

Introduction

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

There are 2 ways to make a submission as shown on the tabs across the top of the page, which are:

- 1) Proposed District Plan
- 2) Supporting Documents.

You can use both to make your submission, or only choose one if you wish.

By clicking on the **Proposed District Plan** tab, you are able to view the full document, and make a submission on any topic/section by selecting the relevant page.

Selecting the **Supporting Documents** tab will enable you to upload any documentation to support your submission.

My Consultation Points tab shows a summary of your saved submission points. To edit a point simply click on it and you will return to the document page where you can edit and re-save.

Privacy Statement

Please note that all submissions will be made available to the public for viewing. 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.

Submitter Details

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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 I INTRODUCTION > Section 3 - Definitions

Support

Oppose

Neutral

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

"Building ... excludes any of the following: ... • A vehicle that can be immediately legally driven/towed to a different location on request; ... • One freestanding enclosed structure no greater than 10 m2 and no higher than the distance from the nearest lot boundary (i.e. within a 45° plane from the boundary) up to a maximum of 3.5 m high, and 2.5 m high This exclusion applies to only one such structure per lot, and only if an existing dwelling is on the lot; ... • Electromagnetic telecommunication dish (e.g. for communications, TV)." "... 'building' includes but is not limited to erection, relocation, addition, partial demolition, alteration, maintenance and repair of a building. An activity that includes these actions is assessed against the rule to which the building relates. For example, alteration of a single dwelling is assessed against the standards and other provisions of 'One dwelling per lot'."

Reason for Decision Requested

Attached Documents

File
No records to display.

Council submission to the Proposed Thames-Coromandel District Plan

Words within "quotations" reflect the Plan text. Underlined words are to be added. ~~Strikethrough words~~ are to be deleted.

Note that following the Council workshop, two submission points were removed: one on heritage item curtilage and one on manuka/kanuka harvesting, because public submission points have already addressed these. A point about site development plans is removed after a legal review. Also, the following points have been added from the Council workshop version:

- 20 Site Development Plan tables heading
- 45 Rule 7.2 numbering error
- 60 Table 5.6 a) deleting out-of-date reference

Below the Council submission table is a list of changes that staff will make to the Plan under Schedule 1 Clause 16(2) of the Resource Management Act, where changes are "of minor effect, or to correct any minor errors."

3 Definitions			
#	Reference	Decision sought	Reason for decision sought
1	"Building"	<p>"Building ... excludes any of the following: ...</p> <ul style="list-style-type: none"> • A vehicle that can be <u>immediately</u> legally driven/towed to a different location on request; ... • One freestanding enclosed structure no greater than 10 m² <u>and no higher than the distance from the nearest lot boundary (i.e. within a 45° plane from the boundary) up to a maximum of 3.5 m high. and 2.5 m high. This exclusion applies to only one such structure per lot, and only if an existing dwelling is on the lot;</u> ... • Electromagnetic <u>telecommunication</u> dish (e.g. for communications, TV)." <p>"... 'building' includes but is not limited to erection, relocation, addition, partial demolition, alteration, maintenance and repair of a building. <u>An activity that includes these actions is assessed against the rule to which the building relates. For example, alteration of a single dwelling is assessed against the standards and other provisions of 'One dwelling per lot'.</u>"</p> 	<p>"Electromagnetic" is the wrong terminology. The dish may not be electromagnetic itself, and in the rest of the Plan "telecommunication" is used for this group of dishes. Adding "immediately" further confirms that a vehicle without registration or warrant is a "building".</p> <p>The "existing dwelling" addition and "maximum height" amendment aligns the structure with what is exempt under the Building Act, and is also appropriate to determine the stage when permitted standards and resource consent provisions should apply to buildings. The final added sentence clarifies that "one" means "only one per lot". Note this does not solely deal with current issues relating to unconsented cabins and sleepouts - this is covered in "accessory building" zone rules.</p> <p>Partial demolition is covered under a new rule in the Zone rules. The explanation about erection, relocation, addition, alteration, maintenance and repair of a building is useful for Plan users that are accustomed to have these aspects of an activity spelled out in rules.</p>
2	"Campground" bullet 2	<ul style="list-style-type: none"> • "A vehicle that can be <u>immediately</u> legally driven/towed to a different location on request;" 	<p>To further confirm that a vehicle without registration or warrant is a "building".</p>
3	Commercial Recreation/Event Facility	<p>"Commercial Recreation/Event Facility means a permanent facility that provides organised recreational and/or event services. Any on-site purchase of goods shall be <u>is</u> an accessory activity and incidental to the principal recreation/event activity. <u>If purchase of goods is more than accessory and incidental, this is a General Commercial activity.</u></p>	<p>This amendment clarifies that the "on-site purchase of goods" is a definition distinction between activities, not a rule requirement.</p>

3 Definitions			
#	Reference	Decision sought	Reason for decision sought
		Commercial recreation/event facility includes but is not limited to: <ul style="list-style-type: none"> • Centre for private functions; • Outdoor adventure activities; • Tracks for horses, trains, quad bikes, or their rental." 	
4	"Informal Recreation"	"Informal Recreation means informal outdoor sport, hunting, play and leisure activities that use open space, and public amenities and existing private assets on land in the Recreation Area. It may be for profit. It includes plantings, landscaping and ground maintenance. Similar activities that occur outside the Recreation Area are accessory to other activities in the zone."	The amendments better distinguish between the three main recreational activities: informal recreation, formal recreation and commercial recreation/event facility. Reference to the Recreation Area is deleted as the activity is added to all relevant zones. Having the "accessory to" quasi-rule hiding in the definition was not functional for many users.
5	"Kitchen"	"Kitchen means a room or portion of a room equipped for the preparation and/or cooking of food. This that incorporates a plumbed sink/tub, an installed bench surface, and an electrical outlet. A kitchen is not: <ul style="list-style-type: none"> • Area exclusively <u>A second plumbed sink/tub and electrical outlet, in the same building as the first plumbed sink/tub and electrical outlet, that is for laundry use;</u> • Bathroom; • Outdoor barbeque <u>or cleaning area."</u> 	Testing of the kitchen definition with actual building consents has revealed loopholes with the current definition, such as setting up a kitchen space and calling it a "laundry", and that the outdoor sink that isn't a kitchen may be caught by this definition. There was also concern that a laundry tub that could be used as a kitchen sink is may not be seen the same as a "sink". The amendments seek to refine the definition.
6	"Lot"	"Lot has the same meaning as allotment in section 218 of the Resource Management Act. means all adjoining allotment(s) held within one certificate of title. [If a certificate of title contains one or more allotments that do not adjoin, yard and height in relation to boundary standards apply only to the allotment that the activity is contained within. <i>The text in brackets may be deleted as unnecessary.</i>] Where there is a registered cross lease flats plan, with an exclusive use area identified on the flats plan, this constitutes a lot under this Plan. " Delete section 218 quotation in italics.	The existing definition does not take into account the fulfilment of conditions for RMA s224. The definition should incorporate the concept of having being issued title, so applicants can't continue with activities on the "lot" prior to subdivision conditions being fulfilled. Also, cross-lease sites need to be identified as "lots" under the Plan for dwelling rules and zone standards to provide for their development.
7	"Site"	"Site means the area of land clearly related to a particular development, application, proposal or activity. A site contains includes at least one complete lot/allotment. Included in this definition are: <ul style="list-style-type: none"> • All buildings and land use that relate to a particular development, application, proposal or activity; • The site can include more than one lot, however the lots must be adjoining." • <u>Where there is a registered cross lease</u> 	"Site" is closely linked to the definition of "lot", and change to one is will need change to the other for consistency.

3 Definitions			
#	Reference	Decision sought	Reason for decision sought
		<u>flats plan, an exclusive use area identified on the flats plan, this constitutes a site under this Plan.</u>	
8	"Temporary Living Place" bullet 2	<ul style="list-style-type: none"> "A vehicle that can be <u>immediately</u> legally driven/towed to a different location on request;" 	To further confirm that a vehicle without registration or warrant is a "building".
9	"Other Yard"	Replace "Other Yard" with "Side/Rear Yard" wherever the term is in the Plan.	While "other yard" is a logical catch-all yard term, in practice it caused problems in interpretation with yard standards. Side/rear yards are more intuitively understood.

4 Information Requirements for Resource Consents			
#	Reference	Decision sought	Reason for decision sought
10	4.4 l)	"Any known significant mineral resources in the area identified on publicly available maps held by the Council and how their <u>access to and extraction of the mineral resources</u> could affect the subdivision in the future;"	Mineral resources may be known by mining companies, central government or other organisations, but the information may not be publicly available or widely disseminated. The Waikato Regional Council will be coordinating collection of this information for district councils.

9 Landscape and Natural Character			
#	Reference	Decision sought	Reason for decision sought
11	9.1 Para 3 Sentence 3	"Objective 4 and its policies only apply to the Coastal Environment, wetlands, lakes, and rivers and their margins, that are outside the natural character overlay shown on the Overlay Planning Maps. Objectives and policies about natural character that have not been identified as 'high' value but is in the Coastal Environment are included in Section 24 Rural Area."	Objective 4 and its policies largely duplicate existing policies in the Rural Area. They also relate to natural character that is not mapped as an overlay, but can only be identified at a site scale. When using the Plan, it is more logical to look at the Rural Area policies, so the Objective 4 policies are merged with the Rural Area's Coastal Environment policies. This is already the case with policies about landscape in the Coastal Environment.
12	9.1.4 Para 2 Sentence 4	"Other areas of low or modified natural character also exist within the District but are not mapped in the overlay. Additional policy is included to address opportunities for restoration and enhancement of these areas."	Objective 4 and its policies largely duplicate existing policies in the Rural Area. They also relate to natural character that is not mapped as an overlay, but can only be identified at a site scale. When using the Plan, it is more logical to look at the Rural Area policies, so the Objective 4 policies are merged with the Rural Area's Coastal Environment policies. This is already the case with policies about landscape in the Coastal Environment.
13	Objective 4, Policy 4a, Policy 4b. Also Section 24 Rural Area: new policies 5e and 6d.	Delete all of Objective 4, Policy 4a and Policy 4b: "Areas of natural character outside of the Natural Character Overlay" . Replace them in Section 24 Rural Area Policy 5e and Policy 6d as follows: "Policy 5e <u>The restoration or enhancement of natural character in the Coastal Environment, wetlands, and lakes and rivers and their margins outside of the natural character overlay should be promoted. This may include (but is not</u>	Objective 4, Policy 4a and Policy 4b largely duplicate existing policies in the Rural Area. They also relate to natural character that is not mapped as an overlay, but can only be identified at a site scale. When using the Plan, it is more logical to look at the Rural Area policies, so the Objective 4 policies are merged with the Rural Area's Coastal Environment policies as well as two new policies. This is already the case with policies about landscape in the Coastal

9 Landscape and Natural Character			
	Reference	Decision sought	Reason for decision sought
		<p>limited to):</p> <p>a) <u>Permanent stock exclusion;</u></p> <p>b) <u>Removal of plant and animal pests;</u></p> <p>c) <u>Encouraging natural regeneration of indigenous species;</u></p> <p>d) <u>Planting species appropriate for the ecosystem using local genetic stock where available;</u></p> <p>e) <u>Creating or enhancing indigenous habitat and/or habitat for threatened or at risk indigenous species, including raising the water level for wetlands;</u></p> <p>f) <u>Legal protection for indigenous ecosystems;</u></p> <p>g) <u>Reducing or eliminating discharge of contaminants;</u></p> <p>h) <u>Removing redundant, unnecessary or inappropriate man-made structures, provided they have minimal historic heritage or amenity value;</u></p> <p>i) <u>Restoring long-term natural functioning of physical processes and features over a 100 year timeframe, particularly dunes, wetlands and intertidal saltmarsh;</u></p> <p>j) <u>Protecting geological features;</u></p> <p>k) <u>Rehabilitating historic landfills and other contaminated sites which are, or have the potential to, leach material into the coastal marine area;</u></p> <p>l) <u>Redesigning structures that interfere with natural character processes, such as perched culverts that prevent migratory fish access."</u></p> <p><u>"Policy 6d Subdivision, use and development in the Coastal Environment shall avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character values."</u></p>	<p>Environment.</p> <p>The new S24 Policy 5e gives effect to S24 Objective 5. The content did not sit well in the natural character overlay as the area it applies to is not mapped, and S24 Objective 5 was missing policy about restoration and enhancement.</p> <p>The new S24 Policy 6d covers natural character in the Coastal Environment that is not mapped as "high" natural character in the natural character overlay. The content did not sit well in the natural character overlay as the area it applies to is not mapped. A similar approach is used for policies about landscape in the Coastal Environment.</p>

10 Natural Hazards			
	Reference	Decision sought	Reason for decision sought
14	Policy 1d	"Additional major buildings ... should be located outside the area projected to be at risk of coastal erosion and coastal inundation in 100 years' time. This policy does not apply to the Recreation Area, District-wide Transport Rules, Airfield or Road Zone. "	A zone does not affect future coastal inundation and erosion of buildings and effluent disposal fields. Public land should be subject to the same policy framework as private land as the effects are the same.
15	10.4	Add: " <u>Method 4. Review over time natural hazard policies and rules about tsunami and other natural hazards as new research and modelling become available.</u> "	Further information, research and modelling about coastal flooding, sea level rise, tsunami and mitigation/protection measures will continue over the next ten years, with other natural hazard information possible as well. The Council is willing to integrate this into planning

10 Natural Hazards			
	Reference	Decision sought	Reason for decision sought
			provisions so they are based on the best available information. It clarifies existing best practice.

