



Proposed Thames-Coromandel District Plan

Variation 3

‘Taiwawe Catchment Structure Plan’

Summary of Decisions Sought in Submissions

Submitter 1	Lindsay and Lorraine Stanfield	
Support/Oppose/Neutral	Oppose	
Wish to be heard	No	
Point 1.1	Category	Scale
	Subcategory	3 Waters
Summary of Submission	Maximum of 4 dwellings should be permitted to allow for appropriate management of treated waste water from a centralised treatment plant.	
Comments	<p>Decision sought: Require a reticulated high-quality wastewater treatment plant.</p> <p>Decision reason: Risk that untreated sewage is discharged to bordering properties and streams.</p>	
Point 1.2	Category	Scale
	Subcategory	Natural Character
Support/Oppose/Neutral	Oppose	
Summary of Submission	Scale of proposed development is completely opposed to the natural character of the area.	
Comments	<p>Decision sought: Limit development to a maximum of 4 dwellings with large areas for natural reforestation and protect fauna and flora.</p> <p>Decision reason: Hot Water Beach is characterized by low impact, low dwelling count developments, which encourage reestablishment of natural forests and birdlife.</p>	
Point 1.3	Category	Scale
	Subcategory	Traffic
Support/Oppose/Neutral	Oppose	
Summary of Submission	Submitter is concerned that quantity of dwellings will result in significant increase in traffic over the single lane bridge at Hot Water Beach.	
Comments	<p>Decision sought: Limit development to a maximum of 4 lots.</p> <p>Decision reason: Increased traffic from high density development will result in significant increase of traffic, particularly at peak season.</p>	

Submitter 2	Richard McNabb and Manuela Schultz	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 2.1	Category	Entirety
	Subcategory	Rural Outlook

Summary of Submission	45 lots adjacent to the submitters' property would compromise their unique outlook on a land that was expected to remain rural.		
Comments	Decision sought: Decline proposal. Decision reason: As per submission summary.		
Point 2.2	Category	Entirety	
	Subcategory	Ecology	
Support/Oppose/Neutral	Oppose		
Summary of Submission	Proposed development would threaten resident kiwi population.		
Comments	Decision sought: Decline proposal. Decision reason: Light and noise pollution would endanger resident kiwi population.		
Point 2.3	Category	Entirety	
	Subcategory	Infrastructure	
Support/Oppose/Neutral	Oppose		
Summary of Submission	Village infrastructure can barely cope with current population needs.		
Comments	Decision sought: Decline proposal. Decision reason: There is insufficient infrastructure for the proposed development.		

Submitter 3	Marshall Gabin		
Support/Oppose/Neutral	Support		
Wish to be heard	No		
Point 3.1	Category	Entirety	
Summary of Submission	I believe development of this area of the Coromandel will increase revenue for the TCDC allowing for more funds to be available to develop the infrastructure and services available to the area.		
Comments	Decision sought: Approve Variation 3. Decision reason: As per submission summary.		

Submitter 4	Hayden Smith and Kate Lingard		
Support/Oppose/Neutral	Oppose		
Wish to be heard	No		
Point 4.1	Category	Entirety	
	Subcategory	Planning/AEE	
Summary of Submission	Decline proposal for the reasons stated below.		

Comments	Decision sought: Decline proposal. Decision reason: Submitter has an expectation for the land to remain rural as per District Plan provisions. AEEs that support the proposal are factually incorrect.	
Point 4.2	Category	Entirety
	Subcategory	Rural/coastal Character
Support/Oppose/Neutral	Oppose	
Summary of Submission	Development will adversely affect rural/coastal character of the area and the village.	
Comments	Decision sought: Decline proposal. Decision reason: As per submission summary.	
Point 4.3	Category	Entirety
	Subcategory	Traffic
Support/Oppose/Neutral	Oppose	
Summary of Submission	Proposal will increase traffic movements and congestion and add risk to pedestrian safety.	
Comments	Decision sought: Decline proposal. Decision reason: As per submission summary.	
Point 4.4	Category	Entirety
	Subcategory	Landscape/AEE
Support/Oppose/Neutral	Oppose	
Summary of Submission	Submitter is a direct neighbour and states that the proponent's Landscape Assessment is factually incorrect in stating that proposed dwellings will not be visible from neighbouring sites.	
Comments	Decision sought: Decline proposal. Decision reason: Submitter questions the accuracy of the proponent's AEEs in general.	
Point 4.5	Category	Entirety
	Subcategory	Infrastructure
Support/Oppose/Neutral	Oppose	
Summary of Submission	Septic systems have flow on effects on waterways and ecosystems.	
Comments	Decision sought: Decline proposal. Decision reason:	

	As per submission summary.	
Point 4.6	Category	Entirety
	Subcategory	Ecology
Support/Oppose/Neutral	Oppose	
Summary of Submission	Proposed development will lead to the demise of resident kiwi populations.	
Comments	Decision sought: Decline proposal. Decision reason: As per submission summary.	

