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TCDC PROPOSED DISTRICT PLAN - SUBMISSION HEARING NOTES

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INTRODUCTION

- My husband and I live south of Thames, and also own a small block of rural land north of Colville. We both have strong social and cultural ties with the Coromandel Peninsula.
- We are either directly or indirectly affected by most sections of the PDP.
- The perspective I bring to the PDP review process is of the ordinary person who lives and works in this District.
- I have no personal plan or aspiration for development. I see myself as a steward of the land I have the privilege to own.
- I am deeply concerned about the well-being of the District in all respects, and the need to encourage vibrant communities where people can have - a place to live, a job to earn a living, and things to do – all year round.
- I am also deeply concerned that so many ordinary people do not engage in this review process because it is too hard, too complicated, too time-consuming, and too painful.
- As a user, I can understand the Plan best if it is kept as SIMPLE as possible. I applaud the Council's intention in this regard.
- I acknowledge the huge amount of work TCDC staff have done through this process. In general I feel the Staff Reports have been done with careful consideration – where I still disagree with their recommendation or feel strongly about a point I will raise it.

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Section 4 Information Requirements for Resource Consents **General Issue** - the often prohibitive burden of cost and time related to requiring resource consents.	• Ensure activities are Permitted wherever possible, with or without conditions • Simplify the requirements wherever possible	1. Requirements for resource consents can be lengthy and onerous, with potential for costs to escalate out of all proportion to the scale of the activity. Sometimes the cost of resource consent exceeds the cost of the job itself. 2. Costs include – - Direct council costs – anything from $1200-$20,000+. - Professional planning fees for preparing a consent application (often required due to the complexity of information required). - Time involved in preparing consent applications and working through the process. - Any other professional assessments that may be deemed to be necessary. - If consents are publicly notified, costs will escalate further. - Potential legal costs. 3. Giving thresholds or conditions for Permitted activities is an effective way of managing effects of activities eg. Earthworks, firewood, single dwellings. 4. 99.44% of resource consents are approved and only 1% are appealed (Forest and Bird presentation). This says to me that the vast majority of activities are appropriate, given the right conditions around them. While I appreciate that the consent process is a useful way of ensuring conditions are adhered to, I believe there is room for cutting more red tape by increasing the proportion of permitted activities. I note the Staff Report Point No. 69: "*Staff agree with the sentiments expressed in the submission. Directions from the Council in reviewing the District Plan included simplifying and streamlining the Plan (to increase certainty) and cutting unnecessary red tape - whilst protecting the qualities*	Background – Fed Farmers booklet on RMA reforms needed Royal Forest & Bird Website excerpt

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		that make the Coromandel special. I believe that this has been achieved. There are an increased number of activities that are now permitted (assuming permitted activity standards are met) and, through the use of overlays and crisply written objectives and policies, Plan users are more informed about why resource consents are required, the type of information that may be required and the outcomes that the Council is trying to achieve". I appreciate the consideration shown through the Staff Report, and the sensible approach of this Council, however I do believe there is still room for simplifying the requirements for various activities, including within overlays. Look at what can be Permitted? What can be Controlled instead of RD etc?	
Section 4.5.3 & 4.5.4 (Now a NOTE under 4.3) - Reference that Professional Reports may be required for the assessment of environmental effects	• Delete the requirement for professional reports from the PDP • Ensure the information requirements in the PDP line up with those in the RMA.	My submission was rejected and the reason given was "*<u>In some situations it will be necessary</u> to require a report from a suitably qualified person to ensure a robust assessment of effects on the environment to achieve the purpose of the RMA. <u>Through the use of 'overlays' it is intended that the requirement for such reports will be minimised</u>".* 1. Once this is included in the PDP, "may be required" very quickly turns into "will be required" (eg. Section 6.1 Biodiversity), and leaves the consent applicant with no recourse. 2. The issue is the quality of the information, and Council should assess the application on the basis of that, taking into account the scope of the activity. Professional reports can be requested if they are justified. 3. I estimate that approximately 50% of the District is covered by a landscape overlay, 80% in SNA/Natural Character, not to mention Coastal Environment, Historic Heritage and Natural Hazard overlays. Ie. Perhaps a majority of resource consents will involve an overlay of some sort, so it's safe to assume that professional reports will be required in most cases also. The Staff Report implies that the use of overlays will minimise the need for professional reports, but that's not how it looks.	

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		4. One resource consent application affected by overlays could potentially be required to have assessments by an - Ecologist - Archaeologist - Iwi representative - Landscape planner/architect - Surveyor - Engineer .....All of whom will be making recommendations for design and ongoing management. .....Potentially for relatively non-complex activities eg. Single dwelling or farm track. What is the cost of all this? How can it be contained?	

