

## Introduction

We are interested in your submission on our **Proposed District Plan**.

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## Privacy Statement

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## Submitter Details

First Name: **Nelson**

Last Name: **Valiant**

Street: **524 Tararu Road**

Suburb: **Tararu**

City: **Thames**

Country: **New Zealand**

PostCode: **3500**

Daytime Phone: **07 8687664**

eMail: **NelsonV@xtra.co.nz**

Trade competition and adverse effects:

I could  I could not

gain an advantage in trade competition through this submission

I am  I am not

directly affected by an effect of the subject matter of the submission that :

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

Correspondence to:

Submitter

Agent

Both

Submission

Attached Documents

File
Noise and Light

E N Valiant  
 524 Tararu Road  
 Thames  
 13 march 2014.

Two subjects that need to be addressed in the District Plan;

## 1 Noise levels in residential areas

Under section 18.3 Objectives and policies

### *Policy 2a*

*Transport networks should be developed, operated, maintained and upgraded to minimise the generation and/or emission of nuisance effects such as noise, light spill, vibration and dust that would otherwise compromise community health and wellbeing.*

Noise; I have lived by state highway at Tararu for 40 years and understandably noise levels have increased with the increasing population north of Thames. It could be said that my position is that of someone living at the end of runway and that is the choice along with consequences of development. This being so it is unreasonable that the noise levels are permitted to rise with no effort to control elements that determine the rise. Some years ago the road was resealed and immediately it was perceived that noise levels rose. I have made some informal measurements and the sound levels reach 75 Db A regularly for sustained time periods. This noise emanates primarily from low slung modern cars reflecting tire noise from the rough road surface. In practical terms a normal conversation cannot be held on the front lawn. A secondary effect of coarse road chip is that there is more dust generated from material retained on the road surface.

Two measures need to be considered in planning to minimise the generation of noise and dust. Road surface roughness and the speed limit reduction. In the case of Tararu the limit should be reduced from 70Km/h to 50 Km/h.

## 2 Light pollution.

Light pollution and its effect on the natural environment is becoming more of a concern.

Living with the blaze of sodium vapour lamps is quite unpleasant as well as an unwelcome invasion into the lives of Tararu residents. An orange beach is quite unnatural and is the result of a progression from two incandescent lamps to five sodium vapour lamps. This has reduced the clarity of what was a beautiful night sky. There are one or two good examples of street lighting on the Moanatari foreshore where illumination is only on the road and footpath.

There has never been any consultation with residents regarding street lighting and Transit has built a flare path from one end of the country to the other.

The website below gives a report from; The Royal Commission on Environmental Pollution; Artificial Light in the Environment.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/228832/9780108508547.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228832/9780108508547.pdf)

This report gives a good awareness as to what should be done regarding lighting and the environment. A more sensible approach towards clear skies and reduction of energy wasted on excess lighting would certainly be appreciated by many people.

E Nelson Valiant NZCE(Mech) BE(Mech Tech)

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## Submitter Details

First Name: **Amy**  
 Last Name: **Wilson-White**  
 Organisation: **Brown & Company Planning Group Ltd**  
 On behalf of: **Gusty Ltd**  
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 Country:  
 PostCode: **1142**  
 Daytime Phone: **03 409 2258**  
 Mobile: **027 2288 514**  
 eMail: **office@brownandcompany.co.nz**

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Correspondence to:

Submitter

Agent

Both

## Agent Details

Agent Name: **Jeff Brown**  
 Agent Organisation: **Brown & Company Planning Group Ltd**  
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 Agent eMail: **jeff@brownandcompany.co.nz**

## Submission

## Attached Documents

File
Submission of Gusty Ltd - TCDC PDP - 13 March 2014

## Submission to the Proposed Thames Coromandel District Plan

Clause 6 of First Schedule, Resource Management Act 1991  
FORM 5

Correspondence to:  
Thames - Coromandel District Council  
Proposed Thames-Coromandel District Plan  
Private Bag, Thames 3540  
Attn: District Plan Manager

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

### 1. Submitter details

Full Name of Submitter: **Gusty Limited**  
Address for Service: C/- Brown & Company Planning Group, PO Box 91839, Victoria Street  
Email: [office@brownandcompany.co.nz](mailto:office@brownandcompany.co.nz)  
Contact Person: J A Brown

### 2. The specific provisions that my submission relates to are:

**Provisions:** Zoning of the land, and the location of the "Coastal Environment" notation in the vicinity of Te Tutu Street, Whangamata, and associated objectives, policies and rules.

**Map:** Planning Map 38C

**Property Address:** Lot 51 DP390650, containing an area of 32.2140ha, held in Certificate of Title identifier 363861, South Auckland. The property is located east of the intersection of State Highway 25 (Waihi – Whangamata highway) and Widdison Place, approximately 2 kilometres south of the Whangamata town centre, and generally east of the constructed end of Te Tutu Street (the "land").

### 3. Submission

Gusty Limited **OPPOSES** the Proposed District Plan zoning (Rural Zone) and related provisions for the eastern part of the land.

Gusty Limited **OPPOSES** the location of the "Coastal Environment" notation at the eastern part of the land.

Gusty Limited seeks the following amendments:

- 3.1 Reinstatement of the "North Block" provisions of the Structure Plan provided for in rule 347.5 of the Operative District Plan, into Part V of the Proposed District Plan, as a Structure Plan area (under Section 27.6) or alternatively as a Site Development Plan (under Section 25.10) to provide for the limited development and conservation opportunities presented by the land's location and other attributes.

A copy of the "North Block" provisions of rule 347.5 of the Operative District Plan is attached. In addition to the specific Structure Plan Diagram at 347.5, the key clauses for inclusion in the Proposed District Plan are as follows:

- (a) From operative Rule 347.5.1:

***To provide for the development and use of the subject land (Pt. Sec 59, Coromandel S Block" while ensuring that the natural character of the estuary and its associated land are protected and enhanced.***

***To achieve this purpose:***

- (i) ***Set aside from development including earthworks the steep land facing the estuary.***

- (ii) *Limit the development density to:  
three houses on the "North Block", one per lot, and specify their location to ensure they are not visually intrusive, and ...*
- (iii) *Require a design assessment of the houses, and specify bulk and location standards for these buildings.*
- (iv) *Require amenity planting of indigenous vegetation adjacent to the three identified house sites on the "North Block".*
- (v) *Set aside from development the steep areas that could if developed adversely affect the amenity values of the estuary.*
- (vi) *Require a cultural assessment of the subject land to accompany the current archaeological report to assess the potential adverse effects of the development on cultural heritage sites of significance to Maori.*

The above clauses should be adopted as objectives for the Structure Plan.

