

SUBMISSION ON PROPOSED THAMES-COROMANDEL DISTRICT PLAN

TO: Thames Coromandel District Council

FROM: Whangapoua Beach Ratepayers Association Incorporated ("the Association")
 C/- Michael Savage
 PO Box 5844
 Wellesley Street,
AUCKLAND 1141

EMAIL: Michael.Savage@parkchambers.co.nz
 (09) 379 9780

Name of Submitter: Whangapoua Beach Ratepayers Association Incorporated ("the Association")

1. This is a submission on the proposed Thames-Coromandel District Plan ("PDP").
2. The Association could not gain an advantage in trade competition through this submission.
3. The specific provisions of the PDP that this submission relates to are set out in **Appendix 1**.
4. The Association's submission is set out in **Appendix 1**.
5. Whangapoua Beach Ratepayers Association Incorporated considers that unless the relief sought in this submission is granted, the PDP and in particular the specific provisions challenged:
 - 5.1 Will not promote the sustainable management of resources;
 - 5.2 Will be inconsistent with the resource management principles expressed in Part 2 of the Resource Management Act 1991 ("RMA");
 - 5.3 Will be inappropriate and/or contrary to sound resource management practice;
 - 5.4 Will be contrary to relevant provisions in the New Zealand Coastal Policy Statement of 2010 ("NZCPS"); and
 - 5.5 Will not enable people in communities to provide for their social and economic well-being; and
 - 5.6 Will enable the generation of significant adverse effects on the environment that should be addressed through the provisions of the PDP.
6. The Association seeks the decisions from Thames Coromandel District Council ("TCDC") set out in **Appendix 1**, or such similar and consequential relief as necessary to address this submission.
7. The Association wishes to be heard in support of this submission.

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

Dated Friday 14 March 2014

A handwritten signature in blue ink, appearing to read 'M. Savage', is written over a horizontal line.

On behalf of Whangapoua Beach Ratepayers Association Incorporated

APPENDIX 1 – SUBMISSION

Section 10 and Section 34 – Natural Hazards

1. This submission concerns the provisions of the PDP directed at coastal erosion and in particular the Future Coastal Protection Line ("FCPL") and Current Coastal Erosion Line ("CCEL").
2. Whangapoua Beach Community is a long established residential settlement, with houses established the full length of the beachfront. Property owners are aware of the potential for coastal erosion and in recent years have experience in employing beach restoration measures to reinstate and rehabilitate principally the public dune systems in front of their properties.
3. The provision for one dwelling per lot in the Coastal Living Zone is supported. Similarly the FCPL is accepted, to the extent that it enables and facilitates development of houses and associated buildings as a permitted activity in the Coastal Living Zone in the area between the FCPL and CCEL, in accordance with the existing Coastal Living Zone Rules.
4. Section 34.11 Rule 9 refers to buildings and extensions to buildings, "in the Current Coastal Erosion Area overlay" and treats them as a non-complying activity. It is assumed that the reference to the Current Coastal Erosion Area is to the area seaward of the CCEL shown on the Overlay Map 12A. On that basis the Rule is opposed to the extent that it limits development within existing residential property boundaries. Such development should be provided for on a permitted activity basis in accordance with the Coastal Living Zone Rules.
5. The position of the CCEL is incorrect, inappropriate and does not reflect the knowledge and experience of property owners at Whangapoua Beach. It is therefore sought that the CCEL be:
 - (i) Deleted; or
 - (ii) Relocated to coincide with the Beachfront Yard/existing seaward title boundaries of the beachfront properties at Whangapoua.
6. Section 34.13 Rule 15 is assumed to apply to those activities occurring between the FCPL and CCEL.
7. It is further assumed that Rule 15 does not intend to require resource consent for a single dwelling on a site at Whangapoua Beach in the Future Coastal Protection Area; and that existing houses, extensions or alterations to existing houses, and new houses within this area remain a permitted activity in the Coastal Living zone.

8. To the extent that it does not affect the permitted activity status of such activities, Rule 15 is supported. Otherwise it is opposed and should be amended to confirm that it does not affect the permitted activity status of activities in the Coastal Living zone.
9. Rule 15 introduces new assessment matters and criteria in Table 4, "for all activities that are a restricted discretionary activity in the underlying zone and district-wide rules".

Table 4 matters include requirements to consider whether a proposal can adapt to sea level rise over the next 100 years; and "site-specific assessment of underlying beach geology, beach contour, elevation or other factor (that) indicates that coastal erosion risk is unlikely in 100 years' time at that site".

10. In the Coastal Living zone, one dwelling per lot is a permitted activity provided it meets the standards in Table 5 (being yard, height, boundary controls etc). A dwelling that infringes any of the Table 5 controls is a restricted discretionary activity. As a restricted discretionary activity, consent would be required under Section 34.13 Rule 15 and Table 4 above, even where the extent of the particular infringement was minor. That is unduly onerous and serves no practical purpose, particularly given that many of the development controls applying in the Coastal Living zone have no or little bearing on the issues of sea level rise, or coastal erosion.
11. Rule 15 is opposed and should be amended to read:

"For all activities that are restricted discretionary activities in the underlying zone and district-wide rules, except for single dwellings in the Coastal Living zone, the Council extends its discretion to include all the matters in Table 4."

Section 41 – Coastal Living Zone – Visitor Accommodation

12. This submission opposes the provision for visitor accommodation contained at Section 41.4 Rule 2. In particular it is not appropriate to impose a limit of "6 tariff paid visitors staying on-site at any one time".
13. There are very many homes at Whangapoua Beach and elsewhere on the Peninsula that are able to accommodate more than six people (paying or otherwise) comfortably, without any adverse environmental effects. The Rule does not find support in the Zone Purpose, or any relevant objectives and policies for the zone.
14. Rather it appears to have been introduced for the unlawful purpose of protecting commercial interests of one section of the community, to the disadvantage of residential property owners. Accordingly Section 41.4 Rule 2 should be deleted in its entirety.

Protection of the Coastal Environment, Including New Chums / Wainuiototo Bay and Whangapoua Harbour

15. New Chums/Wainuiototo Bay and Whangapoua Harbour environs, are areas with high landscape, natural character and biodiversity values, which require protection under Section 6(a) and (c) of the Resource Management Act and Policies 11, 13 and 15 of the New Zealand Coastal Policies Statement. The Rural zoning of the farm behind New Chums Beach is supported, as is the Recreation Passive Zoning of the Headland and section of the beach. Also supported is the Natural Character and Outstanding Landscape overlay areas, and the position of the Coastal Environment Line.
16. The following subdivision and development provisions of the PDP are opposed and specified amendments sought.

Section 16 and Section 38 – Subdivision in the Coastal Environment

17. Rules 8 and 9 providing for subdivision in the Rural Production Zone are opposed to the extent that they provide for subdivision in the Coastal Environment. In order to give effect to Part 2 RMA the NZCPS, subdivision within the Coastal Environment should be avoided. That is particularly the case in respect of the rural zoned land behind New Chums/Wainuiototo Bay.
18. Avoiding subdivision would also be consistent with the Council's Coromandel Peninsula Blueprint adopted by the Council in December 2009. The Blueprint concentrates development within the three main urban hubs of Thames, Whitianga and Whangamata, while recognising the special character of small coastal settlements and the rural environment, and seeks protection of highly valued natural resources including areas such as New Chums/Wainuiototo Bay.
19. It is important to prevent settlement development or growth outside of the urban areas, particularly in the Coastal Environment Areas of the Rural zone, as well as in outstanding natural landscapes, amenity landscapes and natural character areas.
20. The provisions of the PDP provide for inappropriate subdivision in these areas. The subdivision standards for the Rural zone within the Coastal Environment Area, including at New Chums/Wainuiototo Bay and around Whangapoua Harbour, are opposed. The following amendments are sought:

Section 16

- (a) Background – amend the reference in the fourth paragraph to subdivision in undeveloped areas of the Coastal Environment to require that subdivision outside of existing urban zones be avoided, rather than “carefully managed” to protect its special character and values.
- (b) Issue 16.2.1 – delete the words “poorly planned” so that the sentence reads “Subdivision can adversely affect the Districts special values ...”;

- (c) Objective 1 and associated policies – amend the objectives to make clear that subdivision is enabled in existing settlements, urban zones and the Rural Lifestyle zone but discouraged elsewhere in the district and avoided in the Coastal Environment Area.
- (d) Objective 5 and associated policies – amend to require avoidance of subdivision on headlands and ridgelines.
- (e) Policy 5b –the views from private places can be as significant as those from public places. Accordingly delete the reference at the end of this policy to public places.

Section 38

- (f) Rule 8 Conservation Lots in the Rural zone – use of the defined term “the site” in this rule is ambiguous. Does it, for example mean that part only of the site need have been the subject of a previous subdivision application? Does it mean that the site to be subdivided must be wholly within an area identified on Figure 1?
- (g) The creation of Conservation Lots within the Coastal Environment Area should be avoided. Amend Rule 8.1 as follows in order to remove the provision of Conservation Lots within the Coastal Environment Area:

“Subdivision creating one or more Conservation Lots in the Rural zone, excluding those parts of the Rural zone within the Coastal Environment Area, is a restricted discretionary activity provided ...”

- (h) Rule 9 subdivision creating one or more additional lots – again this is not appropriate in the Coastal Environment Area. Accordingly amend Rule 9.1 to read:

“Subdivision creating one or more additional lots within the Open Space Zone or Rural Area, excluding land within the Coastal Environment Area, is a discretionary activity provided ...”

- (i) Amend Rule 9.2 so that the activity status is prohibited.

Development in the Coastal Environment

The proposals for development in the Rural Area between the Coastal Environment Line and the coast and harbours is opposed. The following amendments are sought:

Section 24 – Rural Area:

- (a) Amend Issue 4 by adding the following sentence to the end of the issue:

"Subdivision and development in the Coastal Environment is to be avoided."

- (b) Amend Issue 4(d) so that it reads:

"Development spreading outside of its naturally contained area in existing settlements leading to ribbon development and adverse effects on natural character is to be avoided."

- (c) Amend Policy 1c so that it reads:

"Subdivision in the Rural Zone, outside of the Coastal Environment Area, shall be provided for, ..."

- (d) Amend policy 1d to delete references to subdivision and development in the Coastal Environment parts of the Rural Area.

- (e) Amend Policy 3a under Objective 3 to read:

"Residential activities may occur in the rural zone outside of the Coastal Environment where reverse sensitivity effects can be demonstrably minimised."

- (f) Objective 5 and related policies – delete the references to subdivision and development in the Coastal Environment so that in respect of the objective and each policy they refer to "use of the Coastal Environment (excluding subdivision and development)".

- (g) Objective 6, policy 6a and 6b – delete the provision for new buildings in the Coastal Environment.

