
PROPOSED KAPITI COAST DISTRICT PLAN 2012

Section 42A Report: Part A – Background and Process



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Interpretation

Parts A and B of the Section 42A reports utilise a number of abbreviations for brevity as set out in the glossary below:

Abbreviation	Means
the Act	Resource Management Act 1991
the Council	Kapiti Coast District Council
the Operative Plan	Operative Kapiti Coast District Plan 1999
the Proposed Plan	Proposed Kapiti Coast District Plan 2012
GWRC	Greater Wellington Regional Council
NES	National Environmental Standard
NPS	National Policy Statement
PDP	Proposed Kapiti Coast District Plan 2012
NZCPS	New Zealand Coastal Policy Statement
RMA	Resource Management Act 1991
RPS	Wellington Regional Policy Statement
LGA	Local Government Act 2002
SEV	Submitter Engagement Version

1.0 Introduction

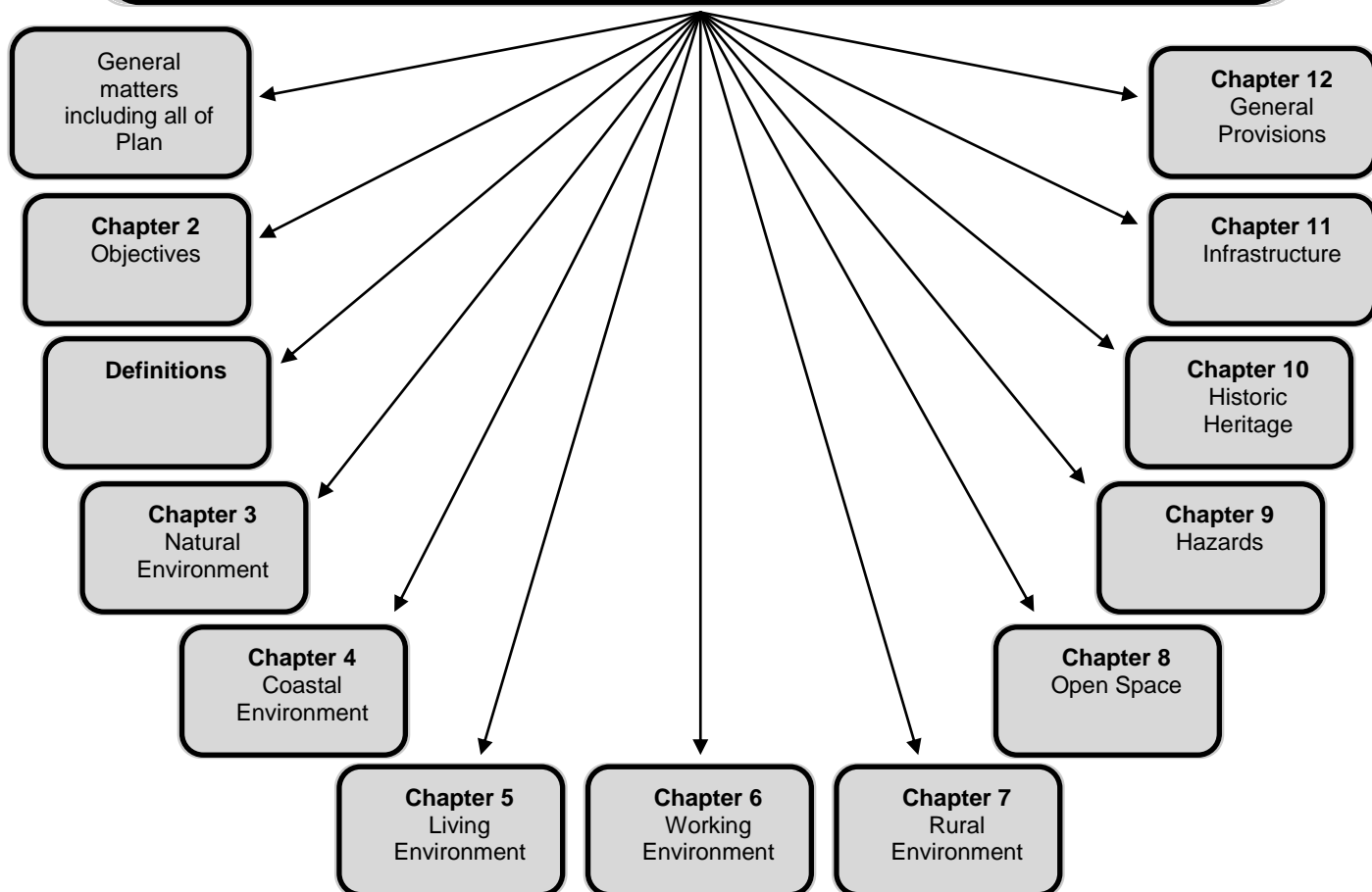
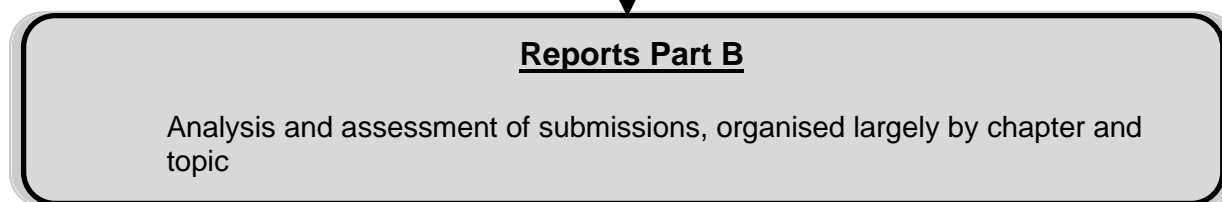
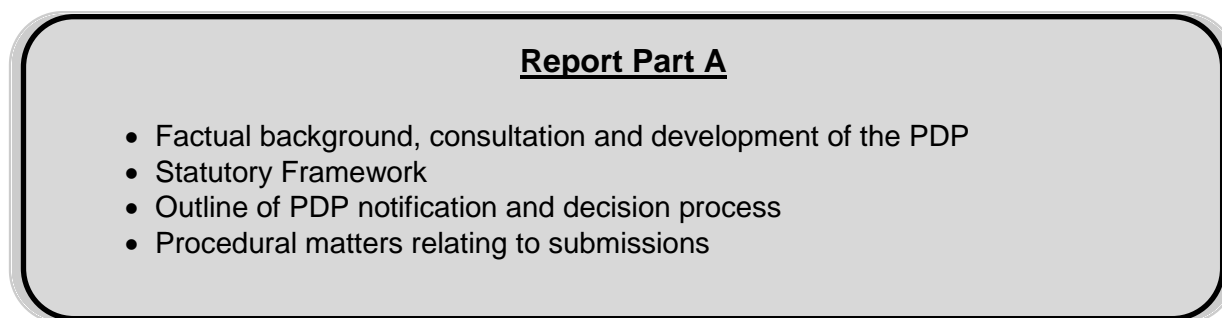
1.1 Report Structure and Purpose