Submitter 5	Alan R Jonkers and Pauline S M Mason	
Support/Oppose/Neutral	Oppose	
Wish to be heard	No	
Point 5.1	Category	Scale of Development
	Subcategory	Rule 1 a)
Summary of Submission	45 is too many dwellings for the land area in particular the loading on ground water from additional septic disposal. This density of housing is at odds with the ideals discussed in the Taiwawe Catchment Structure Plan, the impact of additional traffic from 45 dwellings is understated.	
Comments	Decision sought: Change Section 27. 9. 5 Rule 1a) to read “up to, but not exceeding 10 lots.” Decision reason: Development of 45 dwellings causes too much load on ground water from septic disposal, is contrary to ideals of the Structure Plan and additional traffic is understated.	

Submitter 6	Sally Jane Armstrong	
Support/Oppose/Neutral	Oppose	
Wish to be heard	No	
Point 6.1	Category	Entirety
	Subcategory	Ecology/Scale/Infrastructure/Local Character
Summary of Submission	Submitter seeks the Structure Plan to be declined and future subdivision be assessed under the merits of the District Plan.	
Comments	Decision sought: Decline proposal in its entirety. Decision reason: Subdivision should occur according to the District Plan Rules, proposal is out of character with locality, 45 lots are far too dense, resident	

	kiwi will be at high risk of predation by domestic dogs, increased likelihood of adverse effects of sedimentation, wastewater, exotic weeds on fragile wetland/stream.
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Submitter 7	Jayne Francis	
Support/Oppose/Neutral	Oppose in part	
Wish to be heard	No	
Point 7.1	Category	Public Access
Summary of Submission	Require creation of public walking tracks within the Conservation Area to enhance residential walking options.	
Comments	<p>Decision sought: Amend Proposal to include public walking tracks within Conservation Area.</p> <p>Decision reason: Enhance residential walking options.</p>	
Point 7.2	Category	Infrastructure 3 Waters
	Subcategory	Stream Health
Support/Oppose/Neutral	Oppose in part	
Summary of Submission	Prohibit individual septic tanks for each lot, require subdivision to have small treatment plant or Council to operate Top 10 sewage plant and proposed lots are reticulated there.	
Comments	<p>Decision sought: Prohibit septic tanks for each individual lot.</p> <p>Decision reason: Scale of development and location in a beach environment with the existing terrain, near a swimmable stream (Taiwawe Stream) and in the context of other development is unsuitable for septic tanks.</p>	

Submitter 8	Jesse Andrew Parkhill and Rose-Ellen Saunders	
Support/Oppose/Neutral	Oppose	
Wish to be heard	No	
Point 8.1	Category	Scale of Development
	Subcategory	Transport Assessment/rural character/ecological effects
Summary of Submission	Generally proposed access and roading upgrades are insufficient and understated. Transport assessment does not take into account usage by existing properties already accessing the ROWs nor additional road usage caused by subdivision at Lot 1 DP 469422. Vague environmental restorative measures are insufficient compared to the	

	damage the development of 45 sites will inflict on the area. It is impossible to maintain 'rural character' with this plan.
Comments	<p>Decision sought: Change Rule 1 Subdivision creating one or more lots as follows: a) up to, but not exceeding 10 lots.</p> <p>Decision reason: As per submission summary.</p>

Submitter 9	Rachel Clow and Adam Clow	
Support/Oppose/Neutral	Oppose	
Wish to be heard	No	
Point 9.1	Category	Entirety
	Subcategory	Scale
Summary of Submission	Scale of development is contrary to Section 15, Objective 10 and is contrary to what the community wants, namely to protect the natural/cultural values and preserve the coastal character of this small and unique village and its natural beauty and livelihoods of local businesses.	
Comments	<p>Decision sought: Decline Proposal.</p> <p>Decision reason: As per submission summary.</p>	
Point 9.2	Category	Entirety
	Subcategory	Iwi Consultation
Support/Oppose/Neutral	Oppose	
Summary of Submission	There is no written Iwi consultation from Ngati Hei kaumatua and representative Joe Davis particularly in regards to the archaeological report.	
Comments	<p>Decision sought: Decline Proposal.</p> <p>Decision reason: No written iwi consultation occurred.</p>	
Point 9.3	Category	Entirety
	Subcategory	Traffic
Support/Oppose/Neutral	Oppose	
Summary of Submission	Summer congestion and pending growth from most recent subdivision is not considered in the transport assessment.	
Comments	<p>Decision sought: Decline Proposal</p> <p>Decision reason: Transport Assessment is inadequate.</p>	
Point 9.4	Category	Entirety