- (h) Objective 6, policy 6c – delete references to subdivision and development in the Coastal Environment.

- (i) Objective 7 – amend to read:

"The open, unspoilt character of the Districts Coast is maintained."

- (j) Objective 7 policy 7a – this provides that residential development in the Coastal Environment should be directed to existing coastal settlements and is supported.

- (k) Objective 7 policy 7b – this provides for development in the Rural Lifestyle zone in the Coastal Environment and is supported.

Section 56 – Rural Zone

Section 56.4 – Permitted Activities

- (l) Amend Rule 3 Visitor Accommodation sub rule 4 to read:

"Visitor accommodation that is not a permitted activity under Rule 3.1(b) is a discretionary activity, except in the coastal environment where it is a non-complying activity".

- (m) Rule 12.1 – amend the Rule to read:

"An activity listed in Rule 12 is a permitted activity provided:

(a)

(b) ...

(c) Any new dwelling or minor unit is not allowed in the Coastal Environment.

- (n) Amend Rule 12 by adding after the words "minor unit" and "one dwelling per lot", the words "except in the Coastal Environment Area"
- (o) Rule 25 – amend to exclude the development of the listed facilities/activities in the Coastal Environment.
- (p) Rule 26 – add a new subrule 2:

"Development in the Coastal Protection Area outside of the existing settlements."

Forestry – Section 56

21. Rural Zone provides for Afforestation as a permitted activity in the specified circumstances. The rule is supported to the extent that afforestation is not a permitted activity in the Coastal Environment.
22. Further, it is not considered appropriate that afforestation be a permitted activity in the catchments of harbours within the district including and in particular Whangapoua Harbour. Forestry activities have contributed substantially to the degradation of the quality of Whangapoua Harbour and require closer regulation to avoid adversely affecting waterways and harbours. The requirement for a forest plan to qualify as a permitted activity is not sufficient.
23. Accordingly Rule 11 is opposed. Further, Table 8 assessment criteria for afforestation as a restricted discretionary activity is too general and does not particularise the outcomes sought.
24. The following amendments are sought:
 - (a) Change the activity status for Afforestation outside of the Coastal Environment in Rule 11 to discretionary;

- (b) Re-write the assessment criteria in Table 8 to specify the particular outcomes sought, ensuring that they avoid adverse effects on waterways and harbours;
- (c) Amend the activity status in Rule 11.2 to read “non complying activity”.

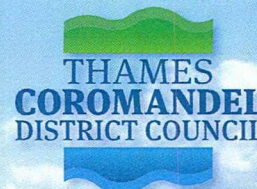
Rural Zone Land bounded by the Punga Punga River, Coastal Living Zone on McMahon Avenue, Te Punga Road and the Denise Driveway at Whangapoua

25. This submission refers to the Rural zoned land at the above location at Whangapoua. The land is zoned rural and farmed. It is highly susceptible to flooding and on several occasions in recent years the Punga Punga River has breached its banks causing the area to be swept with floodwaters to a significant depth.
26. This area, in addition to being farmland, provides habitat for many species of birds including endangered species.
27. It is also within the Coastal Environment Area, outside of the existing coastal settlement.
28. The land should not be filled, subdivided or developed. Its low lying flood prone nature ensures that it acts as a reservoir, protecting upstream residential developments within the developed Coastal Living zone, during times of flood.
29. The land also provides a wildlife habitat that is substantially protected from predators.
30. The PDP should include express recognition of the following factors:
 - (a) The flood prone nature of the land;
 - (b) Its natural function as a reservoir providing essential protection for existing residential development within the settlement of Whangapoua (Anarake and Opera subdivisions); and
 - (c) Its value as a bird habitat, including endangered species such as the brown teal duck/pateke.
31. The following amendments are sought:
 - (a) Section 56.7 – amend to read as follows:

“56.7 Non-complying activities and prohibited activities”
 - (b) Add a new sub-rule 26.2 as follows:

“Subdivision and development (including earthworks and filling) is a prohibited activity on the rural zoned land bounded by the Punga Punga River, Coastal Living Zone on McMahon Avenue, Te Punga Road and the Denise Driveway at Whangapoua”

Proposed Thames-Coromandel District Plan



Submission Form

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

Your submission can be:

Online: www.tcdc.govt.nz/dpr
Using our online submissions form

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

Email to: customer.services@tcdc.govt.nz

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



Submitter Details

Full Name(s)	RON SLATER	
or Organisation (if relevant)		
Email Address		
Postal Address	708 PORT ROAD WHANGAMATA	
Phone no. <small>include area code</small>	07 865-7161	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)

HERITAGE ITEM 303 - Appendix A1.3 WHANGAMATA CINEMA
FORMER HUNT'S CABARET / WGM CINEMA 708 PORT RD.
WHANGAMATA

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:

IT'S NOT WORTHY TO BE MADE A HERITABLE ITEM
DUE TO ITS ORIGINAL LIGHTWEIGHT CONSTRUCTION
AND ITS MANY ADD ONS & ALTERATIONS TO PRESENT TIME

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

Retained ☐ Deleted ☒ Amended ☐ as follows:

Proposed District Plan Hearing

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

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

Signature of submitter Don Slater 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

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

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



Proposed Thames-Coromandel District Plan



Submission Form

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

Your submission can be:

Online: www.tcdc.govt.nz/dpr
Using our online submissions form

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

Email to: customer.services@tcdc.govt.nz

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

To CTS
Received
14 MAR 2014
Thames-Coromandel District Council
Coromandel
File No:

Submitter Details

Full Name(s)	CHRISTOPHER ERROL TURNER	
or Organisation (if relevant)		
Email Address	errol.turner@vodafone.co.nz	
Postal Address	P.O. Box 17-047 GREENLAND	
Phone no. include area code	0275 540549	Mobile no. SAME

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)

Sub Division	PART V SECTION 25
MINING	SECTIONS 14 & 37
Resource Consent for MANUKA/KANUKA	
	SECTIONS 33 & 29

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:

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 _____

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

Trade Competition

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

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

☐ Y ☒ N

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

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

a) adversely affects the environment; and

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

☒ Y ☐ N

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

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



Sent: Friday, 14 March 2014 3:57:33 p.m.

To: TCDC General Mail Address

Subject: SUBMISSION PROPOSED DISTRICT PLAN 2014

Mrs Judith Jannis

95 Wyuna Bay Road, Coromandel, 3581

Ph: 07 866 8832 e-mail: jannis1@clear.net.nz

HERITAGE STATUS OF BUILDINGS IN COROMANDEL TOWN:

I **oppose** the deletion of historic properties in the 2014 plan. I support the work done by Di Stewart and Associates and T.J. McEnteer in the report prepared by Boffa Miskell in 1994 and which forms part of the previous District Plan. It was due to the work of Di Stewart that Coromandel local residents were made conscious of the importance of their heritage housing and shops etc. Di Stewart was a respected expert on New Zealand villas and an author of a book on the NZ villa. She was instrumental in the renewal of heritage housing in Ponsenby in Auckland, now an expensive and sought after suburb in Auckland, due mainly to her work of upliftment.

By deleting 45(?) of the houses on the heritage list, Dr Ann McEwan in her recent study of local housing, January 2010, has made it very likely that these properties can be demolished without the owners ever knowing of their value.

Several of us residents drove round Coromandel and looked at each house recorded in the previous District Plan. All but 2 were still in a good state and not substantially changed at all. I think Dr McEwan has approached the subject from an academic's point of view, setting high standards that don't apply to the little local houses of ordinary people. Di Stewart was concerned with retaining the local living flavour and texture of housing and shops creating charming heritage street scenes. Dr McEwan is concerned with the kind of detail required in argumentation about buildings in court cases. Where some houses are the same as each other or several historic houses built next to each other Dr McEwan has simply chosen to list one of them as an example.

People buying heritage property these days understand their historic value in most cases and will very often do them up so that they again look beautiful and will add value to the whole town

Coromandel is reliant on its heritage ambience for its tourist business. It is the best preserved small mining town in the Coromandel.

Designated Heritage areas on the town map are not sufficient protection.

DECISION:

All houses deleted in the 2014 plan must be reinstated.

Any new properties listed by Dr McEwan should still be retained on the 2014 Plan.

The Heritage area needs to be extended to Whangapoua Road.

Heritage houses and properties should be **denied permission** to be demolished in the rules.

All the heritage rules are too lax they need to be tightened up as many planners don't seem to understand or appreciate heritage, especially if newly employed in the area.

HEARING; I wish to speak to my submission.

Judith Jannis

Proposed Thames-Coromandel District Plan



Submission Form

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

Your submission can be:

Online: www.tcdc.govt.nz/dpr
Using our online submissions form

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

Email to: customer.services@tcdc.govt.nz

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

Submitter Details

Full Name(s) Isaac Lane and Noel Lane

or Organisation (if relevant) _____

Email Address c/- karlc@barker.co.nz

Postal Address PO Box 1986, Shortland Street, Auckland, 1142

Phone no. 09-375-0900
include area code

Mobile no. 029-638-7970

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)

Please refer to the 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:

Please refer to the attached submission

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

Retained ☐ Deleted ☐ Amended ☐ as follows:

Please refer to the 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 c/- Barker and Associates Date 14 March 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

SUBMISSION TO THAMES-COROMANDEL DISTRICT COUNCIL'S PROPOSED DISTRICT PLAN

Clause 6 of First Schedule, Resource Management Act 1991

To: Thames-Coromandel District Council
Private Bag
THAMES 3540

Submission on: Proposed District Plan

1. **Isaac Lane and Noel Lane**, c/o Barker & Associates Limited at the address for service set out below, makes this submission as follows.
2. We are the owners of the property at 130 Waihirere Drive, Tuatēawa. The site is currently vacant but, like other surrounding properties, has been subdivided for the purposes of residential development. Within the life time of the Proposed District Plan ("PDP"), it is our intention to undertake the development of this property for residential purposes.
3. This submission is primarily in relation to the land at 130 Waihirere Drive, Tuatēawa ("the property"), and the proposed planning provisions that are applicable in the future development of this land for residential purposes, as well as the enabling works for the development of the land for residential purposes including earthworks and tree works. In addition, this submission relates to the planning provisions applicable to the surrounding land of the residential settlement at Tuatēawa.
4. **Grounds for the submission:**
 - 4.1 In the absence of the relief sought in this submission being granted, the Proposed District Plan:
 - (a) Will not promote the sustainable management of natural and physical resources;
 - (b) Will otherwise be inconsistent with the purpose and principles of the Resource Management Act 1991 ("RMA").
 - (c) Will enable the generation of significant adverse effects on the environment;
 - (d) Will not warrant approval in terms of the tests in section 32 of the RMA; and
 - (e) Will be contrary to sound resource management practice.
5. **The specific provisions of the Proposed District Plan that the submission relates to are as follows:**

Without limiting the generality of this submission, the following particular provisions are supported/opposed as set out below.

i. **Maps: Zone Map**

The submission is that:

- We support the “Coastal Living” zone applied to the property at 130 Waihirere Drive, Tuatēawa.
- We support the “Coastal Living” zone applied to the existing residential settlement area of Tuatēawa.
- The application of the “Coastal Living” zone to the property and existing residential settlement area of Tuatēawa appropriately provides for the continuation of existing residential use and development within a defined area in the context of this coastal environment.