- (b) From Rule 347.5.2.1:

*Subdivision of land within the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road for the "North Block" shall be a Controlled Activity provided that it meets the following standards:*

- (i) *No more than three lots shall be created, the lot boundaries and access to them being generally in accordance with those shown in the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road. All lots shall be connected to the reticulated wastewater network.*
- (ii) *Each lot shall contain one only Defined Building Area in the locations shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road. Each Defined Building Area shall be defined on the survey plan of subdivision or on the management plan required under (v) below, and shall be the subject of a consent notice registered on the title of the residential lot to which it relates. There shall be an esplanade reserve of a minimum width of 20 metres.*
- (iii) *The geometric standards of vehicle accessways (including associated earthworks) shall comply with rule 754.*
- (iv) *All indigenous vegetation within the Structure Plan area shall be identified on the subdivision plan. The areas identified on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road as "Proposed Rehabilitation Planting" shall be planted in indigenous vegetation prior to the release of the s.224(c) certificate.*
- (v) *In conjunction with an application for consent to subdivide, a management plan which covers the matters set out below shall be provided. A person or persons who are suitably qualified and experienced in landscape and coastal ecology, and Maori cultural heritage planning, and is independent of the landowner shall prepare this management plan. The management plan shall specify the number and species of plantings to be established within the "proposed rehabilitation planting" areas identified on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, as well as stating the means by which their on-going protection and maintenance will be ensured, and may incorporate "view corridors" where lower growing species are specified. The management plan shall include provisions which will:*
  - (a) *Ensure the protection of all remaining indigenous coastal vegetation.*
  - (b) *Require advice to be taken from a qualified arborist or ecologist where any activity may threaten these species.*

- (c) *Assist the natural regeneration of indigenous species including all the primary species such as Kanuka, Manuka, Karamu, Karo, Mahoe and Kawakawa.*
- (d) *Covenant for protection (or protect by consent notice) all areas of indigenous vegetation including existing, regenerating, and recently planted.*
- (e) *Define the "Proposed Rehabilitation Planting" areas shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, and provide for enrichment planting of indigenous vegetation within this area. These areas and areas of indigenous vegetation existing at the time of scheme plan application shall be defined on the survey plan or management plan for the purpose of the covenants/consent notice required to be registered to ensure the long-term success of the revegetation process.*
- (f) *Control the grazing of stock to ensure the success of the revegetation programme, and to protect the existing indigenous vegetation.*
- (g) *Control animal and plant pest species.*
- (h) *Provide for one house only (and its accessory buildings) on each Defined Building Area shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road.*
- (i) *Ensure the protection of cultural heritage sites of significance to Maori on the subject land.*
- (j) *Any sites identified through the cultural assessment shall be defined as "cultural heritage protection areas" on the structure plans and shall identify methods for their protection.*
- (k) *Develop a set of protocols to follow in the event of the inadvertent disturbance of sites.*

(c) The assessment criteria, where applicable, in the operative Rule 347.5.2.3.

- 3.2 Change the zoning of the eastern part of the land (generally east of the Residential Zone boundary) to the Rural Lifestyle Zone;
- 3.3 Shift the location of the "Coastal Environment" notation boundary so that it follows the base of the hill on the coastal side, not the ridgeline.
- 3.4 The reasons for this submission are:
  - (a) The land contains large areas of native re-vegetation and is suitable for very limited subdivision and development provided such development is sensitive to the natural environment, as is recognised by the operative Structure Plan provisions applying to the land;
  - (b) Limited rural lifestyle development can occur without significant adverse effects on natural conservation values, the coastal environment, or on landscape values, as anticipated by the operative Structure Plan. The operative Structure Plan includes methods for avoiding, remedying, or mitigating any potential adverse effects of activities on the environment;
  - (c) The Rural Lifestyle Zone is more appropriate in this location given the development anticipated by the operative Structure Plan;
  - (d) The "Coastal Environment" boundary in this area and nearby areas is somewhat random and does not appear to be based on any standardised rationale. The boundary should follow the base of the hill, where the coastal wetlands are recovering following stock withdrawal, to be consistent with the location of the boundary further east.
  - (e) The zoning and/or provisions sought in this submission are in accord with the purpose and principles of the Act in that:

- (i) The development of limited rural lifestyle lots, sensitively designed and located and in accordance with the operative Structure Plan provisions, will protect the intrinsic values of ecosystems (section 7(d) of the Resource Management Act 1991) (the **Act**), can ensure the maintenance and enhancement of amenity values (section 7(c)) and the quality of the environment (section 7(f));
- (ii) The development can be undertaken in a manner that is consistent with the duties under section 6 of the Act;
- (iii) The land and associated resources can be developed and protected in the manner set out in this submission to enable people and communities to provide for their well-being while sustaining the potential of the resources to meet reasonably foreseeable needs; safeguarding the life-supporting capacity of the air, water, soil, and ecosystems; and avoiding, remedying, or mitigating any adverse effects of activities on the environment.

3.5 Under section 32 of the Act, and for the reasons expressed in parts 3.1 - 3.4 above:

- (a) The specific objectives for the Structure Plan as contained in the purpose at 347.5.1 and set out in 3.2(a) above, and the objectives of the Rural Lifestyle Zone, are the most appropriate way to achieve the purpose of the Act in relation to this land;
- (b) There will be environmental benefits, particularly in relation to native bush regeneration and nature conservation value benefits, from the implementation of the Structure Plan provisions, in comparison with the Rural Zone;
- (c) The costs are the potential landscape effects however the types of development controls promoted by the Structure Plan provisions will ensure that such effects are avoided, remedied or mitigated such that any costs are acceptable;
- (d) The subject matter of the provisions identified in this submission does not need to be augmented by further information (in further submissions and hearings) because there is no risk of acting or not acting in respect of this submission given that the submission seeks to maintain operative provisions.

#### 4. Gusty seeks the following decision from the Thames Coromandel District Council:

- 4.1 Modify the Proposed District Plan in the manner set out in Parts 3.1 – 3.3 of this submission above; ie:
  - (a) Reinstate the “North Block” provisions of the Structure Plan provided for in rule 347.5 of the Operative District Plan, into Part V of the Proposed District Plan, as a Structure Plan area (under Section 27.6) or alternatively as a Site Development Plan (under Section 25.10); and
  - (b) Change the zoning of the eastern part of the land (generally east of the Residential Zone boundary) to the Rural Lifestyle Zone; and
  - (c) Shift the location of the “Coastal Environment” boundary so that it follows the base of the hill on the coastal side, not the ridgeline.
- 4.2 Adopt such further or alternative modifications (to those detailed above) necessary or appropriate to achieve the outcomes sought in this submission.