	Subcategory	Ecology
Support/Oppose/Neutral	Oppose	
Summary of Submission	Ecological assessment does not present sound solutions, kiwi population will not be protected incl. banning pets, and conservation areas are too small.	
Comments	Decision sought: Decline Proposal. Decision reason: As per submission summary.	
Point 9.5	Category	Entirety
	Subcategory	Infrastructure
Support/Oppose/Neutral	Oppose	
Summary of Submission	No robust way to reduce sedimentation and contamination from storm/waste water and septic fields in the existing waterways including Taiwawe Stream is proposed. Increased pressure on existing infrastructure will negatively impact on residents and visitors.	
Comments	Decision sought: Decline Proposal. Decision reason: As per submission summary.	

Submitter 10	Adele Smaill	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 10.1	Category	Entirety
	Subcategory	Scale
Summary of Submission	Proposed intensity will almost double amount of housing in Hot Water Beach settlement. Adverse effects include increase in domestic animals, setting a precedent for further development.	
Comments	Decision sought: Decline Proposal. Decision reason: Subdivision concept needs to be re-worked, with reduced lot numbers and detailed plans for restoration and long-term maintenance including covenanting, costings, monitoring e.g. by 'eco-subdivision'.	
Point 10.2	Category	Entirety
	Subcategory	Ecology
Support/Oppose/Neutral	Oppose	
Summary of Submission	'Conservation Framework' lacks detail and suggests minimal knowledge or possibly commitment to the complexities of avoiding remedying and mitigating adverse environmental impacts in this location including long term commitment to pest and weed control.	

	Ecological Assessment has not undertaken intensive bird surveying and does not suggest effective management of predator control (pets).	
Comments	Decision sought: Decline Proposal. Decision reason: As per submission summary.	
Point 10.3	Category	Entirety
	Subcategory	Infrastructure
Support/Oppose/Neutral	Oppose	
Summary of Submission	Freshwater values for this catchment are described as 'vulnerable' by 'Waikato Regional Council' monitoring due to pollution from sediment and faeces in high rain events. There is no detailed description of stormwater and wastewater management in the proposal.	
Comments	Decision sought: Decline proposal. Decision reason: As per submission summary.	

Submitter 11	Diane Hinds	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 11.1	Category	Entirety
	Subcategory	Planning
Summary of Submission	Submitter requests that Structure Plan be deleted and any future development of the site be assessed under the Proposed District Plan's provisions of the Rural Zone in which it is located.	
Comments	Decision sought: Decline Proposal Decision reason: Inappropriate scale of development is contrary to Section 15 Policy 1 (i), effects on infrastructure, amenity, landscape and character are not sufficiently considered.	
Point 11.2	Category	Entirety
	Subcategory	Planning
Support/Oppose/Neutral	Oppose	
Summary of Submission	Development would require a resource consent as a non-complying activity and would be inconsistent with objectives and policies of the Rural Zone. Proposed District Plan provides the appropriate average and minimum lot areas for the various zones.	

	The proposal is a low-density residential development rather than a rural lifestyle development which requires a minimum lot size of 2 ha.	
Comments	Decision sought: Decline Proposal. Decision reason: As per submission summary.	
Point 11.3	Category	Entirety
	Subcategory	Infrastructure
Support/Oppose/Neutral	Oppose	
Summary of Submission	Proposed development will place pressure on the need for a community designed wastewater plant, which is an unsustainable expectation for existing ratepayers in the District. The scale and nature of the proposal is contrary to Policy 10 (h) of Section 15 of the Proposed District Plan.	
Comments	Decision sought: Decline Proposal. Decision reason: As per submission summary.	
Point 11.4	Category	Entirety
	Subcategory	Baseline and Context
Support/Oppose/Neutral	Oppose	
Summary of Submission	The proposal inappropriately compares the proposed Structure Plan to the Structure Plan on the neighbouring site, which directly adjoins the existing Coastal Living Zone. Most of those allotments are on the lower portion of the site well integrated with Hot Water Beach.	
Comments	Decision sought: Decline Proposal. Decision reason: Proposal is disconnected from existing settlement.	
Point 11.5	Category	Entirety
	Subcategory	Ecology
Support/Oppose/Neutral	Oppose	
Summary of Submission	Insufficient assessment of North Island Brown Kiwi colony and potential threats through proposed development.	
Comments	Decision sought: Undertake full ecological survey report including detailed Avifauna Study and include restrictions on domestic dogs and cats for any further development. Decision reason: As per submission summary.	
Point 11.6	Category	Entirety
	Subcategory	Reverse sensitivity
Support/Oppose/Neutral	Oppose	

