

Form 7
Notice of appeal to Environment Court against decision
on proposed policy statement or plan

Clause 14(1) of First Schedule, Resource Management Act 1991

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

We, *Karuna Falls Cooperative Society Ltd.*, appeal against a decision (*or part of a decision*) of the Thames-Coromandel District Council on the Thames Coromandel Proposed District Plan.

We made a submission on that Proposed District Plan

We are not a trade competitor for the purposes of Section 308D of the Resource Management Act 1991

We received notice of the decision on 29th April 2016.

The decision was made by *Thames-Coromandel District Plan Hearings Panel*.

The decision (*or part of the decision*) that I am appealing is:

1. Report 30

Decision 5.16 Karuna Falls Co-operative Society seeks opportunity to develop its 296 ha land under the Rural Lifestyle Zone. NZTA opposes the request. The Panel finds that it is not appropriate to use the Rural Lifestyle Zone in this location and notes that the proposed provisions for conservation lot subdivision would allow for additional development on the site in a way that would also provide tangible environmental protection/restoration benefits. Because of this, the notified Plan as modified by the S.42A Report amendments is more appropriate than the submitter's preference.

AND

14-17 April 2015 Rezoning Coromandel/Colville Attachment A paragraphs 20-24

2. Planning Map 7

Failure to make a decision to alter the boundary of the natural character overlay shown on Planning Map 7 as sought in Submission 1 attached.

The reasons for the appeal are as follows:

- Subdivision is not possible for Karuna Falls Cooperative Society; nor is it desirable
- Karuna Falls is an established settlement of over forty years;
- Karuna Falls Cooperative Society supports Section 15 Objective 4 of the District Plan which states:

"Settlement development and growth provides for a diverse range of land uses and living choices."
- Karuna Falls is an established intentional community with physical resources in the form of houses, community buildings and infrastructures with the potential to sustain future generations – the failure to adequately provide for the community and for its future needs is contrary to this objective.
- The decision to not make appropriate provision for the Karuna Falls Community will not give effect to the following policies::

Section 15 Policy 4A which states:

"A range of residential densities, lot sizes and dwelling forms to provide for a variety of living choices consistent with the existing residential character and potential environmental constraints".

Policy 4D which states:

"Rural lifestyle development in the Rural Lifestyle Zone on the fringes of settlements or in areas with lower quality soil shall provide opportunities to enjoy rural living while enhancing existing or degraded biodiversity".

Karuna Falls Community meets the policy requirements. Its members provide active stewardship of indigenous bush and are committed to its ongoing protection and enhancement.

The soils are of lower quality and community is located within easy access of Colville, Coromandel, Auckland and international locations where members of the community travel for work, leisure and education.

Whatever the "intention" of the Rural Lifestyle Zone, the fact remains that the Karuna Falls village constitutes a Rural Lifestyle, not a Rural farming, zone.

The Council has enabled the development of this settlement. It has been recognised and provided for and has proven to be a viable and self-sustaining community providing for its own infrastructure without investment other settlements and rural residential subdivisions have demanded of Council over the last 40 or 50 years.

The decision does not enable the Karuna Falls community to achieve District Plan policies in an efficient and effective way.

The natural character overlay was not altered to ensure it did not apply to the existing Karuna settlement.

We seek the following relief:

We seek add the attached Site Development Plan to be added to Part V Section 25 of the Proposed District Plan

Or in the alternative rezone of the community area as Rural Lifestyle Zone.

If this is not acceptable new Conservation Land Use provisions would need to be added to the District plan to provide for an enclave of houses to house families and provide housing for future generations to enable effective stewardship of a large rural holding.

The new provisions would need to provide for density of houses at 1 per 20 hectares plus additional houses for conservation purposes at a similar scale and density as that provided for under the Conservation Lot provisions referred to in the Council decision.

The alterations to the Plan would include rules required that would enable the scale of development provided for by rural lot subdivision and Conservation /Environment Lot to be achieved with future development consolidated on the existing settlement without subdivision.

Ground truthing the natural character overlay and confirmation the Landscape Overlays do not apply to the settled area of Karuna Falls Community and its proposed extension.

I attach the following documents to this notice:

- (a) a copy of our submission
- (b) a copy of the relevant decision (*or* part of the decision):
- (c) Relief Sought - Site Concept Plan
- (d) a list of names and addresses of persons to be served with a copy of this notice.



Signature of authorised person

Dated

9 June 2016

Address for service of appellant:

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Contact person: Graeme Lawrence
Environmental Planner

Advice to recipients of copy of notice of appeal*How to become party to proceedings*

You may be a party to the appeal if you made a submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in Form 33) with the Environment Court within 30 working days after this notice was lodged with the Environment Court.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (*see* Form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the appellant's submission or the decision (*or* part of the decision) appealed. These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court Unit of the Department for Courts in Auckland, Wellington, or Christchurch.