary adjustments to only two lots and also clarify that contiguous lot boundaries include boundaries separated by roads, rivers and other natural features.
- 4.38 NLPL also seeks The Proposed Plan allow for the transfer of Lots across land in the same ownership as a Controlled Activity subject to the matters of control outlined in Table 4 of Section 38, (that would apply to boundary adjustments).

#### ***Conservation Lots***

- 4.39 NLPL supports the broad approach of Rule 8, Section 38 which provides for subdivision creating one or more of conservation lots in the Rural Zone as a restricted discretionary activity. This rule is generally consistent with the objectives and policies discussed above which seek to promote subdivision that protects and enhances natural values of the District. As discussed below however, there are various aspects of this rule which render it unworkable and will mean these outcomes will not be met.
- 4.40 The Rule limits the application to conservation lot subdivision to the Figure 1 Priority Locations for Indigenous Ecosystem Restoration and Enhancement. A sliding scale of 'benefit' is applied, depending on priority.
- 4.41 Two of the Lots with which this submission relates (South Western Portion Allotment 2 Parish of Wainuiototo and North Eastern Portion Allotment 2 Parish of Wainuiototo), are both covered entirely the highest priority area identified on Figure 1, providing for a minimum area set aside for protection of 2Ha. Other lots have limited application of priority areas. Significant tracts of native bush on the property however, are excluded from identification as priority areas (particularly within the Whangapoua Catchment). This is despite them being assessed and identified through previous assessments for subdivision application as having high ecological values worthy of protection (including by DOC).
- 4.42 It is understood that existing areas subject to protection mechanisms may have been excluded from identified in figure 1. This is an inaccurate and inappropriate approach, as it does not provide for alternative outcomes should previous consents not be given effect to.
- 4.43 NLPL seeks firstly that the extent of priority locations for indigenous ecosystem restoration and enhancement, as shown on Figure 1, Section 38, be amended to incorporate all areas of native bush on the property that is the subject of this submission.
- 4.44 Table 1 which relates to figure 1 applies the sliding scale of benefit to the priority areas. NLPL notes that there is contradiction between this sliding scale method which already defines the significance of these areas (for example native bush of "internationally or nationally significant") and the requirements in rule 1d) which follows, to identify existing ecological and biodiversity values of the feature as part of the subdivision application. Either this task has

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already been done to inform the mapping in the Proposed Plan, or it is a matter for later assessment as part of a subdivision application.

- 4.45 NLPL considers that the Proposed Plan should provide for *both* methods to ensure that all the values of all potentially qualifying native bush and other features of value are assessed. Therefore, in addition to the relief sought above, NLPL seeks that as an alternative to the priority areas identified in the Proposed Plan, the assessment method at rule 1d) also be used to allow areas not yet identified in the Proposed Plan to be assessed at time of subdivision consent application. This could be achieved by amending the conjunctive ‘and’ between 1c) and 1d) to an ‘or’.
- 4.46 NLPL is concerned that rule 1 e) limits the number of conservation lots so created to two per site. This limit will not achieve the purpose of the rule, or the higher order objectives and policies above which are discussed above. This is particularly so, when for example the minimum of priority area to be protected is 2ha. On sites with large tracts of native bush, the protection of 2x2ha will not achieve the conservation outcomes sought.
- 4.47 In order to achieve the objectives of the Proposed Plan, this limit of 2 lots should be removed and replaced with an assessment criterion relating to the appropriateness of lots above a 2 lot minimum (rather than maximum) or other such appropriate method.
- 4.48 It may be advantageous to achieve the integrated management of land, to locate resulting conservation lots on adjacent lots where development may be better encouraged. This would still allow the lot to be set aside for protection. NLPL therefore requests the insertion of a provision in Rule 8, Section 38 that allows conservation lots to be either on the parent lot or on adjoining lots.
- 4.49 Finally, Rule 8 1 a) limits the application of conservation lot subdivision only to where “the site” has not been subject to a previous subdivision under the rule or ‘any previous conservation lot provision since the date of the Proposed District Plan Decision Version dated 7 October 1998”. While the intent of this rule to avoid “double dipping” is understood it fails to provide for circumstances where the Proposed Plan provides for greater conservation lot potential than that previously claimed, or where not all of the eligible native bush on a “site” has yet to be claimed. This rule effectively prevents later take up of unallocated but eligible native bush and should be deleted.

#### **Subdivision in Rural Areas**

- 4.50 Rule 9, Section 38 allows for the creation of one or more additional lots in rural areas as a discretionary activity, subject to standards. The discretionary activity standards are considered onerous. The standard for the minimum average lot area (including the balance) would be 20 ha in the Rural Zone, ensuring that the rural character of the locality would be maintained. In addition, sufficient matters of discretion and assessment criteria covering the resulting effects of subdivision have been put forward in Table 5, Section 38.
- 4.51 NLPL request that the activity status for such subdivisions that comply with the standards be amended to a restricted discretionary activity status and that the default status for subdivisions not meeting the required standards be discretionary rather than non-complying.

#### **Section 56 – Rural Zone**

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- 4.52 NLPL supports the permitted activity status for one dwelling per Lot (subject to conditions), under Rule 12, Section 56, and two or more dwellings per lot (subject to conditions) as a restricted discretionary activity, under Rule 23, Section 56.

### **Planning Maps**

#### **Map 12 – Matarangi: Overlays**

- 4.53 NLPL seeks the relocation of the Outstanding Landscape Overlay based on a detailed on-site Landscape Assessment.