16 Subdivision			
	Reference	Decision sought	Reason for decision sought
16	Policy 2b	"Subdivision should consider the location of known <u>significant</u> mineral resources <u>identified on publicly available maps held by the Council</u> and not restrict access to them."	Mineral resources may be known by mining companies, central government or other organisations, but the information may not be publicly available or widely disseminated. The Waikato Regional Council will be coordinating collection of this information for district councils.
17	Objective 8	Amend to read: "Subdivision provides for the maintenance and enhancement of natural character, ecological functioning, indigenous habitat, recreational use of, and public access to <u>and along</u> , the District's water bodies."	The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high water springs to the sea.
18	Objective 8	Add new policy 8f: <u>An esplanade reserve/strip shall be established at the time of subdivision in the Rural Area where it creates an allotment, of any size, along the mark of mean high water springs of the sea.</u>	The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high water springs to the sea.

24 Rural Area			
	Reference	Decision sought	Reason for decision sought
19	Policy 1d	Delete	The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national

24 Rural Area			
	Reference	Decision sought	Reason for decision sought
			importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high water springs to the sea.
20	Policy 2b	"Rural lifestyle development shall be directed away from areas subject to natural hazards beyond acceptable risk (see Section 10 Natural Hazards), high class soils and known <u>significant mineral resources identified on publicly available maps held by the Council.</u> "	Mineral resources may be known by mining companies, central government or other organisations, but the information may not be publicly available or widely disseminated. The Waikato Regional Council will be coordinating collection of this information for district councils.
21	New objective 8	Add: <u>Subdivision, use and development in the Rural Area secure public access to and along the coast, where this doesn't already exist.</u>	The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high water springs to the sea.
22	New policy	Under new Objective 8 Add: <u>Subdivision, use and development in the Rural Area shall establish esplanade reserves/strips to provide public access to and along the coast, where this doesn't already exist.</u>	The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high water springs to the sea.

25 Site Development Plans			
	Reference	Decision sought	Reason for decision sought
23	25.1.1 Para 1 Sentence 1	"Site Development Plans are included in the Plan as <u>legacy planning tools carried over from the previous District Plan</u> to ensure that special rules or particular environmental issues are addressed within a particular parcel or area of land."	This addition re-confirms that site development plans are carried over to retain the environmental safeguards promised by small structure plans in the previous District Plan, not because they are an on-going planning technique in the Plan.
24	25.5.3 New Rule 1.1A and Rule 1.1B	Add new: 1A. Subdivision that would be a restricted discretionary activity in Section 38 Subdivision and Section 25.5.3 Rule 1.1, except that the minimum lot area is 600 m ² , is a restricted discretionary activity , provided: a) The minimum average lot area for all lots is 800 m ² ; and b) The land has not been the subject of previous subdivision under Rule 1, except as provided for in 1A c) c) A lot may be subdivided in two or more stages, provided that in conjunction with the application for the first stage of subdivision (or any subsequent stage involving further subdivision of the balance land title), the applicant specifies how the total subdivision complies with Section 38 Tables 2 and 3 and Section 25.5.3 Rule 1.1 a) - i) (the design of future subdivision stages need not be shown). 1.1B If a subdivision consent is granted under Rule 1.1A, the Council will impose a consent notice on the titles issued, identifying the lots that qualify for further subdivision under this Rule and the lots that do not.	Discussions with planning staff and the Mercury Bay Community Board pointed out that Cooks Beach has a wastewater plant and network with considerable capacity for future development. Lots near the Site Development Plan area are also down to 600 m ² in size. So it is reasonable to allow some flexibility in the Cooks Beach Site Development Plan area in lot size. However to mitigate stormwater issues through impermeable surfaces and to keep the overall character of Cooks Beach with its larger lot sizes, it is important to maintain a minimum average lot size of 800 m ² . The additional provisions around "two or more stages" and "consent notice" is similar to the staff submission point in Section 38 regarding the Rural Zone's minimum average lot area.

26 Site Development Plans			
	Reference	Decision sought	Reason for decision sought
25	Table 1, Table 2	Separate Table 1 into two tables: Table 1A: Thames Hospital and Community Halls; Table 1B: Other Site-Specific Activities. Replace " Activity Description " with " <u>Activities</u> ". Amend Table 2 title as: " Service Stations and Automotive Workshop Activities and General Commercial Activities Listed in Table 1B ". Make consequential referencing changes.	The links between the two tables in this section are not clear, as "General Commercial" does not include cafe, restaurant and tavern. The table separation and re-labelling clarifies the links.

27 Structure Plans			
	Reference	Decision sought	Reason for decision sought
26	27.2 Rule 4.1 e), Table 2.6 a), Table 2.7 a)	Delete: " e) — All necessary infrastructure, including plants, facilities, utilities, pipes, ancillary equipment and other works are either in place, or shall be established, expanded or upgraded to cope with peak demands from the proposed subdivision in accordance with Table 1. " Move Table 1 to Section 27.2.8, just before Table 2. "6. a) The extent to which <u>the subdivision or</u>	The Three Waters Infrastructure Requirements in Table 1 are what should be in place at the end of subdivision and development, not at the start. It would be unreasonable to expect the first subdivision within Stage 1 to fund all infrastructure upgrades. Instead, this should be an assessment matter to consider how the

27 Structure Plans			
		<p>development the hydraulic neutrality in the Residential and Rural Lifestyle Zone is maintained, and reasonably contributes towards the stormwater management upgrades identified in Table 1, as they are staged with development. in the Industrial Zone is improved.</p> <p>"7. a) The extent to which <u>the subdivision or development reasonably contributes towards the staging, location and capacity of network utilities and integration with existing and planned network utilities identified in Table 1, as they are staged with development</u> is supported by an assessment of the impact on the infrastructure including network capacity."</p>	subdivision should contribute towards the needed infrastructure upgrades as they are required.
27	27.2 Diagram 1	Replace the Open Space Zone shown on Diagram 1 with the Residential Zone.	The Open Space Zone shown in Diagram 1 is in conflict with the flood maps in the Overlay Planning Maps. The main purpose of the Diagram is to show zones, not overlays.
28	27.5 Diagram 1	Refine the boundary of the Whitianga Waterways Structure Plan in this diagram to be consistent with the boundary in the Planning Maps - see attached diagram.	The components of the Structure Plan as notified in the Proposed Plan that are not in the diagram below no longer need to be part of the Structure Plan as they are fully developed and have no additional infrastructure links beyond the Structure Plan.

29 Biodiversity			
	Reference	Decision sought	Reason for decision sought
29	Rules 1, 2, 3 and 4	<p>Apply the permitted exemptions in Rule 3 to indigenous vegetation clearance outside the Rural Area.</p> <p>Add in permitted exemption if clearance is in the Road Zone.</p> <p>Remove the permitted exemption for mining activities.</p> <p>Reorganise the rules' layout with sub-headings within the rule to make it easier for readers to group the exemptions (e.g. exotic ecosystem, reasonable use) and navigate the rule.</p>	<p>Amendments to vegetation clearance rules are needed to resolve some technical problems:</p> <ul style="list-style-type: none"> • Lots in Coastal Living Zones and other non-Rural Zones that are not reticulated but want to install a house, a driveway or remove indigenous species in their garden need to be able to use the permitted activity exemptions in the notified Plan's Rule 3. This link was left out in error. • A simpler district-wide rule is needed that can be amended more easily through the submission and hearing process. • The Council needs to clear vegetation for safety and road improvement within the Road Zone. • The mining activity permitted exemption of removal of 50 m² indigenous vegetation (in Section 37) is not provided to other activities who want to remove 50 m² of vegetation.
30	S 29.5	Extend Table 2's restricted discretionary matters and assessment criteria into the table below.	The Table 2 matter does not cover the main issue that the rule attempts to address: biodiversity. The matters and assessment criteria need to address this in a targeted way to be consistent with the biodiversity policy.

Table 2 - Restricted Discretionary Matters			
Matter		Assessment Criteria	
1.	Identification of biodiversity values and significance	a)	In the Rural Area, whether the indigenous vegetation is mapped as a priority location for protection in Section 38 Subdivision.
		b)	Whether the area is significant according to the criteria for determining significance of indigenous biodiversity in the Waikato Regional Policy Statement, as confirmed through a site visit by a suitably qualified ecologist.
2.	Control of pest species	a)	The extent to which pest species (plant and animal) do not endanger threatened or at-risk species and do not adversely affect the function and long-term stability of the indigenous ecosystem
		b)	Whether measures to reduce or eliminate species are appropriate to maintain or enhance biodiversity value.
3.	Long-term sustainability of indigenous biodiversity value	a)	Whether the proposed indigenous vegetation clearance will maintain or enhance biodiversity value over time.
		b)	Whether the proposed indigenous vegetation clearance maintains the functioning of ecological corridors and linkages, wetlands, and dune systems.
4.	Location, rate, quantity, species and method of vegetation clearance	a)	Whether the extent of the proposed indigenous vegetation clearance is necessary for the proposed activity.
		b)	Whether the location, rate, quantity, species and method of vegetation clearance will maintain or enhance overall biodiversity value.
5.	Measures to protect nationally threatened or at-risk species	a)	Whether the proposed indigenous vegetation clearance, along with mitigation measures, reduces the overall risk to At Risk or Threatened flora and fauna.
6.	Biodiversity remediation, mitigation, offset and compensation measures	a)	Whether proposed measures are appropriate to remedy, mitigate or compensate for the adverse effects of the vegetation clearance (i.e. replanting, enhancement of remaining vegetation).

31 Historic Heritage			
	Reference	Decision sought	Reason for decision sought
31	31.2 Para 5	Add: " <u>The curtilage extent for some items is identified on the Planning Maps. If no curtilage is shown on the Planning Maps, the curtilage (and overlay rules) applies to the entire lot.</u> "	For large lots, the "curtilage" of a heritage item as defined in the Proposed Plan could be unclear. A heritage expert has reviewed heritage items on large lots to determine the extent of the item's curtilage on those lots.
32	Rule 2	Replace " Subdivision activities " with " Boundary adjustment Conversion of cross lease titles into fee simple titles Subdivision to accommodate an existing network utility Subdivision around two or more dwellings Subdivision creating one or more additional lots Subdivision creating one or more conservation lots " and amend " A subdivision activity An activity listed in Rule 2 that is a controlled or restricted discretionary activity in Section 38 Subdivision retains its activity ..." and amend " A subdivision activity An activity listed in Rule 2 that does not retain its activity ..."	The term "subdivision activities" is unclear which activities in Section 38 are relevant. It is better to list the specific subdivision activities. Consistent activity names are especially important so the overlay rule can work in the e-Plan and online Line of Enquiry programs.
33	Rule 6	Amend: " Exterior addition or alteration 1. An exterior addition or alteration of a historic heritage item, <u>excluding to a detached garage, that is ...</u> "	This is a consistent terminology with the same activity for the Heritage Area subsection (see Rule 16) and also avoids confusion with Rule 8 Garage.

31 Historic Heritage			
	Reference	Decision sought	Reason for decision sought
34	Rule 8	Add " <u>Detached</u> garage" to every reference of 'garage' in this rule, and in the Activity Table	An attached garage is part of the historic heritage item itself, and should be addressed in Rule 6 or Rule 10.
35	Rule 10	"Rule 10 New or relocated building (excluding garage) Repositioning 1. An activity listed in Rule 10, <u>excluding a detached garage</u> , is a discretionary activity. "	This is a consistent terminology with the same activity for the Heritage Area subsection (see Rule 16) and also avoids confusion with Rule 8 Garage.
36	Rule 11 title	Delete " Subdivision ".	To be moved to new Rule 11A, as subdivision does not occur "in whole or in part".
37	New Rule 11A	Add new: " Rule 11A Boundary adjustment Subdivision to accommodate an existing network utility Subdivision around two or more dwellings Subdivision creating one or more additional lots Subdivision creating one or more conservation lots Subdivision for environmental benefit lots 1. An activity listed in Rule 11A is a non-complying activity. "	The term "subdivision" is unclear which activities in Section 38 are relevant. It is better to list the specific subdivision activities. Consistent activity names are especially important so the overlay rule can work in the e-Plan and online Line of Enquiry programs.
38	Rule 18	" Rule 18 Subdivision Boundary adjustment Subdivision to accommodate an existing network utility Subdivision around two or more dwellings Subdivision creating one or more additional lots 1. Subdivision An activity listed in Rule 18 is a discretionary activity. "	The term "subdivision" in the existing Rule is unclear which activities in Section 38 are relevant. It is better to list the specific subdivision activities. Consistent activity names are especially important so the overlay rule can work in the e-Plan and online Line of Enquiry programs.

32 Landscape and Natural Character			
	Reference	Decision sought	Reason for decision sought
39	Rule 7, New Rule 7A	Delete " All subdivision activities ", and add new: " Rule 7A Boundary adjustment Subdivision to accommodate an existing network utility Subdivision around two or more dwellings Subdivision creating one or more additional lots Subdivision creating one or more conservation lots Subdivision for environmental benefit lots 1. An activity listed in Rule 7A that is a restricted discretionary, discretionary or non-complying activity in Section 38 Subdivision is a non-complying activity. "	The term "All subdivision activities" is unclear which activities in Section 38 are relevant. It is better to list the specific subdivision activities in a separate rule. Consistent activity names are especially important so the overlay rule can work in the e-Plan and online Line of Enquiry programs. Also controlled subdivision activities do not have a significant adverse effect on landscape values, so should not be non-complying.