Gusty **DOES** wish to be heard in support of this submission.

If others make a similar submission, Gusty **WILL** consider presenting a joint case with them at a hearing.





Signature of Submitter  
*Authorised to sign on behalf of submitter.*

Date: 13 March 2014

Telephone: 021 529 745 / 09 377 5499

**Notes to person making submission:**

If you make your submission by electronic means, the email address from which you send the submission will be treated as an address for service.

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 (4) of Schedule 1 of the Resource Management Act 1991.

**The submitter could NOT gain an advantage in trade competition through this submission**



## TCDC Operative District Plan

### 347.5 - Waihi - Whangamata Road

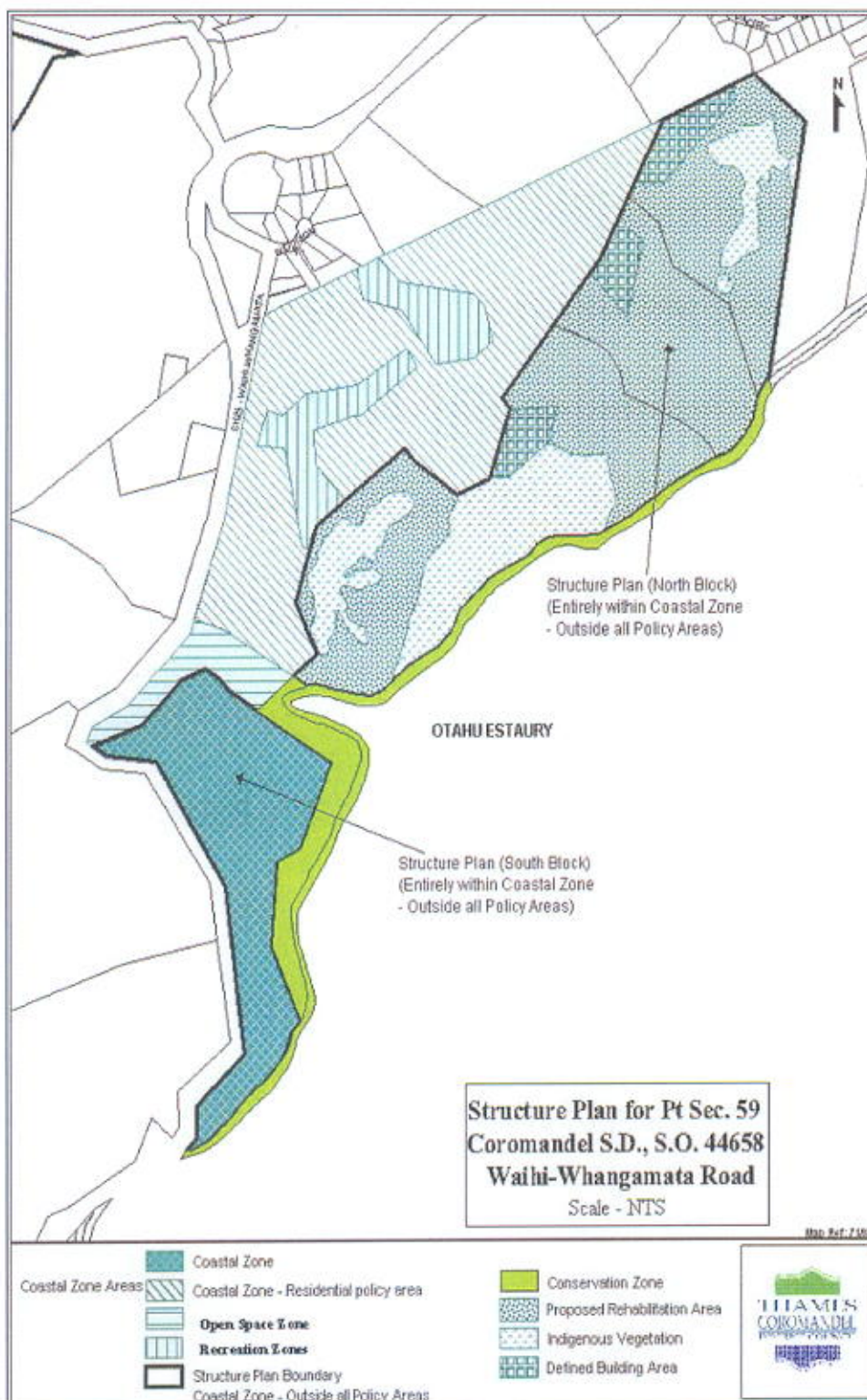
- 1 PURPOSE:**
- .1** To provide for the development and use of the subject land (Pt. Sec 59, Coromandel S.D., S.O. 44658) for three houses on the "North Block", and five houses on the "South Block" while ensuring that the natural character of the estuary and its associated landscape, amenity, cultural and ecological values are protected and enhanced.
- To achieve this purpose:
- (i) Set aside from development including earthworks the steep land facing the estuary.
  - (ii) Limit the development density to:
    - three houses on the "North Block", one per lot, and specify their location to ensure they are not visually intrusive, and
    - five houses on the "South Block", one per lot, to have one entrance onto the state highway serving all houses.
  - (iii) Require a design assessment of the houses, and specify bulk and location standards for these buildings.
  - (iv) Require amenity planting of indigenous vegetation adjacent to the three identified house sites on the "North Block".
  - (v) Set aside from development the steep areas that could if developed adversely affect the amenity values of the estuary.
  - (vi) Require a cultural assessment of the subject land to accompany the current archaeological report to assess the potential adverse effects of the development on cultural heritage sites of significance to Maori.
- 2 ACTIVITY STATUS AND RULES FOR SUBDIVISION**
- .1** Subdivision of land within the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road for the "North Block" shall be a Controlled Activity provided that it meets the following standards:
- (i) No more than three lots shall be created, the lot boundaries and access to them being generally in accordance with those shown in the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road. All lots shall be connected to the reticulated wastewater network.
  - (ii) Each lot shall contain one only Defined Building Area in the locations shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road. Each Defined Building Area shall be defined on the survey plan of subdivision or on the management plan required under (v) below, and shall be the subject of a consent notice registered on the title of the residential lot to which it relates. There shall be an esplanade reserve of a minimum width of 20 metres.
  - (iii) The geometric standards of vehicle accessways (including associated earthworks) shall comply with rule 754.
  - (iv) All indigenous vegetation within the Structure Plan area shall be identified on the subdivision plan. The areas identified on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road as "Proposed Rehabilitation Planting" shall be planted in indigenous vegetation prior to the release of the s.224(c) certificate.
  - (v) In conjunction with an application for consent to subdivide, a management plan which covers the matters set out below shall be provided. A person or persons who are suitably qualified and experienced in landscape and coastal ecology, and Maori cultural heritage planning, and is independent of the landowner shall prepare this management plan. The management plan shall specify the number and species of plantings to be established within the "proposed rehabilitation planting" areas identified on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, as well as stating the means by which their on-going protection and maintenance will be ensured, and may incorporate "view corridors" where lower growing species are specified. The management plan shall include provisions which will:
    - (a) Ensure the protection of all remaining indigenous coastal vegetation.
    - (b) Require advice to be taken from a qualified arborist or ecologist where any activity may threaten these species.
    - (c) Assist the natural regeneration of indigenous species including all the primary species such as Kanuka, Manuka, Karamu, Karo, Mahoe and Kawakawa.
    - (d) Covenant for protection (or protect by consent notice) all areas of indigenous vegetation including existing, regenerating, and recently planted.
    - (e) Define the "Proposed Rehabilitation Planting" areas shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, and provide for enrichment planting of indigenous vegetation within this area. These areas and areas of indigenous vegetation existing at the time of scheme plan application shall be defined on the survey plan or management plan for the purpose of the covenants/consent notice required to be registered to ensure the long-term success of the revegetation process.
    - (f) Control the grazing of stock to ensure the success of the revegetation programme, and to protect the existing indigenous vegetation.
    - (g) Control animal and plant pest species.
    - (h) Provide for one house only (and its accessory buildings) on each Defined Building Area shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road.
    - (i) Ensure the protection of cultural heritage sites of significance to Maori on the subject land.
    - (j) Any sites identified through the cultural assessment shall be defined as "cultural heritage protection areas" on the structure plans and shall identify methods for their protection.
    - (k) Develop a set of protocols to follow in the event of the inadvertent disturbance of sites.
- .2** Subdivision of land within the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, for the "South Block" shall be a Controlled Activity provided that it meets the following standards:
- (i) No more than five lots shall be created within the "South Block" shown on the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road.
  - (ii) Each lot shall contain one only Defined Building Area providing for houses to sited above a 1% flood event. Each Defined Building Area shall be defined on the survey plan of subdivision, and shall be the subject of a consent notice registered on the title of the residential lot to which it relates. There shall be an esplanade reserve of a minimum width of 20 metres.
  - (iii) There shall be only one entrance onto the state highway, serving all five houses on the "South Block". The geometric standards of vehicle accessways (including associated earthworks) shall comply with rule 754.
- .3** In assessing a Controlled Activity application to subdivide land under this Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, Council shall take the following criteria into account, in addition to those in the District Plan that are relevant:
- (i) The management plan provisions shall ensure that the purpose of this Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road is achieved, and the standards and terms set out in .2.1, and .2.2, above are met.
  - (ii) The extent to which existing indigenous vegetation may be removed to enable the control of pest plant or animal species, for walking tracks, or other purpose set out in the management plan.
  - (iii) Any measures in addition to those stated in .2.1 above relating to the on-going protection and maintenance of existing vegetation and proposed additional enrichment plantings including fencing, weed control, covenants/consent notice and/or bonds.