The following decision is sought from the local authority:

- Retain the “Coastal Living” zone at 130 Waihirere Drive, Tuatēawa.
- Retain the “Coastal Living” zone at the existing residential settlement of Tuatēawa.

ii. **Maps: Overlays – Outstanding Landscape, Amenity Landscape, Natural Character**

The submission is that:

- We oppose the application of the “Outstanding Landscape” overlay and “Natural Character” overlay to the property at 130 Waihirere Drive, Tuatēawa.
- We oppose the positioning of the Outstanding Landscape overlay and Natural Character overlay to the existing residential settlement at Tuatēawa.
- The historic and current use, development, and subdivision pattern of the land zoned Coastal Living reflects a low-density residential character within a defined area at Tuatēawa. This residential use, development, and pattern of subdivision, of the land at Tuatēawa defines its character and distinguishes it from outstanding landscape and natural character areas to the north and east.
- Further, the application of the “Outstanding Landscape” and “Natural Character” overlays to the property and existing residential settlement of Tuatēawa largely duplicates the coastal protection provisions included in the PDP through the “Coastal Living” zone for the subject site and the existing residential settlement area of Tuatēawa.
- We seek that the landscape and character overlays be amended to be removed from the property and the existing residential settlement area of Tuatēawa. This would appropriately provide for the existing residential activities, such as additions and alterations, to occur while ensuring adverse effects on the coastal setting of the landscape are appropriately avoided, remedied or mitigated because development would be subject to the provisions of the Coastal Living zone, which includes objectives, policies and rules that provide for protection of the coastal environment when contemplating residential development.

The following decision is sought from the local authority:

- Amend the Overlay Maps to remove the “Outstanding Landscape” overlay from the property at 130 Waihirere Drive, Tuatēawa and the existing residential settlement of Tuatēawa. An example of the relief sought is attached to this submission at **Appendix 1**.

- Amend the Overlay Maps to remove the “Natural Character” overlay from the property at 130 Waihirere Drive, Tuatawa and the existing residential settlement of Tuatawa. An example of the relief sought is attached to this submission at **Appendix 1**.

iii. **Part 2 Section 7 – Overlay Issues, Objectives and Policies: Coastal Environment**

The submission is that:

- We generally support the direction of the PDP to give effect to the New Zealand Coastal Policy Statement 2010 (“NZCPS”) through the identification of land that constitutes the “Coastal Environment” and by utilising planning methods such as mapping values and developing overlays and rules to help achieve the outcomes of the NZCPS through managing land use development and activities in those locations.
- However zoning, and in particular the “Coastal Living” zone and associated objectives, policies and rules is also an appropriate planning method to achieve the “Coastal Environment” objectives and policies of 7.3 of the PDP. In the case of land where the historic and current use, development, and subdivision pattern has established a residential character the best and most appropriate means of achieving the coastal environment objectives and policies is through zoning objectives, policies and rules.
- In this regard, the “Coastal Living” zone of the PDP is applied to residential areas that are located within close proximity to the coast. The “Coastal Living” zone includes a suite of objectives, policies, and rules that provide a balanced approach to coastal environmental protection and residential development on land where residential activities are either existing or envisaged.

The following decision is sought from the local authority:

- In addition to mapped overlays and specific “Coastal Environment” rules in other sections of the PDP, include the method of ‘coastal zoning’ as an appropriate management approach in Clause 7.1.4.

iv. **Part 2 Section 9 – Overlay Issues, Objectives and Policies: Landscape and Natural Character**

The submission is that:

- We generally support the approach in the PDP to identify and map landscape values within the Coromandel region to ensure that appropriate planning methods can be applied to those landscapes to manage development of land within those landscapes.
- Clauses 9.1.2, 9.1.3 and 9.1.4 describe “Outstanding Landscapes”, “Amenity Landscapes”, and “Natural Character” respectively. These landscape values have been mapped as overlays with the same name.
- We are concerned that the application of the overlays derived purely from these landscape value assessments do not appropriately recognise the historic and current use, development, and subdivision pattern that defines the character of coastal residential settlements and provide for the development and use of that land envisaged or existing by the underlying zoning.

- With regard to the subject site and the Tuatēawa residential settlement, the proposed “Coastal Living” zone has provisions that recognise the coastal environment of the residential settlement and impose appropriate development controls on building bulk, location, earthworks, and vegetation management.
- As such, while the Landscape and Natural Character objectives and policies are generally supported, the consequent overlays and rules need to be applied with regard to the existing land use character and to reflect the current and reasonably anticipated future environment to provide a balanced approach to the management of this resource.

The following decision is sought from the local authority:

- Amend Part 2 Section 9 to include recognition that the historic and current use, development, and subdivision pattern that defines the character of coastal residential settlements means these are not appropriately included in “Outstanding Landscapes”, “Amenity Landscapes”, and “Natural Character” overlays.

v. **Part 4 Section 23 – Area Issues, Objectives and Policies: Residential Area**

The submission is that:

- We generally support the residential area objectives and policies, and in particular those relating to the “Coastal Living” zone as providing an appropriate regime for residential development within the coastal environment.

The following decision is sought from the local authority:

- Retain the residential objectives and policies at Part 4 Section 23.

vi. **Part 6 Section 32 – Overlay Rules: Landscape and Natural Character Overlay**

The submission is that:

- We generally support the Landscape and Natural Character overlay rules as planning methods to manage inappropriate development in areas identified as having values of the outstanding landscapes, amenity landscapes, or natural character.
- Notwithstanding this, as discussed above in this submission, we seek that the overlays be applied in an appropriate manner to recognise and provide for residential land uses that exist or that can be reasonably anticipated by virtue of zoning. For example, where land is zoned for residential purposes, and is located within the coastal environment, the “Coastal Living” zone has been applied. The “Coastal Living” zone provides appropriate rules and anticipated outcomes (purpose) that enable residential development to a level and scale that is appropriate within the coastal environment. Accordingly, provided the overlay rules apply to areas not including the subject property or residential land at Tuatēawa they are appropriate.

The following decision is sought from the local authority:

- Retain the Landscape and Natural Character overlay rules provided the “Outstanding Landscape” and “Natural Character” overlays do not apply to the existing residential settlement of Tuatēawa.

vii. **Part 7 Section 38 – District-wide Rules: Subdivision**

The submission is that:

- We generally support the Subdivision rules for the Coastal Living zone at Section 38.

The following decision is sought from the local authority:

- Retain the subdivision rules for the Coastal Living zone at Section 38.

viii. **Part 8 Section 41 – Zone Rules: Coastal Living Zone**

The submission is that:

- We generally support the Coastal Living zone rules at Section 41.
- The Coastal Living zone rules provide for a reasonable level of residential land use and development, whilst implementing appropriate controls on development to protect the coastal environment from inappropriate residential development or modification of existing residential development.

The following decision is sought from the local authority:

- Retain the zone rules for the Coastal Living zone at Section 41.

ix. **Part 5 Section 27 – Special Purpose Provisions: Structure Plans**

The submission is that:

- We oppose the omission of the Waihirere Structure Plan (as included in the Operative District Plan) from the planning maps and structure plan provisions of the PDP.
- The Waihirere Structure Plan of the Operative District Plan sets activity statuses and rules for subdivision of the land within the Waihirere Structure Plan area. Since the inclusion of the Waihirere Structure Plan into the Operative District Plan by way of consent order of the Environment Court, two main subdivision consents have been granted by TCDC. The first was granted in 2005¹, and was an 11-lot subdivision within the Structure Plan area. The consent was granted subject to 21 conditions including a condition requiring six consent notices be placed on the new titles.
- A key outcome of the Structure Plan was the location of building sites, and Rule 2.1.(iii) of the Structure Plan required consent notices to be placed on the future titles to ensure that buildings are located within the “same general location” of the defined building area of the Structure Plan. The 2005 resource consent did not include such consent notices and there is concern that in absence of the consent notices on the titles that have been issued, and in the absence of the Structure Plan Defined Building Area, that residential development on those properties will not be in accordance with the anticipated outcomes of the Structure Plan.
- In this regard, the s32 analysis for including or excluding Structure Plan provisions from the Operative Plan expresses preference to exclude Structure Plans where the development has largely been given effect to. In this case, the provisions of the Structure Plan, being the imposition of consent notices on the new titles, was not

¹ TCDC Ref: SUB/2005/26

included in the 2005 consent and in lieu of this the outcomes sought by the Structure Plan provisions at the time have not been given effect to.

The following decision is sought from the local authority:

- Amend the structure plan provisions at Section 27 to include the Waihirere Structure Plan of the Operative District Plan.
- Amend the planning maps to include the Waihirere Structure Plan area and defined building areas of the Operative District Plan.

x. **Part 6 Section 29 – Overlay Rules: Biodiversity Provisions**

The submission is that:

- We generally support the indigenous vegetation provisions at Rule 2 relating to clearing vegetation outside of the Rural Area.
- Notwithstanding this general support, we seek amendment to this rule to include a fourth permitted activity rule enabling removal of vegetation for a building platform, per the Operative Plan provisions.

The following decision is sought from the local authority:

- Amend rule Rule 2 of Section 29.3 to include a fourth permitted activity rule enabling removal of vegetation for a building platform and access to the building platform, per the Operative Plan provisions, where sites do not meet the definition of 'urban environment' of the RMA but are outside the Rural area.