33 Maori Land			
	Reference	Decision sought	Reason for decision sought
40	33.1 Para 4, Rule 2 Note 1	Delete Rule 2 Note 1 and add to 33.1 Para 4: " <u>Under the Rule Hierarchy in Section 1 Background and How to Use the Plan, if another overlay also applies to the Māori land, the more restrictive rules apply to the extent of any conflict.</u> "	This text was a note under Rule 2, however the advice applies to all activities in this overlay so is better moved to the Background of the section.

34 Natural Hazards			
	Reference	Decision sought	Reason for decision sought
41	34.5.2 Para 2	Add: " <u>Site-specific assessment of coastal erosion risk is recommended for resource consent applications triggered by the CCEL.</u> "	This addition is important to explain that site-specific assessment of a particular application may find that it is appropriate to locate seaward of the CCEL. The CCEA is not a prohibited zone.
42	Table 2 Criterion 1a	"The extent to which a flood hazard risk assessment determines that the level of risk <u>to the site including the proposed activity</u> is acceptable or tolerable."	This clarifies that the level of risk applies to the site, not the hazard area.
43	Table 2	Add new RD matter: " <u>Management of cumulative or cascading risks associated with flooding</u> " and associated assessment criterion: " <u>The extent to which the activity avoids or mitigates any cumulative risks (particularly coastal inundation and coastal erosion) and any cascading risks (particularly debris flows).</u> "	S10 Policy 1h requires consideration of cumulative and cascading risks, yet RD activities did not include matters relating to this. A new matter for cumulative and cascading risks helps implement Policy 1h.
44	Table 3	Add new RD matter: " <u>Management of cumulative or cascading risks associated with coastal erosion</u> " and associated assessment criterion: " <u>The extent to which the activity avoids or mitigates any cumulative risks (particularly tsunami) and any cascading risks (particularly coastal inundation).</u> " In Rule 12, extend the Council's discretion to include this matter.	S10 Policy 1h requires consideration of cumulative and cascading risks, yet RD activities did not include matters relating to this. A new matter for cumulative and cascading risks helps implement Policy 1h.
45	Table 4	Add new RD matter: " <u>Management of cumulative or cascading risks associated with tsunami</u> " and associated assessment criterion: " <u>The extent to which any cumulative risks (particularly coastal erosion) and cascading risks (particularly earthquake and liquefaction) are factored into the design of the vertical evacuation area.</u> "	S10 Policy 1h requires consideration of cumulative and cascading risks, yet RD activities did not include matters relating to this. A new matter for cumulative and cascading risks helps implement Policy 1h.

37 Mining Activities			
	Reference	Decision sought	Reason for decision sought
46	Rule 2.1 b)	"b) — No more than 50 m² of indigenous vegetation is cleared; and " and consequential numbering changes.	Indigenous vegetation clearance is managed in the overlay Section 29 Biodiversity. These will supersede zone rules regardless of a provision in this Rule 2. The rules should only be in S29 to ensure the same environmental baselines apply to similar activities.

38 Subdivision			
	Reference	Decision sought	Reason for decision sought
47	New Section 38.1A	Add a new section 38.1A Esplanade Reserves and Strips as an introduction to the Council's approach to the creation and setting aside of esplanades. This section should outline that the Council will continue to rely on the presumption of the RMA that esplanade will be taken on lots less than 4 hectares but that the Plan also includes rules requiring esplanade reserves/strips to be established where lots are created greater than 4	The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling

38 Subdivision			
	Reference	Decision sought	Reason for decision sought
		hectares adjoining mean high water springs to the sea.	public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high water springs to the sea.
48	New 38.2	<p>Add new: "<u>38.2 Conservation Lots and Environmental Benefit Lots</u></p> <p><u>A conservation lot is an additional lot created in exchange for restoring or enhancing, and protecting rare and threatened indigenous ecosystems. The priority areas are based on an assessment of indigenous biodiversity significance and the importance of their restoration or enhancement, and protection. The goal is to target the conservation lots to the areas that give the greatest benefit to indigenous biodiversity in the District.</u></p> <p><u>An environmental benefit lot is similar to the conservation lot, except it is in the Rural Lifestyle Zone in exchange for restoring or enhancing, and protecting underrepresented indigenous ecosystems. The aim of the environmental benefit lot rule is to recreate and restore or enhance areas of indigenous biodiversity that can provide linkages and stepping stones to larger ecological areas.</u></p> <p><u>The area of the lot must be the same as the area to be set aside for restoration or enhancement, and protection.</u></p> <p><u>The new lots created by either method must be from the site that contains the priority area, but do not have to be within, contain, or near the priority area. In fact, an ecologist may recommend that the new lots be created away from the priority area to minimise the impact of domestic pets and garden plants. A conservation lot or environmental benefit lot subdivision will include requirements to restore or enhance the priority area and its on-going management, which will be encumbered on the title(s) that have the priority area.</u></p> <p><u>An applicant who wants to subdivide more than provided for in the conservation lot or environmental enhancement lot rule standards would need to demonstrate a long-term biodiversity gain significantly greater than that provided for within the rule standards."</u></p>	<p>Conservation lots are applied differently in the Proposed Plan than the current District Plan, and many people have different understandings of what a conservation lot is. There is no definition of a conservation lot, no notes, and no explanation in the policy. So the method needs some elaboration at the start of the subdivision section to give context to the Rule.</p>
49	Rule 2.1	Amend to include additional standards requiring the creation and setting aside of esplanade	The maintenance and enhancement of public access to and along the coastal marine area,

38 Subdivision			
	Reference	Decision sought	Reason for decision sought
		<p>reserves/strips in the Rural Area for subdivision where lots are created adjoining mean high water springs to the sea.</p> <p><i>Possible wording - provided:</i></p> <p><u>An esplanade reserve/strip is set aside or created where any lot (regardless of size) is created adjoining the mark of mean high water springs of the sea.</u></p>	<p>lakes and rivers is a matter of national importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high water springs to the sea.</p>
50	Rule 6.1	"Subdivision creating one or more additional lots in the Recreation Area or Road Zone <u>that is not otherwise addressed by another rule in Section 38 is a controlled activity.</u> "	This addition logically codifies the intention that more than one subdivision rule should not apply to the same subdivision.
51	Rule 7.1	"Subdivision creating one or more additional lots in the Commercial Area, Industrial Area, Residential Area or Airfield Zone <u>that is not otherwise addressed by another rule in Section 38 is a restricted discretionary activity.</u> "	This addition logically codifies the intention that more than one subdivision rule should not apply to the same subdivision.
52	Rule 7.2	"The Council restricts its discretion to matters 81 - 10 in Table 5 ..."	Numbering error that made the matters in Table 5 redundant. Clearly all those matters were to be included in this rule.
53	Rule 7.3, 7.4	"Subdivision creating one or more additional lots <u>in the Commercial Area, Industrial Area, Residential Area or Airfield Zone</u> ".	This clarifies that Rules 7.3 and 7.4 are directly related to Rule 7.1.
54	Rule 8.1 b)	"The site <u>lot</u> to be subdivided is within <u>contains a priority area identified on Figure 1 Priority Locations Areas for Indigenous Ecosystem Restoration and/or Enhancement, and Protection; and</u> "	To clarify that the lot (not site) to subdivide does not have to be fully within a priority area.
55	Rule 8.1	<p>Amend to include additional standards requiring the creation and setting aside of esplanade reserves/strips in the Rural Area for subdivision where lots are created adjoining mean high water springs to the sea.</p> <p><i>Possible wording - provided:</i></p> <p><u>An esplanade reserve/strip is set aside or created where any lot (regardless of size) is created adjoining the mark of mean high water springs of the sea.</u></p>	<p>The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high water springs to the sea.</p>
56	Rule 8.1 c)	"The priority area identified on Map <u>Figure 1</u> to be	As explained in d), the area is not just to be

38 Subdivision			
	Reference	Decision sought	Reason for decision sought
		set aside for protection <u>restored or enhanced, and protected,</u> meets the following standards; and"	"set aside", but protected and enhanced.
57	Table 1	"Minimum <u>priority area to be set aside for restoration or enhancement, and protection per conservation lot</u> "	Without the "per lot", because of 8.1 e) it may seem that two lots could be generated from protecting the minimum areas in this table. The intention however was that this is the priority area per lot to be not only protected but also enhanced.
58	Rule 8.3	"Subdivision creating one or more conservation lots in the Rural Zone ..."	This clarifies that the rule only applies to the Rural Zone.
59	Rule 9	<p>Replace Rule 9 with:</p> <p><u>"1. Subdivision creating one or more additional lots within the Rural Area that is not otherwise addressed by another rule in Section 38 is a discretionary activity provided:</u></p> <p>a) <u>It meets the standards in Tables 2 and 3 at the end of Section 38; and</u></p> <p>b) <u>The land has not been the subject of previous subdivision under this Rule or Rule 751 of the previous Thames-Coromandel District Plan, except as provided for in 1 c).</u></p> <p>c) <u>A lot greater than 60 ha may be subdivided in two or more stages, provided that in conjunction with the application for the first stage of subdivision (or any subsequent stage involving further subdivision of the balance land title), the applicant specifies how the total subdivision complies with Tables 2 and 3 at the end of Section 38 (the design of future subdivision stages need not be shown).</u></p> <p><u>2. If a subdivision consent is granted under Rule 9.1, the Council will impose a consent notice on the titles issued, identifying the lots that qualify for further subdivision under this Rule and the lots that do not.</u></p> <p><u>3. Subdivision creating one or more additional lots within the Rural Area that is not a discretionary activity under Rule 9.1 is a non-complying activity."</u></p>	The current District Plan has limits on the 20 ha average rule to stop "gaming" of the rule where consecutive subdivisions of the residual lots result in a density far greater than 20 ha average overall. This precaution was mistakenly not carried over into the Proposed Plan.
60	Rule 9.1	<p>Amend to include additional standards requiring the creation and setting aside of esplanade reserves/strips in the Rural Area for subdivision where lots are created adjoining mean high water springs to the sea.</p> <p><i>Possible wording - provided:</i></p> <p><u>An esplanade reserve/strip is set aside or created where any lot (regardless of size) is created adjoining the mark of mean high water springs of the sea.</u></p>	The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high

38 Subdivision			
	Reference	Decision sought	Reason for decision sought
			water springs to the sea.
61	Rule 9A	Add new Rule 9A: " <u>RULE 9A Subdivision creating one or more additional lots</u> 1. <u>Subdivision creating one or more additional lots within the Open Space Zone is a discretionary activity.</u> " And consequential changes to Section 38's Activity Table.	Need to separate out the simple "discretionary" activity status for the Open Space Zone from the more detailed Rural Area subdivision rule as amended above.
62	Table 2.2 b)	"Minimum net lot area when a lot is unable to <u>does not connect to a Council wastewater reticulation network</u> 1000 m ² "	Wording changes to align with Table 2.2 a) submission point.
63	Table 2.13 a)	"Minimum net lot area, unless b) or c) applies, including lots adjacent to a canal in Pauanui. "	The current wording is unclear as it appears to create a duplicate standard for most Residential Zones.
64	Table 2.13 d)	Change order of clauses b) and d).	A better logical flow of standards, and to make it clear that the minimum shape circle standard applies to all new Residential Zone lots.
65	Table 3.2 a)	"a) Every lot and/or building within a Commercial, Industrial or Residential Area must be connected to <u>an underground electricity network and a telecommunications service</u> , unless overhead infrastructure existing in that locality <u>the lot can connect to existing adjacent overhead electricity infrastructure.</u>	This rewording is to clarify that "overhead infrastructure" relates to electricity lines. The "telecommunications service" component is not an essential standard given the changes in communications technology in the district. Telecommunications is best to remain as a restricted discretionary matter.
66	Table 3.3 b)	Delete and replace with: " <u>If a public road is created as part of the subdivision within the Commercial Area, Industrial Area or Residential Area, street lighting must be provided.</u> "	The Table 3 standards must be clear for applicants and Council to give a 'yes/no' answer. As currently written, Table 3.3 b) would need an assessment to determine compliance.
67	Table 3.4 a)	Delete and replace with: " <u>Every Residential Area or Rural Area lot adjoining the Conservation Zone must be large enough that a 200 m² dwelling can be erected on the lot without intruding into the front yard or Conservation Zone yard.</u> "	The existing standard required a consent notice to be established. However this standard determines the activity status of the subdivision so must be something that can be checked prior to lodging an application.
68	Table 5	Add an additional restricted discretionary activity matter and associated assessment criteria to Table 5 for esplanade reserves/ strips.	The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance under the Resource Management Act (RMA). The RMA provides the ability to create or set aside esplanade reserves and strips for the purposes of protecting conservation values, enabling public access to or along any sea, river or lake and enabling public recreational use. The policy direction of the Plan is strong but the proposed amendments will make it explicit about the circumstances when esplanade reserves/strips will be created or set aside, particularly in relation to subdivision in the Rural Area where lots are created along the mark of mean high water springs to the sea.
69	Table 5.6 a)	Delete, and consequential renumbering of criteria.	There are now no residential subdivision design principles in the Appendix.

