

Submission on the Thames Coromandel Proposed District Plan

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

To: Thames Coromandel District Council
Private Bag
Thames 3540



1. Submitter Details

Mandy Reid & Redoubt Trustees Ltd
 581A Teasdale St
 Te Awamutu

2. Scope of Submission

The specific provisions that this submission relates to are:

- (a) The Historic Heritage Item overlay No. 215 shown on Planning Map 181 – Overlays, affecting our property at 5 Endeavour Place, Cooks Beach; being Lot 19 DPS 8284 of approximately 812m²;
- (b) The Historic Heritage Item listing No. 215 – Former Griffiths Holiday House in Table 7 – Mercury Bay Historic Heritage Items of Appendix 1- Historic Heritage Schedule, affecting our property;
- (c) The rules and associated explanatory material in Section 31 – Historic Heritage, as they relate to the Historic Heritage Item affecting our property;
- (d) The objectives, policies, methods and associated explanatory material in Section 8 – Historic Heritage, as they relate to the Historic Heritage Item affecting our property.

3. Reasons for Submission

Our submission is:

- (a) We have owned our property at Cooks Beach for almost thirty years. It contains a house (the identified historic heritage item) that was built by a previous owner in the early 1970s, along with a large boat shed and tool/wood shed (that are not identified as heritage items). We made some alterations to the house in 2005-2006 and other alterations may be undertaken in the future by us or other owners. We are concerned that the heritage item listing will affect our ability to alter the house, or rebuild it if it was affected by an earthquake, fire or other similar event, along with the value and saleability of the property as a whole.
- (b) We are strongly opposed to the Historic Heritage Item overlay No. 215 identification on the planning maps and listing of the house in Appendix 1, along with the rules, and all related provisions that would affect us carrying out building alterations or a rebuild, along with other works on the property in the future. There are several reasons for this.
- (c) The historic heritage listing of our house is not explained and justified in any way in the district plan. We understand from Council staff that the listing is based on a report dated 27 August 2012 from Dr Ann McEwan of Heritage Consultancy Services. This report provides insufficient justification, for listing our house as a 'heritage' item in the district plan.
- (d) We have been unable to determine why the McEwan report was commissioned by the Council and whether it was part of a wider area or district study of heritage buildings. It was prepared without our knowledge and as such contains a few inaccuracies, most of which are of a relatively minor nature. However of concern is a reference to NZ Historic Places Trust registration, and NZHPT or Council file numbers, which we are not aware of.

- (e) The McEwan report notes that our house and the property are of no 'archaeological', 'cultural', 'historic', 'scientific' or 'technological' significance. It simply states that the house has "some architectural significance as a post-modernist holiday home designed by an Auckland architect who was responsible for adding to the house in 2006". The architect was not 'responsible' for the additions, we believe we were, as we briefed him, then had input to the design and supervised the work. The report goes on to state that "it is notable that the bach and its extension were architecturally designed in contrast to the DIY nature of the first generation of Coromandel bachs." Earlier the report notes that the house won an NZ Institute of Architects Waikato/Bay of Plenty branch award and enduring architecture award in 2007.
- (f) The McEwan report does not identify what the 'some (post-modernist) architectural significance' of the house is, including what if any significance is attached to the design being from an 'Auckland' architect, who we also arranged to design the extension. There are many 'post-modernist' and other 'period' houses in the TCDC area designed by architects, from both Auckland and elsewhere. Some of these different 'period' houses will also have received 'awards'. However that does not mean they are of particular architectural heritage 'significance'.
- (g) We are proud of the houses architectural award. However the NZIA award was only of a branch nature and was not of any national significance. Also we understand that the 'enduring' part of the award was simply related to the fact that house and alterations were designed by the same architect. Our investigations indicate that this practice was, and still is, quite common, so most architecturally designed houses are of an 'enduring' nature.
- (h) We understand from Council staff that the heritage listing only affects the exterior of house and not the interior. However even this will cause significant problems for us, especially if we or future owners wanted to alter or add to the house in any way. Rule 31.6.6, along with the definition of addition and alteration in the Historic Heritage Items in the Section 3 – Definitions, part of the plan clearly states that any building addition or alteration is a restricted discretionary activity, irrespective of its form and scale.
- (i) We note that under Rule 31.6.6 the Council has limited its discretion to only four matters for such restricted discretionary activity applications. However the four matters, being (a) to (e) in Table 2 of Rule 31.8 are very broad ranging. Also two of them (a) -Building and Structure Height, and (b) – Architectural Form, and Style Proportions Features and Material and Finishes, have a number of separate components that have to be assessed and are open to interpretation by different people.
- (j) We believe the abovementioned 'Assessment Matters & Criteria' for restricted discretionary activity applications of houses of a historic heritage nature are unreasonable and in some respects not well founded. They will probably place us in the position of having to get a 'heritage' architects report to carry out even a minor house alteration.
- (k) We note that Rule 31.6 has rules on fences and garages (restricted discretionary activities), along with signs (a controlled activity), that apply within the "heritage items curtilage". We also note the very broad definition of "historic heritage item curtilage" in Section 3 – Definitions, as "including the land surrounding and integral to a historic heritage item including the landscaping and planting area". We understand these rules would also apply to our property and for the reasons above we are opposed to them. This includes the 'Assessment Matters & Criteria' in Tables 1 and 2 of Rule 31.8.
- (l) We also have concerns about the time and costs of one making applications to alter the house and its 'curtilages' in the future. We understand that restricted discretionary activity applications are open to public notification or limited ('affected' party) notification. This would be another cost imposed upon us and over which we have very little control. It would make it very difficult for us to contemplate any future alterations to the house or curtilages.

- (m) We are opposed to the objectives, policies, methods and associated explanatory material in Section 8 – Historic Heritage, as they relate to the Historic Heritage Item and associated rules affecting our property. We do not believe that the appropriate ‘historical and field research’ of our house and others like it in the district has been carried out, including consultation with us as the owners (Ref. Section 8.1.2). Also we do not consider that our house has been properly assessed under the Regional Policy Statement criteria for significant cultural heritage resources (Ref. Section 8.1.2).
- (n) The historic heritage item listing of our house is contrary to Part 2 of the Resource Management Act. It is also contrary to Section 32 of the Act as inadequate analysis of the listings benefits and costs, especially upon us, has been carried out.

4. Relief Sought

- (a) The Historic Heritage Item overlay No. 215 shown on Planning Map 18I – Overlays, over our property at 5 Endeavour Place, Cooks Beach, be deleted from the district plan;
- (b) The Historic Heritage Item listing No. 215 – Former Griffiths Holiday House in Table 7 – Mercury Bay Historic Heritage Items of Appendix 1- Historic Heritage Schedule, relating to our property, be deleted from the district plan;
- (c) Such further, other or consequential amendments to the district plan as may be required to give effect to the submission, including the relief sought.

5. Hearing

We wish to be heard in support of our submission.

If others make a similar submission we will consider making a joint case with them at a hearing.

6. Trade Competition Matters

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



By authorised agent
Max Dunn

12 March 2014

Address for service of the submitter:

Andrew Stewart Ltd
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Attention: Max Dunn - Manager Planning Services

Phone: 09 3030311
Email: maxd@andrewstewart.co.nz

RE: Letter in support of my Submission on the TCDC Proposed District Plan

Dear Mayor Leach and TCDC Councilors,

My name is David Meredith and I own a holiday house in Matarangi

I oppose the various provisions for Visitor Accommodation throughout the Proposed Thames Coromandel District Plan ("Proposed Plan") as they relate to renting out of private dwellings/holiday homes.

There is no proven evidence that the consumption of local resources and the amenity effects on neighbours are any different with holiday rental holiday homes compared to properties used by their owner/family/friends.

The proposed changes will affect existing holiday home owners, as well as those that aspire to holiday home ownership in the Coromandel. In particular I believe the rules:

- Will decrease the income I receive from my holiday home – income I use to offset expenses such as rates and maintenance.
- Could reduce the value of my property as holiday home ownership becomes less desirable in the Coromandel due to the limitations imposed on holiday rental.
- Will mean less choice for tourists wishing to stay in the Coromandel, resulting in fewer visitors to the region, impacting on Coromandel businesses as result.
- Will not change the amenity effects arising from holiday home usage on the Coromandel.

I urge you to reconsider these rules in your Draft Annual Plan for 2013/2014 and look to implement a system more like that used by Queenstown Lakes District Council that provides allowance for holiday houses to better distinguish them from true commercial accommodation.

I seek the following decision from the Thames Coromandel District Council:

As Principal Relief

(i) Amend the definition of "Visitor Accommodation" in the Proposed Plan, such that the rental of holiday homes is specifically excluded from the definition.

Or, in the alternative, if the principal relief in (i) above is not accepted

(ii) Amend all references to the permitted activity conditions for Visitor Accommodation in the various zones throughout the Proposed Plan relating to "6 tariff-paid customers on-site at any one time" instead amending this to "12 tariff-paid customers on-site at any one time", and delete any condition requiring the activity to be undertaken within an existing dwelling, minor unit or accessory building.

And, in relation to both (i) and (ii) above

(iii) Any consequential amendments necessary as a result of the amendments to grant the relief sought above.

I look forward to your response.

Name David Meredith

Address P.O. Box 23 778 Papatoetoe 2155



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 Auckland

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Home Rental
 Part V 111 section 54
 Residential Zone
 Rule 1 Visitor accommodation

I am a ratepayer and part time residents of T.C.D.C, having owned a property on Pauanui Beach Road since 1998.

I list below some details about myself, followed by my comments and advise that these are my views and not necessarily those of organisations I belong too.

Something about me:

My wife and I established and have run our own business, World of Cutlery Ltd (t/a House of knives), since just before share market crash in July 1987 – 26 years ago, and now have two stores, Auckland and Petone. We purchased our current Auckland premises at 24 Mt Eden Rd, in 1995.

A brief history of our associations and achievements are:

Born and bred in Nelson, where I was a prominent Hockey player and an active member of St John, leading our team to National winners of the Sir Alfred Robin Memorial Shield
 I began working life as a Trainee manager for Woolworth, soon moving to Wellington to advance my career, and shortly after began work for DIC as their China and Glassware buyer.
 This later led to a similar position with Haywrights when they opened a shop in the new St Lukes Shopping Mall in Auckland in 1971, and subsequently poached by Milne and Choyce,
 From this position I moved to a Sales Manager with a small business, W G Douglas and Son Ltd, (Manufacturer's Representatives), looking after the Agency side of the business which was concerned with the importation of a variety of goods from several overseas companies.
 In buying the assets of this business during a take over situation, the name was changed and my wife and I established World of Cutlery Ltd, t/a House of Knives.

Studying part time, I had by now also obtained qualifications in Retail Management and Administration.

Since the establishment of our current business, we have had a significant involvement with the NZ Hospitality Industry as members of the NZ Chefs Assn, NZ Foodwriters Assn, the Motel Assn, and sponsors of a variety of industry related events and teams from the NZ Culinary Team, World Skills competitors, Toque d'Or to name just a very few.

In 2007 the NZ Chefs Assn honoured me with a “Living Legend” Award for my contribution to the Hospitality Industry - of the 13 recipients, I was the only non professional to gain this award..

In my personal life I have or is associated with:

St John's Presbyterian Church, Mt Roskill

Baptist Church Pauanui

Rotary Club of Three Kings 20 years of 100 % attendance. (Had to resign because a serious injury in 2000 prohibited attendance for a significant time.) Together with Avalon, spent several years involved with Rotary's Youth Exchange Programme.

Pauanui Sport and Recreation Club

Has served on various committees from schools to a recent ambitious and successful Building committee project for the Dolphin Theatre in Onehunga, Auckland.

I find the document confusing and not simple and you would need to have a degree in being able to read this sort of document to understand what is going on.

I have a head injury due to a fall off a 2 storey house in December 2000 and this sort of exercise is fatiguing and a challenge

I am indebted for the help given me by one of the staff in a recent visit.

54.2 comments as to the character of the community and that can vary across the region but in our case of Pauanui, that is one of tents, caravans and motor homes on the family section both at Christmas time and periods through out the year.

54.4

Rule one Visitor Accommodation

1a 6 tariff paid visitors

1 b occurs in existing buildings

There is reference to 54.2 as to character of a community is to be perceived, this attempts to change character

Currently under rules elsewhere is reference to 12 person per toilet pan

I see no reason given for a change to our character and the rental of a temporary nature should only be restricted to the number of beds on site :

in case of a building double bed room 2 persons

Single bedroom 1 person

Queen bed room 2 persons

King bedroom 2 persons

Bunk rooms as per number to bed down

In case of tent, one, two or three as stipulated on the sales information for that tent.

In case of Motor home, they have certificates covering sleeping arrangements, if correctly certified.

A motor home must have sink, bedding and kitchen bench.

There has been some publicity over the real reasons for the proposed restrictions as one coming from motel/accommodation providers who would have vested interest.

If it is noise control, sufficient powers already exist to enforce those.

More to the point the enforcement of those would solve the case....I can tell you of my reporting of noise and lack of enforcement as the person concerned with powers to do anything is in another part of Coromandel and takes too long to get there.

Noise happened at 23.30 and repeated itself at 0.400 ... excuse was ..sorry when we get there and no noise ... we have to come from so far away.

I tried during next day, a Saturday to get in contact with someone to be proactive to speak to persons creating the noise, to come and talk to them to prevent a repeat that night...hopeless.

We had a guide dog and it reacted badly to the bomb like noise referred to above.
We need easier access to those that can control the noise..not a lengthy intergration over the phone by call centre staff.

As for accommodation providers are concerned it maybe competition and by stealth they are trying to lessen competition...THIS IS NOT ALLOWED in the plan see page about Public notification

“submission does not relate to trade competition or effects of trade competition”

I see this restriction for average persons, as restriction for trade only

I have been told that some providers are concerned with some people owning multiple houses and letting them out and being full properties (some times over crowding) and no supervision.
Maybe more than 12 persons per toilet pan...when is this enforced,now?

My understanding of current bylaws could be enforced to control if this has been or could be a problem, consistant enforcement over the years would curb this sition,if it exists.

I see this restriction of 6 paying guests playing into hands of voting people who own commercial outlets..... accomodation providers.

It has also been stated that the private person renting their home ,don't face same costs as commercial operators.

Perhaps this is a case for council and governments to review their own operations and fees they impose to make it easier and cheaper to be in business...not treat businesses as defacto cash cows and welfare workers.

Whether private or commercial we are all paying high land taxes,water,waste,water discharge,road taxes ,insurance etc.

In case of private person it is for one rating unit and normally a house and accomodation provider for each motel as if it is a house, so each can accommodate about same number of people per unit of accomodation.

I ask the question ,if you pander to motel and commercial accomodation providers ,why not pander to other commercial businesses on the Penisular and help them.

I sight the problems facing us all that have fixed sites from which we do our business and problems with people buying on the internet ,especailly from overseas and not paying some of the costs forced on local operators.

I can confirm for each parcel ,regardless of value, that we import, we have fixed costs in the vicinity of \$120 to \$150 an Entry, added to that is GST , duty(if any) , some flexible costs that are levied on volume and or value.

Would it not be good to add a FEE in district plan on all parcels crossing the KOPU bridge ,and Junction 25a and 25, and the road into Whangamata(other wise all entry points to Coromandel), that have originated overseas.

This would place a restriction to benefit a section of our taxpayers (ratepayers)

Surely if you are going to bring in this 6 persons per private unit,surely you need to be consistant across all commercial operators on penisular.

The character of our community has been to be able to let our properties short term and this should continue.

If it is deemed by the majority of Rate payers that a restriction should be in place for the entire year perhaps those that don't own more than 2 properties in a local community could be exempt.

If it is perceived that those private owners –owning up to six properties have unfair advantage and are really commercial operatorsunder a different guise..this would eliminate them.

Rule 12 TEMPORARY LIVING SPACES

Defined as a tent without foundation and/or vehicle that can legally be driven or towed to a different location on request??????

54.2 says The residential zone preserves the settlements residential neighbour hood character.

It has been the character of our settlement to have friends and family around to enjoy the freedom of our properties at or near the beach and reserves.

To enable us to appreciate our community and participate in areas happenings and events, part of our character is to have tents,caravans and motorhomes on our properties.