6. **All consequential or alternative relief to give effect to the specific amendments noted above is also sought.**
7. **We wish to be heard in support of this submission.**
8. **We would consider presenting a joint case with any other party seeking similar relief.**

DATED at Auckland this 14th day of March 2014

Isaac Lane and Noel Lane



By their duly authorised agent

Barker & Associates Limited

7

PO Box 1986
Shortland Street
AUCKLAND 1140

Attention: Karl Cook

Tel.: 09 375 9070
Mob.: 029 638 7970
Email: karlc@barker.co.nz

Appendix 1: Amendments to Overlay Maps

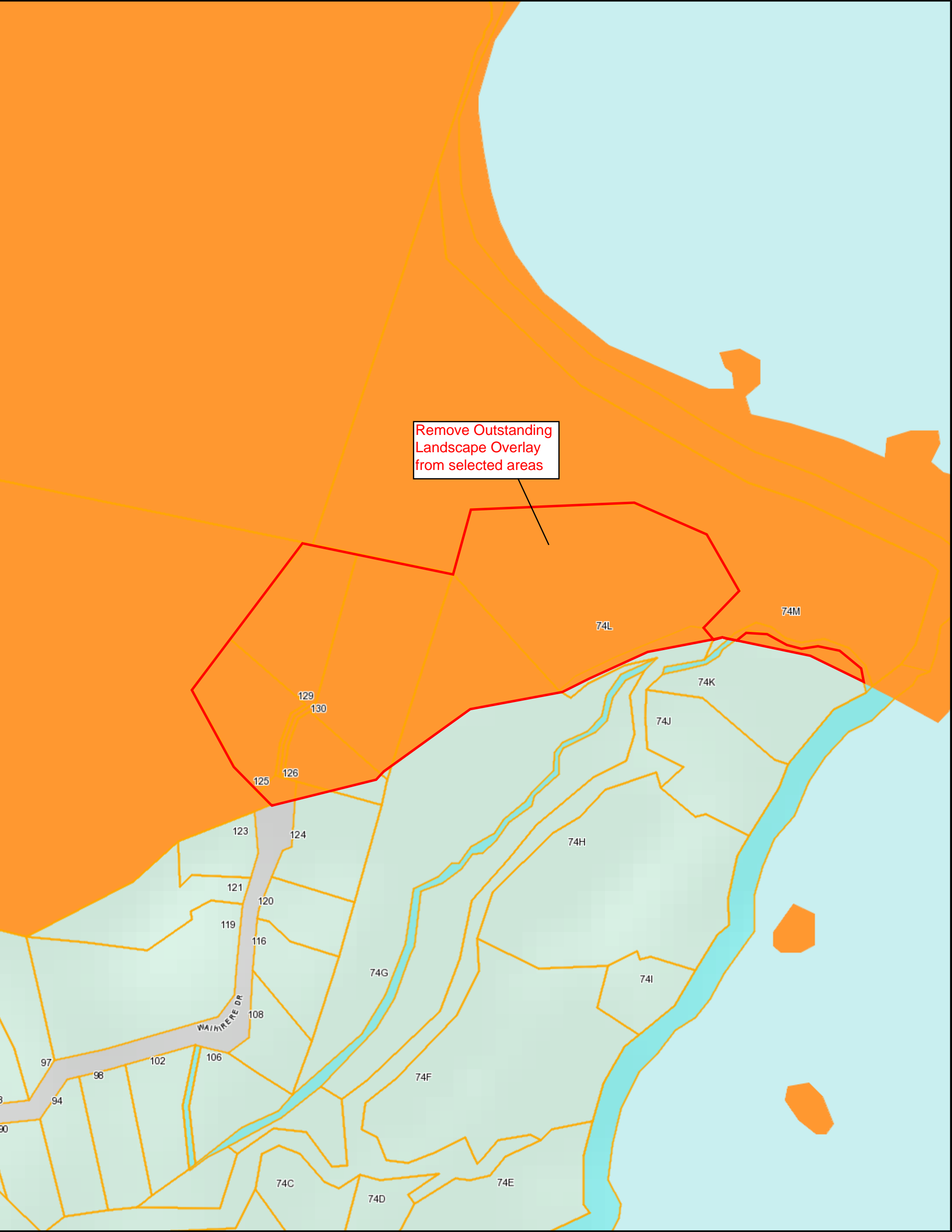
Thames-Coromandel Proposed District Plan Submission

Map Print

Submission on the Proposed Thames Coromandel District Plan
Outstanding Landscape Overlay



Original Sheet Size A3
Print Date: 3/14/2014
Print Time: 11:34:29 AM

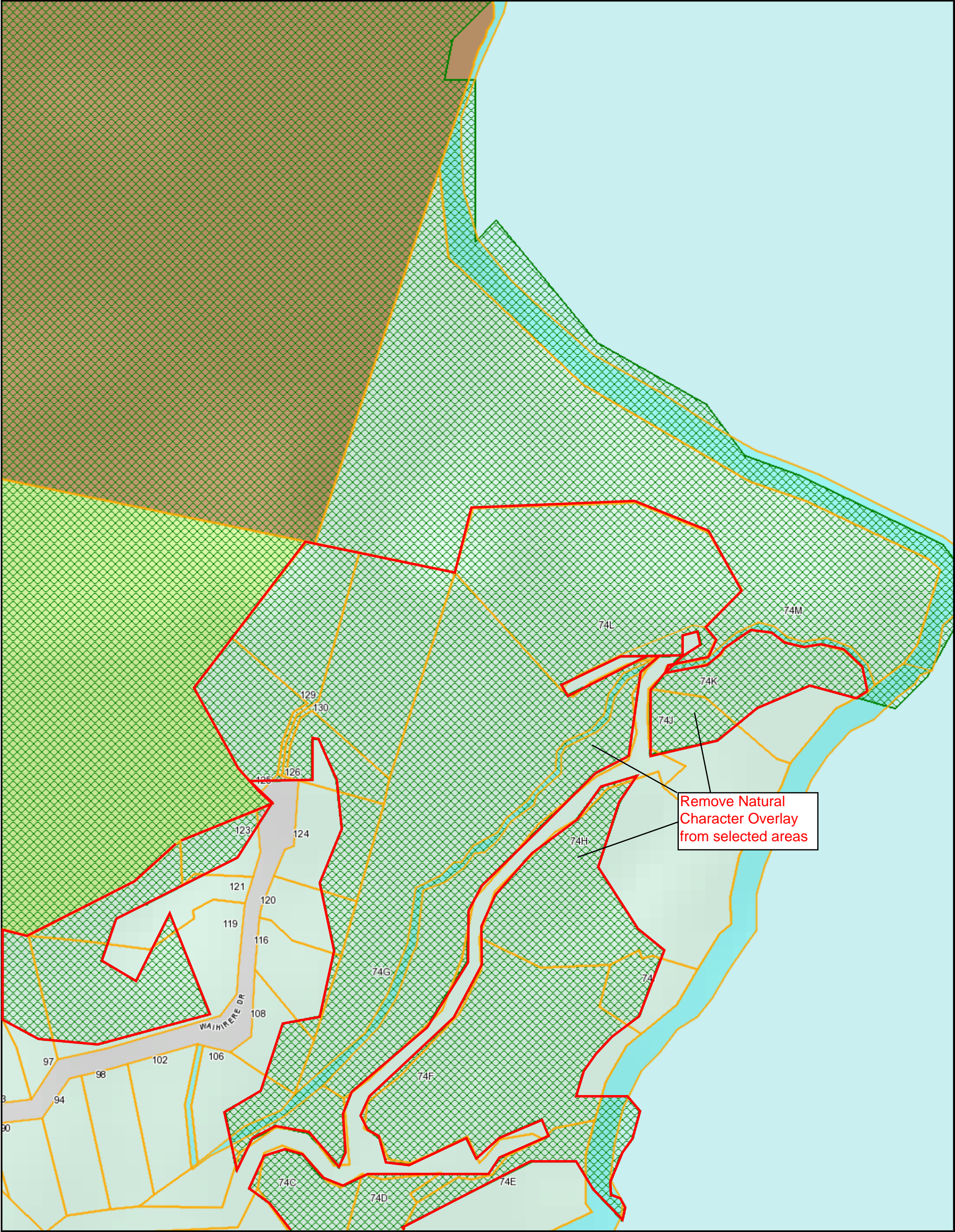


Map Print

Submission on the Proposed Thames Coromandel District Plan
Natural Character Overlay



Original Sheet Size A3
Print Date: 3/14/2014
Print Time: 11:31:23 AM



Section	Support/Oppose	Submission	Decision Sought
---------	----------------	------------	-----------------

Section 4: Information requirements for resource consents

Section 4.3: Assessment of Environmental Effects Requirements
Support in part

In addition to other environmental impacts the Plan need to address the impact of land clearing and subdivision in terms of the biosecurity risk of spreading kauri dieback through soil movement.

Point 2: Insert the words "*including biosecurity impacts such as kauri dieback*" after "effect on the environment."
Point 3: Add the words "*including biosecurity impacts*" at the end of the sentence.

Section 5 - Cross Boundary Matters

Section 5.2 Issues
Support in part

Management of biosecurity threats is an important part of inter-agency and cross-boundary resource management.

Point 2: Insert "*biosecurity*" after indigenous biodiversity

Section 5.4 Methods and Approaches - Earthworks, Biodiversity, Forestry
Support in part

TCDC has jurisdiction for resource management issues within its boundaries and as the Plan states "integrated resource management requires co-ordination and cooperation between agencies for management of issues that extend across boundaries and jurisdictions". We submit that this section needs to take greater account of biosecurity risks such as kauri dieback.

Insert in Section 5.2 bullet 1: Activities in adjoining ... with the potential for adverse effects on landscape, indigenous biodiversity, *biosecurity* and coastal values.

Section 5.3 Processes
Support in part

TCDC has jurisdiction for resource management issues within its boundaries and as the Plan states "integrated resource management requires co-ordination and cooperation between agencies for management of issues that extend across boundaries and jurisdictions". We submit that this section needs to take greater account of biosecurity risks, in particular kauri dieback.

Add new point 13: *Coordination and cooperation with HDC, DOC, WRC and other agencies in identifying and managing biosecurity threats, in particular kauri dieback.*

Section	Support/Oppose	Submission	Decision Sought
---------	----------------	------------	-----------------

Section 5.4 Methods and Approaches	Support in part	Specific methods and approaches are needed to address cross-boundary biosecurity threats that require the cooperation of several agencies.	Section 5.4.1 Earthworks: <i>"The Plan ... insert biosecurity threats including kauri dieback ..."</i>
Section 5.4 Methods and Approaches	Support in part	There needs to be greater recognition in the Plan that protection of biodiversity by definition includes protection against and management of biosecurity threats.	Section 5.4.3 Biodiversity: Insert at end of last sentence: <i>There is ongoing cooperation and coordination with WRC ecologists, and with other agencies holding a statutory responsibility for maintaining biodiversity and protection against and management of biosecurity hazards.</i>
Section 5.4 Methods and Approaches	Support in part	There needs to be greater recognition of the role forestry may play in the spread of kauri dieback through soil movement on personal equipment and machinery.	Section 5.4.4 Forestry: Amend last sentence, para 1, to read <i>"... and this is an area where the Plan can manage effects on special values (e.g. effects on the Hauraki Gulf Marine Park etc...) and on biosecurity .</i>