38 Subdivision			
	Reference	Decision sought	Reason for decision sought
70	Table 5.10 a)	" Whether <u>The extent to which</u> the works are designed and constructed in accordance with the Code of Practice for Subdivision and Development (October 2013)."	The Code of Practice often has different options on how to achieve best outcomes. Also there may be times when best planning practice should deviate from the Code of Practice based on unique circumstances. Compliance is a matter of degree, not a 'yes/no'.
71	Figure 1 title	"Figure 1 - Priority Locations <u>Areas</u> for Indigenous Ecosystem Restoration and <u>Enhancement, and Protection by Conservation Lots</u> "	Clarifying terminology to fit with Rule 8.
72	Figure 1 and Figure 2	Following decisions on submissions - remove priority areas that are no longer in the Rural Zone and Rural Lifestyle Zone, and add priority areas as shown on the Kessels technical report that are in the Rural Zone and Rural Lifestyle Zone.	Since the Priority Areas figure was created, there may be some changes to land areas in the Rural Zone and Rural Lifestyle Zone resulting from submission points accepted. Figure 1 should include any Rural Zone land in the district (excluding the Moehau Peninsula) that is shown as a priority area for indigenous ecosystem protection and enhancement. Figure 2 should include any Rural Lifestyle Zone land in the district (excluding the Moehau Peninsula) that is shown as a priority area for ecosystem enhancement.

39 Transport			
	Reference	Decision sought	Reason for decision sought
73	Table 5.24	"For an <u>a commercial or community</u> activity in the Commercial Area or Waterfront Zone, any Council-marked vehicle parks on the road (not service lane) where half the vehicle park adjoins <u>directly fronts</u> the site, are subtracted from the <u>commercial or community activity</u> vehicle park requirements above. Likewise any Council-maintained bicycle parks on the road adjoining <u>directly fronting</u> the site are subtracted from the bicycle park requirements above."	Vehicle parks on the road are used by customers and staff of commercial and community activities, which is why the vehicle park credit exists - some publicly-provided parks are already available. However this doesn't apply to other activities, such as apartments, that locate in commercial areas. The amendments better word the intended purpose of the car park credit. The word "adjoining" is replaced with "directly fronting" as car parks do not adjoin sites because of footpaths. The same is true for bicycle parks.

40 Airfield Zone			
	Reference	Decision sought	Reason for decision sought
74	Rule 1 title	Add " Informal recreation " to the list of activities and consequent change to the Activity Table. Also apply the same amendment and consequential changes to the Activity Tables to: <ul style="list-style-type: none"> • S42 Commercial Zone - Rule 4 title • S45 Gateway Zone - Rule 3 title • S46 Industrial Zone - Rule 2 title • S47 Light Industrial Zone - Rule 2 title • S50 Open Space Zone - Rule 1 title • S51 Pedestrian Core Zone - Rule 6 title • S55 Road Zone - Rule 1 title • S57 Rural Lifestyle Zone - Rule 4 title 	Change from this activity provided for in the Definitions section to explicitly provided for in zone rules.

40 Airfield Zone			
		<ul style="list-style-type: none"> S59 Waterfront Zone - Rule 5 title 	
75	Rule 2.4	"that does not meet 1 a)-b) shall be ..."	Consequential correction resulting from a) and b) switching order.
76	Rule 8 new Note 2	<p>Add new: "<u>2. An accessory building or other structure may need a building consent. Contact the Council to check this.</u>"</p> <p>Also add the same note below the following rules:</p> <p>S41 Coastal Living Zone - Rule 12 S42 Commercial Zone - Rule 2 S43 Conservation Zone - Rule 2 S44 Extra Density Residential Zone - Rule 10 S48 Low Density Residential Zone - Rule 6 S54 Residential Zone - Rule 6 S56 Rural Zone - Rule 12 S57 Rural Lifestyle Zone - Rule 12 S58 Village Zone - Rule 9 S59 Waterfront Zone - Rule 14</p>	Accessory buildings for sleepouts and storage have become popular in many areas. Even though these buildings may be permitted (within standards) in the Proposed District Plan, they may still need a building consent under the Building Act. This note is important to remind homeowners to check these building requirements.
77	New rules	Add demolition, partial demolition and removal of a building or other structure as a permitted activity in all zones, unless a Plan rule or resource consent condition states that the building/structure must remain in place.	In the notified Plan, demolition and removal (outside of the Historic Heritage Overlay) was seen as a "non-activity" and not controlled by the Plan. However Plan users validly see "demolition, partial demolition and removal" as an activity (as evidenced in the Historic Heritage section), and as the effects are less severe than the original building/structure (unless required by a resource consent condition or Plan provision), they should be permitted.

41 Coastal Living Zone			
	Reference	Decision sought	Reason for decision sought
78	Rule 3	<p>Add "Informal recreation" to the activity title, and replace Rule 3.1 with: "<u>An activity listed in Rule 3 is a permitted activity.</u>" Make the consequent change to the Activity Table. Also apply the same amendment with consequential changes to rule numbers and Activity tables to:</p> <p>S44 Extra Density Residential Zone - Rule 2 S48 Low Density Residential Zone - Rule 2 S54 Residential Zone - Rule 2</p>	Change from this activity being provided for in the Definitions section to being explicitly provided for in zone rules. This is easier for Plan users to find.

49 Marine Service Zone			
	Reference	Decision sought	Reason for decision sought
79	Rule 4	<p>Amend: "Rule 4 Emergency service training, military training <u>Informal recreation</u> Scientific equipment, navigational aid</p> <p>1. An activity listed in Rule 4 is a permitted activity provided it meets the standards in Table 3 at the end of Section 49.</p> <p>2. An activity that is not permitted under Rule 4.1 is a restricted discretionary activity.</p> <p>3. The Council restricts its discretion to all</p>	Change from informal recreation being provided for in the Definitions section to explicitly being provided for in zone rules. The removal of standards from emergency service training, military training, scientific equipment, and navigational aids so they are just permitted is consistent with the approach taken in other Industrial Area zones and other zones. Also some scientific equipment and navigational aids may be unable to meet the

49 Marine Service Zone			
	Reference	Decision sought	Reason for decision sought
		the matters in Table 4 at the end of Section 49.	zone standards (e.g. yards, height) but are still necessary for marine safety and environmental monitoring, with less than minor effects.
80	Rule 7	<p>"1. An activity listed in Rule 7 is a permitted activity provided:</p> <p>a) It meets the standards in Table 3 at the end of Section 49; and</p> <p>b) For a pole or structure associated with an activity:</p> <p>i) The pole or structure does not exceed 15 metres in height; and</p> <p>ii) It has a cross-section dimension of no greater than 850 mm; and</p> <p>e) The maximum area of a building/structure does not exceed 50 m².</p> <p>2. An activity that is not permitted under Rule 7.1 is a restricted discretionary activity.</p> <p>3. The Council restricts its discretion to matters 1, 3, 6 and 7 in Table 4 at the end of Section 49."</p>	The standards for these permitted activities are irrelevant to minor upgrading or removal of an electricity or telecommunication line, a solar panel or an underground electricity or telecommunication line. No new poles are erected, there are likely no buildings, and the effects are minor in the industrial/community area of the Marine Service Zone. The text of this Rule may have been inadvertently mismatched to the activities during editing.
81	Rule 10.1	<p>"An above-ground electricity or telecommunication line is a restricted discretionary activity provided:</p> <p>a) For a pole or structure associated with an activity:</p> <p>i) The pole or structure does not exceed 15 metres in height; and</p> <p>ii) It has a cross-section dimension of no greater than 850 mm; and</p> <p>iii) It does not exceed the maximum area of 50 m² no structure exceeds 15 m in height.</p>	Some of the standards for this activity are irrelevant. Maximum area is difficult to measure with wires and poles, and is not a useful metric. Cross-section dimension is likewise unnecessary. The text of this Rule may have been inadvertently mismatched to the activity during editing.
82	Table 4.5	Delete and make subsequent numbering changes through the section.	Screening of outdoor storage and service areas is not needed in the industrial/community area of the Marine Service Zone. In fact, flexible outdoor storage and service and its visual impact is a feature of this zone and part of its character.

52 Recreation Active Zone			
	Reference	Decision sought	Reason for decision sought
83	Rule 8.1 e), and S53 Rule 9.1 e)	<p>For both rules, add new e), and renumber "e" to "f".</p> <p>"e) <u>It is from a Council hall where the $L_{Aeq(15min)}$ is 55 dB; or"</u></p>	The intention in Rule 8.1 a) (and equivalent in S53 Rule 9.1 e)) was, among other things, to provide for activities in community halls. However the Mercury Bay Area Office has indicated that activities expected in halls need a slightly higher standards for electronically amplified noise.

54 Residential Zone			
	Reference	Decision sought	Reason for decision sought
84	Rule 5.4	Delete.	Some electricity/telecommunication facilities become significant where they do not meet

54 Residential Zone			
	Reference	Decision sought	Reason for decision sought
			the zone standards, and may have significant adverse effects on landowners. Notification of the resource consent needs to remain an option.
85	Rule 6.4	Delete.	An accessory building or minor unit become significant where they do not meet the zone standards, and may have significant adverse effects on landowners, e.g. shading, bulk, location. Notification of the resource consent needs to remain an option, particularly for adjoining neighbours.
86	Rules 14, 15, 18, 19, Table 5.1 j), Note 2 and Planning Maps	Rename "Beach Amenity Area".	The term "area" was confusing to some users as "Area" is mainly used for the Zone groups: Commercial, Industrial, Residential, Recreation, Rural.

56 Rural Zone			
	Reference	Decision sought	Reason for decision sought
87	Rule 4	Replace rule with: " Rule 4 Farming 1. Farming is a permitted activity provided: a) All farm buildings meet the standards in Table 6 at the end of Section 56; and b) In the Coastal Environment, all farm buildings meet the specific standards in Table 7 at the end of Section 56. 2. Farming that is not permitted under Rule 4.1 is a restricted discretionary activity . 3. The Council restricts its discretion to matters 1, 4, 6 and 11 in Table 8 at the end of Section 56."	Farming activities include buildings, so they need to be subject to the same zone standards and Coastal Environment standards as other activities.
88	New Rule 4A	Relocate from the original Rule 4 most of the content, and add "informal recreation" to this rule, so the new rule is: "Rule 4A Emergency service training, military training Informal recreation Solar panel Temporary living place 1. An activity listed in Rule 4A is a permitted activity ." Make consequential changes to the Activity Table.	To separate these activities from the amendments to the Farming rule. Also to change "informal recreation" being provided for in the Definitions section to being explicitly provided for in zone rules.

58 Village Zone			
	Reference	Decision sought	Reason for decision sought
89	Rule 5.1	Replace rule with: " Rule 5 Farming 1. Farming is a permitted activity provided it meets the standards in Table 6 at the end of Section 58. 2. Farming that is not permitted under Rule 5.1 is a restricted discretionary activity . 3. The Council restricts its discretion to matters 1 and 8 in Table 5 at the end of Section 58."	Farming also includes buildings, and activities that can have similar effects as residential uses. To be consistent, the two activities in the same zone should be subject to the same standards.

58 Village Zone			
	Reference	Decision sought	Reason for decision sought
90	New Rule 5.1A	Relocate from the original Rule 5 most of the content, and add "informal recreation" to this rule, so the new rule is: "Rule 5A Emergency service training, military training Informal recreation 1. An activity listed in Rule 5A is a permitted activity. " Make consequential changes to the Activity Table.	To separate these activities from the amendments to the Farming rule. To change "informal recreation" being provided for in the Definitions section to being explicitly provided for in zone rules.
91	Rule 10	"Goat farming that is not permitted under Rule 10.1 is a restricted discretionary activity. " Delete Rule 10.3 and change "10.4" to "10.3".	Activity status for goat farming should be the same as for the Rural Area, as the risks of goat escape to the conservation estate is the same in the Village Zone as for the Rural Area.

A1 Historic Heritage Schedules			
	Reference	Decision sought	Reason for decision sought
92	A1.2 New item 2A	Add new: Item number: 2A Overlay planning map: 15 Māori cultural site: Te Kouma wāhi tapu Location: Te Kouma peninsula NZHPT registration: 7229 Also add icon to Map O15.	The Māori cultural sites in the Proposed Plan, at this stage, are those confirmed by the New Zealand Historic Places Trust (NZHPT). The Te Kouma wāhi tapu site was missed from this collection of sites. Staff recommend it be added to the list for the same rationale (see Section 32 report) that the other ten NZHPT sites are listed in Table 2.
93	A1.3 Item 40 and 41	Change historic heritage item name: "40 Former St George's Convent School and Catholic Presbytery 41 Former St George's Convent School, now the Coromandel Citizens' Hall and RSA Clubrooms " Also delete the notation on the church building on Overlay Map 11E.	The St George's Convent School is the same building as the Citizen's Hall. Also, the Catholic church building in front of the presbytery is marked as a second item, when it is only part of the item's curtilage.

A2 Designations Schedule			
	Reference	Decision sought	Reason for decision sought
94	A2.8 Para 2, A2.12 Para 2	"Where there is a site with a designation by both Telecom New Zealand Ltd and Chorus New Zealand Ltd, the designation of that site by Chorus New Zealand Ltd is to be treated as the primary designation."	A district plan cannot prioritise one designation over another under the RMA.
95	A2.6 TC405	Change designation purpose: " Reservoirs <u>Water supply network assets</u> "	The designated site has a variety of existing water infrastructure, and the designation needs to provide for them.

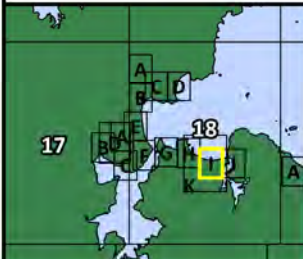
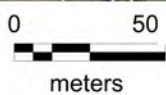
A4 Subdivision Design Principles			
	Reference	Decision sought	Reason for decision sought
96	Appendix 4 title	Add: " <u>Rural</u> Subdivision Design Principles <u>and Guidelines</u> ", with consequential amendment of Plan references to this Appendix.	This Appendix contains both principles and guidelines, and the function of the principles is clearly separated from the function of the guidelines. They are not synonyms. Both principles and guidelines only relate to the Rural Area, so the word "Rural" avoids confusion for subdivision in other Areas.