Summary of Submission	Reverse sensitivity effects have not been addressed in detail. Working farms surround the Structure Plan area.	
Comments	Decision sought: Decline Proposal. Decision reason: As per submission summary.	
Point 11.7	Category	Entirety
	Subcategory	Part II RMA
Support/Oppose/Neutral	Oppose	
Summary of Submission	Proposed Structure Plan is contrary to Part II of the Resource Management Act 1991.	
Comments	Decision sought: Decline Proposal. Decision reason: As per submission summary.	

Submitter 12	Joe Davis Ngati Hei Resource Management	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 12.1	Category	Entirety
Summary of Submission	Subdivision is not supported for several reasons i.e. independent archaeological report, effects on Taiwawe Stream etc.	
Comments	Decision sought: Decline Proposal. Decision reason: As per submission summary.	
Point 12.2	Category	Entirety
	Subcategory	Cultural Impacts
Support/Oppose/Neutral	Oppose	
Summary of Submission	Hot Water Beach and its surrounds was a sacred site around 1812-1820 and is famous for its thermal activity. No independent archaeological report has been undertaken.	
Comments	Decision sought: Decline Proposal. Decision reason: As per submission summary.	
Point 12.3	Category	Entirety
	Subcategory	Water Quality/ Infrastructure
Support/Oppose/Neutral	Oppose	

Summary of Submission	Proposal does not include a hydrological assessment and approved stormwater and sewage management.
Comments	<p>Decision sought: Decline Proposal.</p> <p>Decision reason: Potential impacts on water hydrology and quality.</p>

Submitter 13	Howard Gordon Saunders Hot Water Beach Reserve Management Group	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 13.1	Category	Entirety
	Subcategory	Ecology/ Archaeology/Planning
Summary of Submission	Reject the proposed Taiwawe Catchment Structure Plan in its current form pending independent peer review of the Ecological Assessment by Wildlands Consultants Ltd and of the Archaeological Assessment by CFG Heritage Ltd.	
Comments	<p>Decision sought: Decline Proposal.</p> <p>Decision reason: The reports supporting the proposed Taiwawe Catchment Structure Plan lack veracity and depth. There are crucial omissions in each of the reports. Structure Plan does not align with the Proposed Thames-Coromandel District Plan and would set a dangerous precedent for all of the Coromandel.</p>	

Submitter 14	Vivianne Bongard and Daniel Lockhart	
Support/Oppose/Neutral	Oppose	
Wish to be heard	No	
Point 14.1	Category	Scale of Proposal
Summary of Submission	Proposed 45 'rural-residential' lots and dwellings will have more than 'minimal effect' on the infrastructure and environment. The proposal is considered as a 'low density residential development'.	
Comments	<p>Decision sought: Limit size of subdivision and preserve and protect rural landscapes.</p> <p>Decision reason: Environmental effects have not been considered in sufficient detail.</p>	
Point 14.2	Category	Traffic
Support/Oppose/Neutral	Oppose	
Summary of Submission	With only basic roading at Hot Water Beach we expect a peer review of the traffic plan.	
Comments	Decision sought:	

	Peer review the traffic report. Decision reason: Residents of a small rural village with minimal infrastructure are not willing to accept rate increases to cover the lack of infrastructure from developers.	
Point 14.3	Category	Ecology
Support/Oppose/Neutral	Oppose	
Summary of Submission	The ecological assessment of the proposed variation does not sufficiently cover the protection of birdlife e.g. Kiwi habitats and does not outline conditions to preserve and protect rural landscape and wildlife.	
Comments	Decision sought: A subdivision of this size that does not address the environmental issues in details is not supported. Decision reason: Birdlife and kiwi habitat is not sufficiently protected with clear rules.	
Point 14.4	Category	Infrastructure 3 waters
Support/Oppose/Neutral	Oppose	
Summary of Submission	We do not support a subdivision of this size that does not address the environmental issues in details and the issue of septic tank and waste within a combined managed scheme.	
Comments	Decision sought: Decline Proposal in its current form. Decision reason: Insufficient consideration of effects of 45 individual septic systems close to a stream source and springs.	