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Section 8 **Historic Heritage** **8.1 Background** Identification of archaeological sites and "Maori Cultural Sites"	• The DP should include a Schedule of known sites that have cultural significance to Maori. • Other sites not included on the Schedule are to be managed via the Accidental Discovery Protocol	Generally I support 8.1 as written, with the following qualifiers:- 1. While I respect the reluctance of some iwi to identify some significant sites, I believe it is important that they are identified in order to be protected. This is a) to avoid unwitting damage and b) so property owners (and future owners) can have certainty and transparency as to appropriate land use (S85 Reasonable use). 2. The reference to the NZ Archaeological Association in 8.1.1 is confusing and unnecessary. The first 2 sentences of 8.1.1 should be deleted, clarifying that it is Heritage New Zealand that administer processes.	
8.2 Issues Costs related to cultural and/or archaeological assessments. *Note – my submission on this issue was supported by 5 others, including HNZ*	• Add an issue addressing the sometimes huge and "open-ended" cost of assessments. • Costs of cultural and/or archaeological assessments should not by carried by the land owner or consent applicant.	1. These are issues of national importance related to our nation's history and culture. I do not believe it is appropriate to impose the whole cost of this process on a very small sector of the population. 2. If costs are more appropriately apportioned, it will encourage a much more collaborative approach to identifying and protecting historic heritage. 3. Costs to the land owner and/or consent holder include: - - Professional assistance with consent application. - Potential cancelling of the proposed activity if becomes too difficult. - Lost time - Archaeological assessment itself – can be tens of thousands. - Loss of use of land, disruption to the site. - Possible restrictions imposed as a result of any findings. 4. Land owners are more likely to avoid entering into this process, if they suspect an archaeological site may be uncovered, due to the uncontrollable costs that would be imposed on them. This is a lost	

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		opportunity for everybody. 5. I note the Hauraki District Council have made some attempt to provide "positive encouragement" including monetary assistance. 6. I note the staff report comment – point 48 – which states "*...The cost of such an investigation is a matter that cannot be determined by a rule in the Plan and is not recommended. This is an issue which should be addressed through a review of the Heritage Strategy. This process will necessarily involve consultation and discussion with the community to determine where costs should lie.* *There may be a case for joint contributions between interested parties".* 7. If this is to be addressed through the Heritage Strategy as the staff report suggests, the DP should require this. However my concern is that if this approach is taken, nothing will change.	HDC District Plan excerpt
8.3 Objective 2, Policies 2a, 2b "Subdivision, use and development maintain the relationship of Māori with archaeological sites and Māori cultural sites".	• Clarify what this means in practical terms. Some examples would be useful.	1. People need to understand what is expected, particularly in relation to use and development on private land. This should not be in conflict with reasonable use.	

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<u>Section 31</u> **<u>Historic Heritage</u>** **31.4.4 Assessment of Environmental Effects to include:-** 31.4.4a – "An outline of the values for which the site, area or item is scheduled; and" 31.4.4b – "Discussion on how the proposed changes will impact on the values of the site, area or item; and" 31.4.4d – If applicable, a copy of a specialist report carried out by a suitably qualified person; and	• 31.4.4a) Replace "values" with "reason". • 31.4.4b) delete "the values of"... • 31.4.4d) delete clause (re possibly requiring a specialist report)	1. "Values" is not a very specific term – "reason" is more concrete and understandable. 2. "values of" is unnecessary – the issue is how the proposed change will impact on the site, area or item. 3. Too open-ended – there is no criteria for when or why a specialist report may be required, or who. Leaves this wide open for extra unnecessary costs. 1. Consent applicants should not bear the cost of heritage, cultural or archaeological assessments. 2. Landowners should be made to feel these items are a valuable asset, not a liability.	

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Section 15 Settlement Development and Growth			
General Comment – Section 15 has generated a lot of submissions and further submissions, wishing to either provide for or prohibit growth in the District	• Generally follow Staff Report recommendations to encourage growth in Thames, Whitianga and Whangamata while also providing for appropriate growth in other areas.	1. Meets requirements of PRPS S6.9 (following Court proceedings). 2. I strongly oppose those submissions that seek to prohibit all growth eg. Nos.320, 365 – for example, both of which request the the Plan to *"prevent settlement development and growth in the Rural Zone, in the coastal environment, in outstanding natural landscapes, amenity landscapes, natural character areas, and areas of significant indigenous biodiversity"*. In other words, everywhere that is not already built on. 3. There is at present very little growth, very few jobs in construction, or any industry for that matter. We need to be creative about growth opportunities.	
General Comment – Repetition in Section 15 with other sections of the PDP	• Consolidate Sections 15 and 16 (Subdivision) where possible	1. There seems to be much repetition with Section 16, as well as other Sections related to overlays, which makes the PDP unnecessarily wordy and complex. Eg. 15.3 Obj.1 vs 16.3 Obj. 9 & 10 - Infrastructure 15.3 Obj.6A vs 16.3 Obj.8 – Public Access	
Policy 3a Discourages development in the Coastal Environment outside existing settlements	• Delete Policy3a (Current Policy 3c should become 3a) Alternative if not deleted:- • Accept staff recommendation in Appendix 2, except use "<u>should</u> be clustered in" not	1. I believe that all environmental impacts and the requirements of other statutory documents are met by Policy 3c. 2. RPS Policy 6.9 now allows for development outside the 3 main centres, so this should not be "discouraged". 3. Protection of the Coastal Environment's "special values" is covered through various overlay and other rules. 4. There may be opportunities for sensitive growth/development that actually enhance some of the stated special values.	