#### **Map 12 - Matarangi: Zones**

- 4.54 The opportunity exists for a limited area of Coastal Living Zone (minimum lot size of 1000m2) on the modified coastal flat area on the property to the north of Whangapoua across Te Punga stream.
- 4.55 This zoning is consistent with the existing arrangement of titles and built form that already exist south of this location and provides an appropriate transition to the denser settlement at Whangapoua across the river.
- 4.56 Accordingly, NLPL seeks this zoning be provided in the Proposed Plan.

### **5.0 Decision Sought**

- 5.1 NLPL seeks the following decisions from Thames Coromandel District Council:
- 5.2 **Insert** a rule within the Proposed Plan that requires resource consent applications for controlled and restricted discretionary activities to be processed by Council on a non-notified basis, to ensure consistency with the equivalent Operative District Plan rules.

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

- 5.3 **Amend** Policy 3d, Section 9 to acknowledge that the protection and enhancement of the Natural Character Overlay in the Coastal Environment can be promoted through the creation of Conservation Lots and other subdivisions.

### **Part III – District-wide Issues, Objectives and Policies**

- 5.4 **Amend** Policy 3a, Section 15 to recognise that only inappropriate subdivision, use and development in the Coastal Environment, outside of existing settlements, should be discouraged.
- 5.5 **Amend** Policy 10s, Section 15 to apply to '*inappropriate*' development and growth only.

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

- 5.6 **Amend** Policy 7a, Section 24 to apply to '*inappropriate*' residential development only.

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

- 5.7 **Insert** a new Section within Part V to include a Structure Plan for property described in this submission, including if necessary neighbouring properties.

### **Part VI – Overlay Rules**

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- 5.8 **Amend** Rule 2, Section 32 to allow for up to 200m<sup>3</sup> of earthworks per site per calendar year as a permitted activity and any earthworks above that as a restricted discretionary activity within the Outstanding Landscape Overlay. Delete the proposed non-compiling activity status.
- 5.9 **Amend** Rule 15, Section 32 to allow for up to 200m<sup>3</sup> of earthworks per site per calendar year as a permitted activity and any earthworks above that as a restricted discretionary activity. Delete the proposed non-compiling activity status, in the Natural Character Overlay.
- 5.10 **Amend** Rule 5, Section 32 to remove the maximum gross floor area limitation on one dwelling in the Outstanding Landscape Overlay.
- 5.11 **Amend** Rule 7, Section 32 to change the activity status for “*all subdivision activities*” in the Outstanding Landscape Overlay to a restricted discretionary activity.
- 5.12 **Amend** the Outstanding Landscape Restricted Discretionary Matters contained in Table 2, Section 32 to include subdivision design as a matter, and the extent to which the proposal is consistent with the relevant residential subdivision design principles (see Appendix 4.2), as an assessment criteria and such other appropriate assessment criteria to provide for subdivision in Outstanding Landscapes.

#### **Part VI – District-wide Rules**

- 5.13 **Insert** a new rule in Section 38 allowing for the transfer of lots in the same ownership as a controlled activity, subject to the matters of control in Table 4, Section 38.
- 5.14 **Amend** Rule 8, Section 38 by deleting clause 1 a) relating to previous conservation lot subdivisions; replacing the conjunctive ‘and’ with ‘or’ between clause 1c) and 1d) to allow site by site assessment of priority areas for protection. Delete clause 1e) to remove the two Conservation Lot maximum and allow Conservation Lots to be created either on the parent lot or on adjoining lots.
- 5.15 **Amend** Matter 11, Table 5 - Restricted Discretionary Activity Matters, Section 38 concerning ecosystem restoration and enhancement to incorporate additional assessment criteria addressing the number of Lots to be created.
- 5.16 **Amend** Figure 1, Section 38 to incorporate all areas of native bush on the property as Priority Locations for Indigenous Ecosystem Restoration and Enhancement.
- 5.17 **Amend** Rule 9, Section 38 to change the activity status of subdivisions that would comply with the relevant standards from a discretionary activity to a restricted discretionary activity, and when they would not comply with the standards from a non-complying to a discretionary activity.
- 5.18 **Amend** Rule 2, Section 38 to delete clauses 1 a) and 1 c) of the rule to allow for boundary adjacent of titles that may be across zones or overlays, irrespective of the percentage of boundary adjusted. **Amend** clause 1 d) to not limit boundary adjustments to only two lots and also clarify that contiguous lot boundaries include boundaries separated by roads, rivers and other natural features.

Submission by

Northern Land Property Limited



- 5.19 **Insert** a new Rule in Part V allow for the transfer of lots across land in the same ownership as a Controlled Activity subject to the matters of control outlined in Table 4 of Section 38.

**Part VIII – Zone Rules**

- 5.20 **Retain** Rules 12 and 23, Section 56.

**Planning Maps**

- 5.21 **Amend** Map 12 - Matarangi: Zones to allow for a coastal living zoning modified coastal flat area on the property described in this submission to the north of Whangapoua across Te Punga stream.
- 5.22 **Amend** Map 12 – Matarangi: Overlays to relocate the Outstanding Landscape and Natural Character Overlays based on detailed on-site Landscape Assessment.

**General relief**

- 5.23 Such other or consequential relief to address the matters outlined in this submission and to give full effect to sections 5, 6, and 7 of the RMA 1991 and otherwise achieve the sustainable management purpose of the Act.