Often to house our various families and friends, it is convenient for us to have one unit per family (whether that be tent,caravan or motorhome) and around our place this can be up to 4 to 6 families at a time.

In our immediate vicinity this has not caused a problem in 14 years we have owned our property and as long as sanitation standards are met I don't see why we should be told what to do on our properties.

NO LONGER KING/QUEEN OF OUR CASTLE BUT slaves to TCDC????????

I do see some risks in not setting standards around FIRE and adopting NZMCA guide lines as to spacing between units,bucket of water to each unit etc.

I am not talking about permanent or semi permanent stays/rentals but that which happens over peoples holidays and long weekends.

Holiday time is not just Christmas and days of January but can be any time during the year as not everyone takes or can take holidays at Christmas time.

Rule 12 b (11) appears to assume that most take holidays between 1st December in one year and 6th February following year.

This is discrimination and infringement of personal rights under Bill of rights against a large pool of people.

I am not sure people should be encouraged to sleep in any vehicle---- a vehicle should be equipped with proper bedding and vehicle designed for sleeping.

The definition is a little hard for me to understand and why vehicle in the definition on private land should need to be moved to a different location ,by whom and what for.

Who or what is parked on my property with my permission is my concern ...no one else's,unless

parked illegally and then I should be able to get the Police to remove under a trespass action or in case of accident with help of emergency services or tow truck.

The character of our community is often built around families and to start dictating what should happen on our properties maybe infringing our rights under various acts.

Here at our sea side community a lot of atmosphere will disappear as to have more than 2 caravans/tents/motorhomes for most of the year will extinguished more over ,if I want to have friends and members of different groups to visit,I would not be able to have them stay on my property in motor homes,caravans tents etc ,unless it was in that “Christmas window”

If you look around properties on the Coromandel, often more than 2 caravans are permanently on sites and this rule change would lead to there removal ,out side of the "Christmas period”

I think I am responsible and don't appreciate being dictated to by people who may not have any idea of enjoying them selves.

Again it appears a back door policy change to appease a section of Trade /Commercial community that may be a benefit to their bussinesses.

This is not allowed under public Notification that opened on 13th December 2013

“The submission does not relate to or have effect on trade competition”

In escences if I have read correctly I oppose the above plan provision

I seek to have these items ammended as discussed.

I wish to be heard at a convient time to me,taking into consideration no time frame has been announced concurrently with this submission period, as suggested by me at another submitted subject.

I would expect to be advised of results ,unlike my other submission that appears to have disappeared into a deep hole,some where over the rainbow.

Regards John Fryer

Ps Was not able to find any reference to Freedom Camping in this document ,but see aspects of the rule changes being a control over freedom camping on private property.

If I have missed Freedom Camping in the document,I fully support Freedom camping as per NZ Governments Freedom of camping Act and would reserve my right to being able to talk and submit on it at a later stage..



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27 March 2014

Thames-Coromandel District Council
Private Bag
Thames 3540



Dear Sir or Madam:

**Vodafone New Zealand Limited – Submission on Thames-Coromandel District Plan:
Network Utilities Feedback**

Attached is Vodafone's feedback on the Proposed Thames-Coromandel District Plan. We appreciate the opportunity to make a submission on the Proposed Thames-Coromandel District Plan.

Yours sincerely,

Colin Clune

Resource Management Planner

Colin.Clune@Vodafone.co.nz

(09) 355 2000

Vodafone Background

As one of New Zealand's leading telecommunications providers, Vodafone understands our responsibility to support the community that supports us. Telecommunications products and services can act as an economic enabler, facilitating coordination of people and resources, breaking down geographic isolation, increasing innovation and boosting productivity.

In October 2012 Vodafone acquired TelstraClear, becoming a total communications company. This follows previous investments in Bell South in 1998, ihug in 2006 and First Mobile in 2010. Vodafone New Zealand now employs over 3000 people around New Zealand. The Vodafone New Zealand Foundation is our charitable trust. Set up in 2002 and focused on encouraging positive and healthy outcomes for young New Zealanders, the foundation has supported over 150 charitable community projects and donated over \$16 million to charitable causes in New Zealand and overseas.

Importance of Telecommunications

Telecommunications (through fixed line and wireless services) are a basic and essential service in the same way as transportation, electricity, water and wastewater services. In today's society, people want to be connected anywhere, anytime, whether by a fixed line service, a mobile phone, or connecting devices to a "Wifi" network (i.e. a wireless local access network or "hotspot"). To ensure people stay connected, the various components of the fixed line mobile and wireless telecommunication networks need to be constructed, operated, maintained and upgraded. This work needs to be undertaken in an efficient and affordable way if it is to keep pace with demand. This, in turn, depends on a supportive and workable planning framework.

Feedback on the Proposed Thames-Coromandel District Plan

Vodafone welcomes the opportunity to comment on the proposed Thames-Coromandel District Plan. In particular Vodafone would like to comment on the following sections:

PART II – OVERLAY ISSUES, OBJECTIVES AND POLICIES, Section 9 – Landscape and Natural Character

- **Within the Outstanding Landscape Overlay, Policy 1c:** Sets an impractical expectation that network utilities not be located on natural ridgelines. Due to operational requirements network utilities are required to be located in elevated locations with a clear line-of-sight to coverage areas.

Modification Sought: *"Network utilities that cannot practicably be located outside of an Outstanding Landscape shall be located away from ridgelines and prominent landforms unless it is clearly demonstrated that there is need to locate in these areas and there are no reasonable alternatives. Where they must necessarily be located near or cross a ridgeline, the adverse visual effects shall be remedied or mitigated as far as practicable, ~~such as by tunnelling underneath, camouflage or vegetative screens.~~"*

- **Within the Amenity Landscape Overlay, Objective 1, Policy 2b:** Policy 2b does not acknowledge that in instances network utility structures are required to be established in Amenity Landscape areas. The positive effects associated with nationwide network utilities often outweigh localised adverse effects.

Modification Sought: *"Significant adverse effects on Amenity Landscapes within the Coastal Environment shall generally be avoided, noting however that in some instances it may be necessary to install structures such as network utilities in these areas. In such instances where it is not practical to avoid such areas, the adverse effects shall be weighed against the benefits provided to the community. Other adverse effects shall be avoided, remedied or mitigated."*

- **Within the Natural Character Overlay, Objective 3, Policy 3b & 3c:** Policy 3b does not acknowledge that in instances network utility structures are required to be established in Natural Character areas. The positive effects associated with nationwide network utilities often outweigh localised adverse effects. Policy 3c requires further detail to avoid misinterpretation.

Modification Sought: *"Environment within the Natural Character Overlay shall generally be avoided, noting however that in some instances it may be necessary to install structures such as network utilities in these areas. In such instances*

where it is not practical to avoid such areas, the adverse effects shall be weighed against the benefits provided to the community.~~and~~ Other adverse effects shall be avoided, remedied or mitigated."

Amend Policy 3c as follows:

Buildings and other structures shall be located and designed to integrate with the surrounding Natural Character overlay as far as practicable, with adverse effects on Natural Character avoided, remedied or mitigated.

PART III – DISTRICT WIDE ISSUES, OBJECTIVES AND POLICIES, Section 19

– Utilities

- **19.1 BACKGROUND, 19.1.3 National Environmental Standards:** The use of the term "*structures*" in Point 4 is technically incorrect. The National Environmental Standards for Telecommunication Facilities (NESTF) refers to the definition of "*replacement utility structures*" being an original structure such a street light standard etc, that has had an antenna added to it and/or modified or has been replaced with a new structure that has the ability for antennas to be added to it.

Modification Sought: Remove the reference to "masts" from point 19.1.3.4.

- **19.2 ISSUES:** The issue should clearly acknowledge that the provision of network utilities is essential for the social and economic wellbeing and competitive economy of the District. Given that the positives effects associated with network utilities outweigh the adverse effects on the environment.

Modification Sought: Delete issue 19.2 (1) and insert the following:

"Network utilities are essential for providing social and economic wellbeing and a competitive economy for the District."

- **19.3 OBJECTIVES AND POLICIES, Objective 1, Policy 1a, 1b & 1c:** Policy 1a may be misinterpreted to suggest that network utility infrastructure should be located outside the natural hazard overlay, which is not always appropriate. Due to the operational requirements of network utilities, facilities are required to locate in a variety of geographic locations. The uninhabited nature of network utility buildings/structures removes many of the adverse effects associated with the natural hazard overlay.

Policy 1b is not considered appropriate, as the total avoidance of adverse effects is often an unrealistic outcome.

Policy 1c outlines an unrealistic expectation that all network utility infrastructure be underground. Clarification needs to be given to operational requirements, feasibility and economic appropriateness. A typo on point (c) needs to be amended to refer to situations where aboveground infrastructure is "unlikely to be adversely affected".

Modification Sought: Policy 1a should be amended to read:

"New network utility infrastructure should not be located wherever practical, where they would be adversely affected by a natural hazard identified by a natural hazard overlay."

Policy 1b should be amended to read:

The establishment, operation, maintenance and upgrading of network utilities shall be enabled whilst avoiding, remedying and mitigating adverse effects on the coastal environment, natural character and historic heritage.

Policy 1c should be amended to read:

Policy 1c

New network utility infrastructure shall be placed underground, unless:

- a) A natural or physical feature precludes the establishment or operation of the underground network utility;*
- b) The operation and use of the network utility can only be achieved above ground or is already existing;*
- c) The surrounding environment is unlikely to be significantly adversely affected;*
- d) It is in the Rural Area, outside of the Coastal Environment;*
- e) The utility reticulation infrastructure is for renewable energy generation; or*
- f) The cost makes undergrounding economically unfeasible.*

PART VI – OVERALY RULES, Section 32 – Landscape and Natural Character Overlay

- **32.3 OUTSTANDING LANDSCAPE RULES:** A Non-Complying status for telecommunication facilities in the Outstanding Landscape Overlay is considered too restrictive. Due to operational requirements network utility infrastructure may need to be located in an Outstanding Landscape Overlay where no practical alternative is made available. The positive effects associated with provision of network utility infrastructure to remote settlements and rural communities outweigh the associated adverse effects. The resource consent process facilitates the justification of location and associated effects.

Modification Sought: Amend Rule 32.3.7 to provide for the following network utilities in the Outstanding Landscape Overlay as a discretionary activity:

“above-ground electricity or telecommunication line’, ‘electricity or telecommunication facility’ and a ‘telecommunication mast tower, dish and associated antenna and equipment”

- **32.5 AMENITY LANDSCAPE OVELAY:** Clarification is required on the activity status of an *“electricity or telecommunication facility”* or a *“telecommunication mast, tower, dish and associated antenna”* in the Amenity Landscape overlay. It is assumed that the activity status would be dictated by the underlying zone. However, currently this assumption is unclear.

Modification Sought: Amend Rule 32.5 to make clear that the underlying zone rules apply to telecommunication facilities in the Amenity Landscape overlay.

- **32.7 NATURAL CHARACTER OVELAY:** Clarification is required on the activity status of an *“electricity or telecommunication facility”* or a *“telecommunication mast, tower, dish and associated antenna”* in the Natural Character overlay. It is assumed that the activity status would be dictated by the underlying zone. However, currently this assumption is unclear.

Modification Sought: Amend Rule 32.7 to make clear that the underlying zone rules apply to telecommunication facilities in the Natural Character overlay.

PART VI – OVERALY RULES, Section 34 – Natural Hazards: River Flooding, Coastal Erosion, Tsunami and Flooding Defences Overlay

34.9 FLOODING RULES, RULE 2 Any other activity: This rule requires network utility infrastructure in the High Flood Hazard Area and Floodway areas to obtain resource consent as a restricted discretionary activity. Given the minor scale and non-habitable nature of network utility infrastructure this activity status is considered too restrictive. The majority of network utility infrastructure have a minor footprint not exceeding 5.0m², and as such will not impeded overland flow paths and flood ways in flood hazard areas.

Modification Sought: Amend Rule 34.9.2 to provide for non-habitable network utility infrastructure in flood hazard areas not exceeding 5.0m² as a permitted activity:

- **34.11 CURRENT COASTAL EROSION AREA RULES, Rule 9 Any other activity:** A Non-Complying status for telecommunication facilities in Coastal Erosion Areas is considered too restrictive. Due to operational requirements network utility infrastructure may need to be located in Coastal Erosion Areas where no practical alternative is made available. The positive effects associated with provision of network utility infrastructure to remote settlements and rural communities outweigh the associated adverse effects. The resource consent process facilitates the justification of location and associated effects.

Modification Sought: Amend Rule 34.11.9 to provide for network utility infrastructure in coastal erosion areas as a restricted discretionary activity.

PART VIII – ZONE RULES

NETWORK UTILITIES RULES: The separation of network utility provisions to each individual zone leads to confusion for users of the plan. Assessment of utilities rules for different zones becomes time consuming and convoluted when not grouped together. Further confusion is caused by network utility rules being contained in the overlay rules. It is strongly suggested that a single network utility section approach be adopted as other Council's throughout New Zealand have done. This would be a far more efficient approach for applicants as well as Council processing planners.

Modification Sought: The rules relating to network utilities should be removed from each individual zone section and compiled in a single stand-alone network utilities

section, including all relevant standards. The stand-alone network utilities section shall include all rules for network utility activities within the overlay.

42 COMMERCIAL ZONE RULES, 42.4, Rule 11.1(a): The 15m maximum permitted height of telecommunication masts is considered too low for the Commercial Zone. Telecommunication masts with a height of 20m will have less than minor effects on the non-residential amenity of commercial areas. Taller masts in commercial areas will provide greater radio frequency/mobile coverage, thereby reducing the need for additional masts in other zones throughout the district. Given that lightning rods are a minor structure with minimal associated adverse visual effects, they should not be included in the maximum permitted height calculation.

Modification Sought: Amend Section 42, 42.4, Rule 11.1(a) to read

"A telecommunication mast, tower, dish and associated antenna and equipment is a permitted activity provided:

a) Its maximum height is 20m (lightning rods excluded from the maximum height calculation); and"

Modification Sought: Amend Section 42, 42.4, Rule 11.1 to include an additional point (d) reading:

"(d) The attachment of telecommunication antennas and support structures to a maximum height of 5m above the roof of the part of the building it is attached to. The height relation to boundary control of any adjoining residential zone boundary shall apply."

46 INDUSTRIAL ZONE RULES, 46.8, Table 4: The 15m maximum permitted height of telecommunication masts listed in "Table 4" of the Industrial Zone rules is considered too low for the Industrial Zone. Telecommunication masts with a height of 25m will have less than minor effects on the non-residential amenity of industrial areas. Taller masts in industrial areas will provide greater radio frequency/mobile coverage, thereby reducing the need for additional masts in other zones throughout the district. Given that lightning rods are a minor structure with minimal associated adverse visual effects, they should not be included in the maximum permitted height calculation.

Modification Sought: Amend Section 46.8, Table 4 – Standards to read to include two additional standards reading:

8.	<i>telecommunication mast, tower, dish and associated antenna equipment (<u>lightning rods excluded from the maximum height calculation</u>)</i>	25m
9.	<i><u>The attachment of telecommunication antennas and support structures to a maximum height of 5m above the roof of the part of the building it is attached to. The height relation to boundary control of any adjoining residential zone boundary shall apply</u></i>	Building height + 5m

47 LIGHT INDUSTRIAL ZONE RULES, 47.8, Table 3 – Standards, Point 3: The 10m maximum permitted height of telecommunication masts is considered too low for the Light Industrial Zone. Telecommunication masts with a height of 20m will have less than minor effects on the non-residential amenity of light-industrial areas. Taller masts in industrial areas will provide greater radio frequency/mobile coverage, thereby reducing the need for additional masts in other zones throughout the district. Given that lightning rods are a minor structure with minimal associated adverse visual effects, they should not be included in the maximum permitted height calculation.

Modification Sought: Amend Section 47, 47.8, Table 3 – Standards, to include two additional standards reading:

8.	<i>telecommunication mast, tower, dish and associated antenna equipment (<u>lightning rods excluded from the maximum height calculation</u>)</i>	20m
9.	<i><u>The attachment of telecommunication antennas and support structures to a maximum height of 5m above the roof of the part of the building it is attached to. The height relation to boundary control of any adjoining residential zone boundary shall apply</u></i>	Building height + 5m

54 RESIDENTIAL ZONE RULES, 54.4, Rule 8.1(b): Given that lightning rods are a minor structure with minimal associated adverse visual effects, they should not be included in the maximum permitted height calculation.