Section 6 - Biodiversity

Section 6.1 Background	Support in part	<p>This section needs to more strongly describe and emphasise the national importance of the Coromandel's biodiversity, in particular our threatened species and habitats, as well as its contribution to our economy and amenity values, in order to add weight to the need for policies and rules in the Plan. For the same reason it is important to describe Council's specific responsibilities under the RMA, and similarly describe obligations under the Regional Policy Statement in greater detail.</p>	<ol style="list-style-type: none"> 1 Describe and emphasise the national importance of the Coromandel's biodiversity more strongly, as well as its contribution to our economy and amenity values. 2 Add new text to paragraph 2: <i>The Coromandel Peninsula is home to NZ's largest area of kauri forest outside Northland. Kauri dieback disease is now established in Northland, Auckland and Great Barrier Island, but has not been detected to date on the Peninsula. Given the potential for this disease to wipe out our icon species, it is acknowledged Council has a special responsibility to protect Coromandel kauri by managing the pathways by which it spreads, in particular soil movement and human activity.</i> 3 Describe Council's specific responsibilities under the RMA, and the Regional Policy Statement in greater detail.
-------------------------------	-----------------	---	--

Section	Support/Oppose	Submission	Decision Sought
Section 6.2 Issues	Support in part	This section needs more detail spelling out cause and effect. Environmental impacts and loss of biodiversity need not be the result of poor management practices, but simply the result of land use change per se, and greater numbers of people.	Reword section 1: <i>Subdivision, land use and development contribute to the continued loss and reduction in the value of the District's indigenous biodiversity due to land use change, water and soil impacts, and destruction or fragmentation of habitat and ecological corridors, and the increased presence of humans, their pets and vehicles, resulting in : [etc etc]</i>
			Section 2: Insert <i>inadequate weed control after "fencing of farm animals..."</i> . Section 3: Reword to include <i>"the identification, protection and creation of existing and new connections and corridors ..."</i>
Section 6.3 Objectives and Policies - Objective 1	Support in part	Maintenance , restoration and enhancement of indigenous biodiversity should not be limited to a specific point of subdivision, land use or development, but should be ongoing.	Delete <i>"at the time of subdivision, use and development"</i> .

Section	Support/Oppose	Submission	Decision Sought
Policy 1a	Oppose	<p>If we are serious about maintaining and enhancing biodiversity on the Coromandel Peninsula then subdivision, land use and development should only occur if biodiversity values are not affected by the activity. The default position should be that environmental values have priority.</p>	<p>Rewrite Policy 1a: Subdivision, use and development shall only be permitted where:</p> <ul style="list-style-type: none"> a) <i>The ecological sustainability and natural characteristics of indigenous vegetation, wetlands and other habitat and corridors are retained; and</i> b) <i>Earthworks and soil disturbance do not occur within and adjacent to areas of indigenous vegetation and wildlife habitat; and</i> c) <i>Buildings, structures and accesses are located outside of areas of indigenous vegetation and wildlife habitat; and</i> d) <i>Buffers are applied around land use activities to minimise adverse effects on areas of indigenous vegetation and wildlife habitat; and</i> e) <i>Ongoing measures are taken to prevent the introduction of biosecurity risks, pest species and introduced predators into habitats, particularly where nationally threatened and at risk fauna and flora live; and</i> f) <i>The functioning of ecological corridors and linkages, wetlands and dune systems are maintained, enhanced or restored; and</i> g) <i>Ongoing management of priority locations mapped in Section 38 Subdivision to include legal protection, restoration, enhancement, pest control and stock exclusion.</i>

Section	Support/Oppose	Submission	Decision Sought
Policy 1b	Oppose	<p>As outlined above, subdivision, land use and development should only occur if biodiversity values are not affected by the activity. The default position should be that environmental values have priority.</p>	<p>Rewrite Policy 1b: <i>Subdivision, use and development shall not result in the clearance of indigenous vegetation or habitat. Land clearance must be undertaken in a way that:</i></p> <ul style="list-style-type: none"> <i>a) Retains the viability, integrity and sustainability of indigenous habitats and species; and</i> <i>b) Reduces the risk to nationally at risk and threatened species; and</i> <i>c) Maintains the function of ecological corridors; and</i> <i>d) Does not increase natural hazard risk (including erosion and flooding); and</i> <i>e) Does not adversely affect wetland and dune ecosystems and their buffers; and</i> <i>f) Does not spread noxious weeds and kauri dieback onto or off the property</i> <p><i>In addition, provision must be made for the ongoing enhancement of biodiversity values via mechanisms such as riparian planting, weed control etc.</i></p>
Policy 1d	Support in part	<p>This policy is ambiguous in that it requires the maintenance or enhancement of indigenous biodiversity but allows the possibility of off-site remediation or mitigation. This implies that the destruction of biodiversity on-site is permissible. "Sustainable use" needs clearer definition in this context, particularly as it does not appear to be included in Section 3 - Definitions.</p>	<p>Reword the policy to remove ambiguity, so that biodiversity destruction is not permissible and can not be mitigated or remediated by off-site measures. Clarify the definition of "sustainable use" with particular reference to biodiversity impacts, and include this in Section 3 - Definitions. Specify examples of what activities would be considered sustainable, e.g. manuka honey production, closed canopy forestry (subject to Forests Amendment Act), firewood gathering and which would not.</p>

Section	Support/Oppose	Submission	Decision Sought
Objective 2	Oppose	In this section of the Plan, the priority position should be the protection of biodiversity, not the infrastructure and utilities	Amend to: <i>Indigenous vegetation and wildlife habitat shall not be removed or damaged in the establishment, maintenance or upgrading of public infrastructure and network utilities unless this is limited to the minimum necessary to complete the work with no or minimal ecological effects.</i>
Policy 2a	Oppose	In this section of the Plan, the priority position should be the protection of biodiversity, not the infrastructure and utilities	Amend to: <i>Indigenous vegetation clearance shall only be permitted at the minimum necessary for the safe maintenance and functioning of roads, accessways and utilities.</i>
Policy 2b	Oppose	In this section of the Plan, the priority position should be the protection of biodiversity, not the infrastructure and utilities.	Amend to: <i>Clearance of indigenous vegetation for the installation of new roads, utilities, telecommunications, electricity and other services shall only be enabled where there is no alternative option, and provided:</i> <i>a) Actions are taken to minimise the area of clearance; and</i> <i>b) Actions are taken to restore ecological connections; and</i> <i>c) There is no net loss of biodiversity values (this may be achieved through remediation or mitigation on the site or, in special circumstances, off the site).</i>
New objectives/policy relating to SNAs		The plan does not appear to include any provision relating to the protection and maintenance of Significant Natural Areas (SNAs). We strongly support the Council's taking a proactive role in providing biodiversity advice and information to landowners.	Include objectives identifying how SNAs will be protected and maintained under the Plan.
Section 6.4.1 Non-regulatory methods	Support	We support a review of the Biodiversity Strategy but suggest this canvasses input from the wider community.	
Section 6.4.2 Non-regulatory methods	Support		Involve community and environmental groups, iwi, DOC, WRC and other agencies.

Section	Support/Oppose	Submission	Decision Sought
---------	----------------	------------	-----------------

Section 16 - Subdivision

Objective 6	Support in part	Maintenance , restoration and enhancement of indigenous biodiversity should not be limited to a specific point of subdivision, but should be ongoing.	Delete " <i>at the time of subdivision</i> " .
--------------------	-----------------	---	--

Section 29 - Biodiversity Rules

Section 29	Support in part	The inclusion of biodiversity sites and SNAs on the planning maps would provide more efficient reference, enabling easier planning and better biodiversity decision making.	Biodiversity sites and SNAs to be placed on the planning maps to provide clear identification for planning purposes.
Section 29	Support in part	Activities within and outside SNAs need to be clarified. These should not be limited to clearing indigenous vegetation	Clearance of indigenous vegetation and other activities contributing to biodiversity loss within an SNA should be a non-complying activity. Such activities outside an SNA should be classified as a restricted discretionary activity to enable the biodiversity impacts to be assessed, including assessment of the risk of kauri dieback and proposed prevention measures.
Section 29.3	Support in part	Clearance of vegetation is not the only activity impacting on indigenous biodiversity -drainage, animal and plant pests, soil disturbance, earthworks, weakening of edge tree root systems and run-off also have negative impacts on biodiversity.	The rule needs to include other causes of biodiversity loss.

Section	Support/Oppose	Submission	Decision Sought
Section 29.3. Rule 2	Oppose	Clearance of vegetation as a permitted activity outside of the Rural Area excluding the Conservation zone will negatively impact on biodiversity in urban and coastal areas. Areas of biodiversity may be relatively small but of high biodiversity value, and there is no provision in the plan to assess the effects on biodiversity of lots under 4000m ² .	Delete Rule 2 and include a rule that protects biodiversity in these areas.
Section 29.3. Rule 3	Oppose	If indigenous vegetation clearance is a permitted activity it will be well-nigh impossible to maintain the Indigenous biodiversity of the Peninsula. It will also fail to give effect to the Proposed Regional Policy Statement. Any activities listed in rules need to have minor effects on biodiversity.	Amend Rule 3.1 to classify indigenous vegetation clearance in the Rural Area as a non-complying activity, only including activities that have no or only minor impacts on indigenous biodiversity. Change Rules 3.2 and 3.4 to read that clearing vegetation is a non-complying activity.
Section 29.4 Controlled Activities - Rule 4	Oppose	Designating sustainable use as a controlled activity will not provide for biodiversity protection per se.	This rule could possibly be deleted as it can be covered in amendments to Rule 3 (above).
Section 29.5 Assessment Matters and Criteria - Table	Support in part	Biosecurity risks need to be included in this table.	Insert at the end of Point 5 " <i>including biosecurity threats such as kauri dieback disease.</i> "
Section 29.5 Assessment Matters and Criteria - Table 2	Support in part	Biosecurity risks need to be included in this table.	Insert new Point (h) " <i>Whether the proposed clearance of indigenous vegetation and associated activities poses a biosecurity threat such as the risk of bringing in kauri dieback disease or spreading it to other areas.</i> "
Section 43 Conservation Zone			

Section	Support/Oppose	Submission	Decision Sought
Section 43.4 Rule 6	Oppose in part	<p>Earthworks in Conservation Zones should be a restricted discretionary activity as the provisions of Rule 6.1 a-c are not designed to protect biodiversity or to prevent the spread of noxious weeds or kauri dieback disease given the potential for earthmoving plant and machinery to carry soil and plant material from/to other locations.</p>	<p>Reclassify earthworks in the Conservation Zone as a restricted discretionary activity subject to the provisions of Table 5.</p>
Section 43.8 Table 5.9	Oppose in part	<p>Point 9 Offsite effects from earthworks: Kauri dieback is a probable off and on site effect either when infected plant and soil material from other locations is either introduced to a site, or 'exported' if the work site is infected. This undesirable effect should be recognised in the Table, with provisions relating to the movement of soil and plant material by people and their personal equipment as well as plant and machinery.</p>	<p>Add to Point 9 an additional category d) "<i>Whether measures have been taken to prevent the spread of kauri dieback disease arising from the introduction or export of plant and soil material via earthmoving plant and machinery and personal clothing and equipment.</i>"</p>
Section 43.8 Table 5.10		<p>Insert new point to specifically address the threat of kauri dieback. The major threat to our kauri will come from soil movement and via the movement of people from infected areas. This is particularly important where events or activities involve earthworks or where participants in tourist activities or multisports events come from infected areas of Auckland or Northland. For this reason we consider that most activities in the Conservation Zone, with the possible exception of farming, should be discretionary.</p>	<p>Add new point d) <i>The extent to which the activity might spread kauri dieback, whether through development, site preparation and earthwork activities, or via the movement or actions of people subsequently participating in the activity, and what plans and protocols have been put in place to address these.</i></p>