**6.0 Trade Competition**

- 7.1 NLPL could not gain an advantage in trade competition through this submission.

**7.0 Closure**

- 7.1 NLPL wishes to be heard in support of its submission.
- 7.2 If others make a similar submission, NLPL will consider presenting a joint case with them at a hearing.

Date: 14<sup>th</sup> March 2014

Signature:



**Contact details**

**Address for service of submitter:** Northern Land Property Limited  
c/- Boffa Miskell Limited  
PO Box 91 250  
Auckland 1142

**Telephone:** 09 357 4414

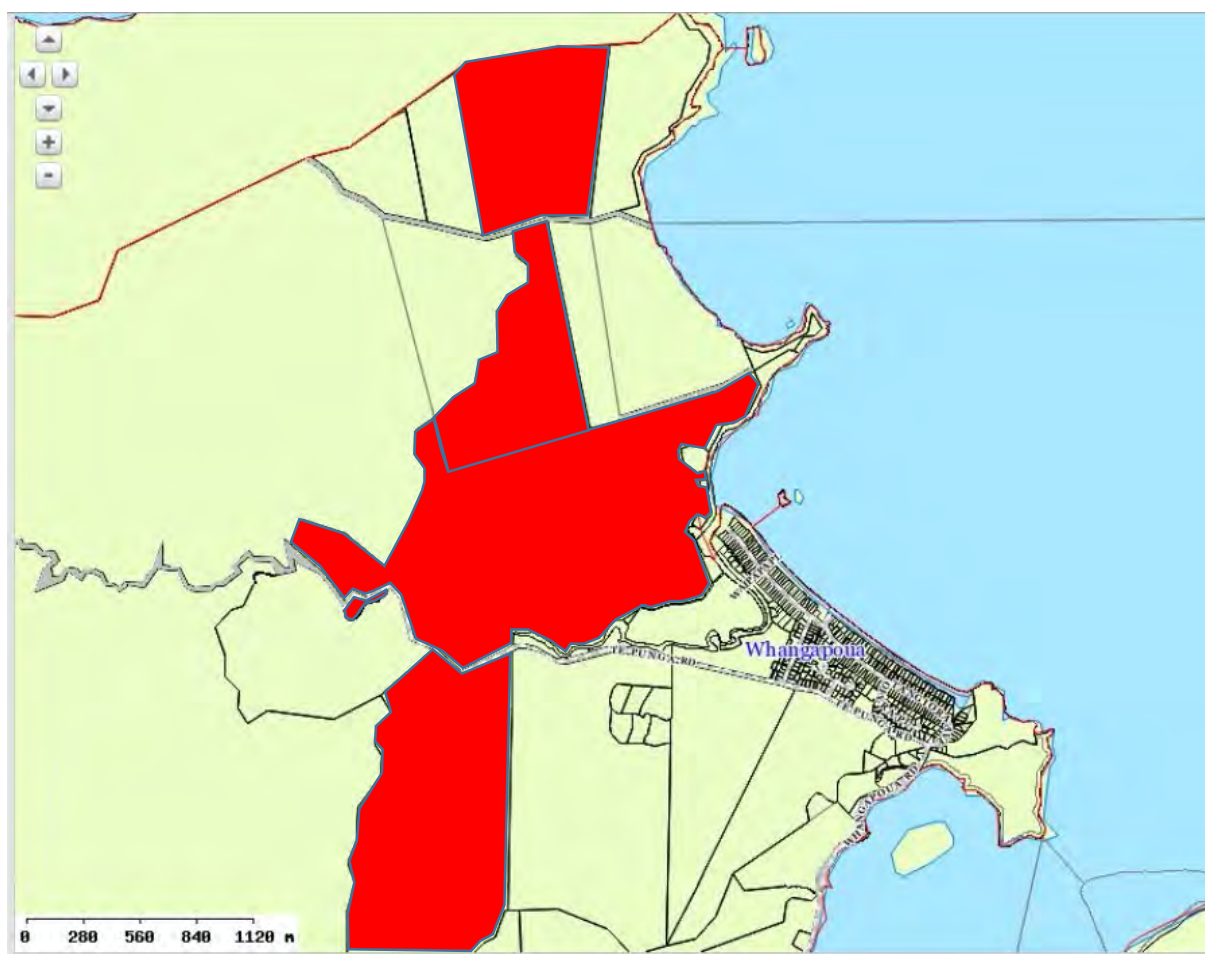
**Fax:** 09 359 5300

**Email:** richard.forbes@boffamiskell.co.nz

**Contact person:** Richard Forbes

Submission by  
Northern Land Property Limited



**Appendix 1:**

Source: Thames Coromandel District Council Online Mapping

**Sent:** Friday, 14 March 2014 4:50:27 p.m.

**To:** TCDC General Mail Address

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

## Proposed Thames-Coromandel District Plan

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### Name

Caroline Banks

### Address

13A Tarata Court, Okura Country Estate  
Auckland 0792  
New Zealand  
[Map It](#)

### Phone

09 415 7788

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

### My submission is:

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

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

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

I oppose Section 37 - Mining Activities.

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

I oppose Section 14 - Mining Activities.

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

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

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

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



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

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

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

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

**My further comments:**

I enjoy holidaying in the Coromandel each year as do thousands of people. This will spoil everyone's enjoyment of a special area.