Planning Maps: O = Overlay Map, Z = Zone Map, F = Flood Hazard Map			
	Reference	Decision sought	Reason for decision sought
97	Overlay maps	Replace natural character overlays with a revised version with "slivers" removed. "Sliver" means where an insignificant portion of overlay (but greater than 10 m ²) laps into an adjacent lot where no high natural character exists.	Natural Solutions sent the Council a revised natural character map. It has the same principles and information, but tidies up the mapping errors where these cause the overlay to cross over into adjacent properties. Slivers less than 10 m ² are within the mapping margin of error and have been deleted where found.
98	O6A	Revise the CCEL to reflect the 2014 assessment of current coastal erosion risk for Otautu Bay.	Unlike all other CCELs in the Proposed Plan, the line for Otautu Bay relies on the 2002 assessment of current coastal erosion risk which measures a set distance back from foredunes. The 2014 assessment is a more accurate assessment that incorporates actual historical coastal erosion events and beach profiles, using the same 2009 method as used for the other beaches in the district.
99	O12A, O12B, O12C, O12D, O13A, O14A, O14C, O18D, O18I, O20A, O21B, O24D, O26B, O29B, O29C, O34F	Apply CCEL and FCPL over the Council reserve land in the overlay maps listed, where the existing lines adjoin the Council reserve.	The CCEL and FCPL were not applied across certain "urban" Council reserves as they were considered to have less risk of high value property damage in case of erosion. However this was inconsistent as most urban Council reserves did have the CCEL and FCPL applied if erosion risk applied. The reserves without the lines commonly have community assets such as outdoor furniture, toilets, grassy play areas and trees. These have considerable worth and in the past the Council has placed coastal defences to protect them. CCEL and FCPL are needed to guide reserve management and beach protection.
100	O12E	Revise the eastern end of the FCPL and CCEL on Rings Beach to take into account the stream entrance and underlying geology.	As a request from a landowner, Jim Dahm did a further site visit to refine the FCPL and CCEL at the eastern end of Rings Beach.
101	Z12C, Z12D,	Rezone from Recreation Passive Zone to Residential Zone: 624 Matarangi Drive (Lot 12 DPS 79697) 100 Matarangi Drive (Lot 516 DPS 36994) 105 Matai Place (Lot 524 DPS 39800)	In the Proposed Plan, Recreation Active Zone and Recreation Passive Zones are only placed over Council reserves or land where the management is legally with Council as a reserve. This lot is owned by Coromandel Assets Ltd., and the operation of the lot as a tennis court is run privately for the wider community. The Proposed Plan policies and rules clearly state that Recreation Zoning is only for Council-run reserves. In the future, the community or company may decide the recreation assets are better allocated elsewhere, or the Council may arrange management with the company. Both possibilities are outside the District Plan.
102	Z17, Z17A, Z17C, Z29, Z29G, Z29H	Un-zone the canals that are part of the Whitianga Waterways and Pauanui Waterways development.	The canals are consented and are below mean high water springs, and so cannot legally be managed through the District Plan.
103	Z18I	Rezone 35 and 35A Captain Cook Road from Recreation Passive to Recreation Active.	35/35A Captain Cook Road has attributes that make Recreation Active a more suitable zone for it and more consistent with the Plan's

Planning Maps: O = Overlay Map, Z = Zone Map, F = Flood Hazard Map			
	Reference	Decision sought	Reason for decision sought
			Active/Passive reserve split. It is a pair to the Recreation Active reserve across the road, and it is in the middle of a Pedestrian Core Zone where concentrated pedestrian activities are expected. The Operative Plan had zoned this Coastal Zone Village Policy Area with a Commercial notation.
104	Z29B	Rezone a 4 m wide strip along the southwestern side of 16 Hornsea Road from Residential Zone to Recreation Passive Zone to connect the existing reserve and road.	This section is currently a road parcel, but the Whangamata Area office plan to sell it as a residential section as it has no function as a road. However pedestrian connectivity needs to be maintained between the connecting reserves to the north and Hornsea Road. A 4 m reserve strip provides for this connectivity while keeping the proposed residential lot within subdivision standards in Section 38 Table 2.

Minor Alterations made under Schedule 1 Clause 16 of the Resource Management Act			
	Reference	Alteration to be made	Type of alteration
1	S 10.1 Para 2 Sentence 3	"debris"	Spelling error.
2	S 27.2 Diagram 1	Add the correct zones on 60 Ngati Maru Highway (as per Zone Map 31K) to Diagram 1. Add a legend to the Diagram to set out what the zones are.	Alignment with updated Planning Maps.
3	S 31 Rule 14.3	"... matters 3 a) and b) and 98 in Table 2 ..."	Numbering: matter 9 became matter 8.
4	S 31 Rule 16.1	"1. An activity listed in Rule 16 <u>Exterior addition or alteration</u> , excluding <u>to</u> a garage, that is ..."	Standardised format of activity name from title to text.
5	S 31 Rule 17.2	"... matters 7 a) and 98 in Table 2 ..."	Numbering: matter 9 became matter 8.
6	S 38 Activity Table	"Rural Production "	Correct reference to the zone.
7	S 38 Rule 10 title	"Subdivision for <u>creating</u> environmental ..."	Standardising rule names.
8	S 38 Rule 10.1	"Subdivision for <u>creating</u> environmental ..."	Standardising rule names.
9	S 38 Rule 10.2	"Subdivision creating up to four environmental benefit lots ..."	Standardising rule names.
10	S 38 Table 2.4	Remove the "N/A" minimum lot area. Also make consequent numbering changes throughout Section 38.	No standard exists here, and the Conservation Zone subdivision rule does not refer to Table 2.
11	S 38 Table 5.6	" Residential Subdivision Design Principles in Appendix 4"	Correct reference to Appendix 4.
12	S 41 Rule 12.1	"... provided that: a) it meets the standards in Table 5 at the end of Section 41; and."	Formatting fix-up.
13	S 51 Rule 5.2	"permitted under Rule 5.1 a) b) is a..."	Numbering: 'a)' and 'b)' should be switched to refer to the correct content.
14	S 51 Rule 5.5	"... permitted under Rule 5.1 b) a) and is ..."	Numbering: 'a)' and 'b)' should be switched to refer to the correct content.
15	S 56 Rule	"in Table 10-8 at the ..."	Incorrect table reference.

Minor Alterations made under Schedule 1 Clause 16 of the Resource Management Act			
	Reference	Alteration to be made	Type of alteration
	11.3		
16	S 56 Rule 12.1 c)	"in Table 9-7 at the ..."	Incorrect table reference.
17	S 56 Rule 14.3	"in Table 10-8 at the ..."	Incorrect table reference.
18	S 56 Rule 15.1 g)	"in Table 9-7 at the ..."	Incorrect table reference.
19	S 57 Rule 10.1 a)	"... except for height (Table 6.5 and 6.56); and"	Numbering reference error.
20	S 57 Rule 13.4	"... that is not permitted under Rule 13.1 b) or c) is a discretionary activity ."	Numbering reference error to not include b) and c) - illogical sequence. Activity status is always bolded in the Plan.
21	S 58 Activity Table: 'Accessory building'	Replace "R 19" with "R 9".	Numbering reference error.
22	S 58 Rule 14.1	Re-number a) and a) as a) and b)	Numbering error.
23	S 58 Table 4.3	Delete Industrial Area yard standard, with consequential numbering changes in the Table and Section.	Superfluous standard - Village Zones do not adjoin Industrial Areas.
24	All maps and Legend	<p>Move the 'Beach Amenity Area' and 'Beachfront Yard' symbols from the Overlay Maps to their corresponding Zone Maps.</p> <p>Copy the 'Coastal Environment Line' to the Zone Maps, so the Line is shown on both the Zone and Overlay Maps.</p> <p>Create a new category and list in the Legend called 'Special Purpose and Designations'. Move 'Site Development Plan', 'Site Specific Activity', 'Structure Plan' and 'Designation' to this new list, and place the list directly above the 'Overlays' list.</p> <p>Place the 'Parcel Boundary' out on its own, as it applies to both the zone and overlay maps.</p>	The placement of notations, lines and polygons on the Planning Maps should align more closely with the Rule Hierarchy of planning provisions. This minimises confusion and makes the map layout more intuitive for users.
25	O1, O13, O14, O18, O18G, O24, O34, O34F	Move archaeological item 1 (westernmost triangle), 4 , 18, 23 (triangle in CMA), 25 (northernmost triangle), historic heritage items 1, 2, 3 to the nearest location above mean high water springs on the Planning Maps.	A number of archaeological and historic heritage items protected in the Proposed Plan cross mean high water springs, and one crosses a district boundary. The Proposed Planning maps use a general notation even if this is in the ocean and outside the Proposed Plan jurisdiction. To avoid jurisdiction issues and to assist with e-Plan usability, the item's notation should be on the land within the District.



COOKS BEACH Overlay Maps 18, 181

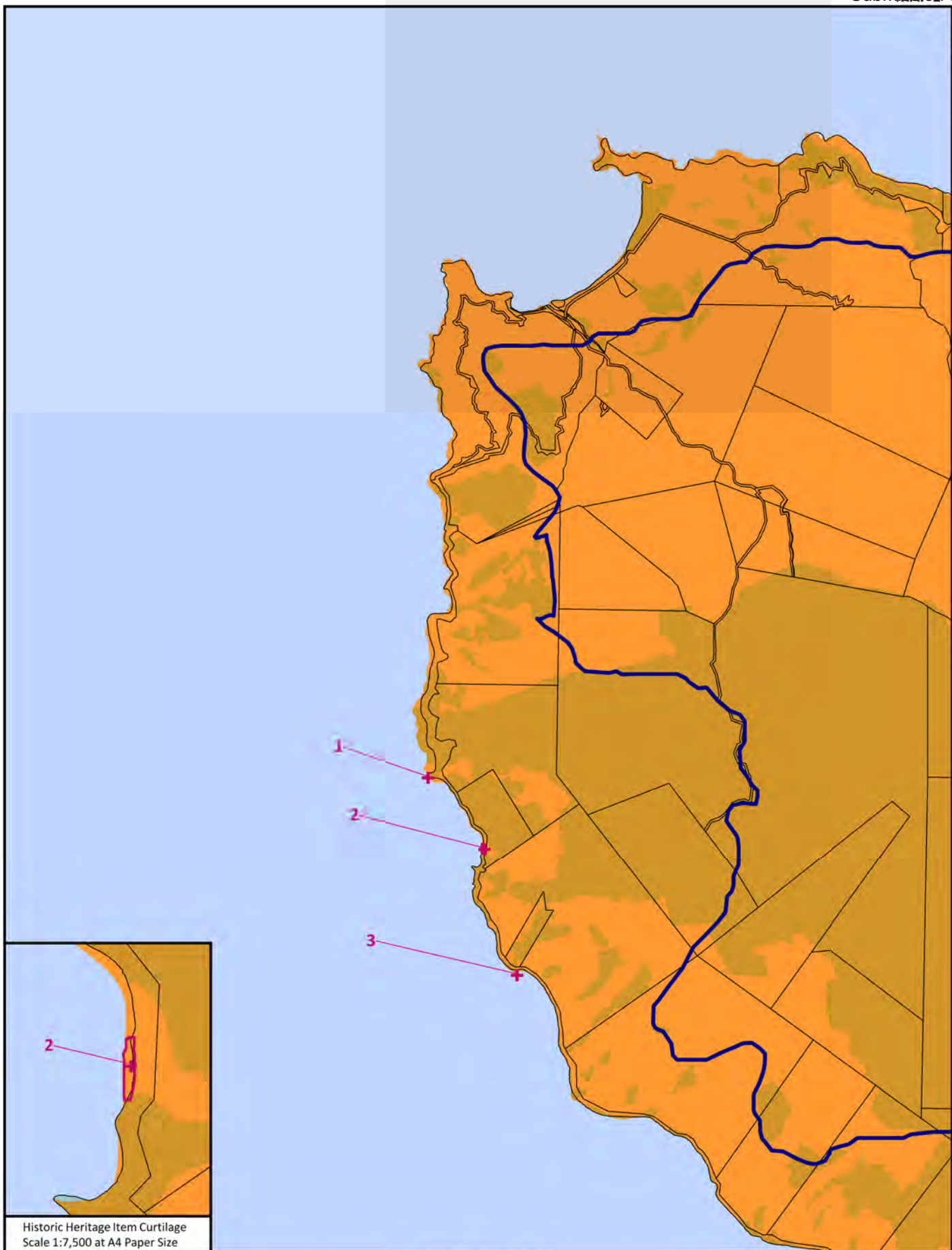
	Current Coastal Erosion Line		CCEL Submission
	Future Coastal Protection Line		FCPL Submission

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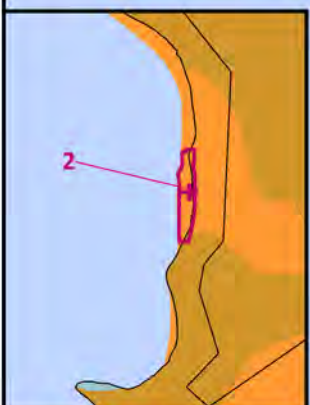