## TCDC Operative District Plan

- (iv) Financial contributions in accordance with section 480.
- 4 In the case of any subdivision not in accordance with this Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, Rules 751-754 inclusive (Coastal zone: outside all policy areas) shall apply. Any other subdivision shall be a Non-Complying Activity.
- 5 The subdivision and development of land within the Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road boundaries may be undertaken in two or more separate and distinct stages.
- 6 Prior to or as a condition of any subdivision consent being granted for the area of Pt Sec. 59 Coromandel SD, S.O. 44658 zoned "Coastal Residential Policy Area", the following works will be undertaken to the satisfaction of the Councils Engineer in consultation with the Regional Manager, Transit Hamilton:
- (i) The intersection between SH25 and Widdison Place is to be relocated to a position approximately 40 metres south of its current location, and constructed to the standards specified in Transit's Planning Policy Manual (or current equivalent). This intersection is also to be provided with flaglighting.
  - (ii) Vegetation removal and bank trimming is to be undertaken at the relocated intersection between SH25, as necessary to ensure a minimum sight line of 250 metres north and south of this relocated intersection.
  - (iii) A "back-to-back" 150 metre long right-turn bay is to be constructed on SH25, between the Whangamata Refuse Transfer Station entrance and the relocated intersection between SH25 and Widdison Place.
  - (iv) A footpath/cycleway is to be constructed opposite the proposed development on the north-western side of SH25, between Widdison Place and Wentworth Valley Road.
- These works are to be completed before twenty residential units in any approved subdivision become habitable.
- 3 **LAND USE ACTIVITIES**
- 1 The rules for the Coastal zone: outside all policy areas shall apply provided that in the event of a conflict between these rules and this Structure Plan for Pt Sec.59 Coromandel S.D., S.O. 44658 Waihi-Whangamata Road, the rules of the Structure Plan shall prevail.

## 347.5 - Structure Plan Diagram



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## Submitter Details

First Name: **Ian**  
 Last Name: **McAlley**  
 Organisation: **McAlley Consulting Group**  
 On behalf of: **Rabarts Enterprises (1982) Limited**  
 Street: **PO Box 5133**  
 Suburb: **Rotorua West**  
 City: **Rotorua**  
 Country:  
 PostCode: **3044**  
 Daytime Phone: **64272212141**  
 Mobile: **64272212141**  
 eMail: **ian.mcalley@mcalleygroup.co.nz**  
 Trade competition and adverse effects:  
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 Correspondence to:  
 Submitter  
 Agent  
 Both

## Agent Details

Agent Name: **Ian McAlley**  
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 Agent Postal Address: (mandatory) **PO Box 5133, Rotorua West, Rotorua 3044**  
 Agent Phone: **64272212141**  
 Agent Mobile: **64272212141**  
 Agent eMail: **ian.mcalley@mcalleygroup.co.nz**

## Submission

## Attached Documents

File
20130314_Rabarts_Sub to TCDC PDP_Reduced

13 March 2014

Thames-Coromandel District Council  
Private Bag  
Thames 3540

Attention: District Plan Manager

### Submission to Draft District Plan

This submission is made on behalf of **Rabarts Enterprises (1982) Limited**, the owners of **Lot 1 and Lot 2 DPS 43270**, having a combined area of 15.276ha, located at 81 Whangapoua Road, Coromandel Township. With respect to the Coromandel District Council Proposed District Plan, Rabarts Enterprises (1982) Limited:

- i. **Oppose** the zoning of Rural Lifestyle applied to their property (refer attached Zone Plan 11F); and
- ii. **Seek** the zoning of the site be amended to Residential.