**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.**

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**Yours sincerely,**

Caroline Banks

**Date**

14/03/2014


**ENVIRONMENT AND CONSERVATION ORGANISATIONS OF NZ INC.**

Level 2, 126 Vivian St, Wellington, New Zealand

PO Box 11-057, Wellington

Email: [eco@eco.org.nz](mailto:eco@eco.org.nz) Website: [www.eco.org.nz](http://www.eco.org.nz)

Phone/Fax 64-4-385-7545

13 March 2014

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

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

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

Name of Submitter: Environment and Conservation Organisations of NZ Inc (ECO)

This submission is on the Proposed Thames-Coromandel District Plan.

ECO will not gain an advantage in trade competition through this submission.

This submission focuses on the mineral aspects of the proposed plan and submits that mineral activity, except quarrying, should be prohibited from all zones covered by the plan.

ECO submits that the Proposed Plan in its current form:

- Will fail to promote the sustainable management of natural and physical resources;
- Are contrary to purpose and principles of Part II of the RMA;
- Are contrary to sound resource management practice;
- Will not address or respond to significant adverse effects on the environment within TCDC.

ECO wishes to be heard in support of this submission.

If other submitters make similar submissions, ECO will consider presenting a joint case with them at a hearing

Yours sincerely

Barry Weeber  
Co-Chairperson

## 1.0 INTRODUCTION

The Environment and Conservation Organisations of NZ (ECO) is the national alliance of 55 groups with a concern for the environment. We were established in 1972 and have had a long involvement with resource management law and implementation.

This submission has been prepared by members of ECO Executive and is in line with ECO Policy that was developed in consultation with ECO member bodies and endorsed by our AGM.

ECO has had a long interest in mining in the Thames Coromandel area and effects of mining on the local environment and wider effects of mining on the life supporting capacity and associated adverse effects of mineral activity.

## 2.0 Statutory and National Framework

Relevant obligations in the Resource Management Act include the matters in Part II and those considerations in Part 6 of the RMA.

ECO notes that much of the Thames-Coromandel District is found within the coastal environment and the New Zealand Coastal Policy Statement is a key consideration.

The conservation areas of the Coromandel and the Coastal Marine Area is protected from mineral activity under the Fourth Schedule of the Crown Minerals Act.

Policy 3 of the NZCPS requires consideration of the Precautionary approach:

- (1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.*
- (2) In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:*
  - (a) avoidable social and economic loss and harm to communities does not occur;*
  - (b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and*
  - (c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.*

Taking a precautionary approach is relevant to the consideration of sea level rise and associated effects of climate change given the uncertainty over the size of future effects depends on mitigation taken.

ECO supports the identification of outstanding landscape, natural character areas, and amenity landscapes.

ECO notes that much of the Coromandel is an area of outstanding landscape and includes areas of significant indigenous vegetation and significant habitats of indigenous fauna including a range of rare and threatened species including kiwi, Pateke and North Island kaka.



Further the Coromandel kiwi has been identified as genetically unique brown kiwi and is one of the few kiwi taxon which is not protected in off-shore areas. Further, there is active protection of kiwi on conservation and private land throughout the Coromandel Peninsula and the TCDC plan should assist in that effort.

### **Proposed Changes on Mineral Activity:**

ECO opposes the provisions of the proposed district plan which allows mineral activity, including underground mining, in particular in the Conservation, Coastal, Rural and Residential Zones.

ECO submits that the Plan should Prohibit all Mining Activities in Outstanding Natural Landscape, Natural Character and Amenity Landscape Overlays in the Section 32 Rules.

Further, 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).

The Plan should specifically protect the coastal environment from mining. The Coastal Environment Overlay should include a rule prohibiting all mining activities.

The Plan should protect all “Schedule 4” land on the Coromandel Peninsula from all Mining Activities by including all identified Schedule 4 land in the Outstanding Landscape Overlay.

### **Section 14**

ECO is opposed to Section 14 - Mining Activities.

ECO submits that Section 14.1 (Mining Activities) should clearly state that mining activities, including underground mining, would have a major adverse impact on the unique Conservation Values and Natural Character of the Coromandel.

The Plan should acknowledge the long term economic, social and environmental legacy of historical mining in the District and the detrimental effects of mining most of which had ceased by 1930.

There should be no priority for mining in the District Plan and section 14.2.2 should be deleted from the plan.

The Plan should acknowledge that a large number of Coromandel residents are opposed to mining, and that includes the over 40 year history of the ‘No Mining’ campaign in Coromandel.

### **Section 37:**

ECO is opposed to the proposal in Section 37 - Mining Activities.

The failures in this section include the absence of any rules for Underground Mining Activities in affected Zones outside the access zone.

The proposed plan should be amend so that Section 37.4 Table 1 should state that all Mining Activities are Prohibited in all Zones, including prospecting and exploration, or other such similar relief that has the same effect.

ECO considers quarrying activities should be separated from Mining Activities to avoid confusion with activity being controlled.

## **Conclusion**

ECO urges the plan be amended so that all mining activities are prohibited in all zones and overlays, or other such relief that has the same effect, and that Section 14 is amended to accurately represent the history of mining and the opposition to it.