Modification Sought: Amend Section 54, Rule 8.1 (b) to read:

"b) Its maximum height is 15 metres (lightning rods excluded from the maximum height calculation); and

56 RURAL ZONE RULES, 56.4, Rule 7.1(b): The 15m maximum permitted height of telecommunication masts listed in Rural Zone rules is considered too low. Rural Zones generally contain greater mature vegetation and the antennas are required to cover greater areas, which in turn require greater height. Taller masts in the Rural Zone will provide greater radio frequency/mobile coverage, thereby reducing the need for additional masts in other zones throughout the district. Given that lightning rods are a minor structure with minimal associated adverse visual effects, they should not be included in the maximum permitted height calculation.

Modification Sought: Amend Section 56, 56.4, Rule 7.1(b) to read:

"b) Structures are not higher than 25m (lightning rods excluded from the maximum height calculation); and"

Modification Sought: Amend Section 56, 56.4, Rule 7.1 to include an additional point (e) to read:

"e) The attachment of telecommunication antennas and support structures to a maximum height of 5m above the roof of the part of the building it is attached to. The height relation to boundary control of any adjoining residential zone boundary shall apply."

57 RURAL LIFESTYLE ZONE RULES, Rule 7.1(b): The 15m maximum permitted height of telecommunication masts listed in Rural Lifestyle Zone rules is considered too low. Rural Zones generally contain more mature vegetation and the antennas are required to cover greater areas, which in turn require greater height. Taller masts in the Rural Lifestyle Zone will provide greater radio frequency/mobile coverage, thereby

reducing the need for additional masts in other zones throughout the district. Given that lightning rods are a minor structure with minimal associated adverse visual effects, they should not be included in the maximum permitted height calculation.

Modification Sought: Amend Section 57, Rule 7.1(b) to read:

"b) Structures are not higher than 25m (lightning rods excluded from the maximum height calculation); and"

Modification Sought: Amend Section 57, 57.4, Rule 7.1(f) to read:

"f) The attachment of telecommunication antennas and support structures to a maximum height of 5m above the roof of the part of the building it is attached to. The height relation to boundary control of any adjoining residential zone boundary shall apply."

58 VILLAGE ZONE RULES, Rule 13.1(e): The 15m maximum permitted height of telecommunication masts is considered too low for the Village Zone. Telecommunication masts with a height of 20m will have less than minor effects on the non-residential amenity of the Village Zone areas. Taller masts in the Village Zone will provide greater radio frequency/mobile coverage, thereby reducing the need for additional masts in other zones throughout the district. Given that lightning rods are a minor structure with minimal associated adverse visual effects, they should not be included in the maximum permitted height calculation.

Modification Sought: Amend Section 58, 58.4, Rule 13.1(e) to read:

"e) Its maximum height is 20m (lightning rods excluded from the maximum height calculation); and"

Modification Sought: Amend Section 58, 58.4, Rule 13.1(f) to read:

"f) The attachment of telecommunication antennas and support structures to a maximum height of 5m above the roof of the part of the building it is attached to. The height relation to boundary control of any adjoining residential zone boundary shall apply."

Vodafone would like the opportunity to discuss these matters further with officials tasked with development of options for legislative reform.

For further information please contact: Colin Clune (Resource Management Planner) – Colin.Clune@Vodafone.com or Justin Rae (National Site Acquisition Manager), Justin.Rae@Vodafone.com Vodafone New Zealand Limited

Dated: 27 March 2014



Colin Clune

Vodafone Resource Management Planner

(09) 355 2000

Proposed Thames-Coromandel District Plan



Submission Form

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

Your submission can be:

- Online:** www.tcdc.govt.nz/dpr
Using our online submissions form
- Posted to:** Thames-Coromandel District Council
Proposed Thames-Coromandel District Plan
Private Bag, Thames 3540
Attention: District Plan Manager
- Email to:** customer.services@tcdc.govt.nz
- Delivered to:** Thames-Coromandel District Council, 515 Mackay Street, Thames
Attention: District Plan Manager (or to the Area Offices in Coromandel, Whangomata or Whittanga)

Submitter Details

Full Name(s)		
or Organisation (if relevant)	TWENTYMANS FUNERAL SERVICES LTD	
Email Address	adrian@twentymans.co.nz	
Postal Address	709 Pollen St Box 57 THAMES 3540	
Phone no. (include area code)	07 8686 003	Mobile no. <input checked="" type="checkbox"/>

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

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

PRIVACY ACT 1993

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



Your Submission

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

SECT 53

My submission is:

(clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support oppose the above plan provision.

Reasons for my views:

need to expand on definition of Cemetery
Recreation - passive needs & expanding on

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

Retained Deleted Amended as follows:

to allow the establishment of a cremator on
Council controlled Cemetery land.

Proposed District Plan Hearing

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

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

Signature of submitter *Michael Rodden* Date 28 March 2014

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

Trade Competition

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

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

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

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

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

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

Proposed Thames-Coromandel District Plan



Submission Form

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

THAMES-COROMANDEL
DISTRICT COUNCIL

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Using our online submissions form

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

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

LATE
SUBMISSION

28 MAR 2014

RECEIVED BY: TUI
28 3:17pm

Submitter Details

Full Name(s) _____

or Organisation (if relevant) Twentymans Funeral Services Ltd

Email Address adrian@twentymans.co.nz

Postal Address 709 Pollen ST Box 57
THAMES 3540

Phone no. (include area code) (07) 8686 003

Mobile no. ✓

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

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

PRIVACY ACT 1993

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Your Submission

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

SECT 53

My submission is:

(clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support oppose the above plan provision.

Reasons for my views:

need to expand on definition of Cemetery
 Recreation - passive needs expanding on.

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

Retained Deleted Amended as follows:

to allow the establishment of a cremator on
 Council controlled cemetery land.

Proposed District Plan Hearing

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

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

Signature of submitter *Maui Carter* Date 28 March 2011

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

Trade Competition

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

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

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

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

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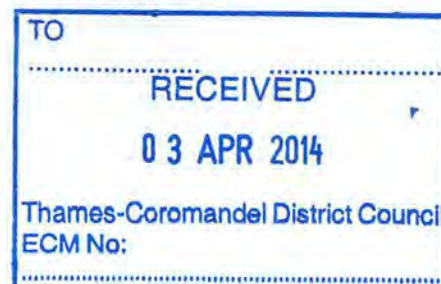


32 Harington Street
 PO Box 903, Tauranga 3140, New Zealand
 T: +64 7 578 0896 // F: +64 7 578 2968
 E: info@beca.com // www.beca.com

Thames Coromandel District Council
 515
 Mackay Street
 Thames 3500
 New Zealand

31 March 2014

Attention: Helen Findlater



Dear Helen

Wharekaho 2013 Limited - Proposed District Plan Late Submission

Wharekaho 2013 Limited as developers and Heaton and Raukawa Balsom as landowners seek special approval to make a late submission to the Thames Coromandel District Council Proposed District Plan (PDP).

This submission relates to Section 25.2 of the PDP that affects all of that land incorporated in the '15 Wharekaho Road Site Development Plan'.

This submission opposes in part the following:

- The proposed wording of Section 25.2 of the PDP as it affects the future residential development of land currently subject to the Wharekaho Structure Plan provisions of the Operative District Plan.

Reasons for this submission

Residential Development of Allotments

The site is currently subject to the Wharekaho Structure Plan provisions of the Operative District Plan, provided for in section 344.9.5 of the Plan. This Rule clearly outlines the controls on future development, particularly that the bulk and location of the Housing Zone (Outside All Policy Areas) shall apply to built development on residential allotments when created by way of subdivision in accordance with the Structure Plan.

- Section 25.2.3 Rule 1 of the PDP allows for dwellings and accessory buildings as a permitted activity, but the development of these buildings is subject to the bulk and location controls of the underlying zoning of the site, which is Rural.

This is a fundamental change as can be seen in the table below which shows the difference in the basic bulk and location controls under the two zones of the two Plans:

Control	ODP (Housing Zone)	PDP (Rural Zone)
Front Yard	3m	15m

Side Yard	1.5m	-
Rear Yard	3m	-
Garage Door Setback	5m	-
All Yards for a Rear Lot	1.5m	-
Height	8m	8m
Height to Boundary	3m + 45°	2m + 45°
Site Coverage	35%	10%

The bulk and location requirements of the Operative District Plan appropriately provide for residential development on each of the lots, as was intended in the private plan change that established the operative Wharekaho Structure Plan.

It is our submission that the PDP imposes an unreasonable level of restriction over the development of the residential allotments to be created under the structure plan, by applying the rules of the underlying Rural Zoning of the site rather than adopting the rules of the Housing Zone as is currently the situation under the Structure Plan provisions.

Associated Development Works

The following provisions of the PDP adversely affect any 'associated development works', being earthworks, or site preparation works, which may require consent as a discretionary or non-complying activity.

- Section 25.2.3 Rule 2 Subdivision (1) of the PDP states that "Subdivision that is a restricted discretionary activity in the district-wide and overlay provisions retains its activity status provided ..." and then lists a number of controls. It would appear under the PDP that subdivision will be assessed as a restricted discretionary activity similar to section 344.9.1.2 of the Operative District Plan, but this is to some degree ambiguous. Further, under Section 25.2.3 Rule 2 Subdivision (3) Council has restricted its discretion to a similar list of matters as contained in section 344.9.4 of the Operative District Plan, but has also extended its discretion over a number of other matters as detailed in other sections of the PDP.
- The PDP does not ensure that "associated development works" are a restricted discretionary activity, as the Operative District Plan does. This is of concern, particularly given that a "Natural Character Overlay" is applied to a portion of the site, with resultant restrictions on earthworks volumes. A "Coastal Environment" overlay is applied to a small portion of the site, which could affect the activity status of the subdivision and any associated development works.

Section 344.9.1.2 of the Operative District Plan clearly states that subdivision is a **restricted discretionary activity** as well as any "associated development works" which include earthworks, roading, infrastructure and buildings for infrastructure. Discretion is only restricted to the matters detailed in section 344.9.4.

Effect of the Proposed District Plan Changes

The Operative District Plan has the most weight at this stage until such time as submissions have been summarised on the Proposed District Plan. However, if nobody has made submissions regarding the issues detailed above then the new provisions can effectively be considered operative. It would be unlikely that any other party has made submissions specifically related to the development of the site and the associated development plan. Other parties may have made submissions related to general rules which are also applicable to the site and the impact of those submissions will have to be assessed.

The provisions of the Operative District Plan (being the provisions that were adopted as the outcome of the private plan change) are very clear in their intent, designed to enable efficient residential development of the site, including associated site preparation works whilst giving Council the ability to ensure that mitigation measures can be appropriately applied.

The changes to these provisions in the Proposed District Plan, namely being the change of the underlying zone to Rural and the change of wording, fundamentally changes the outcome. It removes the certainty that exists for residential development of these lots under the provisions of the Operative District Plan and the intention of the Private Plan Change and could unnecessarily complicate and extend any consent process associated with site preparation works.

Relief Sought in Submission

Notwithstanding that the submission period on the PDP closed on the 14th of March, we seek to make a late submission to the PDP. The relief sought firstly is:

- i. The underlying zone of 15 Wharekaho Road which is subject to the Wharekaho Site Development Plan in Section 27 of the PDP, be changed from Rural to Housing, to enable the residential development of the site which is the intent of the Wharekaho Structure Plan. This would require a change to Planning Map 18C and more appropriately reflect the residential development intended for the site.

In addition to the above it is also requested that;

- ii. Subdivision of the site in accordance with the requirements of the structure plan be a restricted discretionary activity, and
- iii. Associated development works be a restricted discretionary activity, and
- iv. Development of the subdivided lots be in accordance with section 344.9.5 of the Operative District Plan, and

- v. No changes to the text of the provisions that relate to development of the site be any more restrictive than those included in the Plan Change and subsequently in the Operative District Plan, and
- vi. The Natural Character Overlay where it applies to the site in areas identified for residential development be deleted, and
- vii. The Coastal Environment Overlay be deleted from the site, and
- viii. Any other consequential changes necessary to the text of the Proposed District Plan and/or the planning maps of the Proposed District Plan be made to ensure that the outcomes of the Plan Change are able to be implemented with certainty

Effect of Late Submission

We contend there is no effect on the wider public as a result of this late submission and that Council has the jurisdiction to grant an extension of time to receive this submission. We submit that the potential effect of the changes under the Proposed District Plan significantly change the development potential of the site, which has already gone through a Private Plan Change process and was included in the Operative District Plan. The community have had the opportunity to raise concerns with respect to development through the public submission process to the Private Plan Change, and therefore would not be disadvantaged through the amendments proposed as it is simply bringing the Proposed District Plan Site Development Plan back into alignment with the approved Wharekaho Structure Plan provisions of the Operative District Plan.

Yours sincerely



Keith Frentz
Technical Director

on behalf of

Beca Ltd

Direct Dial: +64-7-577 3887
Email: keith.frentz@beca.com

Proposed Thames-Coromandel District Plan



Submission Form

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

Your submission can be:

- Online:** www.tcdc.govt.nz/dpr
Using our online submissions form
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Proposed Thames-Coromandel District Plan
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- Delivered to:** Thames-Coromandel District Council, 515 Mackay Street, Thames
Attention: District Plan Manager (or to the Area Offices in Coromandel, Whangamata or Whitianga)

Submitter Details

Full Name(s)	Wharekaho 2013 Limited	
or Organisation (if relevant)	Wharekaho 2013 Limited Cl-Beca Limited	
Email Address	melissa.slatter@beca.com	
Postal Address	Level 2 Wautomo House, 6 Garden Place, Hamilton	
	or P.O. Box 448, Hamilton 3240	
Phone no. include area code	07 834 7697	Mobile no. 027 411 6754

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

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

PRIVACY ACT 1993

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Your Submission

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

RULE 25.2
 PLANNING MAP 18C - Wharekaho.

My submission is:
 (clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support oppose the above plan provision.

Reasons for my views:

Please see attached letter.

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

Retained Deleted Amended as follows:

Amend Planning Map 18C
 Amend Rule 25.2.

Proposed District Plan Hearing

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

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

Signature of submitter [Signature] Date 1/04/2014

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

Trade Competition

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

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

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

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

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

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

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



Proposed Thames-Coromandel District Plan



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

LATE SUBMISSION

THAMES-COROMANDEL
DISTRICT COUNCIL

1 APR 2014

RECEIVED BY:

Submitter Details

Full Name(s) John Nolman Agent for Shireen Nolman
or Organisation (if relevant) _____

Email Address _____
Postal Address 340 Edward Street
Coromandel

Phone no. include area code 07 8668-737

Mobile no. _____

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

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

PRIVACY ACT 1993

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Your Submission

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

Lot 1 DPS 23687 - Also Lot 2, Dps 23687
Currently zoned Rural Residential. Needs to be
re zoned for future. To "Low Density
Residential Zone".

My submission is:

(clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support oppose the above plan provision.

Reasons for my views:

Both blocks good contours (Photo - Attached) and
good access of Albert Street South & Edward Street
water - sewage etc. being available. & property adjoins
land zoned "Low density Residential Zone".
The decision I seek from the Council is that the provision above be: "This land does not flood".

Retained Deleted Amended as follows:

To "Low density Residential Zone"
(Reason: Late, wrong zone) ~~and~~

Proposed District Plan Hearing

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

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

Signature of submitter Agent Date 1-14-2014

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

Trade Competition

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

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

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

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

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

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



Submitter Details

Full Name(s) Murray Edens and OTHERS

or Organisation (if relevant) _____

Email Address sue.edens@extra.co.nz

Postal Address 822 Black Jack Road, Opoto Bay, RD2
Whitianga 3592

Phone no. 07-866 2075
include area code

Mobile no. 0274 993 441

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

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

PRIVACY ACT 1993

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Your Submission

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

Attached are 11 sub-mission with maps, 22 pages in all.

My submission is:

(clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support oppose the above plan provision.