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	"shall be clustered in"	5. Staff Report – Points 85, 86 – confirms changes to the emphasis of the Coromandel Blueprint through the appeals process. Attachment A – States Policy 3a only needs to give effect to NZCPS Policy 6(1)(c), which states "encourage" the consolidation of existing settlements etc. Therefore the word "shall" is too directive.	
Policy 5e Protection of Historic Heritage	• Accept Staff Report recommendation to change "preservation" to "protection"	1. My preference would have been to delete the policy as it is well covered in the Historic Heritage section, however I accept that its inclusion here provides some coherence. 2. "Protection" is consistent with Section 8 policies.	
Objective 6 Areas of natural character, indigenous biodiversity, outstanding landscape, high class soils, and historic heritage items are recognised and protected. Note – creation of separate Objective (6A) for public access issues.	• Delete Objective 6 and its policies altogether	1. Objective 6 is now superfluous as it is well covered in other sections or policies:- Natural character & landscape – S9, also S15 Policy 5a Biodiversity – S6 Historic Heritage – S8, also S15 Policy 5e High class soils – S16 Obj 11 Stormwater infrastructure – S16 Policy 7c. 2. Less repetition means the DP will be easier for people to use and understand. Objective 6 is not necessary and should be deleted.	
Policy 6a Has been expanded in the Staff Report due to EDS submission	• As above, delete Policy 6a. • If not deleted, change "amenity landscapes" to "amenity values"	1. As above – Objective 6 and its policies are unnecessary and repetitive. 2. The RMA and other statutory documents require amenity "values" to be taken into consideration, and this is true regardless of the location or surrounding landscape. 3. Amenity values are also covered in Objective 5.	

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Policy 7d Rezoning of rural land below 10 m above mean sea level on the eastern seaboard to a Residential Area should consider the implications of tsunami risk.	• Rethink this policy to ensure a sensible approach to an extremely infrequent event – retaining the 5m threshold is perhaps a more reasonable approach. • Consider deleting Policy 7d as it is covered by 9a e).	1. I am not qualified to offer solutions – happy to leave to the experts, and the very good work done by communities most affected. 2. The rules in S34 relate only to Community and Residential Care facilities, so it is unclear what is intended by "consider the implications" when it comes to rezoning land. I would hope it was not intended to stop any development of any land <10m above sea level. 3. Since most of the most low-lying coastal land is already highly populated (Thames, Whitianga, Tairua, Pauanui, Whangamata), it seems the focus should be on evacuation plans, not rezoning per se.	
Objective 10 21 separate policies 10a-10t for Specific Settlements	• Delete Objective 10 from the PDP	1. The vast majority of the content of these location-specific policies amount to – - Not increasing demand for additional infrastructure - Retaining existing character, including heritage, rural backdrops etc. - Otherwise allowing for and/or encouraging growth opportunities. These aspects I fully support (eg. P10f). These issues are ALL covered in a number of other parts of the PDP, with few exceptions (also covered by Section 15 Objectives 1, 3, 5, 6 and 9). It is unnecessary repetition and an attempt to "micro-manage" settlement growth. Analysis of the many and varied responses from submitters regarding detail (see Points 142-184 Staff Report) supports this. 2. Most "settlements" are included, but some are not. What constitutes a settlement? I note the staff report states Whenuakite is not considered a settlement but has had some growth, so has been included. What about Papa Aroha for instance?	

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	• IF Objective 10 is retained, at least delete Policy 10b from the PDP	1. Moehau is a mountain, not a settlement, nor even a location. The area described (north of Whangaahei Bay/Waikawau Bay) is a geographic area which has a mix of Rural or Rural Residential zoned land, and some DOC land. It is not a settlement. 2. I note the staff report Point 162, and the reasons given for including this area in the "settlements" section. However these reasons are all covered within the relevant zone and overlay sections. It is not appropriate to single one area out for special mention, or prohibition of growth. How any growth and development is managed in this area should be assessed based on the relevant zone and overlay rules applicable (effects based). 3. There are some locations in this area that could easily accommodate small-scale growth, providing some rural living options and potential environmental benefit options – while retaining the existing character, and not increasing demand for additional infrastructure. This should not be prevented outright by stating the whole area should "remain undeveloped". 4. I question the level and quality of consultation over these policies. For 10b specifically, we have had no input, and neither have others we know who live and work in the area. There is also nothing showing in the Coromandel-Colville Community Board Plan (December 2013) related to what local people want. 5. The operative District Plan describes the "Moehau Character Area" (not Settlement) and says "the area has considerable potential to absorb small-scale low-impact development which does not require improved access or services". I see no justification for such a change in policy direction as in Policy 10b.	