## Submission on the Thames-Coromandel District Council

### Proposed Thames-Coromandel District Plan 2014

<b>By: Name/Organisation</b>	<b>Dr Olivia Livingston Macassey</b>
<b>Postal Address</b>	<b>11 Shortland St, Regent, Whangarei 0112</b>
<b>Email</b>	<b>macassey@gmail.com</b>
<b>Telephone</b>	<b>021 1638316 or 09 437 6890</b>

I am concerned that the Thames Coromandel District Council Proposed District Plan (PDP) **does not** adequately protect the Districts intrinsic values; these values, environmental, social and economic, are appreciated and enjoyed by residents and visitors alike.

As this plan is likely to have duration of in excess of 10 years, I think that it is **vital** that it provide appropriate protection of these values for future generations, and the Council is charged with this responsibility under the Resource Management Act 1991.

<b>Specific points that I oppose in the plan:</b>	<b>Changes Sought:</b>
<b>Section 14:</b> It seems that mineral extraction is being promoted at the expense of any other industry/development. Amenity areas are not afforded adequate protection.	<b>Remove requirements to restrict other activities in preference to as yet unknown mineral deposits. Include Amenity Overlay in Policy 1a.</b>
<b>Section 32:</b> I believe that all mining should be prohibited in Outstanding Landscape, Amenity Landscape and Natural Character areas.	<b>Amend Overlay Rules to prohibit all mining activities in these areas.</b>
<b>Section 37:</b> This section does not adequately protect many important areas including the Rural or Conservation areas from surface mining, or the Rural, Industrial, Conservation, Recreational, Coastal Living or Residential from underground mining.	<b>Amend Table 3 to prohibit all surface and underground mining in these areas.</b>

<b>Specific points that I support in the plan:</b>	<b>Suggested Additions:</b>
<b>Section 14:</b> I support Objective 3: people, property and the environment have a right to be protected from contamination and residual risks posed by mining activities, and TCDC must ensure that this is clearly reflected throughout the plan.	<b>TCDC must ensure that this is clearly reflected throughout the plan.</b>
<b>Section 32:</b> I support Council prohibiting all mining in areas that have been identified as significant.	<b>Map these areas on private land to ensure that there can be no loss of biodiversity or amenity value in our district, and include underground mining as prohibited in these areas. Underground mining can have significant impacts such as vibration which can affect factors above ground.</b>
<b>Section 37:</b> I support the prohibited status for	<b>Exploration should not be a permitted activity.</b>



mining in parts of this section.	Council should extend the prohibited status to include all conservation, rural, residential and coastal areas for both surface and underground mining.
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In the Plan, Council have acknowledged that mineral extraction is an important and significant resource management issue for the District, and I consider that this significance supports the **creation of a rule requiring notification** (in accordance with S77D(a) of the Resource management Act 1991). Furthermore, given the economic implications of industrial scale mineral extraction activities for other industries, I consider that it is in the best interests of the District for broad participation in these decisions. Non-notification in itself can create economic uncertainty for development and business investment.

I am concerned that Council have not adequately addressed the issues of biodiversity loss, and are allowing some clearance of indigenous flora to be a permitted activity. I would like Council to either map all Significant Natural Areas (including ground-truthing), or restrict clearance of indigenous vegetation to enable ground-truthing to be carried out thereby ensuring that such areas are adequately protected.

**Additional comments:**

**I am submitting as a non-resident ratepayer with long-standing, close ties to the Thames-Coromandel region.**

**I would like to see more emphasis in the plan given to protecting the district's unique natural landscapes, particularly from mining. More emphasis is necessary both because of their social and amenity value and also because of their central role in tourism.**

**I believe that Section 14 as it stands, promotes the mineral industry at the expense of other industries in the area.**

**To do this would be nothing less than economic vandalism of the vital Tourist industry. It would also be potentially detrimental to, and disadvantaging of, other local industries such as Real Estate and development, Silviculture, Horticulture, Farming, the Retail sector, and Fisheries. It is these long-term industries we want to promote and support on the Coromandel, and it is important to send the right message through the District Plan.**

**Not only that, but as a Council there is no point in privileging a single, "outsider" industry, like mining, that is very hard on infrastructure, hinders regional growth (eg real estate), and irrevocably changes the environment.**

**Amendments to Sections 32 and 37 to give more protection from mining are necessary. We want to retain the unique character of the District, and we want to ensure that its economy is not damaged and that its citizens are protected from damage to well-being, to property or to their future plans, by the threat of sub-surface mining (or for that matter the surface mining of important scenery which would be equally disastrous for individuals and the District as a whole).**

**I think that the prohibited status for mining in Section 37 is a good start, and the spirit of Objective 3, Section 14 is a good one. The District Plan just needs to be more specifically strengthened in order to best support the interests of all citizens and ratepayers, both current and future.**

**Thank you for your consideration.**

**Please complete:**

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

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

☒ Y ☐ N I am a resident or ratepayer in the Thames Coromandel District

**SIGNED:** Olivia Livingston Macassey

**DATE:** 14/3/2014

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

**SUBMISSION ON PROPOSED THAMES COROMANDEL DISTRICT PLAN UNDER CLAUSE 6 OF  
SCHEDULE 1 TO THE RESOURCE MANAGEMENT ACT 1991**

**To** Thames Coromandel District Council  
Private Bag,  
Thames 3540  
Attention: District Plan Manager

**Name of submitter:** Whauwhau Environmental Group Limited

**Address for service:** See Below

## **1.0 Introduction**

Whauwhau Environmental Group Limited (“WEGL”) is a collective of families who have owned the 86ha property at Whauwhau beach for 20 years. During this time the families have enjoyed the property and have managed it carefully to retain its special environmental values. The families have also worked steadily to restore bush and beach quality through pine tree removal, weed control predator trapping, rat and possum baiting and kiwi and dotterel specific programmes.