The property is located on the edge of the Karaka Stream, approximately half is in grass, of easy contour, with the remainder being rising bushland. The subject site and the other adjacent land between the subject site and the edge of the existing Coromandel Township is effectively free of any overlay notations in terms of landscape areas, character areas, significant natural areas or sites of archaeological/heritage value. Therefore, the site and the adjoining sites provide a worthwhile and significant land resource that if zoned and planned appropriately enables the orderly expansion of the Coromandel Township, adjacent to its existing centre.

The site is within the area of service for reticulated water supply and adjoins the area of service for both wastewater and stormwater.

It is noted that a designation (TC 116) is shown on the planning maps to provide a physical road connection between Victoria Street and Whangapoua Road. If the subject site and surrounding areas were rezoned Residential there would also be the potential to provide road connections from Albert and Edward Streets through to Whangapoua Road, providing physical access to the town centre and because of the gentle topography providing ready access via walking and cycling.

It is considered important that land appropriate for residential development is used for that purpose, rather than it being set aside for rural residential (Rural Lifestyle) use, whereby once subdivided it becomes very difficult to then adequately service and re-subdivide those sites for residential purposes.

Section 15, Policy 10c states that "Commercial, industrial and marine service growth in Coromandel Town should be encouraged and residential growth with wastewater reticulation should be located

between Whangapoua Road and Rings Road.” Spatially the site can achieve this Policy and is located immediately adjacent to the area of benefit for wastewater services.

With regard to the Rural Lifestyle zone, section 24.1 states “The Rural Lifestyle Zone provides a buffer between settlements and the Rural Zone. In this area residential use on large lots is expected as well as rural activities.” With respect to the site the subject of this submission, the rising topography and bush vegetation on the eastern half of the site will ensure the provision of a buffer at the edge of the Coromandel Township and any adjoining rural land. It would be possible to have residential zoning on the subject site, rather than a rural residential buffer, because the change in topography toward the east provides a natural boundary to development.

Section 24.2 – Issues states that

- “3. Inappropriate development in the Rural Lifestyle Zone can contribute to:
- a) The loss of rural character;
  - b) Isolation or fragmentation of areas of indigenous vegetation;
  - c) A progressive encroachment of urban development and services into the Rural Area, including provision of reticulated water, wastewater and stormwater services resulting in adverse effects on the naturalness and character of the Rural Area.”

These concerns are not considered to be valid in this instance. The area is already broken into smaller lots and therefore is not considered to maintain the rural character as experienced within large lot/productive areas of the District. Rezoning the site to Residential would not result in the isolation or fragmentation of areas of indigenous vegetation, because these are located on the portion of the site containing steeper topography and that same steeper topography effectively limits any progressive encroachment of urban development into the Rural area.

Setting aside this land for further residential development will enable a greater degree of critical mass to be established within an existing established settlement, therefore enabling greater service provision for the existing and future population. By making greater use of existing reticulated services create economies of scale thereby reducing the cost of service extensions and maintenance.

With the significant growth predicted to occur within the Auckland and Waikato Regions, it is reasonable to expect there will be growth in demand for retirement dwellings and/or second dwellings in the Coromandel Peninsula. Further, the improvements to the Kopu Bridge has made the Coromandel more accessible and therefore likely to increase the attractiveness of the area for development and the undertaking of a feasibility study for the expansion of the Coromandel wharf to allow the passenger ferry to dock demonstrates that plans are afoot to further increase the accessibility of the Coromandel Township.

It is considered prudent to rezone the area as shown on the attached plan for residential development. Rezoning will provide the landowners with a clear indication of the future potential use of the land and limits the likelihood of the land being used for less appropriate purposes. Even if the land were rezoned, associated consenting processes, engineering plan approval and the construction process would ensure the appropriate level of servicing and environmental mitigation occurs, therefore ensuring a sustainable outcome is established.

Appropriate zonings are required to provide certainty as to the future direction of an area or settlement. Having the security of a residential zoning provides a significant foundation stone in terms of raising necessary capital to undertake future subdivision, particularly given the long lead times, coupled with the construction period and then sell down period associated with residential development.

The use of the site for low density Rural Lifestyle development is considered to be an inefficient and poor use of the site. Rezoning the site to Residential assists in concentrating development within an existing settlement and enables expansion of the urban area in close proximity to existing development and services.

### **Reasons for the Submission**

In summary, the reasons for this submission are:

- i. The site is in close proximity to an existing settlement;
- ii. The site is within or immediately adjoins the areas of service for reticulated services;
- iii. Development of the site for residential purposes is in keeping with the outline provided for future growth in the Coromandel Township;
- iv. Development of the site for residential purposes would not undermine the spatial arrangement of development proposed under the District Plan; and
- v. Development of the site for Rural Lifestyle purposes is not considered an efficient use of land.

The submitter wishes **to be heard** in support of this submission.

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

In making this submission the submitter **could not gain** an advantage in trade competition through this submission.

We request that you consider this proposal and please feel free to contact the undersigned should you require any further information.