Submitter 15	Thames-Coromandel District Council	
Support/Oppose/Neutral	Oppose	
Wish to be heard	No	
Point 15.1	Category	Entirety
	Subcategories	Scale/infrastructure/ Planning/Traffic
Summary of Submission	The Structure Plan does not require developers to provide essential infrastructure (water, stormwater, wastewater disposal) to each of the potential lots, hence is not 'fully self-contained'. The Structure Plan allows for a minimum of 90 new buildings in a rural area as a permitted activity with associated traffic movements. The proposed conservation and land restoration measures are not considered to be significant or at a scale that would result in environmental enhancement, which is contrary to the Rural Zone's biodiversity and natural character values.	

	The objectives and policies of the structure plan are not supported by the rules proposed.	
Comments	<p>Decision sought: Decline Variation 3 to the Proposed District Plan in its entirety.</p> <p>Decision reason: The proposal does not consider the full impact of the proposed development on infrastructure such as sustainable water supply, stormwater and wastewater disposal. The proposal fails to assess the impact of the proposal on the existing environment and its surrounds. The proposal does not provide a full assessment of all relevant matters under the Proposed District Plan, including the impacts of introducing 45 new dwellings on the existing environment. The proposal does not meet the purpose and principles of the Resource Management Act 1991.</p>	
Point 15.2	Category	Necessary Amendments
	Subcategories	Scale/infrastructure/ Planning/Ecology/Transport
Summary of Submission	<p>Should Variation 3 be approved the submitter has provided Table 2 of the submission outlining key parts of the proposed Structure Plan that would need to be amended.</p> <p>These include downscaling the proposal to a maximum of 12 dwellings contained within indicative locations on Diagram A which are to be fully self-contained with respect of all infrastructure which is to be provided by the developer.</p> <p>Ecological Management Plans need to be effective and enforceable subject to a bond to warrant implementation.</p> <p>Standards in Section 39 of the District Plan shall apply to entire development, all necessary upgrades to be included in Variation 3.</p>	

Submitter16	Jeremy Coates and John McDermott Hot Water Beach NZ Ltd	
Support/Oppose/Neutral	Support	
Wish to be heard	Yes	
Point 16.1	Category	Entirety
Summary of Submission	Retain and approve the variation as notified.	
Comments	<p>Decision sought: Retain and approve the variation as notified.</p> <p>Decision reason: As set out in the documents comprising the variation and its supporting reports.</p>	

Submitter 17	Blair Saunders and Jean Saunders	
Support/Oppose/Neutral	Oppose	
Wish to be heard	No	
Point 17.1	Category	Scale of Proposal
Summary of Submission	The submitter opposes the proposal to create up to 45 lots through Rule 1 a) of the Taiwawe Catchment Structure Plan.	
Comments	<p>Decision sought: Minimum lot size to be 10,000 m², decline development of Section A (Figure 2: Site Interior Landscape Units) including Development Area 2. Include Section A as Conservation Area in perpetuity.</p> <p>Decision reason: As set out in submission points below.</p>	
Point 17.2	Category	Ecology
Support/Oppose/Neutral	Oppose	
Summary of Submission	Close proximity of proposed development to large areas of indigenous forest puts a range of indigenous fauna species including resident kiwi at risk of predation by cats. It also presents a risk of introducing pest plant species into indigenous habitats.	
Comments	<p>Decision sought: Include a total ban on domestic cats and annual kiwi avoidance training for dogs in perpetuity.</p> <p>Decision reason: As per summary of submission.</p>	
Point 17.3	Category	Rural Character
Support/Oppose/Neutral	Oppose	
Summary of Submission	Development of 45 lots is contrary to Policy 5a in Section 15 of the Thames-Coromandel District Plan it is inconsistent with the existing character and context of the built environment and with the landscape character, historic heritage and amenity values of the area. The proposal does not comply with Section 16 Subdivision Policy 1c which requires to maintain the open space character of the Rural Area.	
Comments	<p>Decision sought: Minimum lot size to be 10,000 m².</p> <p>Decision reason: As per summary of submission.</p>	
Point 17.4	Category	Infrastructure
Support/Oppose/Neutral	Oppose	
Summary of Submission	Development of 45 lots is contrary to Policy 10h of Section 15 of the Proposed District Plan because it increases demand for additional water, wastewater, stormwater and roading network infrastructure.	
Comments	<p>Decision sought: Minimum lot size to be 10,000 m².</p> <p>Decision reason:</p>	