2

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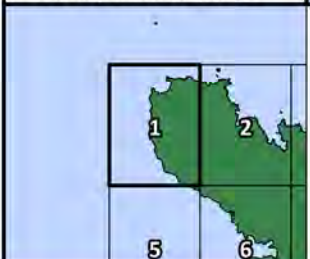
2

3



2

Historic Heritage Item Curtilage
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1

2

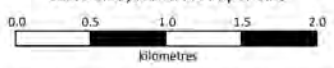
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6

MAP 1 OVERLAYS

CAPE COLVILLE

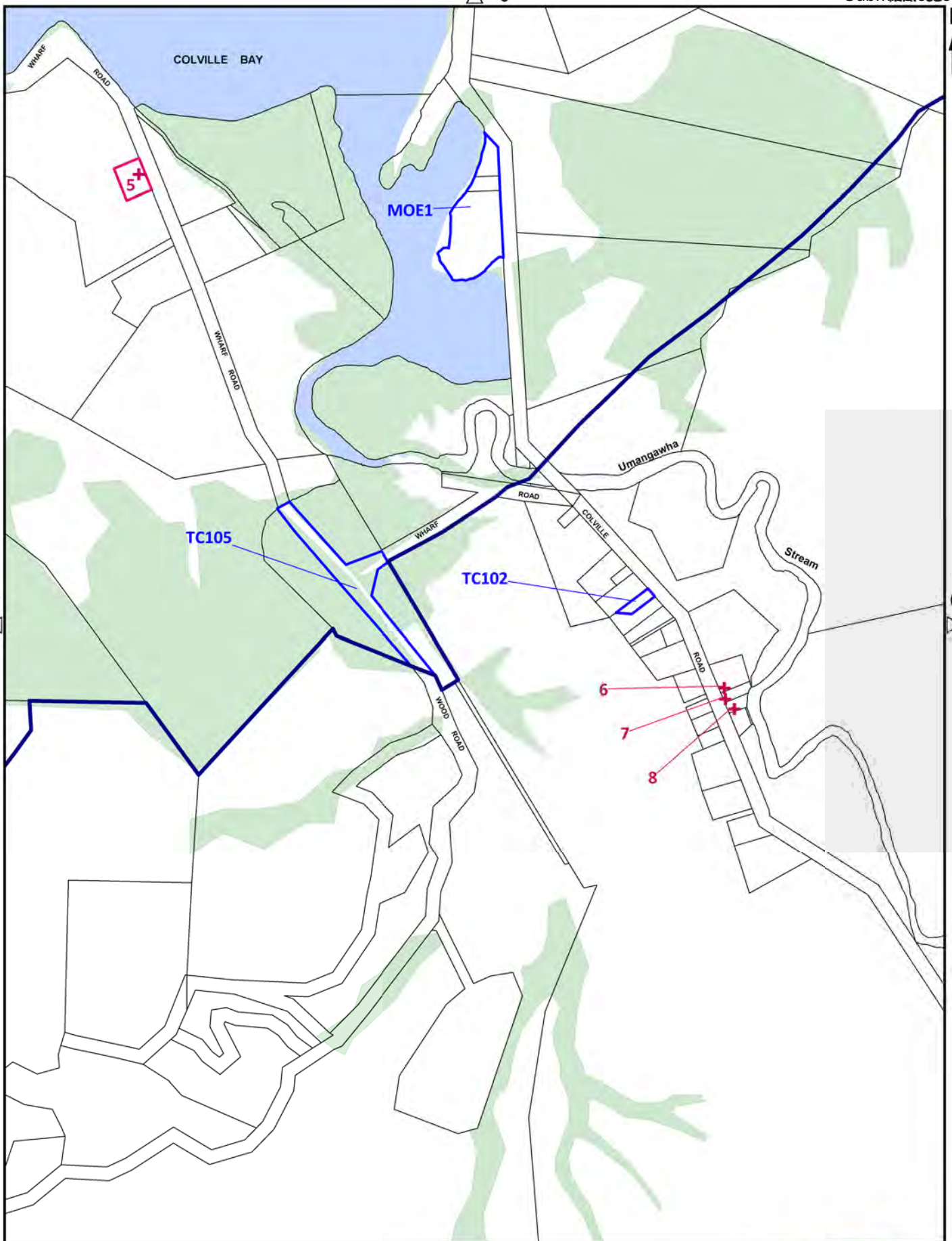
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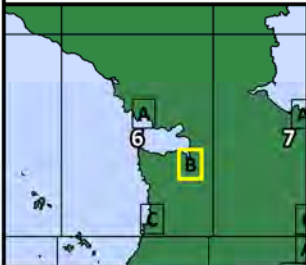


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6

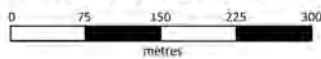
6

6



MAP 6B OVERLAYS
COLVILLE

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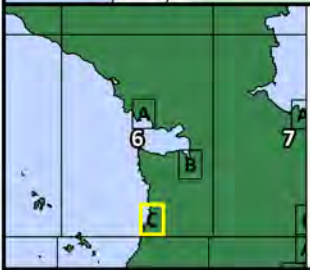


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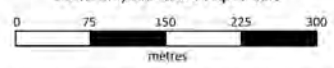
6

6



MAP 6C OVERLAYS
WAITETE BAY

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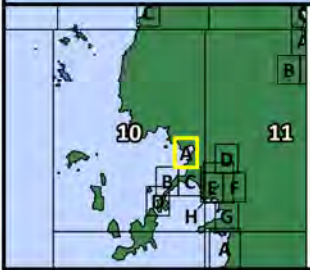
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COASTAL ENVIRONMENT OVERLAY
 All land shown on this map is within the Coastal Environment overlay

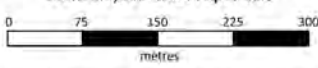
10

10



MAP 10A OVERLAYS
KIKOWHAKARERE BAY

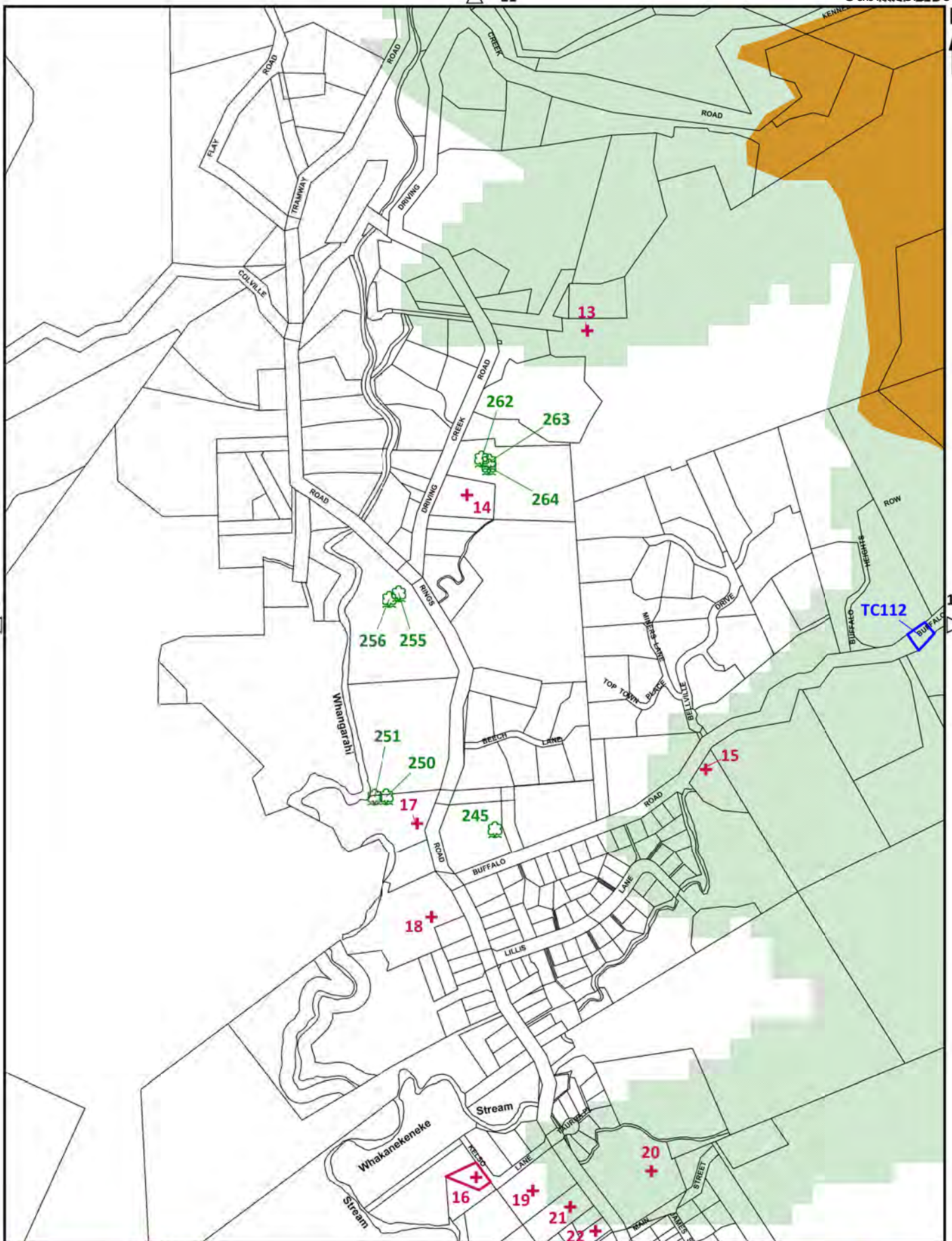
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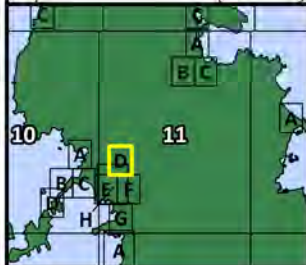


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11

11



MAP 11D OVERLAYS

COROMANDEL

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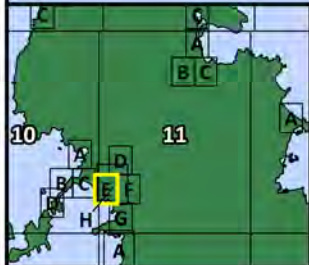
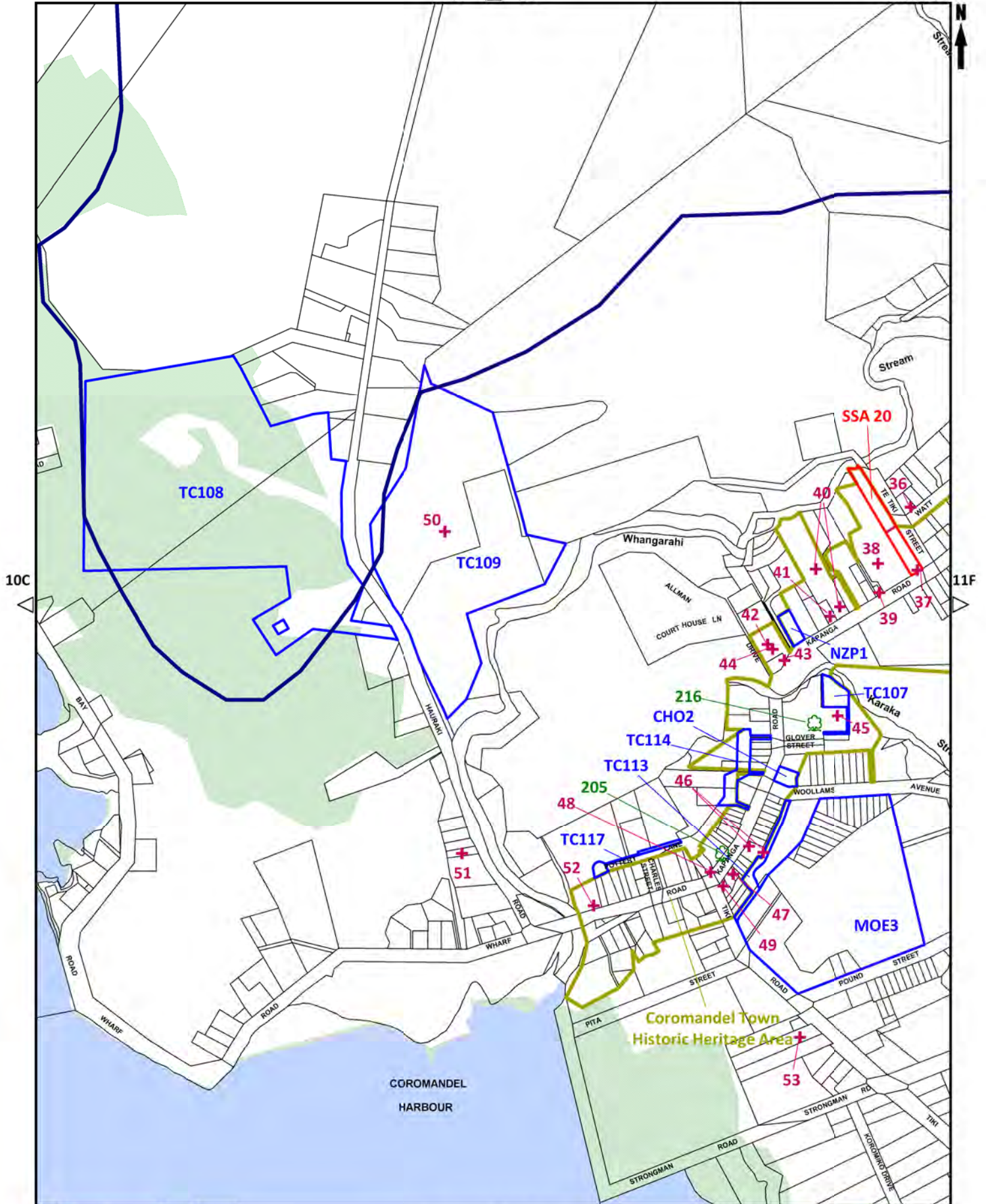
0 75 150 225 300
metres