Yours sincerely,



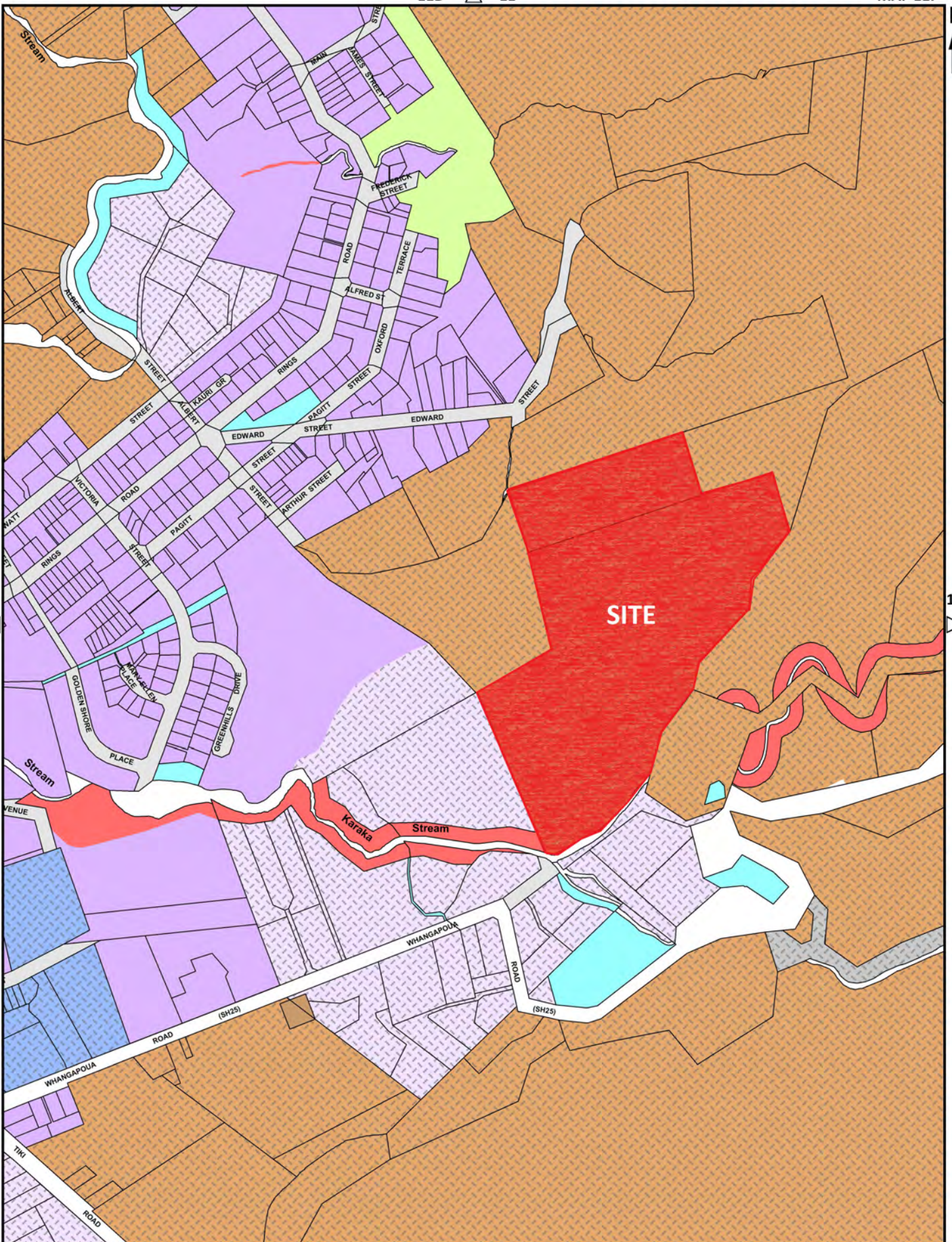
Ian McAlley  
Director  
McAlley Consulting Group



Name of submitter's agent: McAlley Consulting Group  
Address for service of submitter: PO Box 5133  
Rotorua West  
Rotorua 3044  
Attention: Ian McAlley  
Email for service of submitter: [ian.mcalley@mcalleygroup.co.nz](mailto:ian.mcalley@mcalleygroup.co.nz)  
Telephone for service of submitter: 027 221 2141

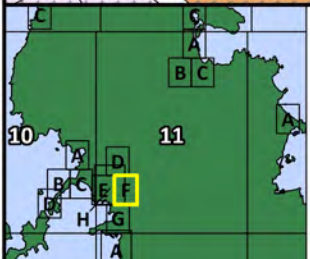
**Attachment:**

1. Map 11F Draft Proposed District Plan



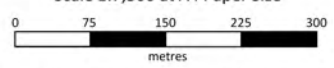
11E

11



# MAP 11F ZONES COROMANDEL

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



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



MAP PRINTED  
13 December 2013

## Introduction

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## Submitter Details

First Name: **Steve & Rosemary**

Last Name: **Garland**

Street: **67 Woods Road South**

Suburb: **RD 4**

City: **Coromandel**

Country:

PostCode: **3584**

Daytime Phone: **07 866 8268**

Mobile: **021986682**

eMail: **coro.elim@in2net.co.nz**

Trade competition and adverse effects:

I could  I could not

gain an advantage in trade competition through this submission

I am  I am not

directly affected by an effect of the subject matter of the submission that :

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

Correspondence to:

- Submitter  
 Agent  
 Both

## Submission

### Consultation Document Submissions

#### Thames-Coromandel Proposed District Plan - November 2013

Support

Oppose

Neutral

#### Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

I/We object to the PDP generally in its entirety.

#### Reason for Decision Requested

We oppose this plan because it affects us personally as land owners. And imposes unreasonable restrictions on our usage of our land according to S85 of the New Zealand Resource Management Act 1991.

#### Thames-Coromandel Proposed District Plan - November 2013 > PART II - OVERLAY ISSUES, OBJECTIVES AND POLICIES > Section 6 - Biodiversity

Support

Oppose

Neutral

#### Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

Part II-Section 6- Significant Natural Areas Designations (SNA)

#### Reason for Decision Requested

There is No account taken of biodiversity gain and loss. Where is the detailed analysis on the ground supporting the overlays? Rules and regulations must flow from "evidence" not just "perceptions." Effect on property values and resale (i.e. what is the effect if SNA and overlays are on LIMs)?

#### Thames-Coromandel Proposed District Plan - November 2013 > PART II - OVERLAY ISSUES, OBJECTIVES AND POLICIES > Section 6 - Biodiversity

Support

Oppose

Neutral

#### Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

We oppose this plan because it affects us personally as land owners. And imposes unreasonable restrictions on our usage of our land according to S85 of the New Zealand Resource Management Act 1991.

**Reason for Decision Requested**

S85 of the New Zealand Resource Management Act 1991 which states, inter alia, "that the term reasonable use in relation to any land includes the use or potential use of the land for any activity whose actual or potential effects on any aspect of the environment or on any person other than the applicant would not be significant." An unreasonable amount of our property has been claimed as SNA including our driveway, vegetable garden, lawn areas, orchards, paddocks and tiered landscaped gardens.

