



Office Use Only

Date Received	Submission Number

Resource Management Act 1991

Submission to:

Proposed Kāpiti Coast District Plan 2012

Submissions close 4pm, Friday 1 March 2013

Post:

Kāpiti Coast District Council
Private Bag 60601
Paraparaumu 5254
Attention: Jim Ebenhoh, Sustainable Development Manager

Deliver:

Paraparaumu Service Centre, Unit 7, Kapiti Lights Complex, Paraparaumu
Waikanae Service Centre, Mahara Place, Waikanae
Ōtaki Service Centre, 81-83 Main Street, Ōtaki

Email: submissions@kapiticoast.govt.nz

Please write contact details in clear BLOCK CAPITAL letters.

Is this an individual submission? (circle) Yes No

If this submission is from an organisation, please state the name of the organisation:

Title (circle) Mr Mrs Ms Miss Dr

First Name: MIKE Last Name: NOON

House Number: 59 Street Name: ROSETTA ROAD

P O Box: Suburb: RAUMATI SOUTH

Town: PARAPARAUMU Post Code: 5032

Email: mnoon@a9.co.nz

Phone Day: Mobile Phone: 021 659 704

Do you want to speak at the hearing in support of your submission? (circle) Yes No

If you circled yes then we will contact you about the timing of the hearings which will begin in mid 2013 following the submission process.

If others wish to make a similar submission would you be prepared to consider presenting a joint case? (circle) Yes No

Notes to person making submission:

Please note that all submissions (including names and contact details) will be made publicly available at council offices and public libraries. A summary of submissions including the name of the submitter may also be made publicly available and posted on the Kāpiti Coast District Council website. Personal information will also be used for administration relating to the subject matter of the submissions, including notifying submitters of subsequent steps and decisions. All information will be held by the Kāpiti Coast District Council, with submitters having the right to access and correct personal information.

If you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of part 1 of Schedule 1 of the Resource Management Act.

I could /could not* gain an advantage in trade competition through this submission.

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

I am/am not* directly affected by an effect of the subject matter of this submission that:

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

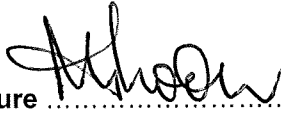
*please indicate by circling the word(s) in bold text that apply.

Please use the following table for your submission attaching any extra sheets if necessary

Name/Organisation:

Please state the specific provisions of the Proposed District Plan that your submission relates to, and the specific changes or decision requested of Council including the reasons for your views	Support/Oppose/Seek Amendment
PLEASE SEE ATTACHED PAGES.	

(Please continue on a separate sheet if necessary)

Signature 
(or person authorised to sign on behalf of submitter)

Date 27/2/13

I have attached 3 pages to this submission.

Don't Forget! Submission Deadline is 4pm, Friday 1 March 2013

27 February 2013

Submission to the Kapiti Coast District Plan 2012

Regarding Coastal Hazard Provisions

We strongly OPPOSE the coastal hazard lines shown on the planning maps and the associated provisions and restrictions contained in the Proposed District Plan.

We are ratepayers, we live at 59 Rosetta Road, we love living on the Kapiti Coast.

Commentary on the consultation process

1. As ratepayers and owners of an affected property we were not consulted in any way before the KCDC placed restrictions on our property LIM report. We dispute the public statements of the Mayor who stated in the media at the time that all affected residents were consulted prior to notices being added to their property LIM reports.
2. The poor management of the consultation process for the Coastal Hazard Provisions Proposals has confused the community and caused significant anguish, anger and fear amongst those with affected properties. It is hard to comprehend how this process could have been handled by KCDC any worse than it has.
3. We feel and contend that the KCDC has failed in its duty to consult fairly and in a timely manner with us as ratepayers. We comment that this is not unusual for the KCDC, which has so annoyed and alienated sections of the Kapiti coast community that no fewer than three ratepayer groups have been formed to oppose the KCDC on various issues. This track record is we believe relevant to this consultation as it reveals a history of a closed minded rather than an open minded approach to consultation by the KCDC. The first requirement for proper consultation is entering into the process in good faith and with an open mind. We believe for this reason alone the consultation process undertaken by the KCDC would not pass a judicial review.

Changes we want to the Coastal Hazard Provision Proposals

4. We seek the removal of the lines and restrictions the KDC has placed on the LIM Report for our property and other coastal properties in the proposed District Plan.
5. We seek an immediate halting of the consultation process for the Coastal Hazard Provisions until adequate assessments are undertaken as required by section 32 of the Resource Management Act including a proper cost benefit analysis.

6. We seek the establishment of a fair and comprehensive NEW consultation plan for property owners affected by the proposed Coastal Hazard Provisions.
7. We seek a review of the appropriateness of the proposed restrictions to coastal properties as the proposals are unnecessarily restrictive. This is evidenced by simple comparison to other District Plans in New Zealand. We cannot understand why the KDC sees the need to take the most extreme and conservative position possible, this is not balanced policy. There is also doubt as to whether the interpretation of its obligations by the KCDC under the Environment Act 2010 is legal.
8. We seek review of the appropriateness of retrospective penalties and restrictions on coastal properties. Existing use rights and provisions being removed when good practice normally grandfathers these and seek changes for future development and uses, thus not destroying existing land values and removing granted use rights.
9. We seek financial compensation from the KCDC should the value of our property be affected by the Coastal Hazard Provisions and restrictions proposals. Such proof of loss of value would be evidenced by a fall in the rateable value of our property.
10. We seek further scientific evidence to support Coastal Hazard Provisions policy. Specifically we believe the TOR for the Shand report fail to adequately research the issue of coastal hazards by excluding accretion. Further, that far too much weight has been given to this one report when there is contestability of opinion within the scientific community on sea level rise and coastal erosion. Good policy is based on good evidence. The evidence base for the coastal hazard provisions is inadequate and needs to be expanded. Further we contend that the KCDC spending ratepayer monies on the Shand report but failing to secure intellectual property rights to allow public scrutiny of the report is a significant failure of procurement. This failing alone should disqualify the Shand report from being used for public policy development as not all the data upon which the forecasts and modelling are based is available for public review and therefore cannot be contested.
11. We would like to play our part as seafront property owners. We advise that The KCDC has not asked for or sought any solutions from us as affected and interested ratepayers and property owners to contribute or be part of the solution for the maintenance of sea wall protections. We would like to be engaged in this process and possibly contribute to costs.

Personal impact statement

12. We advise that the Coastal Hazard Provisions Proposals, have we believe, caused a substantial loss of value to our property. This is our family home and represents our asset base. We wish to live here for many years and

retire here. Because of the Coastal Hazard Provisions Proposals our future is now uncertain should we for any reason be required to sell or wish to further develop our property and home. This is a major concern for us and impacts our future. We do not believe it is fair for the KCDC to retrospectively change the rules and put us in this position.

A handwritten signature in black ink, appearing to read 'Mike and Debbie Noon', written in a cursive style.

Mike and Debbie Noon

59 Rosetta Road, Raumati South

021 659 704

CC Hon Nathan Guy, MP for Otaki

Kris Faafoi, MP for Mana