Reasons for my views:

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

Retained Deleted Amended as follows:

Proposed District Plan Hearing

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

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

Signature of submitter M. J. Eelen Date 14.3.14

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

Trade Competition

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

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

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

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

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

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

Murray Edens
 822 Black Jack Road
 RD2
 Whitianga 3595

13th February 2014

Chief Executive Officer
 Thames-Coromandel District Council
 Private Bag
 Thames 3540

Dear Sir,

Re: Submission: Thames-Coromandel Proposed District Plan, (Map 13 and Map 14 Overlays of TCDC Planning Maps & 32.5 Amenity Landscape Overlay Rules, page 234)

We refer to the aforementioned map and **Oppose** areas of our property that has been zoned as an "*Amenity Landscape*" where the land encompassed is largely pastoral grassland of an active farm.

As you will be aware, *Amenity* as defined in Section 2 of the Resource Management Act 1991 as "*Amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.*" This definition with prejudice could be argued to include all land that contributes to the landscape whether residential, privately owned, conversation land or public/crown land in the TCDC catchment district as it can contribute to people's appreciation.

Reason: The Amenity Value Overlay of the property indicated on the attached maps is over a landform that has been in pasture production since 1928, which has subsequently modified and is a maze of fences, tracks and drains and scattered with buildings associated with normal farming practices similar to many Coromandel Peninsula and New Zealand landscapes. Farmland is not an unique landscape. The production of meat and wool influences this landscape by having English grasses and crops growing on them. The farming property has to progress with new technologies and farming practices to achieve an economical unit. Farming is a business which must remain viable and allow freedom to meet markets and changes in its practices to achieve the principles of an economical unit. By applying greater restrictions such as the Amenity Value Overlay on the land will not allow this to continue without sufficient monetary compensation or subsidies.

The Amenity Landscape Overlay also includes land that cannot be viewed from a platform of neither public roads, crown land, beach, sea nor any other landowner, which contraries the definition of an amenity that "...characteristics of an area that contribute to people's appreciation...". Where in areas that it cannot be viewed other than air, this characteristic cannot be fulfilled practically and appears that the land has had a blanket "Amenity Landscape" applied to it whether or not it could contribute to people's appreciation. To apply the overlay over the whole Lot is unreasonable and bias.

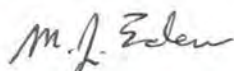
We also refer to section "32.5 Amenity Landscape Overlay Rules" of Rule 10 that relates to an Accessory Building, stating "One dwelling per lot" as a controlled activity. Further subdivision of these lots would provide the necessary incentive and capital that would ultimately add more Amenity Value to the area from retiring land from pastoral grazing, native tree plantings and possible public access as a result of a normal Resource Consents process.

By placing an Amenity Landscape overlay on the property will ultimately force the family from the land that will soon be in its 5th generation on the property. This overlay constraint placed on the property will eventually require Resource Consents for normal farming practices will make it further unfeasible and unpractical to continue. This again, demonstrates the unhealthy sense of entitlement persons and/or regulatory bodies have developed in New Zealand over private land.

The decision that we seek from Council is to have the Amenity Landscape removed from the property of namely 550 BJR Part of title, 841 BJR Lot 2 DP 438903, 721 BJR Lot 1 DP 438903, 707 BJR Lot 3 DP 331209, 621 BJR Lot 5 DP 428661 and will be available to speak at the public hearing.

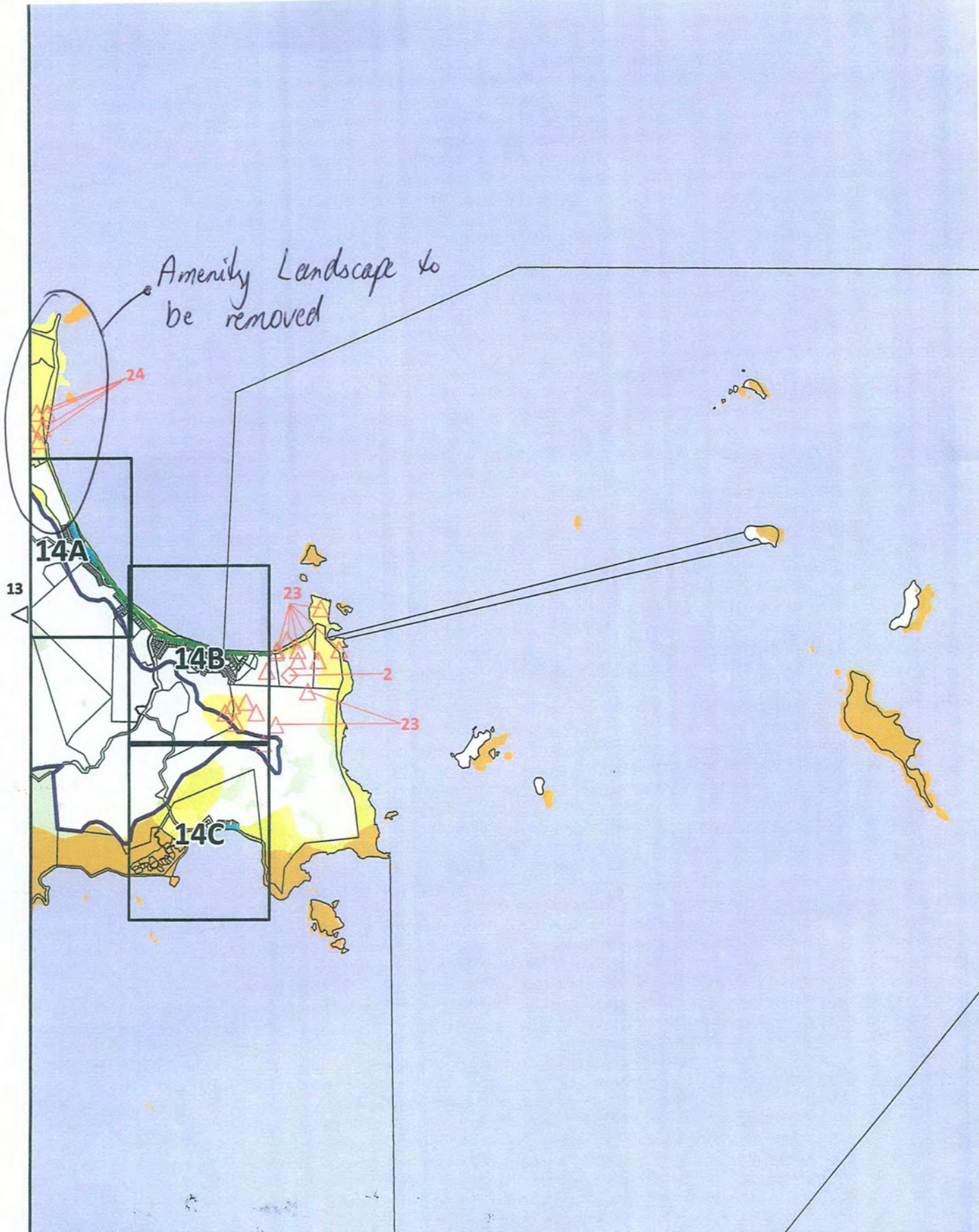
Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075

Enclosed: Amended Map 13 Overlays, Amended Map 13E Overlays; Amended Map 14A Overlays & Amended Map 14 Overlays

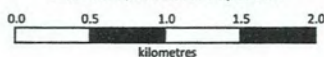


MAP 14 OVERLAYS

OPITO

PROPOSED DISTRICT PLAN - December 2013

Scale 1:50,000 at A4 Paper Size



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13 December 2013

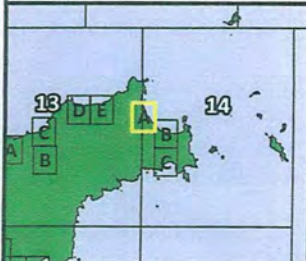
m.l.c



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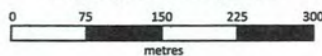


MAP 14A OVERLAYS

OPITO

PROPOSED DISTRICT PLAN - December 2013

Scale 1:7,500 at A4 Paper Size



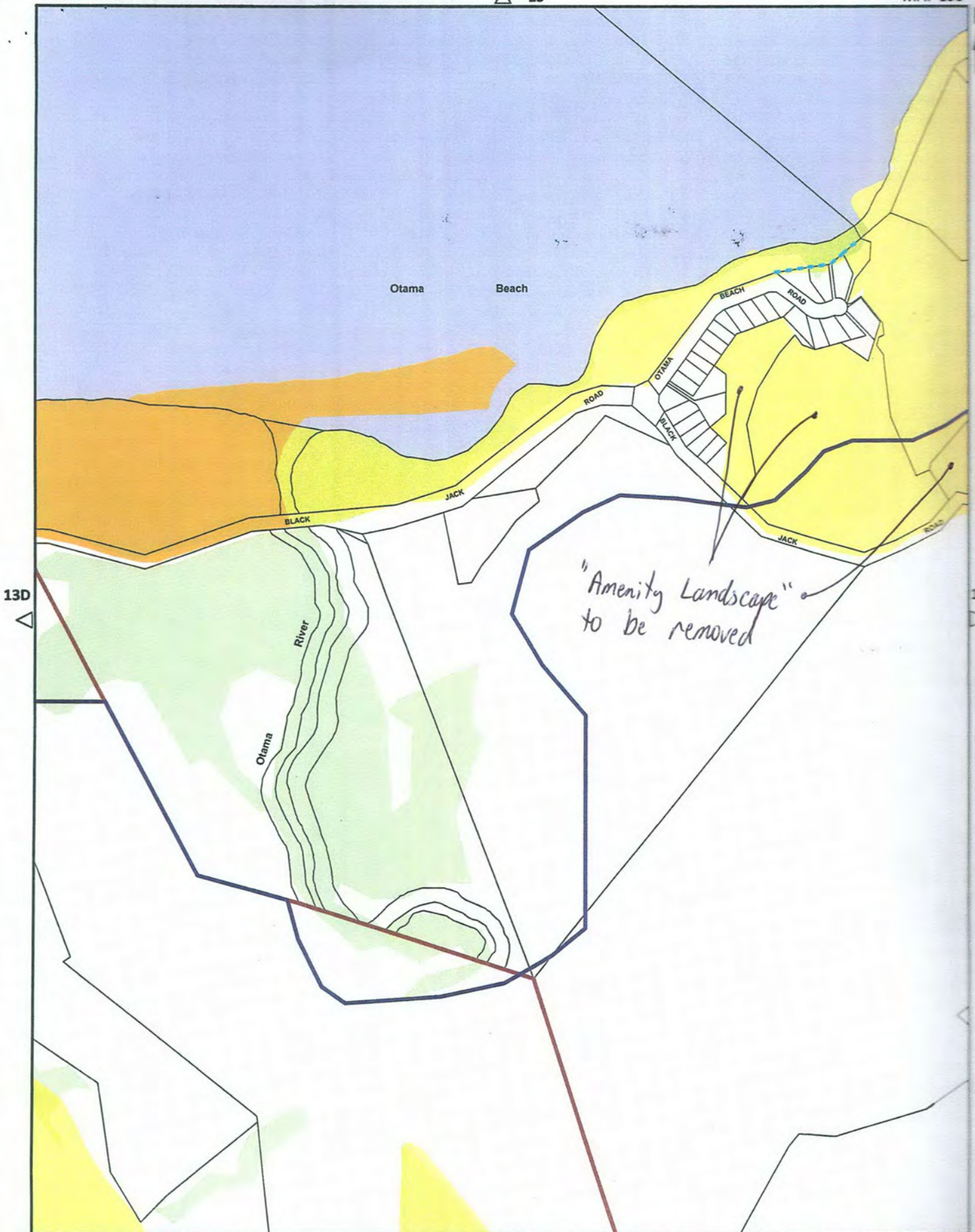
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MAP PRINTED
13 December 2013

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mle



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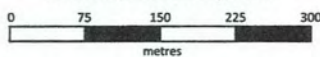


MAP 13E OVERLAYS

OTAMA

PROPOSED DISTRICT PLAN - December 2013

Scale 1:7,500 at A4 Paper Size



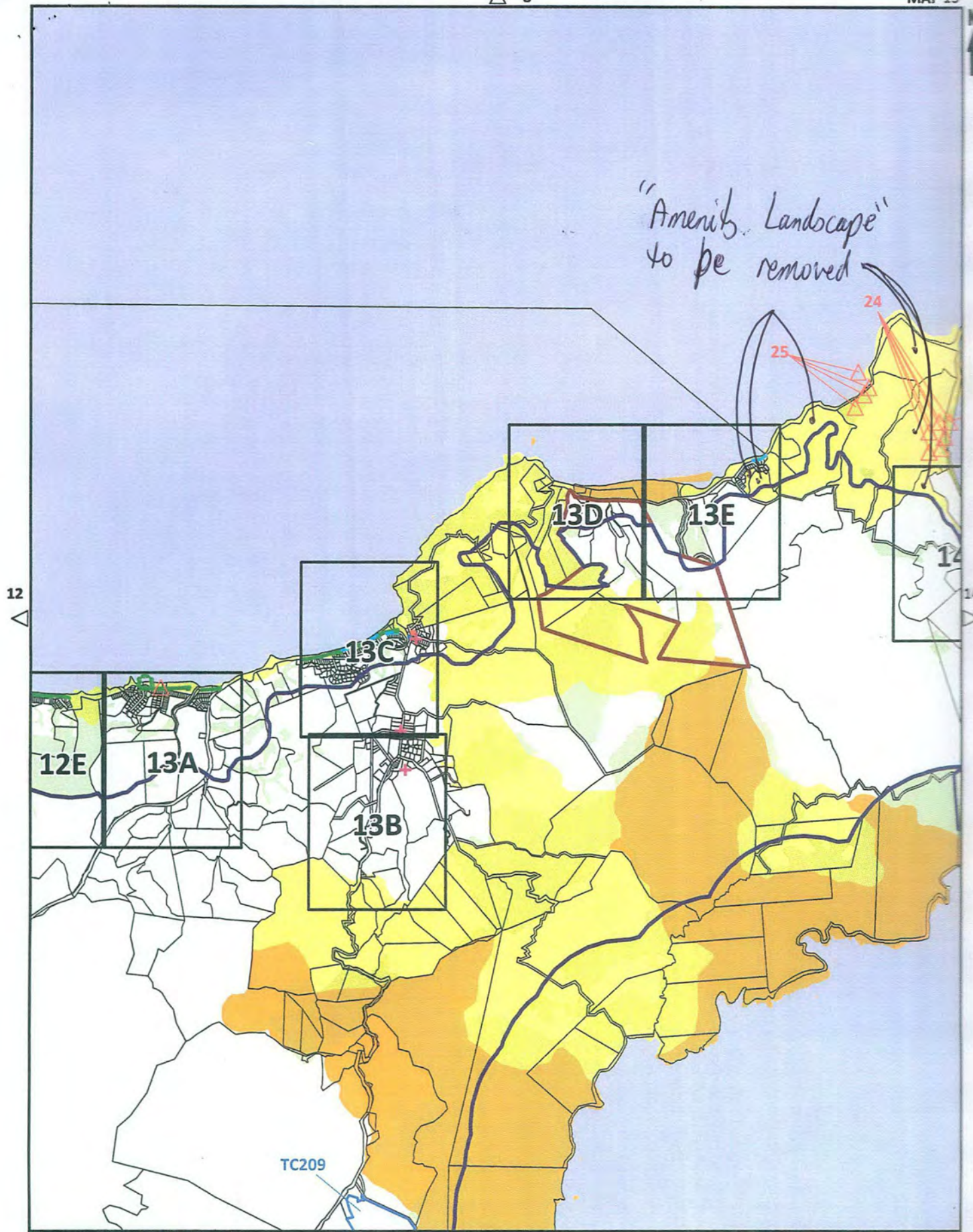
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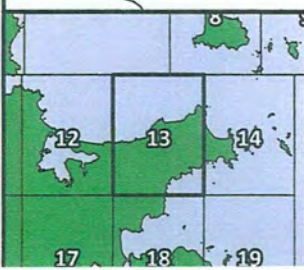
M.L.E

"America's Landscape" to be removed



12

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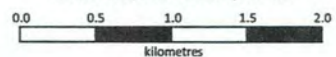


MAP 13 OVERLAYS

OTAMA

PROPOSED DISTRICT PLAN - December 2013

Scale 1:50,000 at A4 Paper Size



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



MAP PRINTED
13 December 2013

M/E

Murray Edens
 822 Black Jack Road
 RD2
 Whitianga 3595

13th February 2014

Chief Executive Officer
 Thames-Coromandel District Council
 Private Bag
 Thames 3540

Dear Sir,

Re: Submission: Thames-Coromandel Proposed District Plan, Planning Maps 13 & 13E with zone definitions or “Rural” and “Rural Lifestyle”, from Section 56 and Section 57 respectively.