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**THAMES
COROMANDEL**
DISTRICT COUNCIL

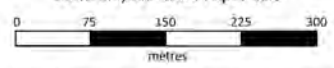
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11E 11F



MAP 11E OVERLAYS
COROMANDEL

PROPOSED DISTRICT PLAN - December 2013
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Structure Plan Applies



17B
17

18F
18

WHITIANGA HARBOUR

MOE9

213

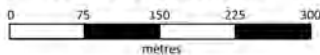
212

MAP 17C OVERLAYS

WHITIANGA

PROPOSED DISTRICT PLAN - December 2013

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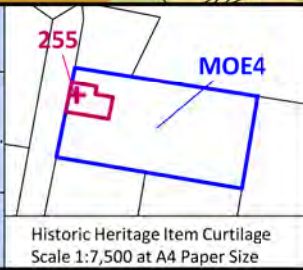
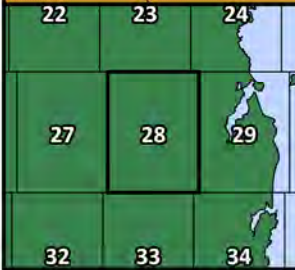
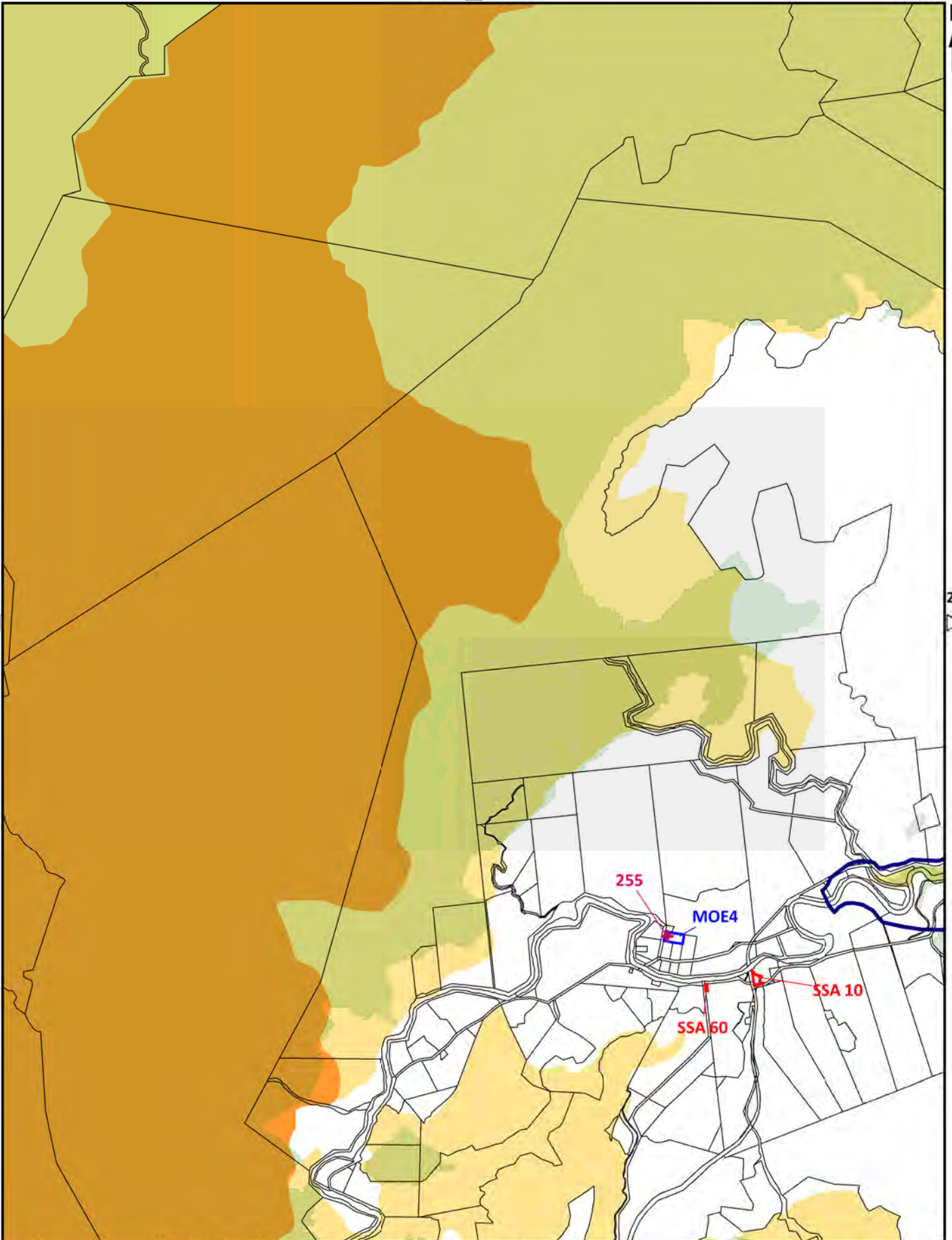


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27

29



MAP 28 OVERLAYS
HIKUAI
 PROPOSED DISTRICT PLAN - December 2013
 Scale 1:50,000 at A4 Paper Size

0.0 0.5 1.0 1.5 2.0
kilometres

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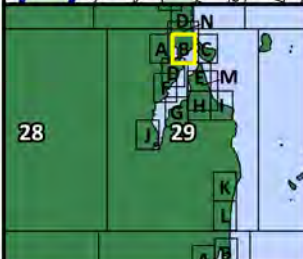
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29A

29C

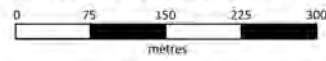


MAP 29B OVERLAYS

TAIRUA

PROPOSED DISTRICT PLAN - December 2013

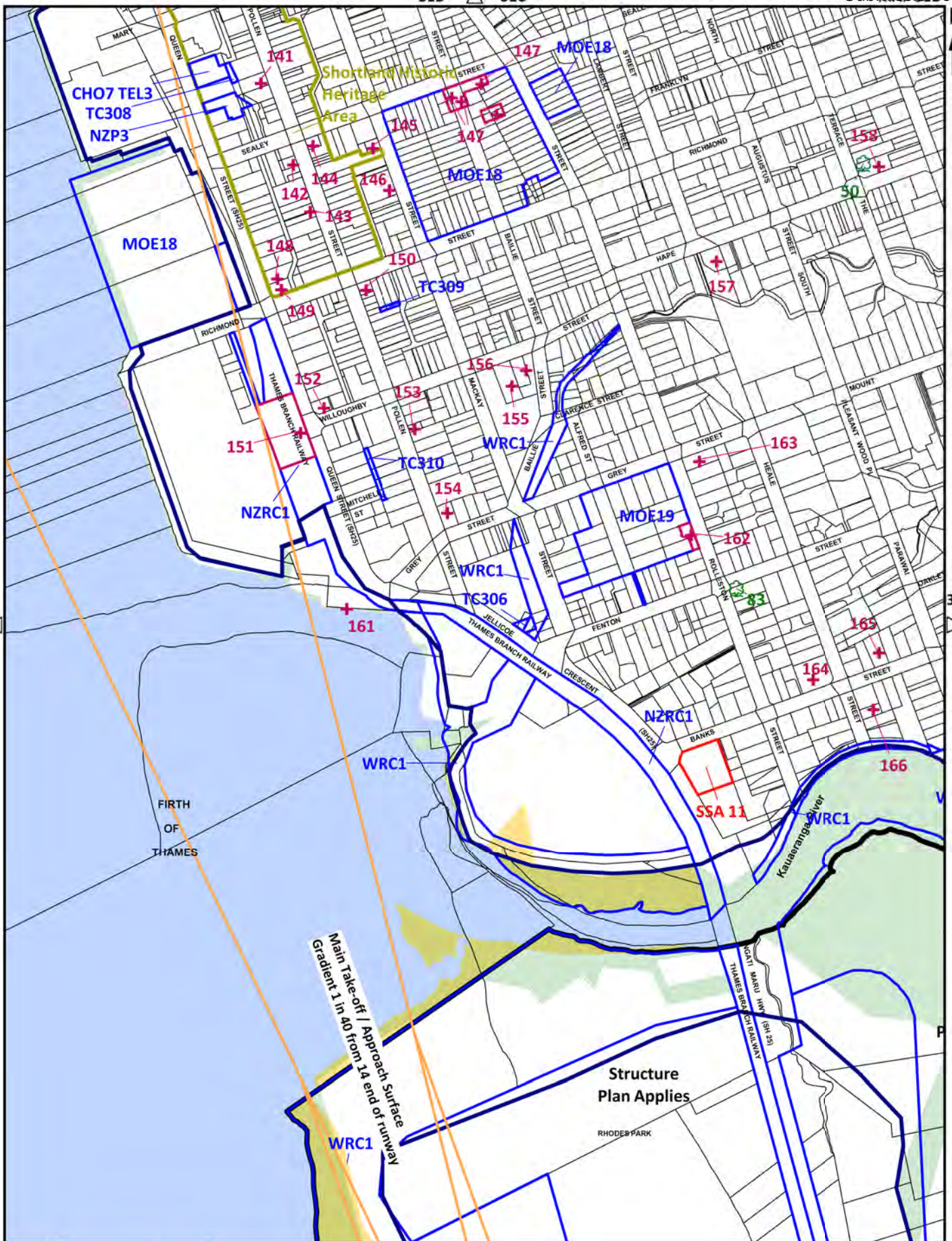
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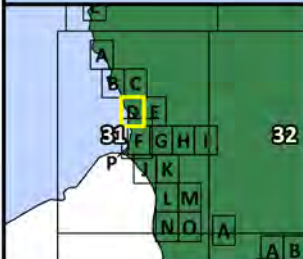


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31

31E

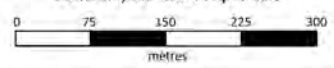


MAP 31D OVERLAYS

THAMES

PROPOSED DISTRICT PLAN - December 2013

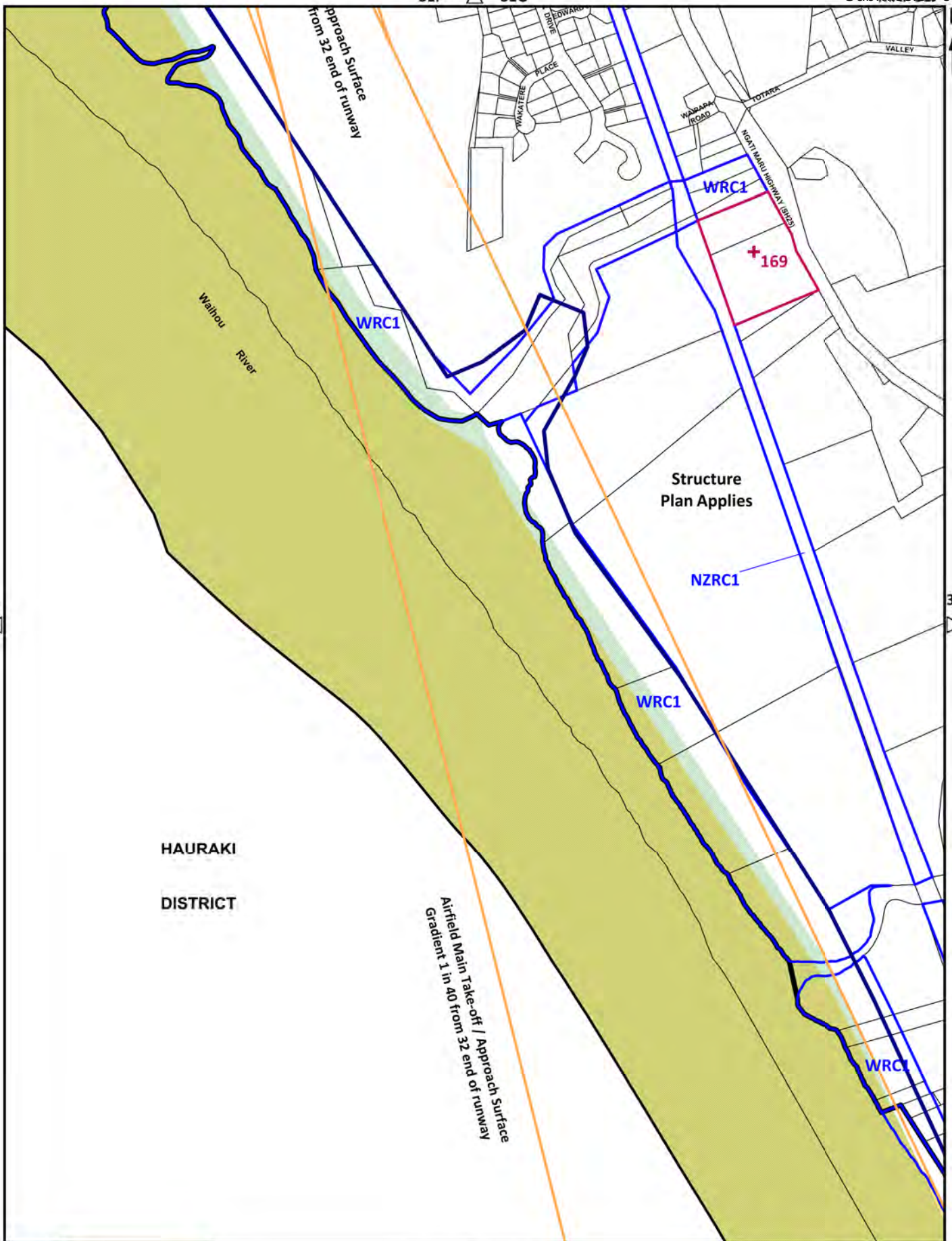
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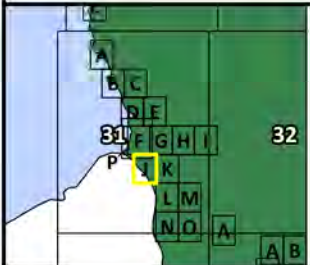