Section	Support/Oppose	Submission	Decision Sought
---------	----------------	------------	-----------------

Section 56 Rural Zone

Section 56.4 Rule 6	Oppose in part	<p>Earthworks in the Rural Zone increase the risk of spreading kauri dieback disease where earthmoving plant and machinery contains plant and soil material from other locations. The standards for earthworks as a permitted activity should make reference to this.</p>	<p>Add to Rule 6 Earthworks after 1 h) iii and vi: <i>"To prevent the spread of kauri dieback disease earthmoving plant and machinery is cleaned before coming onsite and does not contain soil and plant material from other locations, and similarly is free of soil and plant material before removal from the site. Standard operating procedures also outline kauri dieback risk management protocols for personal clothing and equipment."</i></p>
----------------------------	----------------	---	--

Section 56.8 Table 8	Oppose in part	<p>Point 8 Offsite effects from earthworks: Kauri dieback is a probable off and on site effect either when infected plant and soil material from other locations is either introduced to a site, or 'exported' if the work site is infected. This undesirable effect should be recognised in the Table, with provisions relating to the movement of soil and plant material by people and their personal equipment as well as plant and machinery.</p>	<p>Add to Point 8 an additional category c)"Whether measures have been taken to prevent the spread of kauri dieback disease arising from the introduction or export of plant and soil material via earthmoving plant and machinery and personal clothing and equipment."</p>
-----------------------------	----------------	--	--

Section 57 Rural Lifestyle Zone

Section	Support/Oppose	Submission	Decision Sought
Section 57.4 Rule 6	Oppose in part	<p>Earthworks in the Rural Lifestyle Zone increase the risk of spreading kauri dieback disease where earthmoving plant and machinery contains plant and soil material from other locations. The standards for earthworks as a permitted activity should make reference to this.</p>	<p>Add to Rule 6 Earthworks after 1 h) iii and vi: "To prevent the spread of kauri dieback disease earthmoving plant and machinery is cleaned before coming onsite and does not contain soil and plant material from other locations, and similarly is free of soil and plant material before removal from the site. Standard operating procedures also outline kauri dieback risk management protocols for personal clothing and equipment."</p>
Section 57.8 Table 8	Oppose in part	<p>Point 8 Offsite effects from earthworks: Kauri dieback is a probable off and on site effect either when infected plant and soil material from other locations is either introduced to a site, or 'exported' if the work site is infected. This undesirable effect should be recognised in the Table, with provisions relating to the movement of soil and plant material by people and their personal equipment as well as plant and machinery.</p>	<p>Add to Point 8 an additional category c)"Whether measures have been taken to prevent the spread of kauri dieback disease arising from the introduction or export of plant and soil material via earthmoving plant and machinery and personal clothing and equipment."</p>

SUBMISSION ON PROPOSED THAMES-COROMANDEL DISTRICT PLAN

TO: Thames Coromandel District Council

FROM: Ian Murray Revell. 224B Tangiora Avenue, Whangapoua.


Postal: 79 Beach Road, Castor Bay, Auckland 0620

Phone 021939434

Name of Submitter: Ian Murray Revell

1. This is a submission on the proposed Thames-Coromandel District Plan ("PDP").
2. Ian Revell could not gain an advantage in trade competition through this submission.
3. The specific provisions of the PDP that this submission relates to are set out in **Appendix 1**.
4. Ian Revell's submission is set out in **Appendix 1**.
5. Ian Revell considers that unless the relief sought in this submission is granted, the PDP and in particular the specific provisions challenged:
 - 5.1 Will not promote the sustainable management of resources;
 - 5.2 Will be inconsistent with the resource management principles expressed in Part 2 of the Resource Management Act 1991 ("RMA");
 - 5.3 Will be inappropriate and/or contrary to sound resource management practice;
 - 5.4 Will be contrary to relevant provisions in the New Zealand Coastal Policy Statement of 2010 ("NZCPS"); and
 - 5.5 Will not enable people in communities to provide for their social and economic well-being; and
 - 5.6 Will enable the generation of significant adverse effects on the environment that should be addressed through the provisions of the PDP.
6. Ian Revell seeks the decisions from Thames Coromandel District Council ("TCDC") set out in **Appendix 1**, or such similar and consequential relief as necessary to address this submission.
7. Ian Revell wishes to be heard in support of this submission.
8. If others make a similar submission, Ian Revell will consider presenting a joint case with them at a hearing.

Dated Friday 14 March 2014

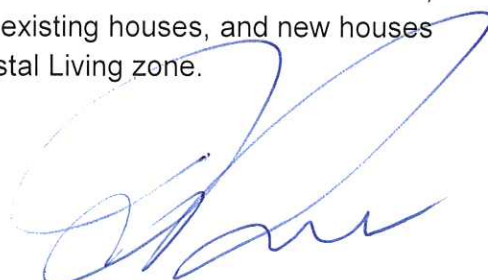


Ian Murray Revell

APPENDIX 1 – SUBMISSION

Section 10 and Section 34 – Natural Hazards

1. This submission concerns the provisions of the PDP directed at coastal erosion and in particular the Future Coastal Protection Line ("FCPL") and Current Coastal Erosion Line ("CCEL").
2. Whangapoua Beach Community is a long established residential settlement, with houses established the full length of the beachfront. Property owners are aware of the potential for coastal erosion and in recent years have experience in employing beach restoration measures to reinstate and rehabilitate principally the public dune systems in front of their properties.
3. The provision for one dwelling per lot in the Coastal Living Zone is supported. Similarly the FCPL is accepted, to the extent that it enables and facilitates development of houses and associated buildings as a permitted activity in the Coastal Living Zone in the area between the FCPL and CCEL, in accordance with the existing Coastal Living Zone Rules.
4. Section 34.11 Rule 9 refers to buildings and extensions to buildings, "in the Current Coastal Erosion Area overlay" and treats them as a non-complying activity. It is assumed that the reference to the Current Coastal Erosion Area is to the area seaward of the CCEL shown on the Overlay Map 12A. On that basis the Rule is opposed to the extent that it limits development within existing residential property boundaries. Such development should be provided for on a permitted activity basis in accordance with the Coastal Living Zone Rules.
5. The position of the CCEL is incorrect, inappropriate and does not reflect the knowledge and experience of property owners at Whangapoua Beach. It is therefore sought that the CCEL be:
 - (i) Deleted; or
 - (ii) Relocated to coincide with the Beachfront Yard/existing seaward title boundaries of the beachfront properties at Whangapoua.
6. Section 34.13 Rule 15 is assumed to apply to those activities occurring between the FCPL and CCEL.
7. It is further assumed that Rule 15 does not intend to require resource consent for a single dwelling on a site at Whangapoua Beach in the Future Coastal Protection Area; and that existing houses, extensions or alterations to existing houses, and new houses within this area remain a permitted activity in the Coastal Living zone.



8. To the extent that it does not affect the permitted activity status of such activities, Rule 15 is supported. Otherwise it is opposed and should be amended to confirm that it does not affect the permitted activity status of activities in the Coastal Living zone.
9. Rule 15 introduces new assessment matters and criteria in Table 4, "for all activities that are a restricted discretionary activity in the underlying zone and district-wide rules".

Table 4 matters include requirements to consider whether a proposal can adapt to sea level rise over the next 100 years; and "site-specific assessment of underlying beach geology, beach contour, elevation or other factor (that) indicates that coastal erosion risk is unlikely in 100 years' time at that site".

10. In the Coastal Living zone, one dwelling per lot is a permitted activity provided it meets the standards in Table 5 (being yard, height, boundary controls etc). A dwelling that infringes any of the Table 5 controls is a restricted discretionary activity. As a restricted discretionary activity, consent would be required under Section 34.13 Rule 15 and Table 4 above, even where the extent of the particular infringement was minor. That is unduly onerous and serves no practical purpose, particularly given that many of the development controls applying in the Coastal Living zone have no or little bearing on the issues of sea level rise, or coastal erosion.
11. Rule 15 is opposed and should be amended to read:

"For all activities that are restricted discretionary activities in the underlying zone and district-wide rules, except for single dwellings in the Coastal Living zone, the Council extends its discretion to include all the matters in Table 4."

Section 41 – Coastal Living Zone – Visitor Accommodation

12. This submission opposes the provision for visitor accommodation contained at Section 41.4 Rule 2. In particular it is not appropriate to impose a limit of "6 tariff paid visitors staying on-site at any one time".
13. There are very many homes at Whangapoua Beach and elsewhere on the Peninsula that are able to accommodate more than six people (paying or otherwise) comfortably, without any adverse environmental effects. The Rule does not find support in the Zone Purpose, or any relevant objectives and policies for the zone.
14. Rather it appears to have been introduced for the unlawful purpose of protecting commercial interests of one section of the community, to the disadvantage of residential property owners. Accordingly Section 41.4 Rule 2 should be deleted in its entirety.



Protection of the Coastal Environment, Including New Chums / Wainuiototo Bay and Whangapoua Harbour

15. New Chums/Wainuiototo Bay and Whangapoua Harbour environs, are areas with high landscape, natural character and and biodiversity values, which require protection under Section 6(a) and (c) of the Resource Management Act and Policies 11, 13 and 15 of the New Zealand Coastal Policies Statement. The Rural zoning of the farm behind New Chums Beach is supported, as is the Recreation Passive Zoning of the Headland and section of the beach. Also supported is the Natural Character and Outstanding Landscape overlay areas, and the position of the Coastal Environment Line.
16. The following subdivision and development provisions of the PDP are opposed and specified amendments sought.