1. The primary purpose of the report is to assist the Hearing Commissioners in evaluating and deciding on submissions made on the Proposed District Plan (PDP). This report is provided pursuant to Section 42A(1) of the Resource Management Act (RMA). The discussion and preliminary recommendations included in this report are intended to assist the Hearings Commissioners and those persons and organisations that lodged submissions. The report achieves this by providing background material and commentary in respect of the submissions and further submissions regarding the PDP.
2. As submitters are entitled to speak and present evidence at the hearing, the recommendations contained within this report are preliminary only, relating only to the written submissions and any information accompanying that submission.
3. The suite of Section 42(A) reports address all the submissions that were received seeking various forms of relief from the Council in its decision. They form part of the Council's on-going obligations under Section 32 of the RMA, to consider the appropriateness of the proposed provisions and in particular the benefits and costs of any policies, rules or other methods.
4. The reports which are prepared in accordance with Section 42A(1) of the RMA have two parts:

Part A – contains factual background information, statutory context and administrative matters. Part A also outlines procedural matters including the withdrawal of provisions.

Part B – contains an evaluation of submissions, including associated recommendations. The Part B reports are organised largely around each chapter of the PDP.
5. This report comprises Part A and addresses:
 - Background to the district plan review;
 - Consultation and development of the PDP;
 - Statutory requirements;
 - The decision making process;

- Number of submitters, further submitters and statutory dates;
- The report structure of the Part B reports and their topics;
- Procedural matters concerning submissions such as late submissions and trade competition; and
- Withdrawal of provisions.



6. The figure above illustrates how the various components of the PDP are addressed in terms of the Section 42A report requirements. Although the Part B reports will largely be organised around each chapter of the PDP, some topics may be separated out from their chapters for various reasons. Given this 'compartmentalisation' of various chapters and the interrelated nature of the provisions in the PDP, some degree of cross-referencing between report volumes may be required for some submitters and decision-makers. We endeavour to indicate where such cross-referencing may assist.

2.0 Background

2.1 The Proposed District Plan

7. The PDP is the primary document that manages land use and development within the District's boundaries. It is a legal document required by the RMA, which helps the Council manage the development of the District by regulating the environmental effects created by new development, subdivision and activities.
8. The RMA was enacted in October 1991 as the primary planning statute and the now Operative District Plan was drafted in accordance with the RMA requirements. The Operative District Plan has been operative since 1999.
9. Section 79(1) of the RMA requires councils to commence a review of their district plan provisions if they have not been a subject of a review or change during the previous 10 years. Regardless of whether the council wishes to alter the provision or retain it, the provisions must still be notified as if they were amended. As the Operative District Plan became operative in August 1999, a review of any provisions that have not changed since then was required to have commenced by August 2009.
10. In addition to the statutory requirement to review the District Plan provisions, the pressures faced within the District have evolved over time. The District Plan review was an opportunity to evaluate the rules in the Operative District Plan and the environmental outcomes of those rules, and revise where necessary.
11. The Council initiated its District Plan Review in September 2008 following agreement by Council's Environment and Community Development Committee at its 3 September 2008 meeting that the review would begin early to allow for an extensive community consultation process and multi-staged series of discussion papers. Between September 2008 and December 2009, initial work on the District Plan Review took place, including updating of monitoring data. The need to wait for the outcome of the 2009 RMA amendment process, which was considering changes to the requirements for district plan reviews, caused some aspects of the review to be delayed.
12. Issues that arose since the Operative District Plan was drafted include:
 - The introduction of National Policy Statements and the need to give effect to them;

- The revision of the Regional Policy Statement and the need to have regard to the Proposed Regional Policy Statement;
- The introduction of National Environmental Standards and the need to ensure district plan provisions do not duplicate nor conflict with these;
- An opportunity to more seamlessly integrate changes that have come about through private plan changes;
- Changing demographic profile and ensuring people have sufficient lifestyle options to match their changing needs through their life;
- Ensuring adequate housing to accommodate population growth;
- The need to respond to climate change and a predicted increase in frequency and severity of natural hazard events – coastal erosion, flooding, storm events etc.;
- Increased awareness of the importance of urban design and built form, including Crime Prevention Through Environmental Design principles;
- Ensuring the District has sufficient business and industrial land;
- Change to the methods for assessing acoustic standards;
- A need to assist in the implementation of Council’s strategies (where appropriate);
- Increasing costs of fuel and a need to reduce the consumption of fossil fuels (particularly through reducing reliance on private vehicles);
- Promoting alternative transport options including walking, cycling and public transport;
- Supporting vibrant and successful Town Centres;
- Encouraging more local employment opportunities;
- Retaining the productive capacity of rural land;
- Encouraging better urban design and built form at a local level; and
- Revising the schedule of protected heritage items and ecological sites and adding any that meet the criteria.

The District Plan review has addressed all these issues.

13. The chapters of the District Plan are as follows:
- Chapter One: Introduction and Interpretation
 - Chapter Two: Objectives
 - Chapter Three: Natural Environment
 - Chapter Four: Coastal Environment
 - Chapter Five: Living Environment
 - Chapter Six: Working Environment
 - Chapter Seven: Rural Environment
 - Chapter Eight: Open Space
 - Chapter Nine: Hazards
 - Chapter Ten: Historic Heritage
 - Chapter Eleven: Infrastructure, Services and Associated Resource Use
 - Chapter Twelve: General Provisions (Financial Contributions, Temporary Activities, Signage, and Noise)

2.2 Early Consultation and Development of the Proposed District Plan

14. Consultation with the community, stakeholders, iwi and elected members and numerous background research and reports were used as a basis for the drafting of the PDP.
15. While there is no requirement in the RMA to consult with anyone other than certain statutory parties prior to notification of the proposed District Plan, the Council has undertaken a thorough consultative process. Clause 3 of Schedule 1 to the RMA requires consultation during the preparation of a proposed plan with the following bodies:
- the Minister for the Environment; and
 - those other Ministers of the Crown who may be affected by the policy statement or plan; and
 - local authorities who may be so affected; and