We refer to the aforementioned section and **Oppose** the zoning of land as “**Rural**” as shown on the attached maps and seek an **Amendment**.

The reasons for this is that the initiative of the “Rural Lifestyle Zone” is a progressive addition for the controlled transition of land to the changing dynamics of the Thames Coromandel District. Currently proposed in the plan is for this zone to be applied on the foothills of centers such as Coromandel, Thames, Tairua and the like.

With the current and foreseeable pressure for properties in the immediate Otama/Opito area, which is reinforced by property prices, this will complement the further settlements that will also have natural growth and will ensure that the productive rural land will continue to have a similar landscape. Policy 101 (page 82) reinforces that this attribute is desired to remain, *“Opito, Otama, Matapaua Bay should retain the existing rural and natural character backdrops...”*

Past development in the immediate area of Opito and Otama has resulted in the familiar ribbon type settlement and due to the supply/demand, often only affordable by relatively wealthy persons based outside of the district and used as million dollar “baches”. Contrary to most bach occupiers’ belief, they are largely not involved in the community other than having their holiday in the area and may be active in Ratepayers groups but spend lengthy periods in other areas. This Rural Lifestyle Zone can also bridge the gap between high value properties and the surrounding settlements where the occupiers are more likely to be permanent residents with the capacity to generate an income from the property and will be part of the community, with children attending schools and support for local industries and retailers during the harsh winter months.

The Otama rural area as shown on the attached maps has many attributes, promoted in Section 57 – Rural Lifestyle Zone where extracts are quoted below in italics:

“...the transition from productive rural land to rural lifestyle land is mainly expressed in terms of residential intensity, lot sizes and land use.”, *“ They are been created to enable areas of rural land to be managed as part-time farms or ‘lifestyle blocks’”* Where many proposed District Plan constrains will make this property in its whole unfeasible for the current landowner, the probable future owner will be a wealthy individual or group rather than the general population in the rural lifestyle scenario.

“...provides an area where both rural and low density housing can exist” The backdrop to Otama is forestry and forefront is pastoral hills.

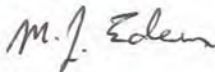
“Self-sufficiency in terms of water, wastewater and stormwater services, and” An element that can be confidently achieved.

“Prevalence of natural features over the built environments; and” Stands of regenerating indigenous vegetation exist along the forestry fringes and the Otama wetland dominates the banks of the Otama River. These can be further protected and allow greater public access to enjoy them that could be granted during the Resource Consent Process.

Therefore, **the decision that we seek from Council is for the area shown on the attached maps to be zoned as “Rural Lifestyle Zone”** and will be available to speak at the public hearing.

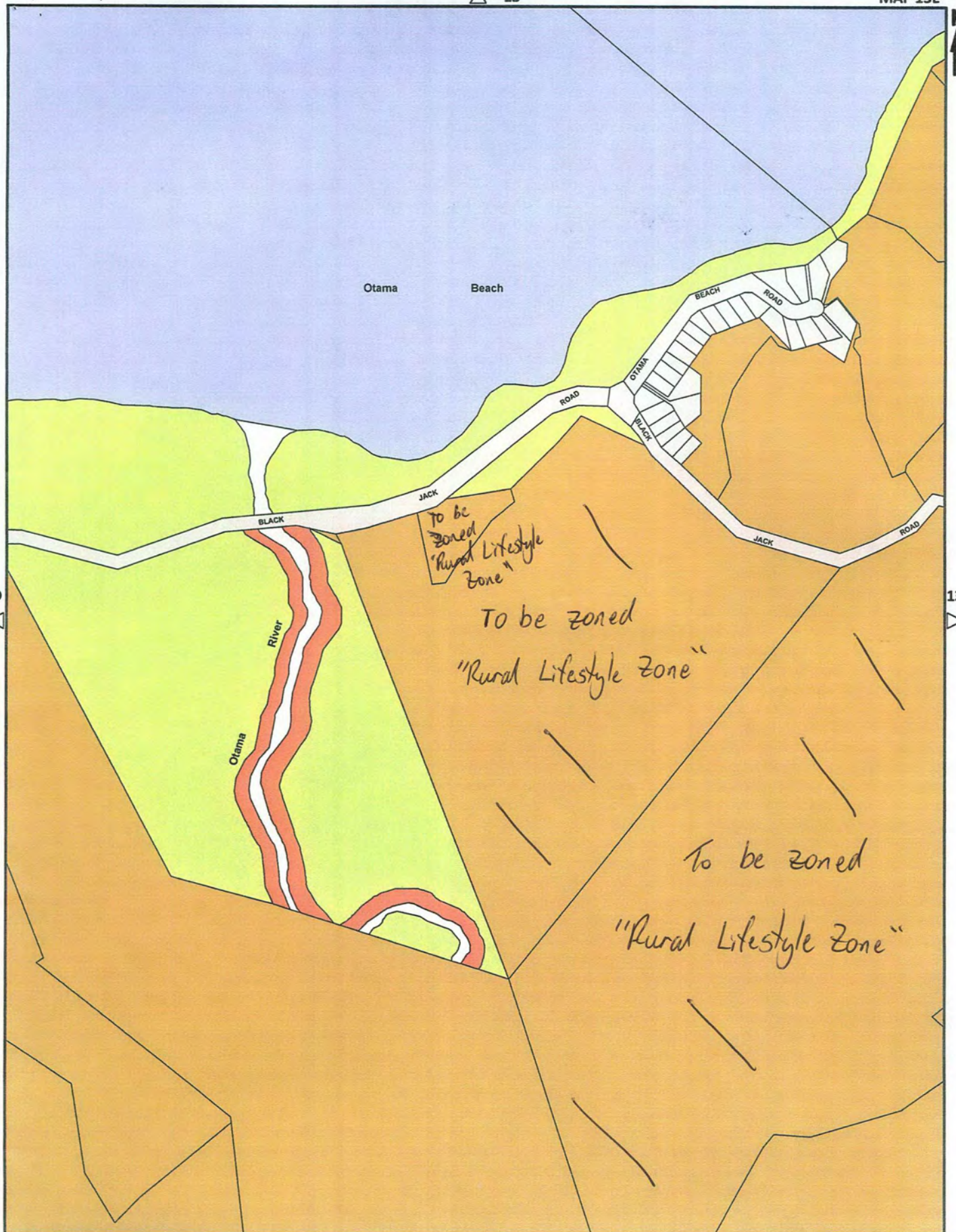
Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075

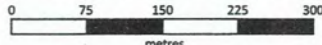
Enclosed: Amended Map 13 Zones, Amended Map 13E Zones



MAP 13E ZONES
OTAMA

PROPOSED DISTRICT PLAN - December 2013

Scale 1:7,500 at A4 Paper Size

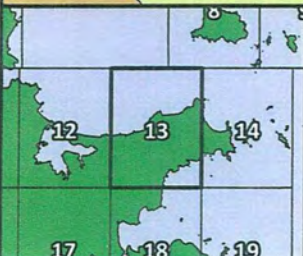
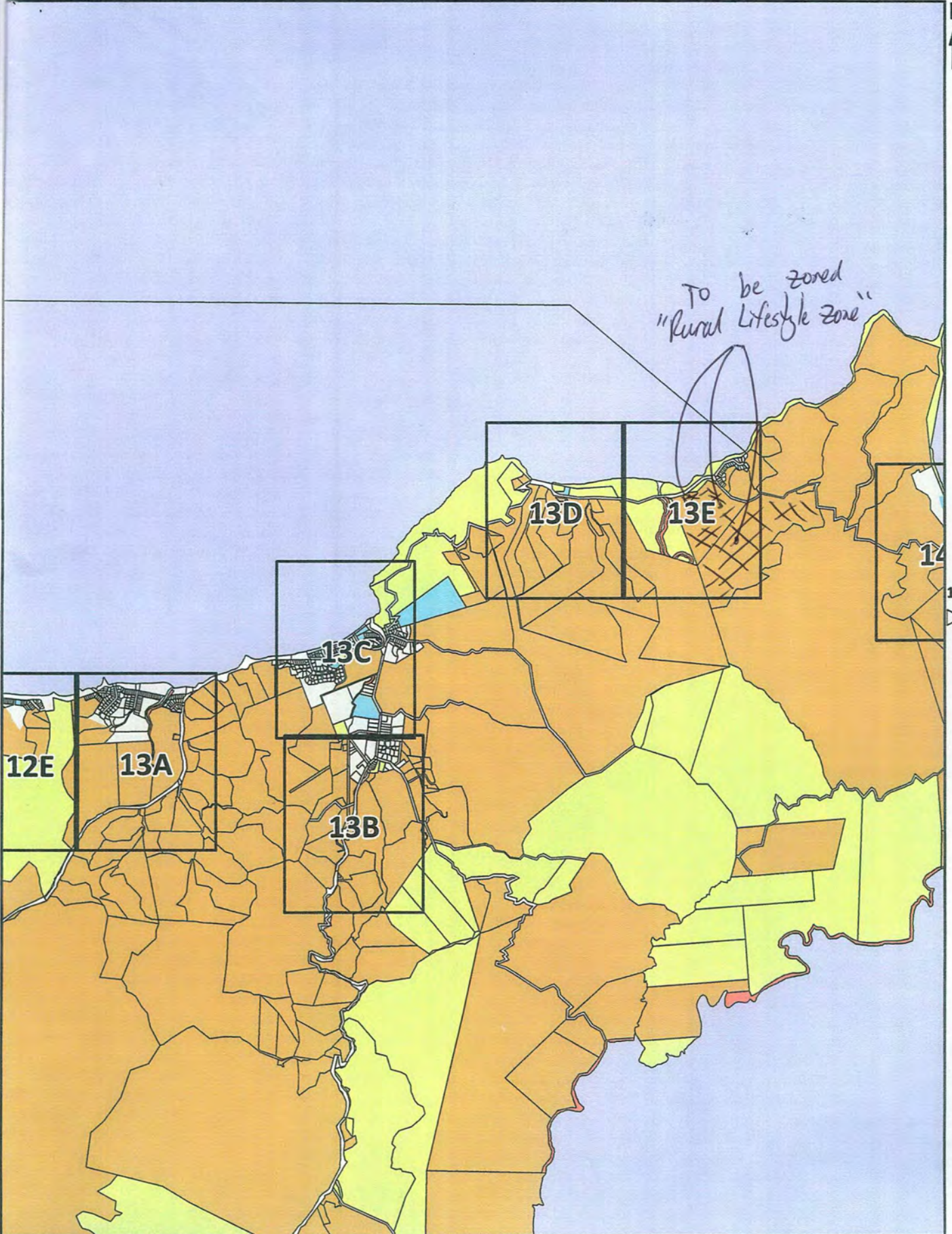


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13 December 2013

m. J. E.

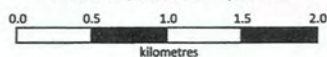


MAP 13 ZONES

OTAMA

PROPOSED DISTRICT PLAN - December 2013

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13 December 2013

m/e

Murray Edens
822 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

Re: Submission: Thames-Coromandel Proposed District Plan, Planning Maps 13, 14 and 14A Overlays with Natural Character as defined in Section 32 – “Landscape and Natural Character Overlay.

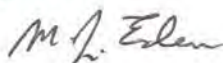
We refer to the aforementioned section and **Oppose** the zoning of land as “**Natural Character**” as shown on the attached maps.

The reason for this is we are the significant landowner of the area proposed to be zoned as “Natural Character” and it is unclear where the proposed zoning will encompass particularly in the northern section of Planning Map 14. This creates ambiguity in the Proposed District Plan and is not allowing transparency to what is been proposed, discussed and submissions developed.

The decision that we seek from Council is to have the “**Natural Character**” overlay removed from our property namely 841 BJR Lot 2 DP 438903, 721 BJR Lot 1 DP 438903, 707 BJR Lot 3 DP 331209, 621 BJR Lot 5 DP 428661 and will be available to speak at the public hearing.

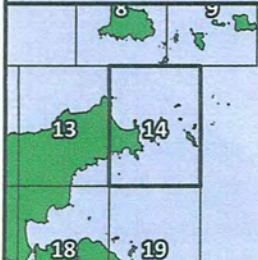
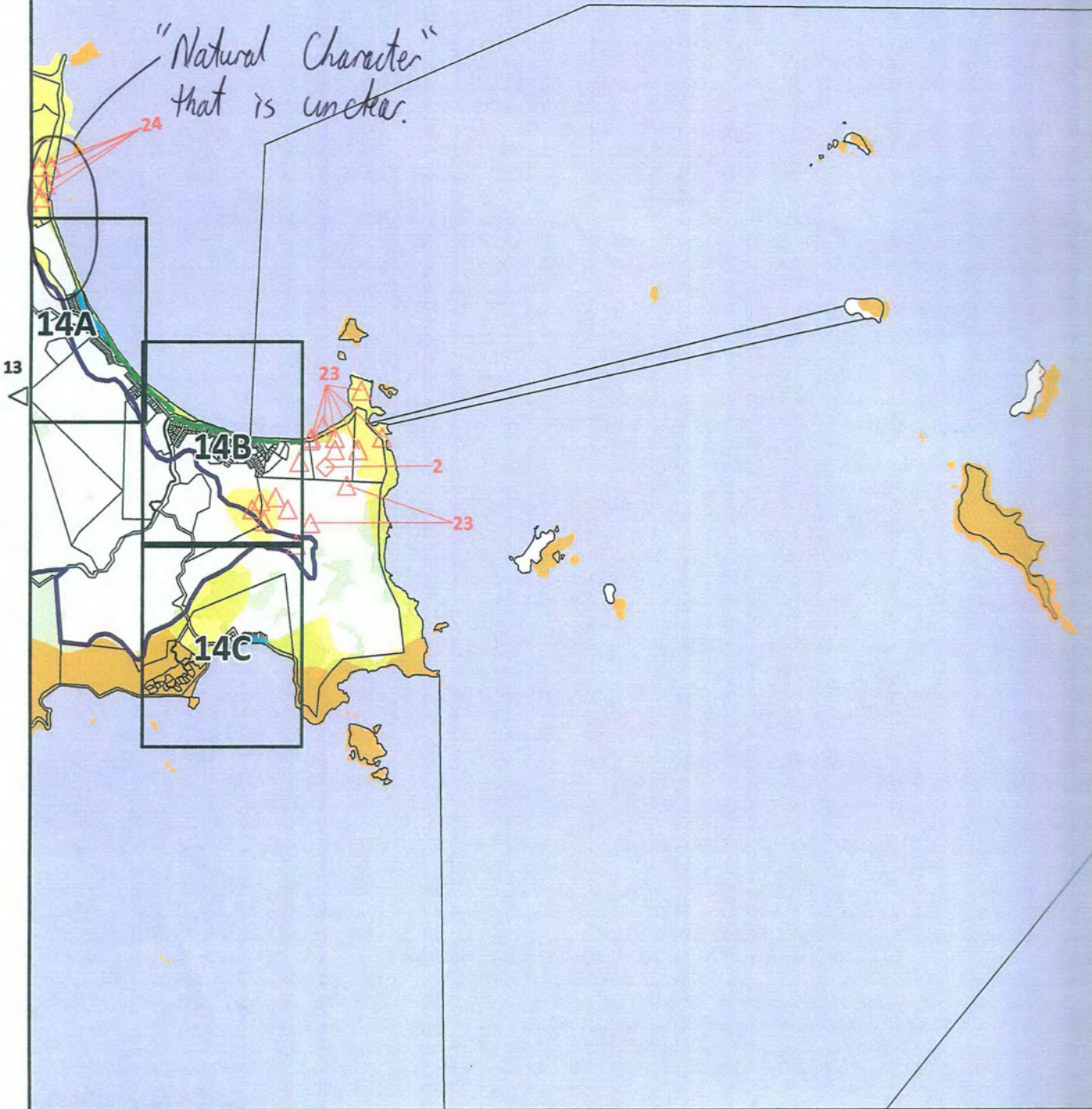
Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075

Enclosed: Amended Map 14 Overlays

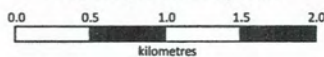


MAP 14 OVERLAYS

OPITO

PROPOSED DISTRICT PLAN - December 2013

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MAP PRINTED
13 December 2013

m/e

Murray Edens
822 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames

Dear Sir,

Re: Submission; Thames-Coromandel Proposed District Plan, Panning Maps, Map 14

We refer to the aforementioned Map 14 both in print and online where errors are obvious to the islands located offshore of Motukoruenga Island, Needle Rock, Flat Island and Ohinauti Island. It can be clearly seen that the boundaries of the Overlay do not coincide with the landform boundaries. This creates doubt on the accuracy of the Overlays on the mainland, in particular our land when these other errors are evident.