	As above.	
Point 17.5	Category	Visual Impact/Landscape
Support/Oppose/Neutral	Oppose	
Summary of Submission	<p>The Landscape Assessment states that the submitter will ‘<i>experience minimal exposure to the proposed development</i>’, although no photographs were taken from within private properties adjacent to the site.</p> <p>Magnitude of change to the submitter’s view of the north-western corner of 104 Taiwawe Lane will be high due to the density of the proposal.</p>	
Comments	<p>Decision sought: Minimum lot size to be 10,000 m², decline development of Section A including Development Area 2. Include Section A as Conservation Area in perpetuity.</p> <p>Decision reason: As per summary of submission.</p>	
Point 17.6	Category	Traffic
Support/Oppose/Neutral	Oppose	
Summary of Submission	The Transport Assessment provided by Traffic Planning Consultants Ltd is outdated and incomplete and should be peer reviewed.	
Comments	<p>Decision sought: Decline 45 lots.</p> <p>Decision reason: As per submission summary.</p>	
Point 17.7	Category	Flooding/AEE
Support/Oppose/Neutral	Oppose	
Summary of Submission	Section A (the area adjacent to, and north-west of Ngatuturu Lane) comprises of alluvial flats, swampy ground and wetland that are regularly subject to flooding. Flooding is outside of the scope of the Geotechnical Assessment by Earthtech Consulting Ltd. but will pose an extreme risk of septic pollution into ground water and Taiwawe Stream.	
Comments	<p>Decision sought: Do not include Section A (Figure 2: Site Interior Landscape Units) into Development Area (Diagram A).</p> <p>Decision reason: Risk of significant deterioration of water quality through septic tanks and additional pressure on endangered bittern.</p>	
Point 17.8	Category	Ecology
Support/Oppose/Neutral	Oppose	
Summary of Submission	The Ecological Assessment by Wildlands Consultants Ltd does not report the many resident kiwi, kereru, and rare and endangered bittern. Section A should be restored to wetland to strengthen the ecological corridor around the area.	

Comments	Decision sought: Do not include Section A (Figure 2: Site Interior Landscape Units) into Development Area (Diagram A). Restore Section A to wetland. Decision reason: Risk of significant deterioration of water quality through septic tanks and increased risk for endangered birdlife.	
Point 17.9	Category	Connection to Surrounding Environment
Support/Oppose/Neutral	Oppose	
Summary of Submission	The high density and small lot sizes of the proposal will be a departure from the current rural character of the area and is not connected with the surrounding environment and community.	
Comments	Decision sought: Do not include Section A (Figure 2: Site Interior Landscape Units) into Development Area (Diagram A) as Conservation Area in perpetuity. Minimum size of lots to be 10,000 m ² . Decision reason: The proposed density is not in keeping with the rural character and size of neighbouring properties.	
Point 17.10	Category	Public Walking Track
Support/Oppose/Neutral	Oppose	
Summary of Submission	Development of a public walkway will detract from the rural character of the submitter's property, be a privacy and security risk, a risk of spreading kauri dieback disease and fire. Risk of serious impacts on indigenous flora, fauna and water quality of Taiwawe Stream is high.	
Comments	Decision sought: Do not approve proposal of a public walkway on Taiwawe Stream boundary and keep the Taiwawe Stream boundary private access only. Decision reason: As per summary of submission.	

Submitter 18	Kaitlyn Gooch	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 18.1	Category	Entirety
Summary of Submission	The scale of the proposal is too intensive and would create too much pressure on the area with negative effects on character. Any new developments should be applied for under the rural chapter of the District Plan.	
Comments	Decision sought: Decline Variation 3 in its entirety.	

	Decision reason: As per submission summary.
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Submitter 19	Aliesha Crackett	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 19.1	Category	Entirety
Summary of Submission	45 lots is huge which discredits the integrity of Hot Water Beach. Any new subdivision should be applied for under the rural chapter of the District Plan.	
Comments	Decision sought: Decline Variation 3 in its entirety. Decision reason: As per submission summary.	

Submitter 20	Waikato Regional Council	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 20.1	Category	Ecology
Summary of Submission	<p>The Ecological Survey does not consider the presence of Northern Brown Kiwi, Kaka, Kereru, Banded Rail, Australasian Bittern and Fernbird. No targeted bat survey was undertaken.</p> <p>The 'Eastern Mercury Bay Habitat Connection' is a 'Shovel ready' restoration project and some elements of the proposed conservation framework for Variation 3 could support these proposals.</p> <p>Four species that have not been considered by Variation 3 are classified as threatened or at risk.</p> <p>Traffic impacts on kiwi have not been factored into the assessment.</p>	
Comments	Decision sought: Undertake a more detailed ecological assessment and survey for threatened fauna species as per best practice. Update ecological assessment to inform appropriate amendments to scale and intensity of development at the site. Assess traffic impacts on kiwi and re-evaluate cumulative adverse effects of 45 lots and associated human impacts on threatened fauna species. Decision reason: Variation 3 does not give effect to Policies 11.1 and 11.2 of the Waikato Regional Policy Statement.	