- the tangata whenua of the area who may be so affected, through iwi authorities; and
 - any customary marine title group in the area.
16. The RMA however enables a local authority to consult anyone else during the preparation of a proposed plan. Council undertook consultation through a range of forums prior to notification of the PDP, and all of the resulting feedback as was considered.
 17. The PDP was guided by several strategies prepared by the Council under the Local Government Act 2002 (LGA) e.g. the Development Management Strategy, the Coastal Strategy, the Open Space Strategy, and the Sustainable Transport Strategy. Community Outcomes and Local Outcome Statements, also prepared under the LGA similarly guided the PDP. While consultation on these documents did not explicitly link them to the District Plan, the Council is required to have regard to them, and has considered the community input that shaped them.
 18. A scoping discussion document released in early 2010 served as a public 'launch' to the District Plan Review and was accompanied by significant publicity including newspaper advertisements, placed on the Council website, and public drop-in sessions. A number of key stakeholders including government agencies, iwi authorities, and local environmental groups were directly sent a copy of the document. As a result, 88 submissions were received. The submissions influenced the scope of the District Plan Review and helped identify 24 focus areas for the Review.
 19. Seven topic-based discussion documents were released in late 2010 and were accompanied by significant publicity. This included large advertisements in the Kāpiti Observer, Paekākāriki Xpressed and the Ōtaki Mail, and posters placed in shop windows in town and village centres. Static displays were set up in libraries and service centres, information was provided on the Council website, and a staffed information display was held in Coastlands for one day. A reminder notice was sent out with the October 2010 rates demand to ensure that all ratepayers were aware of the opportunity to submit on these discussion documents. In addition, emails and letters were sent to statutory parties (including iwi) and people who had indicated that they wanted to be involved in the District Plan review in earlier consultation. 101 submissions were received during this process.
 20. Elected members were kept up to date through workshops and briefings during the process prior to notification of the PDP. Many of which were open to the public, with notices placed in local newspapers. The Ōtaki Community Board, Waikanae Community Board, Paraparaumu-Raumati Community

Board, and Paekākāriki Community Board were also provided with periodic updates.

21. Throughout the District Plan Review prior to notification of the PDP, one-on-one meetings were held with interested parties on an as-needed or as-requested basis between Council staff and a number of individuals, businesses, organisations and government agencies. Further meetings took place in late October and early November 2012 with some of the 'statutory parties' (e.g. government agencies) and other key stakeholders.
22. Input from tangata whenua was an important part of developing the PDP, with 23 meetings held from December 2010 through October 2012 between Council staff and a Tangata Whenua working party nominated by Te Whakaminenga o Kāpiti. The Tāngata Whenua Working Party was established in 2010 as a mechanism for iwi to participate in the review of the District Plan and to represent the District's three iwi (Te Āti Awa ki Whakarongotai, Ngāti Raukawa ki te Tonga and Ngāti Toa Rangatira). The mandate for the working party was to review all aspects of the District Plan on behalf of Te Whakaminenga o Kāpiti and recommend to this forum the direction for iwi policy and Māori world view within this process.
23. This process resulted in the document Te Haerenga Whakamua being approved by Te Whakaminenga o Kāpiti in March 2012 and endorsed by Council on 27 September 2012.
24. While Council staff had already written to and/or met with many of the 'statutory parties' as required by the RMA at earlier stages in the District Plan Review, a further opportunity for comment was provided during October 2012. While 59 organisations were informed of this opportunity, feedback was received from 5 organisations.
25. Communication on the District Plan Review outside of the formal consultation processes also took place. In mid-October 2012, nearly 200 letters were sent to individuals or organisations who had expressed an interest in the District Plan Review, providing an update on the process and the existence of the 28 September working version of the draft District Plan provisions on the Council's website. Over 400 additional letters were also sent in October 2012 to owners and ratepayers of properties expected to be affected by a change in zoning (e.g. from rural to residential, or rural plains to rural hills), or by site-specific provisions such as waahi tapu or ecological sites that take immediate legal effect at notification. Previous applicants for recent private plan changes now part of the operative District Plan were also contacted to inform them that the provisions of the District Plan applying to their land would not be 'ring-fenced' from the review and would be open to submissions.

26. In addition, a series of seven full-page articles in the Kāpiti Observer and two Kāpiti Update special editions in the Kāpiti News were published in September, October and November 2012. These articles provided information on the District Plan Review including upcoming notification, timing for submissions and key aspects of the proposed content. An article was also included in the Kāpiti Update published 31 October 2012 to inform interested parties, as it had been about a year since the release of the seven discussion documents. A longer article in November 2012 Kāpiti Update gave people more details about notification and the submissions/hearing processes.
27. Since 2010, the Council's website has had a District Plan Review page (www.kapiticoast.govt.nz/districtplanreview), linked from a feature box on the front page, and this page has been kept up-to-date with latest copies of Council and Committee reports, consultant reports, projected timelines, and Submitter Engagement Version (SEV) proposed District Plan content.
28. The formal public notification process is set out in Schedule 1 of the RMA and ensures that all affected and interested parties have an opportunity for providing submissions on the proposed District Plan.

2.3 Statutory Considerations in Preparation of the Proposed District Plan

2.3.1 General RMA Requirements for District Plan

29. The RMA requires that there be a district plan in place at all times for the Kapiti District. The purpose of preparing, implementing and administering a district plan is to assist the Council to carry out its functions in order to achieve the purpose of the Act. The RMA sets out the manner in which the district plan is amended and the particular considerations the Council must follow when undertaking such an exercise.
30. Section 31 of the RMA outlines the Council's functions. Subsection 1(a) sets out the requirement for objectives, policies and methods to be established, implemented and reviewed to achieve the integrated management of effects of the use, development or protection of land and associated natural and physical resources of the District.
31. The Council's existing District Plan satisfied the 'establishment' requirement of this function, whilst the 'implementation' role is delivered through Council's regulatory planning and enforcement channels. The third requirement is to 'review' the provisions of the District Plan, a task that is further reinforced by Section 79(1)(c) of the Act.

32. The PDP assists the Council in meeting both the Section 31(1)(a) and 79(1)(c) obligations.

31 Functions of territorial authorities under this Act

- (1) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*

(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:

(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—

(i) the avoidance or mitigation of natural hazards; and

(ii) the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and

(iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:

(iii) the maintenance of indigenous biological diversity:

(d) the control of the emission of noise and the mitigation of the effects of noise:

(e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:

(f) any other functions specified in this Act.