WEGL currently has a resource consent application being considered by Council that seeks subdivision of the site in order to rationalise the management of the site, by allowing 10 separate land holdings, one lot for each of the families. This application seeks the protection of approximately 50 hectares of high quality native bush.

Any new buildings will be assessed against a set of proposed design controls addressing the impacts of buildings on the landscape. Buildings sites have been identified based on the outcomes of a Landscape and Visual assessment to ensure that effects on the landscape are further avoided, remedied or mitigated.

WEGL seek the inclusion of provisions within the Proposed Plan that allow for use, development and subdivision of the property that is appropriate to the site context.

## **2.0 Area to which this submission relates**

2.1 This submission relates to the property owned by WEGL. This land consists of the following property:

- Kuaotunu 3C Block (SA47C/903 & SA47C/903)

2.2 The Proposed Plan applies Rural zoning to all of this land and the following overlays:

- a. Outstanding Landscape;
- b. Natural Character;
- c. Coastal Environment.

## **3.0 Specific provisions of the Proposed District Plan this submission relates to**



- 3.1 Part II – Overlay Issues, Objectives and Policies
  - i. Section 6 – Bio-diversity
  - ii. Section 7 – Coastal Environment
  - iii. Section 9 – Landscape and Natural Character
- 3.2 Part III - District-wide Issues, Objectives and Policies
  - i. Section 15 – Settlement Development and Growth
  - ii. Section 16 – Subdivision
- 3.3 Area Issues Objectives and Policies
  - i. Section 24 – Rural Area
- 3.4 Part VI – Overlay Rules
  - i. Section 32 – Landscape and Natural Character Overlay
- 3.5 Part VII – District-wide Rules:
  - i. Section 38 – Subdivision
- 3.6 Part VIII – Zone Rules:
  - i. Section 56 –Rural Zone

#### **4.0 Submission details and reasons for decision**

##### Objectives and Policies

- 4.1 The Proposed Plan as notified has a number of objectives and policies which recognise that in both coastal environments and in outstanding landscapes it is not only possible to achieve “appropriate development, use and development”, but that it can be carried out in a way that protects and enhances its natural character and values and that enhances public access around the coastal edge.
- 4.2 These include:
  - i. Objective 1, Section 7 which relates to the Coastal Environment, recognises that subdivision, use and development can be carried out in certain ways in the coastal environment.
  - ii. Objective 1, Section 6, which relates to biodiversity, seeks the maintenance, restoration or enhancement of indigenous biodiversity at the time of subdivision, use or development.
  - iii. Policy 1c, Section 6 provides for the restoration or enhancement of indigenous biodiversity through subdivision.
  - iv. Objective 1, Section 9 also requires that Outstanding Landscapes remain outstanding and protected from “*inappropriate*” development, use and development.
  - v. Policies 1a-e, Section 9 clarifies how the values and characteristics could be maintained, as well as how permanent buildings and structures could be designed and located in these landscapes to reduce their visual impact.

- 4.3 WEGL supports such objectives and policies that recognise the outstanding landscapes and natural character of the property, whilst acknowledging potential appropriate use, subdivision and development.
- 4.4 Policy 3d, Section 9 seeks to promote the enhancement of the Natural Character Overlay in the Coastal Environment through various means, including the legal protection of indigenous ecosystems and stock exclusion. WEGL seeks however, that recognition of conservation lot subdivisions be provided in this policy to align with those set out above.
- 4.5 These outcomes can best be delivered through conservation lot subdivision. Changes are sought through this submission to provide mechanisms in the Proposed Plan for achieving the enhancement and protection aspirations of the objectives and policies set out above.
- 4.6 Policy 1c, Section 24 of the Plan acknowledges that appropriate subdivision shall be provided for where priority areas of indigenous vegetation are restored or enhanced and legally protected. As discussed below, the rule regime which follows will not achieve the outcome sought by this policy.
- 4.7 Other objectives, policies and methods do not support the outcomes sought by the objectives and policies set out above. They will significantly limit the opportunities to effect land use change on the property and thereby enable the benefits discussed above.
- 4.8 Policy 3a, Section 15 states that *“Growth in the Coastal Environment should be clustered in, around or adjacent to existing settlements and shall retain the existing character, scale and density of that settlement. Development in the Coastal Environment outside existing settlements and existing and planned infrastructure shall be discouraged.”* This policy does not differentiate between appropriate or inappropriate forms of development, and runs contrary to the wider approach of the Proposed Plan of enabling appropriate subdivision, use and development that protects and enhances landscape and natural character values and enhances public access.
- 4.9 Accordingly, this submission seeks changes to Policy 3a, Section 15 to allow for “appropriate” subdivision, use and development in the Coastal Environment. With a conservation subdivision approach it is possible to protect and enhance the values of the land through *appropriate* subdivision.
- 4.10 Policy 7a, Section 24 directs residential development in the Coastal Environment to existing settlements, without acknowledging that certain forms of residential development outside of existing settlements, where these bring environmental benefits, may be appropriate. WEGL seek amendments to this policy to allow for appropriate development.