Submitter 21	Dana Sabine Gaebler	
Support/Oppose/Neutral	Oppose in part	
Wish to be heard	No	

Point 21.1	Category	Scale of Proposal
Summary of Submission	Amend proposal: 5 larger sites rather than 45 smaller ones, preserving the 'rural' aspect in the few places it still exists is important.	
Comments	<p>Decision sought: Amend the proposal to only 5 larger sites and preserve the 'rural' aspect.</p> <p>Decision reason: Proposal would set a precedent for other coastal towns. Growth on this scale has the potential to flood existing infrastructure as well as destroy the peaceful nature of the place. The scale proposed is too intensive for the proposed area.</p>	

Submitter 22	Heritage New Zealand Pouhere Taonga	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 22.1	Category	Historical and Cultural Heritage
Summary of Submission	<p>The 'Archaeological Assessment' by CFG Heritage excludes proposed conservation areas and the Taiwawe Stream and tributaries which have the most archaeological potential because of previous Maori land use in these areas.</p> <p>Report does not consider planned restoration and structures and is not fully informed by supporting reports.</p>	
Comments	<p>Decision sought: Amend Variation 3 to include requirement for further archaeological field survey and assessment to inform future subdivision and development.</p> <p>Amend Variation 3 to ensure Ecological and Landscape Management Plan are informed by additional archaeological field survey.</p> <p>Decision reason: Enable location and recording of pre-1900 features with the New Zealand Archaeological Associated ArchSite database to determine whether an archaeological authority pursuant to the Heritage New Zealand Pouhere Taonga Act (2014) may be required.</p>	
Point 22.2	Category	Iwi Consultation
Support/Oppose/Neutral	Support in part	
Summary of Submission	Iwi Consultation to date is acknowledged. Extend to include views of Joe Davis, Chairman of the Ngati Hei Trust.	
Comments	<p>Decision sought: Seek views of Joe Davis, Chairman of the Ngati Hei Trust and take into consideration.</p> <p>Decision reason: As stated in summary of submission.</p>	

Submitter 23	Royal Forest and Bird Protection Society of New Zealand Inc. (Forest and Bird) (Mercury Bay branch - Gordon Willis)	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 23.1	Category	Ecology
	Subcategory	Taiwawe Stream Catchment Biodiversity
Summary of Submission	<p>Wider area around the subject site represents an important reservoir of flora and fauna subject to intensive pest control by the Whenuakite Kiwi Care Group.</p> <p>Development puts kiwis, kereru, kaka, tui, fernbird, bittern and ruru and bats at risk. No targeted reptile and bat survey has been undertaken and is not provided for in assessment matters.</p> <p>Proposed protection measures are insufficient and do not offer riparian buffer from Tributary 1 and the Taiwawe Stream, or appropriate management of bats, lizards and Hochstetter's frog.</p> <p>Habitat loss and fragmentation due to sub-division poses significant risks for highly mobile species, which is exacerbated by predating pets.</p> <p>Introduced pest plants pose serious risk to indigenous vegetation.</p>	
Comments	<p>Decision sought: Forest and Bird seeks that the plan modification, Variation 3 be declined.</p> <p>Decision reason: Achieving real conservation goals through development of this site as proposed is unlikely. Actual conservation achievements require long-term commitments which are not evidenced in Variation 3.</p> <p>Reality of managing streams, bush remnants and surrounding areas from predators and invasive plants is often beyond the actual ability of most land-owners, particularly absentee.</p> <p>The proposed structure plan rules and assessment criteria do not provide for sustainable subdivision and development.</p>	
Point 23.2	Category	Taiwawe Stream Catchment Freshwater Values
Support/Oppose/Neutral	Support in part	
Summary of Submission	<p>Forest and Bird support protection for freshwater, wetlands and the tributaries, but setbacks are not sufficient.</p> <p>Sedimentation during construction phase is not adequately managed in the absence of identified 'Defined Building Areas'.</p> <p>Adverse effects of stormwater from impermeable surfaces and wastewater from septic tanks cannot be adequately assessed without a clear understanding of the scale and location of the development.</p>	
Comments	Decision sought:	