- (2) *The methods used to carry out any functions under subsection (1) may include the control of subdivision*

33. Section 31 of the Act sets out the functions of territorial authorities in giving effect to the purpose of the RMA and the provisions of Part 2 of the Act include:

- the purpose of the Act as contained in Section 5;
- Section 6 - Matters of National Importance;
- Section 7 Other Matters that require particular regard in achieving the purpose of the Act; and
- Section 8 Treaty of Waitangi.

34. As set out in Section 72 of the RMA, the purpose of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act. Section 73 of the RMA requires there to be at all times one district plan for each district prepared by the territorial authority.
35. Section 75 of the RMA sets out the contents of the district plan and requires all district plans to state:
- (a) *the objectives for the district; and*
 - (b) *the policies to implement the objectives; and*
 - (c) *the rules (if any) to implement the policies.*

In addition, a district plan may state:

- (a) *the significant resource management issues for the district; and*
 - (b) *the methods, other than rules, for implementing the policies for the district; and*
 - (c) *the principal reasons for adopting the policies and methods; and*
 - (d) *the environmental results expected from the policies and methods; and*
 - (e) *the procedures for monitoring the efficiency and effectiveness of the policies and methods; and*
 - (f) *the processes for dealing with issues that cross territorial authority boundaries; and*
 - (g) *the information to be included with an application for a resource consent; and*
 - (h) *any other information required for the purpose of the territorial authority's functions, powers, and duties under this Act.*
36. Other statutory policy documents influence district plans. Sections 74 and 75 identify matters to be considered by a territorial authority and those documents a district plan must give effect to respectively.
37. Section 74 of the Act sets out the matters that must be considered in preparing a change to the District Plan. Among other things, section 74 requires a local authority to comply with its functions under sections 31, 32, 75(2) and Part 2 of the Act in preparing a change to a district plan. Section 74 requires the following matters to be given regard to:
- proposed regional policy statement; or

- proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and

any:

- management plans and strategies prepared under other Acts
 - any relevant entry in the Historic Places Register
 - any regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),
 - the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.
38. The Kapiti Coast District adjoins Horowhenua District to the North, Porirua City to the South and Upper Hutt City, South Wairarapa District and Carterton District to the east. The drafting and notification of the PDP was carried out generally in advance of the majority of adjacent territorial authority's district plan review programmes. Therefore opportunities for alignment of provisions or plan structure were limited.
39. All adjacent territorial authorities were notified as part of the PDP process. No specific cross boundary issues were raised. During the preparation of the PDP, Kapiti Coast District Council officers regularly attended a meeting of the regional policy managers, including representatives from all territorial authorities from the Wellington region. These meetings also included representatives from Greater Wellington Regional Council, and provided the opportunity to explore opportunities for greater alignment of policy and plan structure.
40. Due to the timeframes of the Kapiti Coast District Plan review programme relative to those of other territorial authorities, opportunities for plan alignment were limited. Since the notification of the PDP other territorial authorities have advanced their own district plan review programmes, providing opportunity for the consideration of alignment of provisions where within scope of submissions.
41. Section 75(3) requires district plans to give effect to:
- (a) any national policy statement; and
 - (b) any New Zealand coastal policy statement; and

- (c) any regional policy statement.
42. Section 75(4) requires district plans to not be inconsistent with:
- (a) a water conservation order; or
- (b) a regional plan for any matter specified in section 30(1).
43. In addition, Section 74(2A) states that a territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.
44. Section 74(3) of the RMA requires that in preparing or changing any district plan, a territorial authority must not have regard to trade competition or the effects of trade competition.
45. The PDP has been prepared to be consistent with the statutory requirements of central and regional government policy. This includes National Policy Statements, National Environment Standards, Regional Policy Statements, and Regional Plans.

2.3.3 National Policy Statements & New Zealand Coastal Policy Statement

46. Section 75(3) of the RMA requires that the District Plan gives effect to any National Policy Statement (NPS) and any New Zealand coastal policy statement. A NPS is a document prepared under the RMA to help local government decide how competing national benefits and local costs should be balanced. Four NPS's have been gazetted to date, being:
- NPS on Electricity Transmission (2008)
 - NPS for Renewable Electricity Generation (2011)
 - NPS for Freshwater Management (2014)
 - New Zealand Coastal Policy Statement (2010)
47. Several other NPSs have been considered or proposed by central government but are not yet operative. All relevant NPS documents have been actively considered by the district plan review project and given effect to.
48. It is noted that the NPS for Freshwater Management was updated in 2014 and thus the PDP as notified gave effect to the previous version of this NPS.

49. The New Zealand Coastal Policy Statement (NZCPS) is also being given effect to. Its purpose is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand. The NZCPS is a particularly relevant document for the Kāpiti Coast District, where the overwhelming majority of the built environment lies within the coastal environment.

2.3.4 National Environmental Standards

50. Every local authority and consent authority must observe national environmental standards (NES) and must enforce them to the extent their powers enable them to. Section 44A of the RMA requires district plans to not duplicate a national environmental standard or conflict with it. There are currently five NESs in force as regulations:

- NES for Telecommunications Facilities;
- NES for Electricity Transmission Activities;
- NES for Air Quality;
- NES for Sources of Human Drinking Water; and
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health.

51. Several other NESs have been considered or proposed by central government but are not yet operative. The proposed District Plan is consistent with the operative NESs above, neither duplicating nor conflicting with any of the NES provisions.

2.3.5 Wellington Regional Policy Statement

52. In terms of regional government policy, Section 75(3) of the RMA requires district plans to give effect to any regional policy statement (RPS). A Council preparing a District Plan must also have regard to any proposed RPS in accordance with Section 74(2) of the RMA.
53. As at the date the PDP was notified, the Proposed Wellington Regional Policy Statement 2009 was still the subject of appeals to the Environment Court. Accordingly, the PDP was required to give effect to the *Operative* Regional Policy Statement 1999 by Section 75(3)(c) of the RMA. The provisions of the *Proposed* Wellington Regional Policy were required to be given regard to by Section 74(2)(a)(i).
54. The Proposed Regional Policy Statement for the Wellington became operative on 24 April 2013. The PDP was notified before the Regional Policy

Statement (RPS) was made operative and was therefore prepared based on giving effect to the Operative RPS, with regard given to the Proposed RPS.