31

31K

HAURAKI
DISTRICT

Airfield Main Take-off / Approach Surface
Gradient 1 in 40 from 32 end of runway



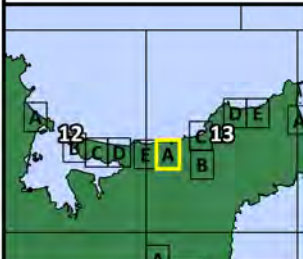
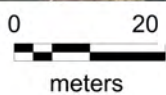
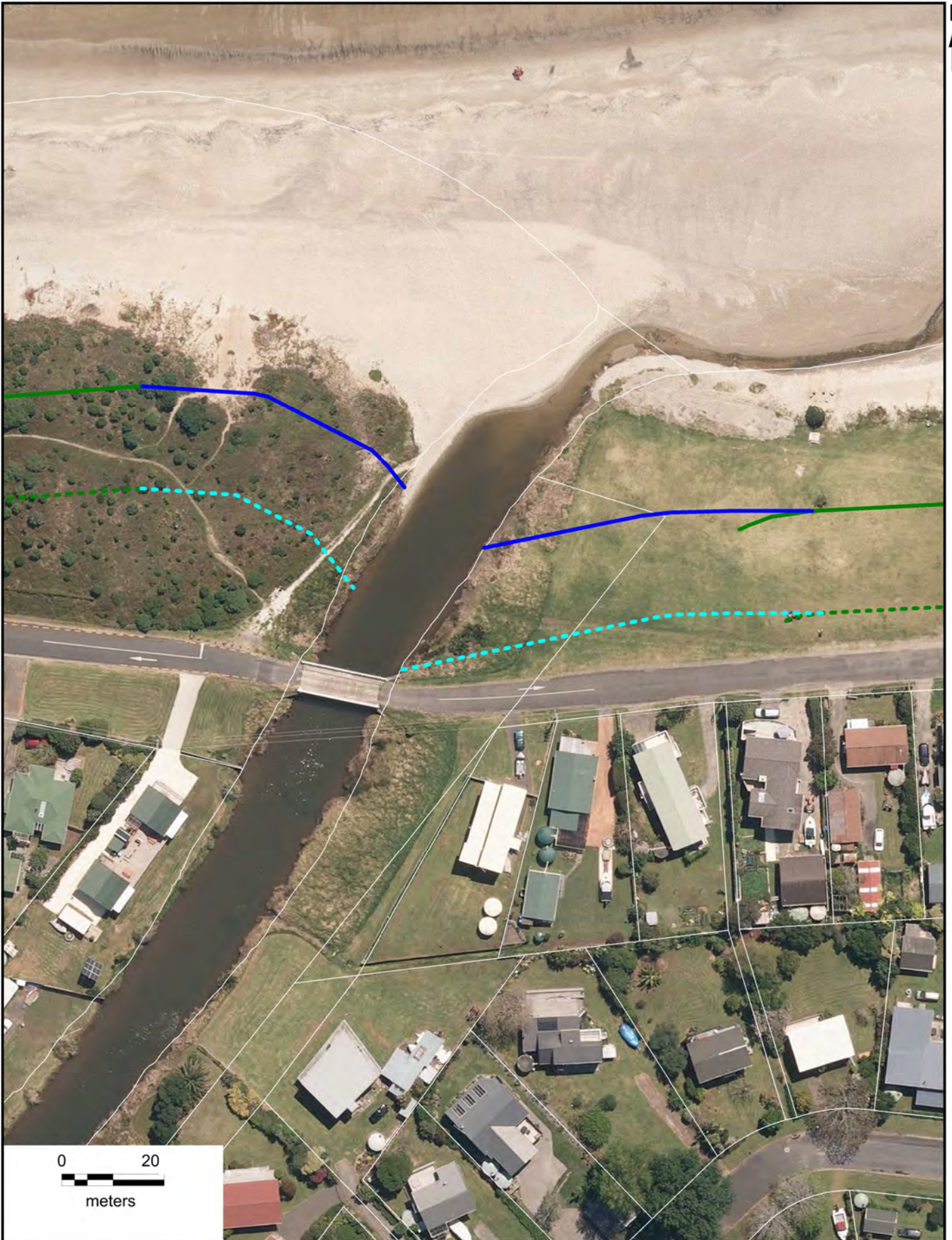
MAP 31J OVERLAYS THAMES

PROPOSED DISTRICT PLAN - December 2013
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**KUAOTUNU BEACH WEST
Overlay Maps 13, 13A**

	Current Coastal Erosion Line		CCEL Submission
	Future Coastal Protection Line		FCPL Submission

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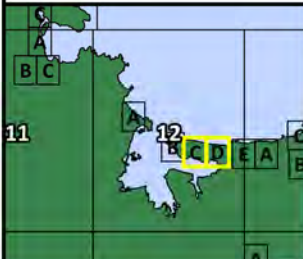
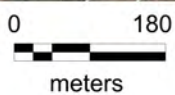


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Indicative CCEL and FCPL lines are extrapolated from the Proposed Plan lines. They have not been created using beach profile data. The lines are to be updated by a future CCEL and FCPL assessment.



MATARANGI BEACH Overlay Maps 12, 12C, 12D

	Current Coastal Erosion Line		CCEL Submission
	Future Coastal Protection Line		FCPL Submission

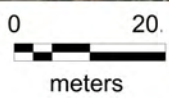


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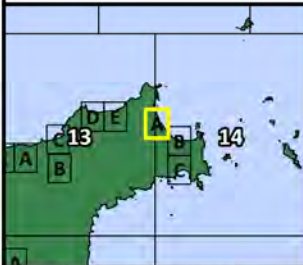
Indicative CCEL and FCPL lines are extrapolated from the Proposed Plan lines. They have not been created using beach profile data. The lines are to be updated by a future CCEL and FCPL assessment.



**OPITO BAY - SKIPPERS ROAD RESERVE
Overlay Maps 14, 14A**

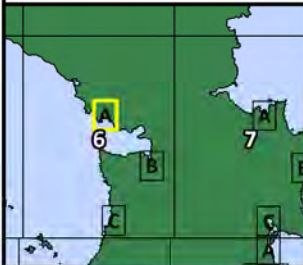
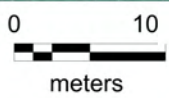


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**OTAUTU BAY
Overlay Maps 6, 6A**

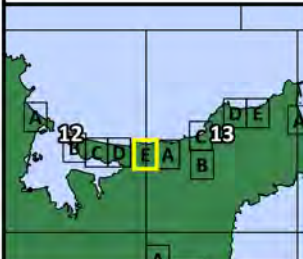
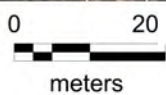
	Current Coastal Erosion Line		CCEL Submission
	Future Coastal Protection Line		FCPL Submission

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RINGS BEACH -POLKINGHORNE PROPERTY
Overlay Maps 12, 12E, 13

	Current Coastal Erosion Line		CCEL Submission
	Future Coastal Protection Line		FCPL Submission

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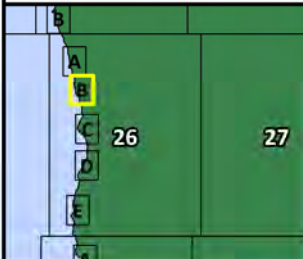


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0 30
meters



WAIOMU Overlay Maps 26, 26B

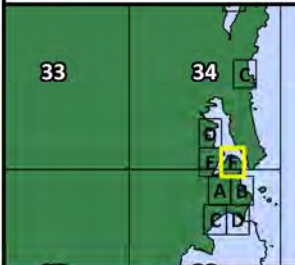
	Current Coastal Erosion Line		CCEL Submission
	Future Coastal Protection Line		FCPL Submission

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WHANGAMATA BEACH Overlay Maps 34, 34F

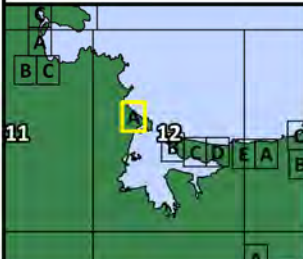
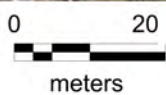
	Current Coastal Erosion Line		CCEL Submission
	Future Coastal Protection Line		FCPL Submission



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WHANGAPOUA BEACH Overlay Maps 12, 12A

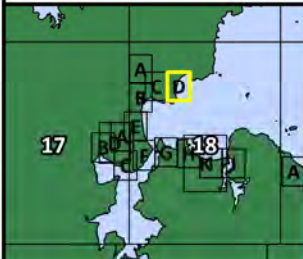
	Current Coastal Erosion Line		CCEL Submission
	Future Coastal Protection Line		FCPL Submission

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WHAREKAHO BEACH Overlay Maps 18, 18D

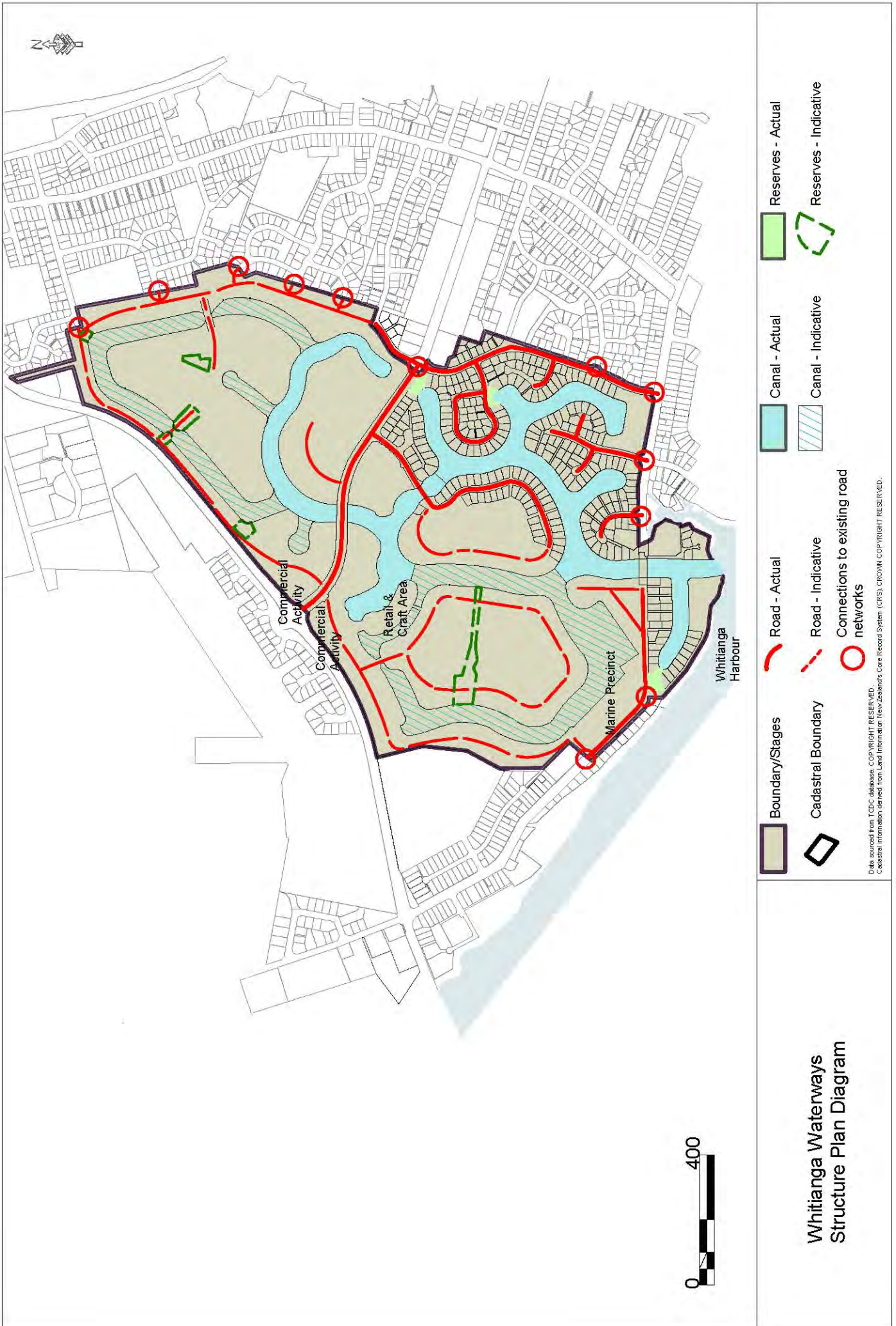
	Current Coastal Erosion Line		CCEL Submission
	Future Coastal Protection Line		FCPL Submission



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Whitianga Waterways Structure Plan Diagram

- Boundary/Stages
- Cadastral Boundary
- Road - Actual
- Road - Indicative
- Connections to existing road networks
- Canal - Actual
- Canal - Indicative
- Reserves - Actual
- Reserves - Indicative

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