	Forest and Bird seeks that the plan modification, Variation 3 be declined. Decision reason: The proposed structure plan rules and assessment criteria do not provide for sustainable subdivision and development.	
Point 23.3	Category	Provisions
Support/Oppose/Neutral	Oppose	
Summary of Submission	<p>This is not a 'Catchment' strategic plan, there is no consideration of the context within the wider catchment.</p> <p>Rules do not implement purpose of Structure Plan and offer weak, non-enforceable protection for existing values.</p> <p>SNAs are not identified or shown on the structure plan diagrams including methods to protect the areas.</p> <p>Planting programmes for ecological enhancement are vague and non-committal.</p> <p>Farming incl. intensive farming will pollute the Taiwawe Stream during frequently occurring high rain events.</p> <p>The proposed objectives and policy in Variation 3 are inadequate to replace the policy and objectives for Biodiversity in Section 37 of the District Plan.</p> <p>Rules will not effectively manage adverse effects.</p>	
Comments	<p>Decision sought: Forest and Bird seeks that the plan modification, Variation 3 be declined.</p> <p>Decision reason: The proposed structure plan rules and assessment criteria do not provide for sustainable subdivision and development.</p>	
Point 23.4	Category	Scale of Proposal
Support/Oppose/Neutral	Oppose	
Summary of Submission	<p>Development of 45 residential properties is a significant scale for the area and the residential aspects will be dominant.</p> <p>The activity as provided for through Variation 3 is incompatible with protection of significant indigenous biodiversity.</p>	
Comments	<p>Decision sought: Forest and Bird seeks that the plan modification, Variation 3 be declined.</p> <p>Decision reason: Scale of this development is not appropriate in this location, and it would not be possible to avoid or adequately remedy or mitigate adverse effects on indigenous biodiversity.</p>	

Submitter 24	Amy Harrison and Aarron Harrison	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 24.1	Category	Entirety

	Subcategory	Ecology/Stormwater/ Traffic/Infrastructure
Summary of Submission	The proposal appears to be far from what the current District Plan allows with negative effects on the environment including waterways, birdlife, air, light pollution, the already encroaching flood plain, roading, stormwater and limited infrastructure in Hot Water Beach.	
Comments	<p>Decision sought: Decline Variation 3.</p> <p>Decision reason: Proposal contravenes current District Plan and would have negative effects on all aspects of the Hot Water Beach environment.</p>	

Submitter 25	Grant Webster and Sheree Webster Hot Water Beach Top 10 Holiday Park	
Support/Oppose/Neutral	Support in part	
Wish to be heard	No	
Point 25.1	Category	Infrastructure
	Subcategory	Rural Landscape and Amenity
Summary of Submission	This is an appropriate place for future subdivision in Hot Water Beach. Septic systems for wastewater management will be entirely inappropriate, particularly when it can be anticipated that over 50% of properties will be rented out so that system design capacity will likely be exceeded.	
Comments	<p>Decision sought: Do not allow the development to occur using septic systems for wastewater management.</p> <p>Decision reason: Communities do not want to be unduly burdened with rates to cover the lack of infrastructure from developers. The Council needs to act responsibly in ensuring this subdivision complies with conditions to preserve and protect the rural landscape and amenity values that are our assets.</p>	

The following submissions were received after 28 August 2020. They are a late submission.
The Hearing Commissioner will make a decision on whether or not to accept a late submission.

Submitter 26	Dr Deborah de Berri Quilter (Late submission)	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 26.1	Category	Infrastructure
	Subcategory	Traffic/Planning/Amenity
Summary of Submission	Proposal is far too intensive for the site and for Hot Water Beach. It would significantly increase traffic and noise and be detrimental to conservation values e.g. kiwi population.	
Comments	Decision sought: Decline Variation 3. Decision reason: As per submission summary.	

Submitter 27	William David and Jill Elizabeth Edmunds (Late submission)	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 27.1	Category	Entirety
	Subcategory	Scale/Planning
Summary of Submission	Proposal is far too intensive for the site and for Hot Water Beach. Any future development should be assessed under current district plan 2016.	
Comments	Decision sought: Decline Variation 3. Decision reason: As per submission summary.	

Submitter 28	David Ryan (Late submission)	
Support/Oppose/Neutral	Oppose	
Wish to be heard	No	
Point 28.1	Category	Entirety
	Subcategory	Scale/Ecology/Infrastructure
Summary of Submission	Delete proposal or at the very least cap scale at 10 houses or fewer. Assess development under current District Plan.	
Comments	Decision sought: Decline Variation 3. Decision reason: Scale of proposal will have significant detrimental effects on local infrastructure, environment and nature of Hot Water Beach.	

Submitter 29	Steven and Leanne Henderson (Late submission)	
Support/Oppose/Neutral	Oppose	
Wish to be heard	Yes	
Point 29.1	Category	Entirety
	Subcategory	Scale/Ecology/Infrastructure
Summary of Submission	Delete proposal. Any future development should be assessed under the current District Plan.	
Comments	<p>Decision sought: Decline Variation 3.</p> <p>Decision reason: The variation contemplates a development that is far too intensive for the proposed site and Hot Water Beach in general.</p>	