55. Any changes to the PDP recommended in the Part B reports are constrained to the scope provided by submissions. However, where submissions enable the alignment of PDP provisions with the now Operative RPS, this opportunity has been identified within the relevant Part B Section 42A reports.

2.3.6 Regional Plans

56. Section 75(4) of the RMA requires district plans to not be inconsistent with a regional plan dealing with matters in Section 30(1) of the RMA. The PDP is not inconsistent with any regional plans. The Wellington Regional Council administers 5 Regional Plans, being:

- Regional Air Quality Management Plan;
- Regional Coastal Plan;
- Regional Freshwater Plan;
- Regional Soil Plan; and
- Regional Plan for Discharges to Land.

57. Greater Wellington Regional Council reviewed their regional plans and publicly notified the Proposed Natural Resources Plan for the Wellington Region on 31 July 2015. The proposed Plan is a combined regional and coastal plan that will replace the existing Regional Coastal Plan and the four regional plans (Regional Air Quality Management Plan, Regional Freshwater Plan, Regional Plan for Discharges to Land and, Regional Soil Plan) once it is made operative following the decisions on all submissions and appeals. All rules within the Proposed Regional Plan have immediate legal effect.

58. In preparing the Section 42A reports, Council planners have been working with Greater Wellington Regional Council to avoid inconsistencies with the Proposed Natural Resources Plan where the scope of submissions allows.

2.3.7 Neighbouring Territorial Authorities

59. A Council is required by the RMA (Section 75(2)(c)) to have regard to the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities. Horowhenua District made its district plan operative on 3 June 2015, while other Councils in the Wellington Region are conducting 'rolling' reviews of their operative District Plans. This consistency issue has been considered and discussed with

neighbouring territorial authorities, and the PDP is considered sufficiently consistent with the operative and/or proposed District Plans of neighbouring territorial authorities. Differences in approach or content do not reflect a conflict with neighbouring authorities but provide a locally-informed, context-sensitive, Kāpiti-based regulatory framework.

2.3.8 Iwi Management Plans

60. Section 74(2A) of the RMA states that the territorial authority must “take into account” any planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.
61. To date there are two documents that have been prepared and lodged with the Council – the Ngati Raukawa Ōtaki River and Catchment Iwi Management Plan 2000, and Nga Korero Kaupapa mo Te Taiao Policy Statements Manual for Kapakapanui Te Runanga o Ati Awa 1999-2000. These documents have been considered in the preparation of the proposed District Plan.
62. The Te Haerenga Whakamua document approved in March 2012 by Te Whakaminenga o Kāpiti has also been considered even though this may not be mandatory since Te Haerenga Whakamua was developed as a pan-iwi consideration of District Plan issues rather than specifically as an iwi plan.

2.3.9 Other Plans & Strategies

63. The RMA also requires a Council preparing a District Plan to have regard to any management plans and strategies prepared under other Acts (Section 74(2)(b)(i) of the RMA). The PDP takes into account and indeed attempts to advance implementation of several Council strategies prepared in the past 8 years under the Local Government Act, including the Development Management Strategy, the Sustainable Transport Strategy, the Open Space Strategy, and the Coastal Strategy.
64. The strategies given regard to are not limited to Kapiti Coast District Council strategies. The Wellington Regional Strategy and Wellington Regional Land Transport Strategy were also given regard to in preparation of the PDP.

2.3.10 Section 32 Assessments

65. Statutory considerations have been addressed in the suite of Section 32 reports that accompanied notification of the PDP. The Section 42A reports form a further part of the Section 32 process that the RMA promotes, where KCDC, the Hearings Commissioners and as necessary the Environment Court continues to consider the appropriateness and effectiveness of the proposed provisions of the PDP.

66. Where the PDP provisions are recommended for amendments as a result of submissions, the reasoning for the amendments and appropriate Section 32 consideration is given in the relevant Part B Section 42A report.
67. In accordance with Section 32 of the Act, the Council has a duty to consider the appropriateness of the proposed provisions in achieving the purpose of the Act and in particular the benefits and costs of any policies, rules or other methods.
68. The version of Section 32 of the RMA that was in force between 1 October 2011 and 2 December 2013 applies to the current PDP process, despite Section 32 having since been amended. Section 32 was replaced by Part 2 of the Resource Management Amendment Act 2013, effective 3 December 2013. However, the transitional provisions of the Resource Management Amendment Act 2013 provide that Part 2 of the Amendment Act does not apply where it came into force after the last date for making further submissions on a proposed plan.
69. Given that Part 2 of the Amendment Act came into force on 3 December 2013, which is after the last date for making further submissions on the PDP, the amendments introduced by Part 2 of the Amendment Act do not apply to the further evaluation of the PDP. Accordingly, it is the former version of Section 32 that applies to the current PDP process.
70. Section 32 (as applicable to the PDP process) requires the Council to carry out an evaluation at the following stages:
 - (a) before a proposed plan is publicly notified; and
 - (b) before making a decision on provisions and matters raised in submissions for the proposed plan under Clause 10 of Schedule 1 to the RMA.
71. While there is nothing in Section 32 that expressly requires a Section 32 evaluation to be undertaken before or included in a Council Officer's Section 42A report, in practice it is useful and probably essential for a Section 42A report to address Section 32 matters. The Section 42A report, and any recommendations made in it, will form part of the evidence before the decision-maker to be considered in making the Decision. The Council considers that a thorough Section 42A report will need to address and evaluate Section 32 matters when addressing the relief sought in submissions, in order to provide useful and relevant guidance and contribute to informed decision-making.
72. This report forms part of the Council's on-going obligations under Section 32 of the Act. Where amendments to the PDP are recommended in response to submissions, the authors provide the reasoning for the amendments, and

appropriate consideration under Section 32 within the relevant Part B Section 42A report.

73. As the Urban Tree Variation to the PDP was notified 4 September 2015, the Section 32 and Section 32AA evaluation requirements are those that are now included in the RMA. These requirements are addressed in the Part B Section 42A report pertaining to the Urban Tree Variation.