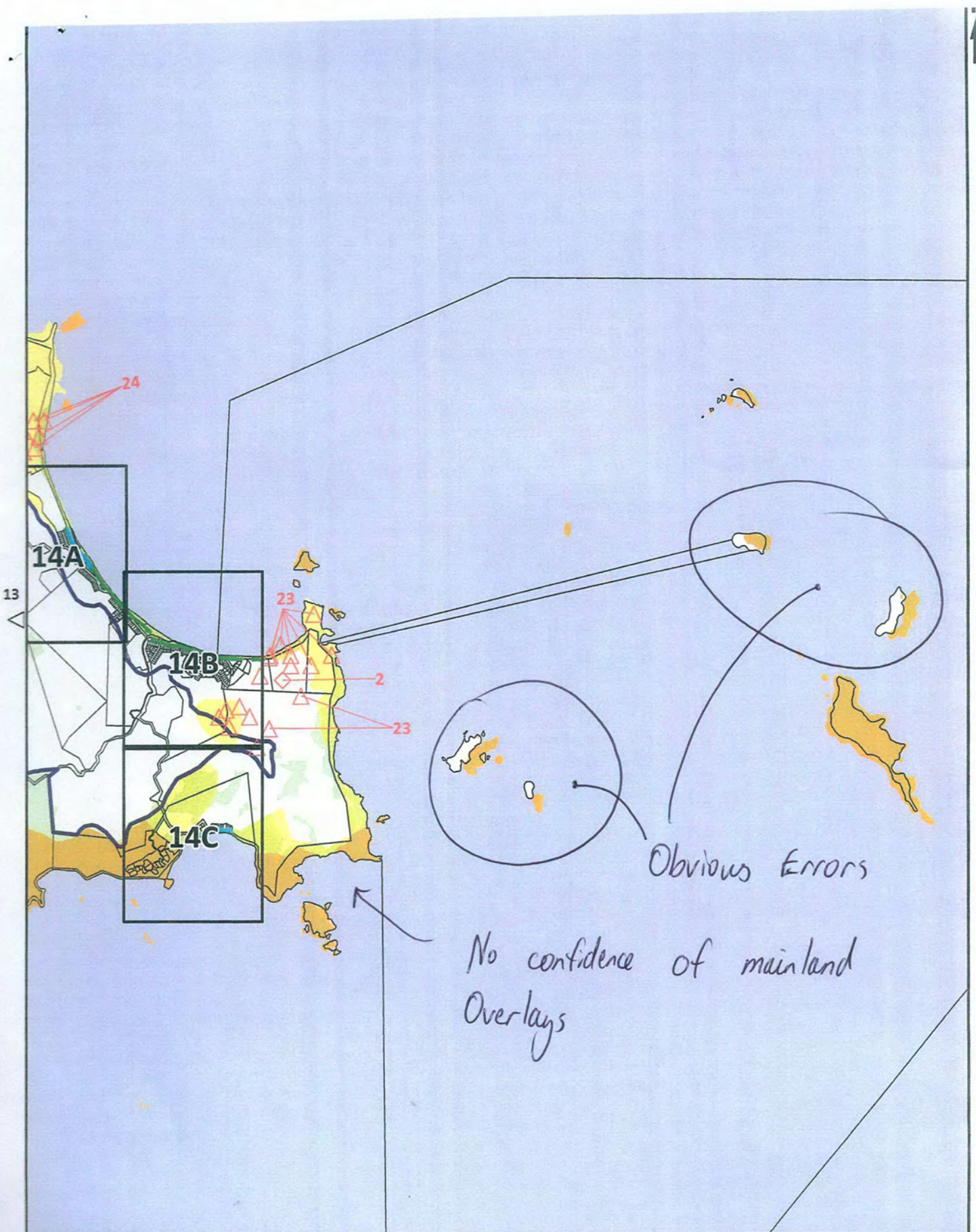
For the reason above, the decision that we seek from Council is to have Map 14 reissued for submissions where the accuracy of the Maps has been validated and will be available to speak at the public hearing.

Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075



MAP 14 OVERLAYS
OPITO
 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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**THAMES
COROMANDEL**
DISTRICT COUNCIL

MAP PRINTED
13 December 2013

m.l.e

Murray Edens
822 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

Re: Submission; Thames-Coromandel Proposed District Plan, Section 38.7, Table 2, Item 14. a), page 276:

14.	Rural Zone	
a)	Minimum average lot area for all lots (including any balance or residual lot).	20 ha

We refer to the aforementioned sub-section and **Oppose** this proposed size and “minimum” average of 20 ha including the balance or residual lot.

The reason for this is that the size of the lots should be governed by the qualities of soils, contours, and location to create an economical horticultural lot or agriculture business that will complement the surrounding area. For example, a Passion-fruit orchard can be economical at less than 2 ha. These attributes need to be assessed at the Resource Consent application phase rather than quashed on minimum average lot size of 20 ha.

The decision that we seek from Council is to have Table 2, Item 14. a) to have “Minimum” removed and the area decreased to 5 ha as per the table below, and will be available to speak at the public hearing.

14.	Rural Zone	
a)	Average lot area for all lots (including any balance or residual lot).	5 ha

Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075

Murray Edens
 822 Black Jack Road
 RD2
 Whitianga 3595

13th February 2014

Chief Executive Officer
 Thames-Coromandel District Council
 Private Bag
 Thames

Dear Sir,

Re: Submission; Thames-Coromandel Proposed District Plan, Section 38.5, Rule 8.3 page 273 & Figure 1, page 282

*3. Subdivision creating one or more conservation lots that does not meet the standards in Rule 8.1 c) is a **discretionary activity**. Subdivision creating up to two conservation lots that does not meet the standards in Rule 8.1 a), b), d) or e) is a **non-complying activity**.*

We refer to the aforementioned sub-section and **Oppose** this rule namely 8.3.

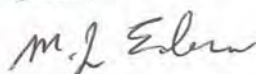
The reason for this is that this rule creates ambiguity as it states that if the subdivision does not meet the standards in 8.1 c) it is a discretionary activity, while it is a non-complying activity if the subdivision does not meet the standards Rule 8.1 a), b), d) or e). Rule b) cannot exist without Rule c), therefore all subdivision that does not meet 8.1 c) will become non-complying.

Rule 8.3 is it is overly restrictive considered the Objectives and Policies in Section 6.3. Land needs to be accessed on its individual merits through the normal Resource Consent process rather than a broad-brush approach as detailed in Figure 1 page 282. Figure 1 will inadvertently omit parcels of high ecological or habit value that will not get the protection as obligated as per Section 6.3.

The decision we seek from Council is to have Rule 8.1(b)(c) removed from the district plan (*The site has not been the subject or result of a previous subdivision under this rule or any other previous conservation lot provision since the date of the Proposed District Plan Decision Version dated 7 October 1998; and*) and will be available to speak at the public hearing.

Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Edens & Others
 E. sue.edens@xtra.co.nz
 P. 07 -866 2075

Murray Edens
822 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

Re: Submission; Thames-Coromandel Proposed District Plan, Section 38.5, Rule 8.1(b) & (c) page 273; Figure 1, page 282:

1. *Subdivision creating one or more conservation lots in the Rural Zone in a restricted discretionary activity provided:*
 - b) *The site to be subdivided is within an area identified on Figure 1 Priority Locations for Indigenous Ecosystem Restoration and Enhancement; and*
 - c) *The priority area identified on Map 1 to be set aside for protection meets the following standards; and (please refer to Table 1 page 273)*

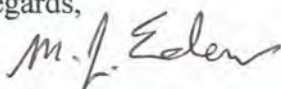
We refer to the aforementioned sub-section and **Oppose** these rules namely 8.1(b) & (c) and the reason for this is as follows; as it is overly restrictive considered the Objectives and Policies in Section 6.3. Land needs to be accessed on its individual merits through the normal Resource Consent process rather than a broad-brush approach as detailed in Figure 1 page 282. Figure 1 will inadvertently omit parcels of high ecological or habit value that will not get the protection obligated as per Section 6.3.

Additionally, Map 1 identified in 8.1 c) either an error, referring to Figure one, or Map 1 is not provided for reference. Map 1 provided in the Planning Maps is of "Cape Colville", again, this creates ambiguity in the document.

The decision that we seek from Council is to have Rule 8.1(b)(c) removed from the district plan (b) *The site to be subdivided is within an area identified on Figure 1 Priority Locations for Indigenous Ecosystem Restoration and Enhancement; and c) The priority area identified on Map 1 to be set aside for protection meets the following standards; and (please refer to Table 1 page 273))* and will be available to speak at the public hearing.

Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075

Murray Edens
822 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

Re: Submission; Thames-Coromandel Proposed District Plan, Section 38.5, Rule 8.1(a):

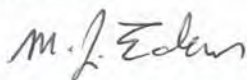
1. *Subdivision creating one or more conservation lots in the Rural Zone in a restricted discretionary activity provided:*
 - a) *The site has not been the subject or result of a previous subdivision under this rule or any other previous conservation lot provision since the date of the Proposed District Plan Decision Version dated 7 October 1998; and*

We refer to the aforementioned sub-section and **Oppose** this rule 8.1(a) and the reason for this is as follows; it is overly restrictive considered the Objectives and Policies in Section 6.3. If land has been previously subdivided under the "Conservation" basis, it has already been identified that there is a special quality associated with it that needs to be further protected such as the habitat or ecological value. The proposed rule not permit the ability to create conservation linkages between previous conservation subdivisions. Areas such as these may also require the additional capital that can be raised through subdivision to adequately protect these areas which need to be assessed through the normal Resource Consent process.

The decision that we seek from Council is to have Rule 8.1(a) removed from the district plan (*The site has not been the subject or result of a previous subdivision under this rule or any other previous conservation lot provision since the date of the Proposed District Plan Decision Version dated 7 October 1998; and*) and will be available to speak at the public hearing.

Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075

Murray Edens
822 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

Re: Submission; Thames-Coromandel Proposed District Plan, Section 56.4, Rule 6 Earthworks, page 448 & 449

We refer to the aforementioned rule and **Support** this. In addition, for the reason of completeness and practicality and **seek the decision** for Council of addition of the following rules to be included in the final District Plan for **Rule 6 Earthworks**:

- i) They are for land contouring; or*
- j) They are for maintenance and widening of existing tracks for safety including water tables, culverts and clearing of slips/debris; or*
- k) They are for new or existing fence-lines required, replacement and/or maintenance.*

We will be available to speak at the public hearing if required and are also prepared to present a joint case with others who have made a similar submission.

Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075

Murray Edens
 844 Black Jack Road
 RD2
 Whitianga 3595

13th February 2014

Chief Executive Officer
 Thames-Coromandel District Council
 Private Bag
 Thames 3540

Dear Sir,

Re: Submission; Thames-Coromandel Proposed District Plan, Section 3, 'Mining' Definition, Page 29

We refer to the aforementioned definition and seek an **Amendment** to exclude small quarries for on farm use as per the following (amendments as in **bold**):

Mining means to take, win, or extract, by means of earthworks, a mineral existing in its natural state in land, for the purpose of obtaining the mineral or a chemical substance from that mineral. To mine has a corresponding meaning. In the Plan, 'mining' is separated into 'surface mining', 'underground' and 'quarrying' (excluding small quarries for on farm use).

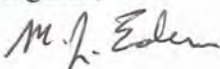
Mining includes, but is not limited to:

- *Transportation of soil, rock or mineral to and from the site;*
- *Removal and replacement or overburden;*
- *Temporary stacking, deposition or storage of soil, rock, or minerals;*
- *Construction, maintenance, and operation of any buildings, structures, land improvements, and any machinery and equipment, related to this activity.*

We wish to clarify that we do not support further development of mining for mineral excavation on the Coromandel Peninsula, but seek the amendment to separate quarries for on-farm use as opposed to mineral or rock excavation for profit. Small farm quarry operations are important for critical farm operations including working platforms such as yards or laydowns, maintenance and most importantly for competent tracks and roads for safety, particularly during the periods of inclement weather.

The decision we seek is the addition of the amendment of "***(excluding small quarries for on farm use.***" We will be available to speak at the public hearing. Please find my contact details below if you require further information and look forward to your reply.

Regards,



Murray Others
 E. sue.edens@xtra.co.nz
 P. 07 -866 2075

Murray Edens
822 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

Re: Submission: Thames-Coromandel Proposed District Plan, Section 9.3 Objectives and Policies, Page 60, "Areas of natural character outside of the Natural Character Overlay" Objective 4, Policy 4a & Policy 4b (a-l inclusive)

We refer to the aforementioned section and **Oppose** this **Objective** and these **Policies** as stated.

Whilst the objective and policies are consistent with many aspects of the Proposed District Plan, it creates ambiguity of where areas of "Natural Character" lie outside or adjacent to areas zoned inside the Natural Character Overlay. As a significant landowner with land adjacent to areas that are proposed under the Natural Character Overlay, it is concerning that items listed in Policy 4b are being sought namely:

- a) *Permanent stock exclusion; and*
- b) *Removal of plant and animal pests; and*
- d) *Planting species appropriate for the ecosystem using local genetic stock where available; and*
- e) *Creating or enhancing indigenous habitat and/or habitat for threatened or at risk indigenous species, including raising the water level for wetlands; and*
- h) *Removing redundant, unnecessary or inappropriate man-made structures, provided that they have minimal historic heritage or amenity value; and*
- i) *Restoring long-term natural functioning of physical processes and features over a 100 year timeframe, particularly dunes, wetlands and intertidal saltmarsh;*

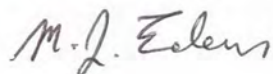
The reason for the objection of proposed items in Policy 4b are due to them demonstrating a disturbing trend that persons or regulatory bodies have developed an unhealthy sense of entitlement over private land. This Objective and Policy could, if exercised as worded, remove all of the landowners rights of the land with stock removed, man-made buildings to be removed together with the burden of funding a program developed by another to remove plant and animal pests, initiate a planting program and reinstating the restoring the long-term natural functioning of physical processes. Without adequate compensation or funding, this is an unrealistic expectation of private landowners of land that is presently unidentified except that is vaguely "Areas of Natural Character outside of the Natural Character Overlay".

There are numerous zoned areas of Conservation and Recreation areas which do not adhere to the policies above and more efforts should be made towards these policies implemented on these areas rather than land under private ownership.

The decision that we seek from Council is to have the “Areas of natural character outside of the Natural Character Overlay” Objective 4, Policy 4a & Policy 4b (a-l inclusive) removed from the Proposed District Plan and will be available to speak at the public hearing.

Please find my contact details below if you require further information and look forward to your reply.

Regards,

A handwritten signature in cursive script that reads "M. J. Edens".

Murray Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075

Proposed Thames-Coromandel District Plan



Submission Form

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

Your submission can be:

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

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

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

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



Submitter Details

Full Name(s) ROSS EDENS and OTHERS

or Organisation (if relevant) N/A

Email Address _____

Postal Address 844 BLACK JACK RD, RD2, WHITIANGA, 3592

Phone no. include area code 07 866 2072

Mobile no. 027 8848 105

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

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

PRIVACY ACT 1993

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



Your Submission

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

PLEASE REFER TO THE ATTACHED SEVEN (7) SUBMISSIONS
(TOTAL SEVEN PAGES)

My submission is:

(clearly state whether you SUPPORT or OPPOSE specific parts of the Proposed District Plan or wish to have amendments made, giving reasons for your view)

I support oppose the above plan provision.