**Thames-Coromandel Proposed District Plan - November 2013 > PART II - OVERLAY ISSUES, OBJECTIVES AND POLICIES > Section 7 - Coastal Environment**

Support

Oppose

Neutral

**Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?**

Section 7 - Coastal Environment We object to the Coastal Environment Line Overlay.

**Reason for Decision Requested**

The Coastal Environment Line in no way represents coastal proximity. In our area this line is placed more than 1km inland from the coast. We object to the conditions on our property that this overlay imposes. Please consult with coastal property owners and possible affected persons within the current 'proposed parameters' where this line should be.

**Thames-Coromandel Proposed District Plan - November 2013 > PART II - OVERLAY ISSUES, OBJECTIVES AND POLICIES > Section 9 - Landscape and Natural Character**

Support

Oppose

Neutral

**Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?**

Part II-Section 9-Landscape and Natural Character Amenity landscapes, outstanding landscapes and natural character

**Reason for Decision Requested**

Where is the evidence for these? What are the costs for owners? What is the effect on values for owners? What is the effect on the numbers of buyers that will be interested when owners have to/want to sell?

**Thames-Coromandel Proposed District Plan - November 2013 > PART VI - OVERLAY RULES > Section 29 - Biodiversity**

Support

Oppose

Neutral

**Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?**

Part VI-Section 29 Biodiversity Rules 1-4

**Reason for Decision Requested**

Why has the old permitted firewood rule had been revised? What evidence does the council have to prove that this change will encourage biodiversity. Can we see scientific studies please? Why cannot the council encourage biodiversity on their own land holdings instead of dictating to private land owners? The previous District Plan allowed 5m3 to be cut. We consider firewood use to be reasonable. The new proposal is preposterous! This invasion of property owners rights is totally unacceptable because it breaches fundamental rights on private property. Please reinstate as a permitted activity for all property owners.

## Attached Documents

File
Supporting Info

13.3.14

Thames-Coromandel District Council  
Private Bag  
Thames  
3540  
New Zealand

Steve & Rosemary Garland  
67 Woods Road South  
Waitete Bay  
Colville

### Re Proposed District Plan

Dear sir/madame,

We object to the proposed district plan because it breeches our rights as property owners.

- We object to the overlays that council has placed on our property at 67 Woods Rd South Waitete bay. We have not been approached by council for permission to do so and we object to this intrusion. We believe that it is our basic right to be consulted whether or not we wish to agree to such gratuitous restrictions.
- We object to our property being designated as Significant Natural Landscape and Significant Natural Area and the controls Council proposes with such.
- We object to the proposed Biodiversity (section 29) in its proposed form and see no justifiable evidence that this should be imposed.
- We believe that the Council ought to pay us compensation if they limit our activity on our privately owned property. There are already huge amounts of DOC land on the peninsula and we don't believe that the Council ought to be dictating restrictions on privately owned land. As responsible landowners we are looking after our own property.

Steve & Rosemary Garland

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## Submitter Details

First Name: **Simon**

Last Name: **Powell**

Street: **233 Waikanae Valley road**

Suburb: **Coromandel RD4**

City: **Coromandel**

Country: **New Zealand**

PostCode: **3584**

Daytime Phone: **07 866 6715**

eMail: **simon.powell@hotmail.com**

Trade competition and adverse effects:

I could  I could not

gain an advantage in trade competition through this submission

I am  I am not

directly affected by an effect of the subject matter of the submission that :

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

Correspondence to:

Submitter

Agent

Both

## Submission

### Consultation Document Submissions

Thames-Coromandel Proposed District Plan - November 2013 > PART II - OVERLAY ISSUES, OBJECTIVES AND POLICIES > Section 6 - Biodiversity

Support

Oppose

Neutral

Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

.Acknowledgement of the natural environment.

### Reason for Decision Requested

A recognition of the actual biodiversity must come with a strong responsibility towards more thorough baseline surveys to identify further species and their unique or special environments. This should be applied in relation to the clearing of native bush for forestry and mining activities and pest control.

Thames-Coromandel Proposed District Plan - November 2013 > PART II - OVERLAY ISSUES, OBJECTIVES AND POLICIES > Section 6 - Biodiversity

Support

Oppose

Neutral

Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

### Reason for Decision Requested

Thames-Coromandel Proposed District Plan - November 2013 > PART II - OVERLAY ISSUES, OBJECTIVES AND POLICIES > Section 9 - Landscape and Natural Character

Support

Oppose

Neutral

Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

Overlay Planning maps

### Reason for Decision Requested

Much greater local knowledge is required for the overlay maps to have authenticity in relation to the natural environments. This broad and superficial description of land is therefore invalid, even though the

concept has some validity.

Thames-Coromandel Proposed District Plan - November 2013 > PART III - DISTRICT-WIDE ISSUES, OBJECTIVES AND POLICIES > Section 14 - Mining Activities

Support

Oppose

Neutral

Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

Mining

**Reason for Decision Requested**

The Coromandel Peninsula has a disastrous history of environmental exploitation which is still continuing because of mining, the clearing of native forest and the planting of pine plantations. In many areas the grazing of animals is continuing on steep, denuded land. Where the bush has returned, in all too many places the soil, which has washed into our harbours, will take hundreds, if not thousands of years to be replaced. Where activities such as mining have occurred the effect of acid build up in waterways, the pollution of land and coastal regions from tailings, the damage is permanent. On such mountainous or otherwise steep land, so much surrounded by the sea and in area subject to such heavy rainfall mining should not be permitted. This region needs to support low impact environmentally enhancing economic activities.

Thames-Coromandel Proposed District Plan - November 2013 > PART III - DISTRICT-WIDE ISSUES, OBJECTIVES AND POLICIES > Section 15 - Settlement Development and Growth

Support

Oppose

Neutral

Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

Viable, vibrant, self-sufficient, environmentally beneficial settlement. A range residential densities and dwelling forms shall provide for a variety of living choices.

**Reason for Decision Requested**

A strong case can be made for the encouragement of settlements, if they are modelled on principals which incorporate low impact development. For the protection of the environment and to permit the restoration of natural biodiversity methods of land management that use organic farming and gardening practices should be given priority. There is abundant evidence of the success of this type of development, for example, particularly where the rules of intentional communities state these principals. The economic boost to local areas is also a vital element in areas where population depletion has occurred.

Thames-Coromandel Proposed District Plan - November 2013 > PART VI - OVERLAY RULES > Section 29 - Biodiversity

Support

Oppose

Neutral

Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

Principal of overlay rules.