3.0 Public Notification

72. This portion of the report includes a brief discussion on the processes undertaken since drafting the PDP, and outlines the dates and processes for public notification of the PDP.
73. The RMA sets out procedures and timelines for the preparation and processing of PDP's. In particular the following Clauses in Schedule 1 to the RMA have been complied with:
- Clause 3: consultation requirements during the preparation of the PDP including the Minister for the Environment, other relevant Ministers of the Crown, affected local authorities, tangata whenua of the area, and any customary marine title groups.
 - Clause 3B: consultation with iwi authorities
 - Clause 4: inviting requiring authorities which have a designation to include their designation in the PDP, with or without modification prior to public notification.
 - Clause 5: public notification requirements, including where the PDP can be inspected, minimum 40 working days for submissions and provision of the PDP to the regional council, the Minister for the Environment, adjacent local authorities the tangata whenua of the area, through iwi authorities.
 - Clause 6: making submissions
 - Clause 7: public notice of a summary of decisions requested including serving the public notice on all persons who made submissions and the availability of that summary. Clause 7 also requires a minimum of 10 working days for further submissions to be made.
 - Clause 8AA: arranging meetings with Council for the purpose of clarifying or facilitating the resolution of any matter relating to the PDP.
 - Clause 8B: arranging a hearing to enable submitters to be heard and giving at least 10 working days' notice of the dates, times, and place of the hearings to every person who made a submission or further submission.
74. Council publicly notified its PDP on 29 November 2012 in accordance with Clause 5 of Schedule 1 to the RMA. On the 6 December 2012 Council

exercised its power under Clause 16 to Schedule 1 to the RMA to make corrections to:

- Map 06B Plan Features and Map 09B Plan Features in Volume 3 of the Proposed District Plan. The correction was to show W1 (Takamore Cemetery) and W4 (Takamore Waahi Tapu Area), as listed in Schedule 10.1 – Schedule of Historic Heritage; and
- Policy 3.6 (Incentives) in Chapter 3 of Volume 1 of the Proposed District Plan. The correction was to insert the wording for this policy which was approved for notification by the Regulatory Management Committee on 22 November 2012, as the version of the Proposed District Plan published on 29 November 2012 included repetition of Policy 3.5 text under the Policy 3.6 title.

75. General submissions closed on 1 March 2013 with submissions regarding the Coastal Environment having an extended submission period until 2 April 2013 (as resolved by Council at their meeting on 21 January 2013):

KCDC 13/1/324

COASTAL HAZARDS: CLOSING DATE FOR SUBMISSIONS AND APPOINTMENT OF COMMISSIONERS (SP-13-801)

That Council extends the time limit for accepting submissions on the Chapter 4 – Coastal Environment of the 2012 Proposed District Plan (including any policies referred to in that chapter, and to coastal hazard spatial information shown on planning maps 1C, 2C, 4C, 5C, 6C, 7C, 8C, 9C, 11C, 14C, 16C, 17C, 18C, 19C, and 24C) for one month from 1 March to 2 April 2013.

76. Council publicly notified a summary of decisions requested in accordance with Clause 7 of Schedule 1 to the RMA on 15 April 2013 for non-coastal topics only. Further submissions were invited in accordance with Clause 8 of Schedule 1 to the RMA. The further submission period closed on 7 May 2013.
77. On the 22 April 2013, Council publicly notified a correction to the original summary of submission. The following summaries were omitted from the original summary of decisions requested:
- Submitter 326 (Ballinger Industries Limited) seeking lots located on the north-east side of Kapiti Road, Paraparaumu, to be rezoned from Outer Business Centre Zone to Residential (MDH) Zone.

- Submitter 178 (Tommys Real Estate Ltd) seeking lots located on Rimu Road and Ihakara Street, Paraparaumu, to be rezoned from Industrial Zone to Outer Business Centre Zone and identified as “Ihakara Street Precinct” and amend Rule 6B.1.8.1. by deleting ‘West’.

78. On the 25 April 2013, Council publicly notified a further set of corrections to the summary of decisions requested. The summary of decisions requested was available in two versions: one organised by submitter, and the other organised by topic. Due to a database reporting error, the ‘by submitter’ version inadvertently omitted some submission points from the summary of some submissions’ decisions requested on certain topics (this error did not affect the ‘by topic’ version). The list of submissions affected and the parts of their submissions affected are as follows:

Submission Number	Submitter Name	Topic	Affected aspect of the submission on that topic: (Support, Oppose, or Seek Amendment)
133	Jan Nisbet	Chapter 11: Access and Transport	Seek Amendment
147	Michelle Lewis	Chapter 11: Network Utilities	Seek Amendment
232	Nga Hapu O Otaki	Chapter 07: General	Oppose
238	Zoran Barbalich	Chapter 03: Ecology and Biodiversity	Seek Amendment
238	Zoran Barbalich	Chapter 03: General	Seek Amendment
238	Zoran Barbalich	Chapter 03: Landscape (including earthworks)	Seek Amendment
238	Zoran Barbalich	Chapter 07: Rural Zones	Seek Amendment
241	Antony David Grenfell	Chapter 03: Ecology and Biodiversity	Seek Amendment
241	Antony David Grenfell	Chapter 03: General	Seek Amendment
241	Antony David Grenfell	Chapter 03: Landscape (including earthworks)	Seek Amendment
241	Antony David Grenfell	Chapter 07: Rural Zones	Seek Amendment
243	Owen Cox	Chapter 05: General	Seek Amendment
250	Federated Farmers of New Zealand	Chapter 01: Definitions	Seek Amendment
250	Federated Farmers of New Zealand	Chapter 03: Ecology and Biodiversity	Seek Amendment
250	Federated Farmers of New Zealand	Chapter 03: General	Seek Amendment
250	Federated Farmers of	Chapter 03:	Seek Amendment

	New Zealand	Landscape (including earthworks)	
250	Federated Farmers of New Zealand	Chapter 07: General	Seek Amendment
251	Margaret Niven	Chapter 03: Landscape (including earthworks)	Seek Amendment
255	Progressive Enterprises	Chapter 06: General	Seek Amendment
255	Progressive Enterprises	Chapter 06: General	Support
258	Peter Adlam	Chapter 01: Definitions	Seek Amendment
263	Maypole Environmental Ltd	Chapter 09: Flood Hazards	Oppose
266	Alex Metcalfe	Chapter 11: Network Utilities	Seek Amendment
306	Collin Hope	Chapter 06: General	Seek Amendment
369	Anthony and Anne McEwan	Chapter 03: Ecology and Biodiversity	Seek Amendment
369	Anthony and Anne McEwan	Chapter 07: General	Seek Amendment
372	Michael and Elizabeth Welch	Chapter 07: General	Seek Amendment
411	Land Matters Limited	Chapter 05: General	Oppose
451	Rob Crozier & Joan Allin	Chapter 01: Definitions	Seek Amendment
451	Rob Crozier & Joan Allin	Chapter 03: Landscape (including earthworks)	Seek Amendment
451	Rob Crozier & Joan Allin	Chapter 09: General	Seek Amendment
459	St Heliers Capital Limited	Chapter 02: Objectives	Support
480	Kapiti Coast Grey Power Association Inc.	Chapter 11: Renewable Energy	Support
489	John & Brenda Cheese	Chapter 06: General	Seek Amendment
511	Mari Housiaux	Maps: Zone and Features	Seek Amendment
547	Tina Pope	Chapter 03: Ecology and Biodiversity	Seek Amendment

79. Due to this error, Council accepted further submissions on the omitted parts of the submissions specifically referred to in the table above until Tuesday 14 May 2013. Further submissions on all other submission points in the summary of decisions requested still closed on 7 May 2013.