#### Rules

### **Section 32 - Landscape and Natural Character Overlays**

#### **Earthworks**

- 4.11 Rule 2, Section 32 covers earthworks in the Outstanding Landscape Overlay. Under this rule, earthworks within the overlay retain the activity status of the underlying zone unless condition 1 a) to c) are breached. Condition 1 c) requires a maximum volume of 10m<sup>3</sup> per site per calendar year, as a permitted activity. Condition 2 goes on to clarify that up to a maximum of 200m<sup>3</sup> per site per calendar year is a restricted discretionary activity, beyond which earthworks are a non-complying activity.

- 4.12 These same limitations also apply in the Natural Character Overlay under Rule 15, Section 32 covers earthworks in the Natural Character Overlay.
- 4.13 Ancillary earthworks are expected, and required, in relation to established ongoing rural activities on the sites, as well as for future potential activities, that are provided for under the provisions elsewhere in the Proposed Plan. Allowing for only 10m<sup>3</sup> of earthworks on an annual basis as a permitted activity is not considered adequate to allow for these activities, nor is the non-complying activity status for earthworks over 200m<sup>3</sup>. Particularly, as specific assessment criteria have been included in Tables 2 and 5, Section 32 to address earthworks.
- 4.14 WEGL request that the rules be amended to allow for up to 200m<sup>3</sup> per site per calendar year as a permitted activity and above that as a restricted discretionary activity, removing the non-complying activity.

#### **Subdivision**

- 4.15 Rule 7, Section 32 classifies all subdivision activities within an Outstanding Landscape Overlay as a non-complying activity. As noted above, the property that is the subject of this submission is within an outstanding landscape.
- 4.16 As noted in the discussion above, the objectives and policy directives in Section 9 (including Objective 1 and Policies 1a, 1b, 1d and 1e) recognise and provide for appropriate subdivision within Outstanding Landscape Overlay. Policy 1a in particular acknowledges that subdivision can avoid adverse effects on Outstanding Landscapes and maintain their values and characteristics through sensitive design and location.
- 4.17 Rule 7, Section 32 is a 'blanket' rule covering all types of subdivision and is at disconnect from the outcomes sought in this objectives and policies. In Section 32 RMA 1991 terms, it is not the most appropriate way to give effect to these objectives and policies.
- 4.18 The presumption of the non-complying activity status would appear to be that no subdivision should occur in the in the Outstanding Landscape Overlay.
- 4.19 The property that is the subject of this submission has an Outstanding Landscape Overlay only over its coastal edge. Subdivision is therefore non-complying on the coastal side of this line and provided for on the landward edge. This does not lead to integrated land management outcomes and may lead to undesirable and arbitrary subdivisions patterns elsewhere, whereby boundaries along the Outstanding Landscape Overlay occur, rather than to a logical point that provides for the best land management outcomes for the property.
- 4.20 The presumption against subdivision in the Outstanding Landscape Overlay is incorrect. Subdivision provides for the pattern of ownership and therefore land management. Integrated land management should be able to occur irrespective of Outstanding Landscape Overlay. Rather the focus of that overlay should be on the design and position of built form and other land development outcomes such as earthworks. These methods are included elsewhere in the Proposed Plan. By way of example, even permitted activities would need to be assessed against standards addressing visual impact, reflectivity, glazing and water body setbacks.
- 4.21 It is acknowledged that the subdivision of land within the Outstanding Landscape Overlay requires some form of control; however the activity class should be no different from subdivision in other landscape and natural character overlays.



- 4.22 Accordingly, this submission seeks that subdivision in the Outstanding Landscape Overlay should be a restricted discretionary activity, and seek amendments changes to the rule in the relief below to allow for this. This would enable any subdivision to be assessed against the specific restricted discretionary matters contained in Table 2, Section 32, addressing activities that would result in a discernable impact on the landscape, i.e. earthworks (including site access), building/structure visibility and contrast with its surroundings, alternative locations of buildings/structures and vegetation planting.
- 4.23 It is noted further that matters of design and layout should be assessed against the Residential Subdivision Design Principles in Appendix 4. The Appendix provides design principles to assist people undertaking subdivision and building within the Rural Area generally, including the Coastal Environment. Many of these principles address landscape matters that should apply equally to areas with the Outstanding Landscape Overlay.

### **Dwellings**

- 4.24 WEGL notes the provision of one dwelling per lot within the Outstanding Landscape Overlay under, as a restricted discretionary activity, under rule 5, Section 32.
- 4.25 However, this activity status is dependent upon a maximum gross floor area of 250m<sup>2</sup>, otherwise the activity status defaults to a non-complying status.
- 4.26 It is inappropriate to apply a non-complying activity status to the construction of a dwelling beyond the arbitrary gross floor area limit. Such a dwelling would not necessarily result in either great adverse effects. The magnitude of effects on the landscape would be a function of the building design, location within the landscape and any specific measures taken to avoid, remedy or mitigate such effects. WEGL requests the deletion of the 250m<sup>2</sup> limit at condition 1. a) of Rule 5, Section 32.
- 4.27 As discussed above, the status of non-complying activity is often reserved for those activities where the potential adverse effects are great, but do not necessarily warrant prohibition. Otherwise, a non-complying status is used for activities where it is intended that consents only be granted in exceptional or in unanticipated circumstances.
- 4.28 It is further noted that there are specific criteria contained in in Table 2, Section 32: Outstanding Landscape Restricted Discretionary Matters that could be used to assess the impact of any dwelling on the landscape – irrespective of size. In particular Criteria 2. c): *Whether the building or structure is designed and sited so that adverse effects on the Outstanding Landscape are avoided remedied or mitigated.*

### **Section 38 - Subdivision**

- 4.29 WEGL supports the broad approach of Rule 8, Section 38 which provides for subdivision creating one or more of conservation lots in the Rural Zone as a restricted discretionary activity. This rule is generally consistent with the objectives and policies discussed above which seek to promote subdivision that protects and enhances natural values of the District. As discussed below however, there are various aspects of this rule which render it unworkable and mean these outcomes will not be met.
- 4.30 The Rule limits the application to conservation lot subdivision to the Figure 1 Priority Locations for Indigenous Ecosystem Restoration and Enhancement. A sliding scale of 'benefit' is applied, depending on priority.