**Reason for Decision Requested**

The underlying principals of the RMA and the Coastal Policy Statement should be upheld throughout the region. In order to use overlay maps to define areas that require particular styles of care and management, it is necessary to make much greater use of ground based research, rather than attempt to draw conclusions from limited, often inaccurate data, or from no data at all. Failure to do so is an abuse of the role of the Council in relation to the property rights of the individual.

Thames-Coromandel Proposed District Plan - November 2013 > PART VI - OVERLAY RULES > Section 29 - Biodiversity

Support

Oppose

Neutral

Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

**Reason for Decision Requested**

Attached Documents

File
No records to display.

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## Submitter Details

First Name: **Sheryl**

Last Name: **Wright**

On behalf of: **David & Sheryl Wright**

Street: **492 Great South Road**

Suburb:

City: **Huntly**

Country: **New Zealand**

PostCode: **3700**

Daytime Phone: **078288226**

Mobile: **0272824784**

eMail: **sheryl@birth.net.nz**

Trade competition and adverse effects:

I could  I could not

gain an advantage in trade competition through this submission

I am  I am not

directly affected by an effect of the subject matter of the submission that :

- a. adversely affects the environment, and
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Correspondence to:

Submitter

Agent

Both

## Submission

### Consultation Document Submissions

Thames-Coromandel Proposed District Plan - November 2013 > PART VI - OVERLAY RULES > Section 29 - Biodiversity

Support

Oppose

Neutral

Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

29.3 Permitted Activities Rule 3: Clearing indigenous vegetation in the rural area

### Reason for Decision Requested

Thank you for the opportunity to make a submission. We support the permitted activities listed but submit that an additional permitted activity needs to be added that would allow private landowners / householders to remove a limited amount of indigenous vegetation (eg manuka / kanuka) without the need for a permit for the purposes of: heating / cooking / wood smoking etc. This could be limited to an annual amount per person.

## Attached Documents

File

No records to display.



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## Submitter Details

First Name: **Terence**

Last Name: **Whitehouse**

Street: **323a Waikawau Beach road**

Suburb: **Waikawau Bay**

City: **Coromandel**

Country: **New Zealand**

PostCode: **3584**

Daytime Phone: **07 8666903**

eMail: **thewhitehouse@actrix.gen.nz**

Trade competition and adverse effects:

I could  I could not

gain an advantage in trade competition through this submission

I am  I am not

directly affected by an effect of the subject matter of the submission that :

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Correspondence to:

Submitter

Agent

Both

## Submission

### Consultation Document Submissions

Thames-Coromandel Proposed District Plan - November 2013

Support

Oppose

Neutral

Which provisions do you like or want to change in the Thames-Coromandel Proposed District plan?

Part V1 Section 29 Rule 1-4.

### Reason for Decision Requested

I object to the proposal to restrict the current right of taking firewood to 5 cu M per annum and having to apply for and pay for a resource consent to take any more. This is completely unacceptable and should not be allowed. It is a breach of each property owners right to manage their own property competently.

## Attached Documents

File

No records to display.

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## Submitter Details

First Name: **Anne**

Last Name: **Beston**

Street: **Colville Rd**

Suburb:

City: **Coromandel**

Country: **New Zealand**

PostCode: **3584**

Daytime Phone: **078668863**

eMail: **kikopoint@clear.net.nz**

Trade competition and adverse effects:

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Correspondence to:

Submitter

Agent

Both

Submission

Attached Documents

File
Submission_to_TCDC

Submission on Proposed Thames-Coromandel District Plan

Submitter: Anne Beston

Email: kikopoint@clear.net.nz

Postal Address:  
304 Colville Rd  
Coromandel 3584

Ph 07 866 8863  
Mob 027 325 8310

Section 9, Landscape and natural character

We oppose the provisions and objectives listed in this section of the plan. In particular we note that under 9.1.1. – district landscape assessment - reference is made to the nature of this assessment as being “mapped”, “described” and “photographed”. We note further that the “landscape units” referred to in this section were identified using “people’s perceptions”. We contend that mapping, describing and photographing landscapes is unscientific, broad-brush and arbitrary and was undertaken as a desk-top exercise by council staff with no understanding or familiarity with the landscapes in question.

We further argue that any rule or proposed rule based on “people’s perceptions” is arbitrary, subjective and unlikely to stand up to any legal test. We ask which people were asked for their “perceptions”? What survey or poll was taken to ensure any sample of people was scientifically robust? What steps were taken to ensure any kind of neutrality or objective assessment of “people’s perceptions”? How many landowners in the district were able to contribute their “perceptions”?

We note that in the preamble to section 9, council observes that a third of its district is conservation land. Exactly so. We therefore fail to understand why the draconian and arbitrary provisions provided for in Section 9 are being considered for inclusion in the District Plan when *a third of the district is already conservation land?*

We note provisions in this section to prevent “inappropriate” subdivision, however we also note that the report referred to in this section was part authored by Jim Dahm from Waikato Regional Council. Jim Dahm is well known for his extreme views on coastal amenity and landscape and in particular the work he did at Waihi where residents successfully opposed his plans to force them to vacate properties. We have no confidence in Jim Dahm or any of his work, we believe he is an ideologue rather than a scientist.

We oppose 9.1.2, 9.1.3, 9.1.4 in their entirety. The rationale given for these provisions is arbitrary, has no scientific validation and is an extreme and unjustified interpretation of the principles contained in the RMA.

We oppose 9.2 and 9.3 in their entirety and all the objectives and policies contained therein. The rationale given for these provisions is arbitrary, and an extreme and unjustified interpretation of the principles contained in the RMA.

### Section 8

We oppose this Section in its entirety.

### Section 7

We oppose this Section in its entirety.

General comments:

This submission represents the views of a significant proportion of TCDC ratepayers. We are appalled at the extreme and radical proposals contained in the Proposed District Plan. We believe Councillors have been either incompetent or disengaged from the District Plan process and instead, the process has been captured by planning staff under the influence of well-funded environmental groups with an extreme agenda.

We believe the Proposed District Plan natural area provisions are the result of this radical and extreme green agenda which Council is considering implementing against the wishes of and at the expense of private landowners. We believe that any attempt to implement these provisions is property theft – simple as that.

### **I wish to be heard in support of my submission.**

I do not need to present a joint case with other submitters – there will be plenty of submissions similar to this one and the hearing committee can sit and listen to each and every one.

The only shame is that every single Councillor will not be forced to sit and listen to exactly what its ratepayers think of the provisions in the Proposed District Plan mentioned above.

**Signature of submitter:**



**Anne Beston**

**Date: 13 March, 2014**