80. On the 20 June 2013, Council publicly notified a further set of corrections to the summary of decisions requested, with a closing date of 4 July 2013.
81. A full summary of decisions requested for non-coastal submissions was notified on the 20 June 2013, with a closing date of 4 July 2013 for coastal only submitters who were not originally sent notice of the 15th April 2013 notification.
82. The summary of decisions requested for coastal issues was publicly notified on the 20 June 2013, with a 20 working day closing date of 18 July 2013.

4.0 Submissions

4.1 Submissions Received

83. This portion of the report includes a brief discussion on late submissions, late further submissions and other legal issues.
84. 777 submissions were received in total, with 760 being received within the notification period. The names of all the submitters are in Appendix A to this report.
85. 200 further submissions were received as at 21 May 2013. The names of all submitters and further submitters are listed in Attachment B to this report.
86. The submissions and further submissions received either support, partly support or oppose various provisions of the PDP.
87. A copy of the full versions of all submissions and further submissions is available, and will be on display at the hearing.

4.2 Late Submissions

88. Eight submissions addressing non-coastal provisions were received after the closing date of 1 March 2013. Nine submissions addressing coastal issues were received after the closing date of 2 April 2013. The following submissions were received after the notified closing date:

Submission Number	Submitter Name	Date Received
Non Coastal (closing date 1 March 2013)		
128	Erica & Tim Hodgkinson	4 March 2013
130	Colin McLennan	4 March 2013
343	Betty Furner	4 March 2013
381	Catholic Schools Board Ltd.	28 March 2013
556	Robert & Patricia Noble-Beasley	4 March 2013
557	Daniel Castle	5 March 2013
558	Terry Parminter	10 March 2013
565	Larry Paul	13 March 2013
Coastal (closing date 2 April 2013)		
701	David Hazlitt	3 April 2013
702	John Whitehead	3 April 2013
704	Bryce Hazlitt	3 April 2013
706	Hayden Hazlitt	3 April 2013
708	Janelle Hazlitt	3 April 2013

717	Joanne Hazlitt	3 April 2013
734	Henry Fullerton-Smith	3 April 2013
774	Tony and Anne Frizelle	4 April 2013
776	Andrew Fletcher	13 April 2013

89. Section 37 of the RMA enables Councils to waive and extend time limits:

Power of waiver and extension of time limits

(1) A consent authority or local authority may, in any particular case,—

- (a) extend a time period specified in this Act or in regulations, whether or not the time period has expired; or
- (b) waive a failure to comply with a requirement under this Act, regulations, or a plan for the time or method of service of documents

90. Section 37A(2) of the RMA enables a time extension not exceeding twice the maximum time period specified in the RMA for that particular process. Clause 5 of Schedule 1 to the RMA requires a minimum period of 40 working days be allowed for submissions to a proposed plan. This means that Council could potentially extend the timeframe for submissions to 80 working days. This gives an extended closing date of 80 working days being 17 April 2013.
91. Under delegated authority, the Sustainable Development Manager accepted all late submissions which were received within that timeframe.
92. Submissions were received up until 13 April 2013 for non-coastal and 17 April 2013 for those addressing coastal issues.

4.3 Late Further Submissions

93. Eight further submissions were received after the initial further submission period closed on 7 May 2013. However as indicated below, some further submissions were not actually late. Due to an error omitting some submission points from the summary of some submissions' decisions requested on certain topics, Council accepted further submissions on the omitted parts of the submissions specifically referred to until Tuesday 14 May 2013.

Further submission number	Further submitter	Date further submission was received	Did it relate to submissions with a later closing date for further submissions?
191	Horticulture NZ	8 May	No

192	John Barrett	14 May	No
193	Department of Conservation	8 May	Yes in addition to other submissions which did not
194	North Otaki Beach Residents Group Incorporated	9 May	Yes in addition to other submissions which did not
196	Rutten Family	17 May	Yes
197	Forest & Bird Kapiti Mana	10 May	Yes in addition to other submissions which did not
198	Poultry Industry Association of New Zealand Inc. & Egg Producers Federation of New Zealand Inc.	13 May	No
199	Jean Luke	13 May	Yes

94. Further corrections to the non-coastal summary of decisions requested was notified on 20 June 2013 with a closing date of 4 July 2013. The summary of decisions requested for coastal issues was publicly notified on the 20 June 2013, with a 20 working day closing date of 18 July 2013.
95. Clause 7 of Schedule 1 to the RMA requires a maximum period of 10 working days be allowed for further submissions.
96. As outlined above for submissions that were received after the closing date, Section 37 of the RMA enables Councils to waive or extend time limits. Section 37A(2) of the RMA enables a time extension not exceeding twice the maximum time period specified in the RMA for that particular process. This means that Council could potentially extend the timeframe for further submissions to 20 working days. This gives an extended closing date of 14 May 2013 for the submissions notified on the 15 April 2013, and 24 May 2013 being the extended closing date for submissions notified on 25 April 2013.
97. Under delegated authority, the Sustainable Development Manager accepted all of the above late further submissions which were received within the time period extension enabled by Sections 37 and 37A of the RMA.
98. Council has received written objections to the further submission from the Department of Conservation being accepted. Although the objections are noted, Section 37 does enable Councils to extend to the time period. Given the small number of late further submissions received, it is considered

reasonable to accept them all, including the further submission from the Department of Conservation.

4.4 Other Legal Issues

99. Clause 6(3) of Schedule 1 to the RMA states that anyone may make a submission, however if the person could gain an advantage in trade competition through the submission, the person's right to make a submission is limited by subclause (4):

(4) A person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

100. To ensure that submissions comply with this Clause, Council included two questions in the submission form:

*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.*

101. The following table indicates those submissions that answered yes to either question:

Submission number	Submitter	Could gain advantage in trade competition?	Directly affected by an effect of the subject matter of this submission?