- 4.31 WEGL considers that there should be provision for the assessment of such areas, at the time of any subdivision consent application, to identify such areas through a rigorous ecological assessment as required under clause 1 d) of Rule 8.
- 4.32 WEGL considers that the Proposed Plan should provide for both methods to ensure that all the values of all potentially qualifying native bush and other features of value are assessed. Therefore, in addition to the relief sought above, WEGL seeks that as an alternative to the priority areas identified in the Proposed Plan, the assessment method in rule 1d) also be used to allow areas to be assessed at time of subdivision consent application. This could be achieved by amending the conjunction 'and' between 1c) and 1d) to an 'or'.
- 4.33 WEGL is concerned that rule 1 e) limits the number of conservation lots so created to two per site. This limit will not achieve the purpose of the rule, or the higher order objectives and policies above which are discussed above. This is particularly so, when for example the minimum of priority area to be protected is 4ha. On sites with large tracts of native bush, the protection of 2x4 ha will not achieve the conservation outcomes sought.
- 4.34 In order to achieve the objectives of the Proposed Plan, the limit of 2 lots should be removed and replaced with an assessment criterion relating to the appropriateness of lots above a 2 lot minimum (rather than maximum) or other such appropriate method.
- 4.35 Finally, Rule 8 1 a) limits the application of conservation lot subdivision only to where "the site" has not been subject to a previous subdivision under the rule or "any previous conservation lot provision since the date of the Proposed District Plan Decision Version dated 7 October 1998". While the intent of this rule to avoid "double dipping" is understood it fails to provide for circumstances where the Proposed Plan provides for greater conservation lot potential than that previously claimed, or where not all of the eligible native bush on a "site" has yet to be claimed. This rule effectively prevents later take up of unallocated eligible native bush and should be deleted.

## **5.0 Decision Sought**

- 5.1 WEGL seeks the following decisions from Thames Coromandel District Council:

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

- 5.2 **Retain** Objective 1, Section 6.
- 5.3 **Retain** Policy 1c, Section 6.
- 5.4 **Retain** Objective 1, Section 7.
- 5.5 **Retain** Objective 1, Section 9.
- 5.6 **Retain** Policies 1a-e, Section 9.
- 5.7 **Amend** Policy 3d, Section 9 to acknowledge that the enhancement of the Natural Character Overlay in the Coastal Environment could be promoted through the creation of Conservation Lots and other subdivisions.

### **Part III – District-wide Issues, Objectives and Policies**

- 5.8 **Retain** Policy 1c, Section 24.

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

- 5.9 **Amend** Policy 7a, Section 24 to apply to *‘inappropriate’* residential development only.

#### **Part VI – Overlay Rules**

- 5.10 **Amend** Rule 2, Section 32 to allow for up to 200m<sup>3</sup> of earthworks per site per calendar year as a permitted activity and any earthworks above that as a restricted discretionary activity within the Outstanding Landscape Overlay. Deleting the proposed non-compiling activity status.
- 5.11 **Amend** Rule 15, Section 32 to allow for up to 200m<sup>3</sup> of earthworks per site per calendar year as a permitted activity and any earthworks above that as a restricted discretionary activity within the Natural Character Overlay. Deleting the proposed non-compiling activity status.
- 5.12 **Amend** Rule 5, Section 32 to remove the maximum gross floor area limitation on one dwelling in the Outstanding Landscape Overlay.
- 5.13 **Amend** Rule 7, Section 32 to change the activity status for *“all subdivision activities”* in the Outstanding Landscape Overlay to a restricted discretionary activity.
- 5.14 **Amend** the Outstanding Landscape Restricted Discretionary Matters contained in Table 2, Section 32 to include subdivision design, as a matter, and the extent to which the proposal is consistent with the relevant residential subdivision design principles (see Appendix 4.2), as an assessment criteria.

#### **Part VI – District-wide Rules**

- 5.15 **Amend** Rule 8, Section 38 by deleting clause 1 a) relating to previous conservation lot subdivisions; replacing the conjunction ‘and’ with or between clause 1c) and 1d) to allow site by site assessment of priority areas for protection; and deleting clause 1e) to remove two conservation lot maximum.

#### **General relief**

- 5.16 Such other or consequential relief to address the matters outlined in this submission and to give full effect to sections 5, 6, 7 and 8 of the RMA 1991 and otherwise achieve sustainable management.

#### **6.0 Trade Competition**

- 7.1 WEGL could not gain an advantage in trade competition through this submission.

#### **7.0 Closure**

- 7.1 WEGL wishes to be heard in support of its submission.
- 7.2 If others make a similar submission, WEGL will consider presenting a joint case with them at a hearing.

Date: 14 March 2014



Signature:



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