Section 16 and Section 38 – Subdivision in the Coastal Environment

17. Rules 8 and 9 providing for subdivision in the Rural Production Zone are opposed to the extent that they provide for subdivision in the Coastal Environment. In order to give effect to Part 2 RMA the NZCPS, subdivision within the Coastal Environment should be avoided. That is particularly the case in respect of the rural zoned land behind New Chums/Wainuiototo Bay.
18. Avoiding subdivision would also be consistent with the Council's Coromandel Peninsula Blueprint adopted by the Council in December 2009. The Blueprint concentrates development within the three main urban hubs of Thames, Whitianga and Whangamata, while recognising the special character of small coastal settlements and the rural environment, and seeks protection of highly valued natural resources including areas such as New Chums/Wainuiototo Bay.
19. It is important to prevent settlement development or growth outside of the urban areas, particularly in the Coastal Environment Areas of the Rural zone, as well as in outstanding natural landscapes, amenity landscapes and natural character areas.
20. The provisions of the PDP provide for inappropriate subdivision in these areas. The subdivision standards for the Rural zone within the Coastal Environment Area, including at New Chums/Wainuiototo Bay and around Whangapoua Harbour, are opposed. The following amendments are sought:

Section 16

- (a) Background – amend the reference in the fourth paragraph to subdivision in undeveloped areas of the Coastal Environment to require that subdivision outside of existing urban zones be avoided, rather than “carefully managed” to protect its special character and values.
- (b) Issue 16.2.1 – delete the words “poorly planned” so that the sentence reads “Subdivision can adversely affect the Districts special values ...”;

- (c) Objective 1 and associated policies – amend the objectives to make clear that subdivision is enabled in existing settlements, urban zones and the Rural Lifestyle zone but discouraged elsewhere in the district and avoided in the Coastal Environment Area.
- (d) Objective 5 and associated policies – amend to require avoidance of subdivision on headlands and ridgelines.
- (e) Policy 5b –the views from private places can be as significant as those from public places. Accordingly delete the reference at the end of this policy to public places.

Section 38

- (f) Rule 8 Conservation Lots in the Rural zone – use of the defined term “the site” in this rule is ambiguous. Does it, for example mean that part only of the site need have been the subject of a previous subdivision application? Does it mean that the site to be subdivided must be wholly within an area identified on Figure 1?
- (g) The creation of Conservation Lots within the Coastal Environment Area should be avoided. Amend Rule 8.1 as follows in order to remove the provision of Conservation Lots within the Coastal Environment Area:

“Subdivision creating one or more Conservation Lots in the Rural zone, excluding those parts of the Rural zone within the Coastal Environment Area, is a restricted discretionary activity provided ...”

- (h) Rule 9 subdivision creating one or more additional lots – again this is not appropriate in the Coastal Environment Area. Accordingly amend Rule 9.1 to read:

“Subdivision creating one or more additional lots within the Open Space Zone or Rural Area, excluding land within the Coastal Environment Area, is a discretionary activity provided ...”

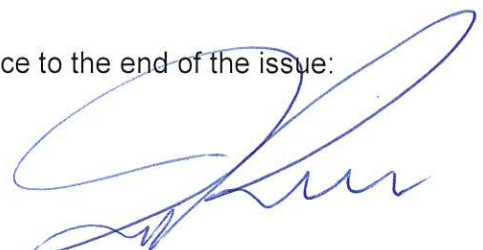
- (i) Amend Rule 9.2 so that the activity status is prohibited.

Development in the Coastal Environment

The proposals for development in the Rural Area between the Coastal Environment Line and the coast and harbours is opposed. The following amendments are sought:

Section 24 – Rural Area:

- (a) Amend Issue 4 by adding the following sentence to the end of the issue:



"Subdivision and development in the Coastal Environment is to be avoided."

- (b) Amend Issue 4(d) so that it reads:

"Development spreading outside of its naturally contained area in existing settlements leading to ribbon development and adverse effects on natural character is to be avoided."

- (c) Amend Policy 1c so that it reads:

"Subdivision in the Rural Zone, outside of the Coastal Environment Area, shall be provided for, ..."

- (d) Amend policy 1d to delete references to subdivision and development in the Coastal Environment parts of the Rural Area.

- (e) Amend Policy 3a under Objective 3 to read:

"Residential activities may occur in the rural zone outside of the Coastal Environment where reverse sensitivity effects can be demonstrably minimised."

- (f) Objective 5 and related policies – delete the references to subdivision and development in the Coastal Environment so that in respect of the objective and each policy they refer to "use of the Coastal Environment (excluding subdivision and development)".

- (g) Objective 6, policy 6a and 6b – delete the provision for new buildings in the Coastal Environment.

- (h) Objective 6, policy 6c – delete references to subdivision and development in the Coastal Environment.

- (i) Objective 7 – amend to read:

"The open, unspoilt character of the Districts Coast is maintained."

- (j) Objective 7 policy 7a – this provides that residential development in the Coastal Environment should be directed to existing coastal settlements and is supported.

- (k) Objective 7 policy 7b – this provides for development in the Rural Lifestyle zone in the Coastal Environment and is supported.

Section 56 – Rural Zone

Section 56.4 – Permitted Activities

- (l) Amend Rule 3 Visitor Accommodation sub rule 4 to read:



“Visitor accommodation that is not a permitted activity under Rule 3.1(b) is a discretionary activity, except in the coastal environment where it is a non-complying activity”.

- (m) Rule 12.1 – amend the Rule to read:

“An activity listed in Rule 12 is a permitted activity provided:

(a)

(b) ...

(c) Any new dwelling or minor unit is not allowed in the Coastal Environment.”

- (n) Amend Rule 12 by adding after the words “minor unit” and “one dwelling per lot”, the words “except in the Coastal Environment Area”
- (o) Rule 25 – amend to exclude the development of the listed facilities/activities in the Coastal Environment.
- (p) Rule 26 – add a new subrule 2:

“Development in the Coastal Protection Area outside of the existing settlements.”

Forestry – Section 56

21. Rural Zone provides for Afforestation as a permitted activity in the specified circumstances. The rule is supported to the extent that afforestation is not a permitted activity in the Coastal Environment.
22. Further, it is not considered appropriate that afforestation be a permitted activity in the catchments of harbours within the district including and in particular Whangapoua Harbour. Forestry activities have contributed substantially to the degradation of the quality of Whangapoua Harbour and require closer regulation to avoid adversely affecting waterways and harbours. The requirement for a forest plan to qualify as a permitted activity is not sufficient.
23. Accordingly Rule 11 is opposed. Further, Table 8 assessment criteria for afforestation as a restricted discretionary activity is too general and does not particularise the outcomes sought.
24. The following amendments are sought:
- (a) Change the activity status for Afforestation outside of the Coastal Environment in Rule 11 to discretionary;

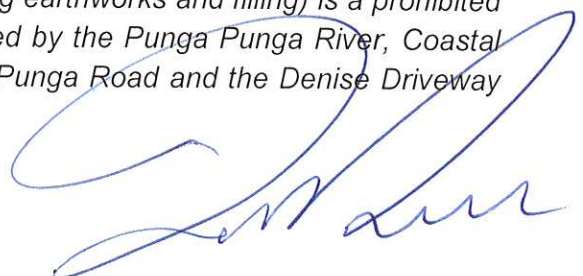
- (b) Re-write the assessment criteria in Table 8 to specify the particular outcomes sought, ensuring that they avoid adverse effects on waterways and harbours;
- (c) Amend the activity status in Rule 11.2 to read “non complying activity”.

Rural Zone Land bounded by the Punga Punga River, Coastal Living Zone on McMahon Avenue, Te Punga Road and the Denise Driveway at Whangapoua

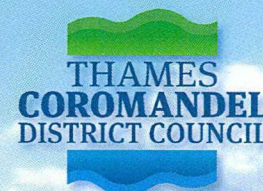
- 25. This submission refers to the Rural zoned land at the above location at Whangapoua. The land is zoned rural and farmed. It is highly susceptible to flooding and on several occasions in recent years the Punga Punga River has breached its banks causing the area to be swept with floodwaters to a significant depth.
- 26. This area, in addition to being farmland, provides habitat for many species of birds including endangered species.
- 27. It is also within the Coastal Environment Area, outside of the existing coastal settlement.
- 28. The land should not be filled, subdivided or developed. Its low lying flood prone nature ensures that it acts as a reservoir, protecting upstream residential developments within the developed Coastal Living zone, during times of flood.
- 29. The land also provides a wildlife habitat that is substantially protected from predators.
- 30. The PDP should include express recognition of the following factors:
 - (a) The flood prone nature of the land;
 - (b) Its natural function as a reservoir providing essential protection for existing residential development within the settlement of Whangapoua (Anarake and Opera subdivisions); and
 - (c) Its value as a bird habitat, including endangered species such as the brown teal duck/pateke.
- 31. The following amendments are sought:
 - (a) Section 56.7 – amend to read as follows:

“56.7 Non-complying activities and prohibited activities”
 - (b) Add a new sub-rule 26.2 as follows:

“Subdivision and development (including earthworks and filling) is a prohibited activity on the rural zoned land bounded by the Punga Punga River, Coastal Living Zone on McMahon Avenue, Te Punga Road and the Denise Driveway at Whangapoua”



Proposed Thames-Coromandel District Plan



Submission Form

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

Your submission can be:

Online: www.tcdc.govt.nz/dpr
Using our online submissions form

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

Email to: customer.services@tcdc.govt.nz

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

THAMES-COROMANDEL
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: Tani.
3:57pm

Submitter Details

Full Name(s) HARVEY ARTHUR REID & NICOLA JANE READ

or Organisation (if relevant) _____

Email Address jkread@gmail.com

Postal Address 306 Hill street
Thames 3500

Phone no. (include area code) (07) 868 9533

Mobile no. 0211787214

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)

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:

as above.

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

Retained ☐ Deleted ☐ Amended ☐ as follows:

as above.

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
possibly

Signature of submitter H. A. Reid [Signature] 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

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

☐ Y ☐ N

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

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



Submission to TCDC Proposed District Plan 2014 – Harvey Reid & Nicola Read

Coastal Erosion Overlay – Te Puru South

Section 34.5.2

We support the purpose of the Current Coastal Erosion Line for Te Puru. The line encourages the community to take a holistic approach to managing coastal erosion risk because of its application along the entire beachfront at Te Puru.

However, due to the fact that there are existing and effective hard defences (seawalls) in front of many of the properties in Te Puru South (properties south of Sarjants Road), we would like to see a revision of this line that takes into account the protection the seawalls currently provide.

Section 34.5.2

We support the declaration in 34.5.2 that existing use rights apply for existing structures but we seek the following amendment:

It should be listed explicitly in 34.5.2 that Section 10 of the RMA 1991 (existing use rights) applies to structures in front of the Current Coastal Erosion Line, specifically for the maintenance and repair of lawfully established hard and soft defences in Te Puru South.

Section 34.11

Rule 11 – ‘Hard’ coastal defences

We support the activity of establishing new ‘hard’ coastal defences being a non-complying activity. However, we seek an amendment to Rule 11 that states repair and maintenance of existing hard defences in Te Puru South is a permitted activity.

Section 34.11

Rule 13 ‘Soft’ coastal defences

We support Rule 13 with the exception of the amendment outlined below (regarding assessment matter 3).