Reasons for my views:

PLEASE REFER TO ATTACHED SUBMISSIONS

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

Retained Deleted Amended as follows:

PLEASE REFER TO ATTACHED SEVEN (7) SUBMISSIONS

Proposed District Plan Hearing

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

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

Signature of submitter

Robbden

Date

13/03/2014

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

Trade Competition

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

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

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

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

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

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

Ross Edens
844 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

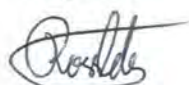
Re: Submission; Thames-Coromandel Proposed District Plan, Section 38.2 Activity Table, zone *Rural Production*, Page 271

We refer to the aforementioned zone of “**Rural Production**” in the Activity Table and seek an **Amendment** for the zone to be listed as “**Rural**”.

The reason for this is that “Rural Production” has not be identified in Section 3 of definitions, nor has it been defined as a “Zone” in Section 56 – Rural Zone, yet it has been used as a “Zone” in the Activity Table located on page 271. This creates ambiguity in the document.

We seek the decision from Council to replace “Rural Production” with “Rural” and will be available to speak at the public hearing if required. Please find my contact details below if you require further information and look forward to your reply.

Regards,



Ross Edens & Others
E. Blacksinglet@hotmail.com
M. 027 8848 105

Ross Edens
 844 Black Jack Road
 RD2
 Whitianga 3595

13th February 2014

Chief Executive Officer
 Thames-Coromandel District Council
 Private Bag
 Thames 3540

Dear Sir,

Re: Submission; Thames-Coromandel Proposed District Plan, Section 38.4 Controlled Activities, Rule 2 Boundary adjustment, 1 (a), page 271:

1.(a) The boundary line to be adjusted does not result in the existing lots changing by more than 5%; and

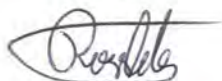
We refer to the aforementioned rule quoted in its entirety and **Oppose** this.

The reason for this is that boundary adjustments are to be assessed during the Resource Consent process where the application can be considered as an individual on their merits and not by a predetermined percentage. Experience has shown that boundary adjustments are a useful tool to consolidate parcels of land with similar values and soil qualities' to maximize existing attributes. Examples include dairy, horticulture, dry-stock, wetlands and native stands of bush where a practical solution can be sought. This rule is oppressive and conflicting to the objectives as detailed in 56.2 Zone Purposes:

"Lot sizes and density standards in the Rural Zone have been established to provide for the sustainable use and development of primary production activities and those involving other natural resources while ensuring those values that contribute to the rural character of the Zone are retained and enhanced"

The decision that we seek from Council is to have the above quoted rule removed of (1.(a) The boundary line to be adjusted does not result in the existing lots changing by more than 5%; and) and will be available to speak at the public hearing. Please find my contact details below if you require further information and look forward to your reply.

Regards,



Ross Edens & Others
 E. Blacksinglet@hotmail.com
 M. 027 8848 105

Ross Edens
844 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

Re: Submission; Thames-Coromandel Proposed District Plan, Section 38.4 Controlled Activities, Rule 2 Boundary adjustment, 1 (c), page 271:

1.(c) The subject titles prior to the boundary adjustment are contained within the same zone and/or overlay; and

We refer to the aforementioned rule quoted in its entirety and **Oppose** this.

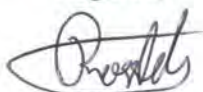
Boundary adjustments are to be assessed during the Resource Consent process where the application can be considered as an individual on their merits and not by a predetermined percentage. Experience has shown that boundary adjustments are a useful tool to consolidate parcels of land with similar values and soil qualities' to maximize existing attributes. Examples include dairy, horticulture, dry-stock, wetlands and native stands of bush where a practical solution can be sought. This rule is oppressive and conflicting to the objectives as detailed in 56.2 Zone Purposes:

"Lot sizes and density standards in the Rural Zone have been established to provide for the sustainable use and development of primary production activities and those involving other natural resources while ensuring those values that contribute to the rural character of the Zone are retained and enhanced"

If a zone or overlay is associated with a parcel of land, it should be applied as intended with the land and not governed by the Lot boundaries nor the owner(s). This contradicts the purpose of zoning or overlay.

The decision that we seek from Council is to have the above quoted rule removed and will be available to speak at the public hearing. Please find my contact details below if you require further information and look forward to your reply.

Regards,



Ross Edens & Others
E. Blacksinglet@hotmail.com
M. 027 8848 105

Ross Edens
844 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames

Dear Sir,

**Re: Submission; Thames-Coromandel Proposed District Plan, Section 38.6, Rule 10
Subdivision for environmental benefit lots, page 273**

We refer to the aforementioned Rule 10 and **Support** this, but seek an **Amendment** to include all land zoned Rural and the reason for this it that the merits of the individual land can be assessed during the normal Resource Consent process.

The decision that we seek from Council is to have “Rural Lifestyle Zone” amended to “Rural Lifestyle Zone and Rural Zone”, and will be available to speak at the public hearing.

Please find my contact details below if you require further information and look forward to your reply.

Regards,



Ross Edens & Others
E. Blacksinglet@hotmail.com
M. 027 8848 105

Ross Edens
844 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

**Re: Submission; Thames-Coromandel Proposed District Plan, Section 29.3, Rule 3
Clearing indigenous vegetation in the Rural Area, page 216**

We refer to the aforementioned Rule 3 (1-6) and seek an **Amendment in the form of an addition.**

The reason for this is that the Coromandel Peninsula, particularly the inland regions experience a lengthy, relatively cold period where and a number of older dwellings are still occupied in the rural environment. A number of dwellings are reliant on wood for heating and with the heightening electricity prices, this has unfortunately put further pressure on persons to seek the more feasible wood burning option. Also, the dynamics on a number of rural properties have multiple families and houses where the older house is often the workers house which is regrettably not maintained as required and largely still reliant on wood for heating.

As a resident of the rural area, in the immediate area and noticeably over the Coromandel Peninsula, large stands of Manuka and Kanuka are regenerating where previously cleared for Farming practices in the 60's-80's. These stands are now regenerating at a much faster rate than can be cleared for firewood so an increase in firewood allocation will not offset from this benefit but will ensure permanent residents are comfortable during the colder periods.

The decision we seek is to have to Amendment as the addition:

- 1. (o) Clearing up to 15 m3 in the Rural Zone of Manuka or Kanuka per 12 month period for firewood purposes**

We are available to speak at the public hearing. Please find my contact details below if you require further information and look forward to your reply.

Regards,



Ross Edens & Others
E. sue.edens@xtra.co.nz
P. 07 -866 2075

Ross Edens
844 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames

Dear Sir,

Re: Submission: Thames-Coromandel Proposed District Plan, Section 4.5 AMENITY LANDSCAPE SPECIFIC DESIGN PRINCIPLES, Unit No. Amenity Landscape #40 Opito Bay, "Subdivision recognizes and preserves wild and remote landscape values", page 532.

We refer to the aforementioned section and **Oppose** this **Landscape Character** for **#40 Opito Bay** of **"Subdivision recognizes and preserves wild and remote landscape values"**

The reason that this should be removed from Opito Bay is due to the ambiguity in the statement of having "wild and remote landscape values", where the landscape is no different from most other parts of the Coromandel Peninsula outside of the main centers, where there is a mixture of pastoral land, exotic pine and regenerating native bush as a backdrop. Clearly this is not in its "wild" state nor is the area "remote" been easily accessible from either Whitianga, Coromandel or surrounding settlements including Kuaotunu, Matarangi or Whangapoua.

The decision that we seek from Council is to have Section 4.5 AMENITY LANDSCAPE SPECIFIC DESIGN PRINCIPLES, Unit No. Amenity Landscape #40 Opito Bay, "Subdivision recognizes and preserves wild and remote landscape values", page 532 removed from the Proposed District Plan and will be available to speak at the public hearing.

Please find my contact details below if you require further information and look forward to your reply.

Regards,



Ross Edens & Others

E. Blacksinglet@hotmail.com
M. 027 8848 105

Ross Edens
844 Black Jack Road
RD2
Whitianga 3595

13th February 2014

Chief Executive Officer
Thames-Coromandel District Council
Private Bag
Thames 3540

Dear Sir,

Re: Submission: Thames-Coromandel Proposed District Plan, Policy 101 – Opito, Otama, Matapaua Bay, Page 82.

We refer to the aforementioned section and **Oppose** part of this policy namely “...*Commercial and industrial activities shall not establish unless they are mobile or part of residential buildings...*”

The reason for this is that the statement is oppressive particularly in the Opito Bay catchment where a commercial venture similar to the nearby “Luke’s Kitchen”, a small café, resort accommodation, storage units for boats, tourism venture or other entrepreneur project should not be quashed prior to been heard through the normal Resource Consent processes. Parallel with these activities the area can still hold the low-key, beach village built form but with the extra amenities demanded by the tourists and are of increasing demand by the holiday residents. An application for any commercial or industrial activity should not be hindered for the duration of the future District Plan.

The decision that we seek from Council is to have the current **Policy 101 replaced** with:

“Opito, Otama, and Matapaua Bay should retain the existing rural and natural character backdrops and the low-key, beach-village built form. Development and growth should not occur where it increases the demand for additional water, wastewater, stormwater and roading network infrastructure”

That is identical to the Policy for Hahei; we will be available to speak at the public hearing if required and are also prepared to present a joint case with others who have made a similar submission.

Please find my contact details below if you require further information and look forward to your reply.

Regards,



Ross Edens & Others
E. Blacksinglet@hotmail.com
M. 027 8848 105

Sent: Thursday, 13 March 2014 11:58:56

To: Karen Doddrell; TCDC General Mail Address

CC: Sally Evers

Subject: DP submission

Hi Karen

plse put this submission in on behalf of Sally Evers 18&20 Ngahere Tce, Opoutere

BRLs and front yards

Ngahere Tce will not be extended, and is too wide and costly to maintain as it is, let alone be made wider. The BRL should be removed. Boatsheds and garages with single over-square doors, and coach-houses upstairs, should be permitted in the front yard

Sunlight planes

The original for these planes was written in Wellington. They have since realised their mistake and removed them off all frontages and boundaries in heritage areas.

They do not permit attractive traditional tall close housing seen in many parts of TCDC

They were badly drafted to protect all uses adjoining residential areas instead of the intention to protect residential sites only. They should be removed or at least re-drafted to apply to adjoining residential land only

Parking

On-site parking opposes affordable housing and is at least as dangerous as on-street parking. It should be removed or at least removed in heritage areas and for small dwellings. It should be replaced with a rule requiring a 2x1m bicycle shed or bicycle veranda

Verandas

Roofed outdoor living is better than unroofed. Verandas should be permitted in yards and not be included in coverage

Urban Design

Double garage doors have come to dominate the streetscape of all NZ residential streets. They are invariably ugly. Only single doors should be permitted, and only at least as tall as they are wide in the traditional manner

thanks

Daryl Cockburn

Cockburn Architects Ltd

Architects, Planners & Urban Designers

'Palazzo' 31

42 Vivian St @ Tory St cnr beside

The Kitchen Studio

Wellington 6011, NZ

Tel (04) 38 28 962

Cell 021 36 1805

email; architects@cockburn.co.nz

www.cockburn.architects.co.nz

Karen Vowles
 104 Omara Place
 Matarangi
 3592
 10th March 2014

Reference Holiday Home Rental Activities

I am writing with reference to the suggestion that TCDC are looking at putting restrictions on the number of people allowed to stay in a holiday home without an onsite manager.

This reads as if it's a knee jerk reaction to a larger body complaining about how the beach house rental market is affecting them. Probably the Motel Association? Why would TCDC get involved in anything like this otherwise? This is a shame particularly as the mayor publicly suggested last year that it was a way for locals to help them through the lean months.

What needs to be addressed is that those people that rent out their property over the holiday period have told their mortgage provider and home insurer so that they are protected.

How many people are in the house is not relevant as long as they comply with the law regarding excessive noise, adequate parking etc.

What needs to be considered is the monitoring of all of this? The problem usually being that the cost of monitoring far outways the benefits.

Making snap decisions usually means making things more complicated in the long run. This needs further discussion and re examination to protect home owners and holiday makers alike, not something that will obviously benefit one party only.

Reading in anticipation

Mrs Karen Vowles



From: Wallace Enginotech [gwall@vodafone.co.nz]

Submission 1196

Sent: Thursday, 13 March 2014 12:14:47

To: TCDC General Mail Address

Subject: Submission on TCDC District plan

OLD KOPU BRIDGE TO BE INCLUDED IN THE TCDC DISTRICT PLAN

GILBERT WALLACE

Sent: Friday, 14 March 2014 4:55:52 p.m.

To: TCDC General Mail Address

Subject: Submission on Proposed Thames-Coromandel District Plan

Proposed Thames-Coromandel District Plan

Name

Ben Castelow

Address

1Q/444 Great North Road
Grey Lynn 1021
New Zealand

[Map It](#)

Email

bcastelow@hotmail.com

My submission is:

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

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

- I require the PDP to uphold biodiversity values expressed in the RMA Section 6. I require the Plan to Prohibit all Mining Activities in Outstanding Natural Landscape, Natural Character and Amenity Landscape Overlays in the Section 32 Rules.

- The Objectives and Policies in Section 14 do not reflect community and biodiversity values required by the Waikato Regional Policy Statement (RPS), the Resource Management Act (RMA) and Hauraki Gulf Marine Park Act (HGMPA).

- I require the Plan to specifically protect our coastal environment from mining. The Coastal Zone has been removed without giving adequate protection to coastal biodiversity from adverse impacts of mining. I require the Coastal Environment Overlay to include a rule prohibiting all mining activities.

- The TCDC has failed to translate the 'High Value Conservation Areas' identified in Schedule 4 into 'Outstanding Natural Landscapes' (ONL). I require the Plan to accurately protect Schedule 4 land on the Coromandel Peninsula from all Mining Activities by including all identified Schedule 4 land as part of the Outstanding Landscape Overlay.

- I am concerned that Newmont's Mining Activity in Waihi, including broken promises and mining expansion under people's homes without their consent, is a threat to our small coastal communities. I want the Plan to Prohibit Mining Activities under people's homes.

- I need to be confident that the TCDC has recognised the views of tangata whenua on mining in the PDP.

I oppose Section 37 - Mining Activities.

- Section 37.4 Note 1 fails to provide any rules for Underground Mining Activities in affected Zones outside the access zone.

- I want the TCDC to amend Section 37.4 Table 1 of the PDP to state that all Mining Activities are Prohibited in all Zones, including prospecting and exploration, or other such relief that has the same effect.

- I support Quarrying activities to be separated from Mining Activities to avoid confusion.

I oppose Section 14 - Mining Activities.

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

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

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

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

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

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

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

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

I would like to speak to my submission.

- No

I would consider presenting a joint case with others who have made a similar submission.

- No

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

Yours sincerely,

Ben Castelow

Date

14/03/2014

THAMES-COROMANDEL
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY:

Proposed Thames Coromandel District Plan

Submission by

Name: Rachel Harrison

Address: 103 Cook St Thames

Phone: 0273337547 Email: purdeharrison@vodafone.co.nz

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

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

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

I oppose Section 37 - Mining Activities.

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

I oppose Section 14 - Mining Activities.

- I want the language of in Section 14.1 (Mining Activities) to clearly state how future mining activities will have a major adverse impact on the unique Conservation Values and Natural Character of the Coromandel. We must acknowledge the adverse impacts of the modern Mining Industry on small communities.
- I want the TCDC to remove the sentence: "The District has a long history of mining for gold and other minerals." (p73), and instead acknowledge that the Gold Mining boom lasted only 70 years, between 1860 and 1930, and was a small scale industry compared to the Mining Activities of today.
- I want the Plan to acknowledge the long term economic, social and environmental legacy and the detrimental effects of historical mining in the District.
- Of particular concern to me is the statement "The Plan includes provisions to enable the Council to take the presence of mineral resources into account when assessing proposals for the subdivision, use and development of land." (p73) Along with Section 14.2.2 this gives mining priority over other forms of development. I oppose Mining Activities having such a priority. I completely disagree with the intention of Section 14.2.2 and require this to be removed as it is unrepresentative of community values.
- The Coromandel Peninsula Blueprint, where community values were assessed, has not been fully translated into the Plan and sustainable and development and biodiversity growth are not prioritised. I support the council to change the wording in the PDP to uphold these values expressed by Coromandel communities.
- There is no acknowledgment of the fact that a large number of Coromandel residents are opposed to mining, TCDC must acknowledge this, and that the 40 year history of the 'No Mining' campaign in Coromandel has contributed significantly to our Natural Character.

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

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

My further comments:

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

Yours sincerely,

Signature:



Date:

8/3/14



To: Thames Coromandel District Council

customer.services@tcdc.govt.nz

Submission by:

Surfbreak Protection Society Inc

P.O Box 20717

Glen Eden

Auckland 0641

Email address info@surfbreak.org.nz

Submission on the Proposed Thames Coromandel District Plan

-
- Surfbreak Protection Society (SPS) supports in part sections of the PDP
 - Surfbreak Protection Society (SPS) opposes several sections of the PDP and wish changes to be made.
 - SPS will not gain an advantage in trade competition through this submission.
 - SPS wishes to be heard in support of its submission.
 - SPS seek that the committee retain the provisions that we support and to make amendments to the other provisions of concern.
-

INTRODUCTION

Surfbreak Protection Society (SPS) is the leading National NGO on surf break protection, coastal processes and water quality that impacts on the cultural, environmental and social practices of coastal and inland communities, whose wider catchments flow to the wetlands and estuarine environments.

Our organisations core values are to protect surf breaks and coastal areas from adverse effects of inappropriate subdivision and development and to protect the hydrodynamic character of the swell corridor, seabed morphology and aquatic lifeforms. We campaign for clean, safe recreational waters, free from adverse effects of sewage effluents, toxic chemicals and promote a solution based argument of viable and sustainable alternatives. SPS maintain that science and coastal science is an essential tool to arrive at viable and sustainable alternatives and for the delivery of solution based decisions.

BACKGROUND

SPS had substantial input into the New Zealand Coastal Policy Statement 2010, and participated in several recent second generation Regional Council Policy Statements in addition to taking part in a range of Local government hearings on environmental matters.

Surf breaks are a natural characteristic, and part of the natural character and landscapes, of the New Zealand coastline/coastal environment, of which there are few when compared to the total length of the New Zealand coastline¹.

Approximately 7% [310,000] of New Zealanders are estimated to “surf “on a regular basis². Surfing makes a valuable contribution to the wellbeing of New Zealanders by promoting health and fitness, cross cultural and intergenerational camaraderie and a sense of connection to, and respect for, New Zealand’s coastal environment and resources.

In terms of Part 2 RMA surf breaks, therefore, contribute to amenity values/recreational amenity and natural character of the coastal environment; surf breaks and surfing enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety.

SPS have included a recent report prepared for Auckland Council, Bay of Plenty Regional Council, and Surfbreak Protection Society that outlines planning mechanisms for the management of surf breaks in New Zealand as Appendix 1 to this submission³

The Thames Coromandel District Council(TCDC) administers land adjacent to the coastline and therefore has a responsibility to set in place objectives, policies and rules that would avoid adverse effects to the coastal marine margins and environments and coastal communities.

STATUTORY PROVISIONS

New Zealand Coastal Policy Statement 2010

- The PDP must ‘give effect’ to the NZCPS 2010. Provisions of particular relevance include Policy 6(1)(c) Policy 7(1) (b) Policy 11, Policy 13, and Policy 15 and Policy 16

Hauraki Gulf Marine Park Act 2000

- The PDP ‘must give’ effect to Sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000

Waikato Regional Policy Statement

- TCDC is required to ‘have regard to’ the proposed Waikato Regional Policy Statement and consider it has more relevance than the previous Regional Policy Statement.

Resource Management Act 1991

SPS submit that without changes to the PDP, it does not meet the legislative tests of Part 11 matters.

TANGATA WHENUA

SPS support the provisions to include a layer of protection for the Archaeological Sites; Māori Cultural Sites identified in Appendix 1 as it appears to be constructed from the records of the New Zealand Archaeological

¹ Scarfe (2008) states that there is only: “one surfing break every 39km to 58km. Many of these surfing breaks are only surfable a few days per month or year when the tide, wind and wave conditions are suitable.”

² Figures sourced from SPARC

³ “Planning approaches for the management of surf breaks in New Zealand” Matt Skellern, Bailey Peryman, Shane Orchard, and Hamish Rennie; Report prepared for Auckland Council, Bay of Plenty Regional Council, and Surfbreak Protection Society December 13

Association Site Recording Scheme which is publically available. SPS does agree that it is appropriate for local hapu and iwi to define the nature and extent of sites of cultural value within their rohe and that the identified sites only represent a small fraction of sites that do need active protection from inappropriate subdivision use and development.

TCDC will need to set in place a system to allow for that to take place and provision should be provided as an objective or policy rather than a non regulatory method. The creation of hapu & iwi Environmental plans should be supported by TCDC along with any hapu & iwi archaeological plans and protocols. Furthermore, it is areas of significance to Maori that also needs to be addressed as the interpretation of archaeological and cultural sites appear to be too narrow.

Additionally, SPS has concerns that the default 34.4.2 Accidental site discovery protocol does not give adequate protection for Maori to effectively participate. 34.4.2(g) identifies that:

Works at the site must not recommence until an archaeological assessment has been made, all archaeological material has been dealt with appropriately and NZHPT and the Council advise that work can recommence.

SPS seek the inclusion of the hapu/ iwi representative for the area-- *and NZHPT, the Council and the hapu/ iwi representative for the area advise that work can recommence.*

Moreover, the provisions outlined in 34.4.2 should not be seen to override any provisions from hapu/ iwi Accidental site discovery protocols.

SPS seek the PDP give effect to the NCPS 2010 in policy 2 -The Treaty of Waitangi, tangata whenua and Māori heritage.

SPS do support in part the provisions of 33 and consider that the permitted activities for papakainga, marae and community facilities are a move in the right direction.

SPS has concerns, that some of the identified sites may not have been already registered, particularly Whangamata surf shop and picture theatre.

COROMANDEL PENINSULA BLUEPRINT

The Coromandel Peninsula Blueprint, where community values were assessed, has not been fully translated into the Plan and sustainable and development and biodiversity growth are not prioritised. SPS seek the council to change the wording in the PDP to uphold these values expressed by Coromandel communities. SPS requests amendments to the PDP to give effect to the Blueprint vision to limit development to Whangamata, Whitianga and Thames.

SPS also has concerns that some of the provisions on the Local Area Blueprints (LAB) have been inserted into the PDP without clear definition that it is from the LAB. The LAB was a result of inadequate community consultation and had identified areas unsuitable for development.

BIODIVERSITY

SPS has concerns that the PDP will not adequately protect biodiversity or the nationally threatened species found within the district. TDC are relying on the Waikato Regional Council Technical Report 2010/36 (Significant natural areas of the Thames-Coromandel district: Terrestrial and wetland ecosystems) identifies potential 'Significant Natural Areas' (SNAs) across the District rather than undertaking an assessment and mapping of key ecological sites. Moreover, it is unsatisfactory that the PDP is subject to 'ground-truthing' by a suitably qualified ecologist before consent can be granted.

NATURAL HAZARDS

SPS agrees that it is difficult to manage natural hazards but do not support the objective that risks are acceptable and tolerable.

SPS support in part the Current Coastal Erosion Area and Future Coastal Protection Area and consider that more robust provisions are provided to exclude any new developments such as residential dwellings, commercial and industrial buildings within those areas.

SPS do not support hard coastal defences and consider that a managed retreat is the preferred option.

Additionally, there is only a minor discussion on Tsunami responses. While creating upper level safety structures for some infrastructure in some areas may be prudent, the lack of any further detailed response and a lack of adequate mapping setting out the Tsunami Zones do not satisfy the intent and purpose of this second generation PDP.

PART II - OVERLAY ISSUES, OBJECTIVES AND POLICIES

SPS are concerned that Seascapes are not recognised in Natural Landscape overlays, Seascapes are mentioned in policies 13 and 15 of the NZCPS and the Landscape overlays must be amended to represent seascapes and to give effect to the NZCPS 2010. Policy 16 surfbreaks of National Significance must be mapped.

Whangamata

To quote Section 7.1.2 of the PDP; Why is the Coastal Environment important?

*The District is a diverse area, with breath-taking scenery, dramatic landscapes, a **nationally significant surf break** and world-class beaches along its 400 km coastline. The Coastal Environment is subject to coastal processes including erosion and inundation and the effects of climate change. The Coastal Environment also contains indigenous ecosystems and habitats that are particularly sensitive to modification.*

SPS oppose the Whangamata overlay and in particular its representation of the Whangamata Bar and the primary dune systems that support the **nationally significant surf break**. SPS highlights Whangamata as an example of the overlays and planning maps but consider that several maps and overlays need further refinement

OUTSTANDING LANDSCAPES AND NATURAL CHARACTER

Given the outstanding landscapes and ecology of the Coromandel Peninsula and for the benefit of communities and future generations, we need much stronger planning regulations to protect our Surfbreaks and the environments that support them. The PDP does not articulate the special Qualities, Values and Natural Character of the Coromandel Peninsula effectively.

Policy 13 Natural Character in the New Zealand Coastal Policy Statement 2010 recognises surfbreaks in policy 13(2)(c) (natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks) SPS note that as such the PDP has listed the above mentioned NZCPS policy 13 within its own definitions. SPS seek consistency with recognition of surfbreaks and the inclusion of seascapes within the PDP.

The Objectives and Policies in Section 14 do not reflect community, amenity, and biodiversity values required by the Waikato Regional Policy Statement (RPS), the Resource Management Act (RMA) and Hauraki Gulf Marine Park Act (HGMPA) SPS consider that the provisions in the PDP will not protect the biodiversity and natural indigenous vegetation.

SETTLEMENT AND GROWTH

SPS oppose several sections of Settlement Development and Growth provisions.

15.3 Policy 1(c) SPS opposes the use of the Waterfront Zone for high density use in all the policies.

SPS wish to highlight concerns in relation to wastewater plants. Areas such as Matarangi that is a low lying area plus with sea level rise it will compound the stormwater issues and wastewater plant. The wastewater plant in Matarangi has passed its use by date, and needs to be located elsewhere and the type of wastewater treatment plant needs to be changed. There are several areas that need to be addressed such as:

- Whitianga
- Kuaotunu
- Cooks beach
- Tairia Pauanui
- Onemana
- Whangamata

SPS maintains that infrastructure should set in place prior to increased development.

While SPS support in part, some small scale development in some of the areas identified, there are several constraints that should be applied. A lot of areas have high natural character with outstanding landscapes that offer a wide biodiversity that contributes to Districts sense of place.

SPS oppose reducing the subdivision density for intensive development and consider that it will not result in desired outcomes of meeting community and environmental aspirations set by the community.

TRANSPORT

18.1.4 While it is acknowledged that paper roads may not be transport thoroughfare, the paper roads do form the basics of pedestrian, cycle and tourist opportunities. Paper roads should not be given to private commercial interests to set in place infrastructure on public roads or land

18.1.7 While it is accepted that logs and marine produce could be barged to the ports and industrial areas of Auckland and Tauranga, SPS has concerns that the policy could result in having inappropriate expansion of marinas, or potentially in inappropriate places. The policy has not recognised existing swing and pole moorings and wharfs. SPS seeks amendments to that last sentence or deletion

MINING

SPS oppose any part of the Proposed District Plan (PDP) which allows mining activities, including underground mining, in the District, in: Coastal, Conservation, Rural and Residential Zones, where these activities may adversely affect surfbreaks and the environments that support them.

SPS require the PDP to uphold biodiversity values expressed in the RMA Section 6. SPS require the Plan to **Prohibit all Mining Activities in Outstanding Natural Landscape, Natural Character and Amenity Landscape Overlays** in the Section 32 Rules where these ONL's are upstream of surfbreaks or likely to impact on them.

Hauraki Gulf Marine Park Act 2000-

Sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 ("HGMPA") have the effect of a New Zealand Coastal Policy Statement and the PDP must give effect to those provisions. The Hauraki Gulf Forum generated a set of guidelines in 2009. WRC, Thames Coromandel District Council (TCDC) and the

Department of Conservation (DoC) are forum members, and signatories to the guidelines outlined in As a signatory to the Hauraki Gulf forum and **Governing the Gulf: "Giving effect to the Hauraki Gulf Marine Park Act through Policies and Plans."** In the Guide, page 79 states: **Policy and Planning section (F) .3** *"Identification of natural and physical resources of recreational importance and methods to protect them,....including surfbreaks by activities such as dredging which have the potential to modify seabed contours and sediment dynamics"* As mining is a form of dredging, SPS seek acknowledgement in the PDP of the obligation to protect surfbreaks from such activities

SPS require the Plan to specifically protect our coastal environment from mining. The Coastal Zone has been removed without giving adequate protection to coastal amenity values such as surfbreaks and their environments from adverse impacts of mining. SPS require the Coastal Environment Overlay to include a rule prohibiting all mining activities.

The TCDC has failed to translate the 'High Value Conservation Areas' identified in Schedule 4 into 'Outstanding Natural Landscapes' (ONL) which include seascapes. SPS require the Plan to accurately protect surfbreaks on the Coromandel Peninsula from all mining Activities by identifying regionally and Nationally significant surfbreaks within the coastal, Conservation, and rural zones and classifying mining activities as prohibited activities. SPS needs to be confident that the TCDC has recognised the views of tangata whenua on mining in the PDP.

SPS oppose Section 37 - Mining Activities.

The Background needs to be amended to refer to avoiding adverse effects on high natural value areas such as: coastal environment, Conservation Zone, ONLs, amenity landscapes, Natural Character (and Seascapes) overlay, significant ecological areas) and managing adverse effects on other natural values.

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

SPS support Quarrying activities to be separated from Mining Activities to avoid confusion.

SPS oppose Section 14 - Mining Activities.

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

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

SPS want the Plan to acknowledge the long term economic, social and environmental legacy and the detrimental effects of historical mining in the District.

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

There is no acknowledgment of the fact that a large number of Coromandel residents are opposed to

mining, TCDC must acknowledge this, and that the 40 year history of the 'No Mining' campaign in Coromandel has contributed significantly to our Natural Character.

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

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

SPS submits that the PDP needs a significant amendments and changes before it satisfies the provisions of the Resource Management Act

SPS will provide further information prior to the hearing with specific word changes.

Paul Shanks

President
Surfbreak Protection Society Inc

Proposed Thames Coromandel District Plan

Submission by

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THAMES-COROMANDEL
DISTRICT COUNCIL

14 MAR 2014

RECEIVED BY:

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

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

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

I oppose Section 37 - Mining Activities.

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

I oppose Section 14 - Mining Activities.

- I want the language of in Section 14.1 (Mining Activities) to clearly state how future mining activities will have a major adverse impact on the unique Conservation Values and Natural Character of the Coromandel. We must acknowledge the adverse impacts of the modern Mining Industry on small communities.
- I want the TCDC to remove the sentence: "The District has a long history of mining for gold and other minerals." (p73), and instead acknowledge that the Gold Mining boom lasted only 70 years, between 1860 and 1930, and was a small scale industry compared to the Mining Activities of today.
- I want the Plan to acknowledge the long term economic, social and environmental legacy and the detrimental effects of historical mining in the District.
- Of particular concern to me is the statement "The Plan includes provisions to enable the Council to take the presence of mineral resources into account when assessing proposals for the subdivision, use and development of land." (p73) Along with Section 14.2.2 this gives mining priority over other forms of development. I oppose Mining Activities having such a priority. I completely disagree with the intention of Section 14.2.2 and require this to be removed as it is unrepresentative of community values.
- The Coromandel Peninsula Blueprint, where community values were assessed, has not been fully translated into the Plan and sustainable and development and biodiversity growth are not prioritised. I support the council to change the wording in the PDP to uphold these values expressed by Coromandel communities.
- There is no acknowledgment of the fact that a large number of Coromandel residents are opposed to mining, TCDC must acknowledge this, and that the 40 year history of the 'No Mining' campaign in Coromandel has contributed significantly to our Natural Character.

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

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

My further comments:

For the nature it's very bad to underground mining.

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

Yours sincerely,

Signature:



Date: 2nd March 2014