Section 34.12 Assessment Matters and Criteria

Table 3 – Restricted Discretionary Activity Matters

Matter 3

We seek amendment of matter 3 which clarifies that the purpose of this provision is not to establish/allow for public access at high tide as many of the Te Puru South beachfront properties have boundaries that extend seaward of mean high water springs. It needs to be made clear that there is no intention to “restore” a high tide beach for the purpose of public access or to extend the esplanade reserve along Te Puru South property frontages.

Proposed Thames-Coromandel District Plan

THAMES
COROMANDEL
DISTRICT COUNCIL

Submission Form

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

Your submission can be:

Online: www.tcdc.govt.nz/dpr
Using our online submissions form

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

Email to: customer.services@tcdc.govt.nz

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

THAMES-COROMANDEL
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: Tani
3:59pm

Submitter Details

Full Name(s)	Malcolm Alexander Croft.	
or Organisation (if relevant)		
Email Address	mcroft@surfer.co.nz	
Postal Address	102 Hauraki Tce Thames 3500	
Phone no. <small>include area code</small>	07 868 9215	Mobile no. 021 170 5055

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)

Sec 14, Sec 32, Sec 37

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:

Mining has been a significant activity in the Area in the past but it should not be viewed as an activity contributing to its future. See attached page.

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

Prohibit mining as an activity in the Coromandel area.

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. Moff 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

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

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



Submission on the Proposed Thames-Coromandel District Plan

Malcolm Alexander Croft,
mcroft@surfer.co.nz,
 102 Hauraki Terrace
 Thames.
 Phone 868 9215

14 March 2014

Sections 9, 32, 34

Gold mining by its very nature requires the excavation and processing of large quantities of ore. Gold's average concentration in the Earth's crust is 0.005 parts per million. Gold ore needs to be concentrated by about 1,000 times above its average dispersion to become viable for gold mining. Even in a very "rich" seam, large quantities need to be extracted to produce a very small amount of gold, and that is after the seam has been exposed. The current government has given an "assurance" that such mining that is to be undertaken will be "keyhole" operations; but such an assurance is hardly creditable, when the massive amounts of cover and ore required to make what was in the past a boarder line deposit viable is taken into account. The council will also be well aware that gold mining, being an extractive industry, is by nature a boom and bust occupation. Fortunes can be made very quickly and just as many lost even quicker. There are many legacies in Thames and the Coromandel of the past mining boom, legacies both good and bad. The council should remember that it also was one of the casualties of the mining boom. The loss of jobs and the bankrupting of many ratepayers in 1930 as a result of the final closure of the mines, rendered the Council insolvent, and placed it into Commissioner controlled administration for 16 years. Economic circumstances made further mining no longer viable. (It had banked on the continued income stream from workers in the mines and associated industries flowing into the town, and borrowed heavily).

The Natural Character of Thames – Coromandel may well have been founded upon mining, and there is no doubt that there is a legacy of mining and it's twin extractive industry Kauri logging in the district. Furthermore it is good to remember that these were part of the foundation of this part of the country. But we live in a different world, where the unquestioned belief in unlimited resources is now patently false. The last kauri fell some years ago, and only a few remain to provide the seed for the regrowth now on our hillsides. The diminishing returns from gold made it uneconomic to continue with mining.

One must wonder what makes the low-grade ore remaining so attractive? Today Thames - Coromandel attracts many people, some who having completed their working life, settle in the area. Tourism is another growing industry. It has good infrastructure, is busy enough to provide almost all of ones needs, has a rich cultural base, almost everything one wants is close to hand, a friendly population, and there is none of the speed and hassle of a major city. This is not the Thames – Coromandel of the past. Thames, we are

mcroft 14/3/14

reminded in the Centenary Booklet published by the Council in 1973, found its raison d'être after the collapse of mining, as a service town to the Hauraki Plains and the Coromandel. As such, and with other industry, it has continued to survive and grow. Returning to the boom and bust of the past with the misconceived perception of the allure of gold and its wealth is a profound mistake.

M. Wright 14/3/14
Page 4095

Proposed Thames-Coromandel District Plan

THAMES
COROMANDEL
DISTRICT COUNCIL

Submission Form

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

Your submission can be:

Online: www.tcdc.govt.nz/dpr
Using our online submissions form

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

Email to: customer.services@tcdc.govt.nz

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

THAMES-COROMANDEL
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY:

3:59pm

Tari

Submitter Details

Full Name(s)	Malcolm Alexander Croft.	
or Organisation (if relevant)		
Email Address	mcroft@surfer.co.nz	
Postal Address	102 Hauraki Tce Thames 3500	
Phone no. <small>include area code</small>	07 868 9215	Mobile no. 021 170 5055

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 34.2.2 d

The predicted effects from climate change: a 20% increase in rainfall intensity by the 2080's, and a 0.5 m increase in sea level by 2100. This is based on M of E guidance at the time of modelling 2004/5

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:

Recent projections for Sea level rise by 2100 have increased the mean projected level significantly. The PM's science advisor 2013, The IPCC AS report 2013, and The UK Royal Society 2014 statements attached.

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

~~The~~ The projected rise be increased to 0.8m as the risk assessment

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 Maggie 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

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

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



"The New Zealand Ministry for the Environment guidance for local government currently recommends that a base level of sea level rise (0.5m relative to 1980-1999) be considered in planning and decision timeframes out to the 2090s. It also indicates that the impact of a potentially greater change (0.8m), and consideration of local infrastructure and storm surge levels should be included in risk assessments."

New Zealand's changing climate and oceans: The impact of human activity and implications for the future

OFFICE OF THE PRIME MINISTER'S SCIENCE ADVISORY COMMITTEE 2013

IPPC's 5th Report published late last year states

"global mean sea level will continue to rise during the 21st century by a further 26-82cm by 2100."

"The effects of rising sea level are felt most acutely in the increased frequency and intensity of occasional storm surges. If CO₂ and other greenhouse gases continue to increase on their current trajectories, it is projected that sea level may rise by a further 0.5 to 1 m (1.5 to 3 feet) by 2100."

Climate Change Evidence and Causes
Royal Society 2014

manoff .14/3/14

Proposed Thames-Coromandel District Plan

THAMES
COROMANDEL
DISTRICT COUNCIL

Submission Form

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

Your submission can be:

Online: www.tcdc.govt.nz/dpr
Using our online submissions form

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

Email to: customer.services@tcdc.govt.nz

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

THAMES-COROMANDEL
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: *MI*
3:59pm

Submitter Details

Full Name(s)	<i>Catherine Rose Mary Croft</i>	
or Organisation (if relevant)		
Email Address	<i>Catherine.Croft@yahoo.co.nz</i>	
Postal Address	<i>102 Hauraki Trc Thames</i>	
Phone no. <small>include area code</small>	<i>07 868 9215</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

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)

My submission on the district plan relates to mining, specifically sections 9 and 32 and sections 14 and 37.

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 do not support mining in the Coromandel District. I ask the council to add a rule that prohibits mining activities in historic heritage overlay and biodiversity overlay and under it. To also add rules that state a mining company

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

Retained ☐ Deleted ☐ Amended ☒ as follows:

Should not be able to apply for resource consent in residential, conservation, rural and coastal living zones, land with outstanding character and natural character.

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 R Croft Date 14/03/14

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

Trade Competition

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

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

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

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

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

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

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



Proposed Thames-Coromandel District Plan

THAMES
COROMANDEL
DISTRICT COUNCIL

Submission Form

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

Your submission can be:

Online: www.tcdc.govt.nz/dpr
Using our online submissions form

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

Email to: customer.services@tcdc.govt.nz

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

THAMES-COROMANDEL
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY: *Tmi.*
3:54 PM

Submitter Details

Full Name(s) Suzanne Margaret Croft
or Organisation (if relevant) _____

Email Address mcroft@surfer.co.nz

Postal Address 102 Hauraki Terrace
Thames.

Phone no. 07 868 9215
include area code

Mobile no. 021 255 8916

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 9~~ Section 9 Mining should be prohibited in the Natural Character and Amenity Overlays and in the Outstanding Natural Landscape. Section 31 should only pertain to quarrying. There should be no large scale mineral extraction activities in the Thames-Coromandel area. See attached sheet

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:

Mining for gold within the Coromandel Peninsula will never provide the expected revenue. Mining Companies will irreparably damage the unique Coromandel Peninsula for no financial benefit to the area (See attached sheet)

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

Retained ☐ Deleted ☒ Amended ☒ as follows:

On the attached sheet.

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 SM Croft Date 14 March 2014

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

Trade Competition

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

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

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

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

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

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

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



Suzanne Croft
102 Hauraki Terrace
Thames.
14 March 2014

Attachment to Submission to proposed Thames-Coromandel District Plan

Specific Policies and Objectives, contd.

Section 12

The Council should include references to the Hauraki Gulf Marine Park Act in their Objectives and Policies. These references should include the impact of heavy metal pollution on marine life in the Gulf.

The condition of existing roads should be taken into consideration. The present coastal road and existing through roads from coast to coast have a high propensity for slips and, in most instances, no area to safely divert to the left or right side in an emergency. They do not lend themselves easily to the increased traffic of trucks bearing toxic materials. Road repair and upkeep will increase dramatically and impact on tax paying local residents who will see little personal benefit, financially or otherwise in the development of mines.

Section 14

The following paragraphs and policies should be altered.

14.1 para. 1 should be more definite in the length of time of mining. It was only 70 years, between 1860 and 1930. It should also acknowledge that at the end of this 'Boom' time of mining, which appears to be seen today as beneficial to the area, the town of Thames was bankrupt and was placed into Commissioner controlled administration for 16 years. The Council of the time had borrowed heavily on the expected income from mining.

Paragraph 5 "While mining can have economic benefits to the District....." This statement has been shown to be untrue in the local mining history. It is also not true in the nearby Hauraki District, where the town of Waihi is one of the lowest socio-economic towns in New Zealand. The money from the mine does not return to the community. It may provide some employment but these are not well paid and there is no guarantee of length of employment. The house market in Waihi, which is widely known in surrounding districts, is depressed with house prices falling when mining was recently continued.

Policy 1d "Sites of mining activities shall be fully rehabilitated and able to be reused."

I find it hard to believe that this would be possible. Fully rehabilitated seems to mean 'as it was before'. Even with the best of intentions this could not be achieved. The reality of the damage and the years it would take to restore, even then not as it was before, should be more realistically acknowledged. The hills around Thames have not regained their former forestation after 80 years or more. The tailings at Moanatairi will always be there.

zmCroft

Section 29 Biodiversity

Add a rule to 29.2

'Mining activities are not to be permitted in the overlay or underneath it.'

Section 32 Landscape and Natural Character

Mining and associated activities should be taken out of this section. This land should not be subjected to the irreparable damage caused by open and underground mining.

The reason given for the need to mine these unique areas is that it will provide work and economic stability for the Thames-Coromandel District, for the communities and the people who live in them.

The reality is that any money made from the destruction of the land will not be returned to the community.

SMCrost 14. March 2014