Submission number	Submitter	Could gain advantage in trade competition?	Directly affected by an effect of the subject matter of this submission?
23	Guy Weaver	No	Yes
24	Tui Trust	No	Yes
33	Bruce Shelley	No	Yes
38	North Otaki Beach Residents Group Inc.	No	Yes
60	Talisman Kapiti Ltd	Yes	Yes
69	Warwick's Automotive Services	No	Yes
87	Z Energy Ltd	No	Yes
121	Prosser Family Trust	No	Yes
142	K W Nelson Ltd	No	Yes
157	John Hassan and Waihopai Family Trust Trustees	No	Yes
166	John Le Harivel	No	Yes
207	Lorraine Brownie	No	Yes
290	Sharon Hunter	No	Yes
292	Darren Hunter	No	Yes
393	Michael Alexander	Yes	
400	Linda Niccol	No	Yes
461	Barton Holdings Ltd	No	Yes
473	Southcombe Architects	No	Yes
503	Roderick and Carol Lingard	No	Yes
512	The Oil Companies	No	Yes
659	West Family Trust	Yes	
665	David Sowry	No	Yes
693	Aidan O'Connor		Yes
729	Kolin Foo	No	Yes
753	Rochelle Wilson	No	Yes
760	Peter Middlemiss	No	Yes

102. The submission form was drafted so that if a submitter answered the first question as "could gain an advantage in trade competition through this submission", then the second question was required to be answered. A number of the submissions above answered "could not" to the first question in that they could not gain an advantage in trade competition, but then went

on to answer the second question unnecessarily. Therefore the only submissions which need further consideration in terms of trade competition are indicated they “could gain an advantage in trade competition through this submission”. Those submissions are

- 60 Talisman Kapiti Ltd: The submission questions what the reason is for changing to industrial when we only have service industrial not manufacturing industrial in the district. The submission contends there are lots of empty buildings on Rimu Road because there is no demand for that space in that area.
- 393 Michael Alexander: Expresses concern about high voltage electricity transmission lines.
- 659 West Family Trust: Opposes the coastal hazard lines indicated on the planning maps and the associated provisions and restrictions contained in the Proposed District Plan. The submission considers that the provisions are contrary to the RMA and the NZCPS. The submission considers the provisions and restrictions that apply to properties affected by the coastal hazard lines are too restrictive. The submission seeks removal of the coastal hazard lines.
- 693 Aidan O’Connor: Expresses concern that their dwelling has weather tightness issues and will need to be rebuilt. The changes to building consent documentation will mean that the cost of rebuilding exceeds the value of the land and buildings. The submission opposes the coastal hazard lines indicated on the planning maps and the associated provisions and restrictions contained in the Proposed District Plan. The submission considers that the provisions are contrary to the RMA and the NZCPS. The submission considers the provisions and restrictions that apply to properties affected by the coastal hazard lines are too restrictive. The submission seeks removal of the coastal hazard lines.

103. Of the above submissions, only Submission 60 from Talisman Kapiti Ltd potentially raises trade competition matters. It would appear from the submission that it complies with Clause 6(4) of Schedule 1 although there is insufficient detail contained in the submission to be certain. Unfortunately the submitter has indicated that they do not wish to present at the hearing and thus is unlikely to provide further clarification. Based on the limited information provided in the submission, it is recommended that Submission 60 from Talisman Kapiti Ltd remains included for consideration by the Hearings Panel.

4.5 Withdrawn Submissions

104. A number of submissions have been withdrawn at various stages of the timeline as listed below:

Submission Number	Submitter Name	Reason for Withdrawing Submission
15	Nicola Holden	Withdrawn by submitter
20	Ann Cherrington	Submission withdrawn 8/9/14
51	Murray & Marion Stevens	Withdrawn 29/7/15
66	Graham Mowbray	Withdrawn
74	Andrew Cotterrell	Withdrawn by submitter 27/11/15
211	Anita Rose	Withdrawn by submitter 24/4/13
281	Robert Buckett	Withdrawn due to property sale 19/6/15
382	Vincent Osborne	Withdrawn by submitter 24/5/15
421	Peter Coop	Withdrawn 28/9/15
431	Heather Elias	Withdrawn 15/12/15
463	Jacqueline Maree Elliott	Withdrawn 18/11/15
490	Estate of Russell Stevenson	Withdrawn 30/1/15
497	RNR Trust	Partial withdrawal of submission points received 13/10/15: 497-8, 497-9,497-10,497-11
555	Erica and Tim Hodgkinson	Duplicate of submission 128
566	Tony Fraei	Withdrawn 2/12/15
570	Nicholas Morley Hall	Withdrawn
614	Waikanae Beach Bowling Club	Not a submission
621	Rosemary Barrington	Withdrawn 18/12/13
635	Tainui Street & Kirkway residents	Duplicate of submission 626
683	Douglas Edwards	Withdrawn by submitter on 22/4/13 as unauthorised
683	Robin McKenzie	Withdrawn 13/5/13 (deceased)
686	Josie Greenwood	Withdrawn by submitter on 22/4/13 as unauthorised
686	I and P Redward	Withdrawn
690	Lee Edwards	Withdrawn by submitter on 22/4/13 as unauthorised
720	Sarah Brown	Withdrawn 15/12/15
750	Paekakariki Community Board	Duplicate of 406
FS77	Richard and Mary Williams	Withdrawn by submitter 17/12/15

5.0 Proposed District Plan Provisions

5.1 Legal Effect of Rules

105. Section 86B of the RMA identifies that a rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified under Clause 10(4) of Schedule 1. However there are exceptions including:

(b) the Environment Court, in accordance with section 86D, orders the rule to have legal effect from a different date (being the date specified in the court order); or

(c) the local authority concerned resolves that the rule has legal effect only once the proposed plan becomes operative in accordance with clause 20 of Schedule 1.

(2) However, subsection (1)(c) applies only if—

(a) the local authority makes the decision before publicly notifying the proposed plan under clause 5 of Schedule 1; and

(b) the public notification includes the decision; and

(c) the decision is not subsequently rescinded (in which case the rule has legal effect from a date determined in accordance with section 86C).

106. There are circumstances where a rule in a proposed plan has immediate legal effect from the date on which the proposed plan containing the rule is publicly notified under Clause 5 of Schedule 1. Section 86B(3) identifies these circumstances as being where the rule:

(a) protects or relates to water, air, or soil (for soil conservation); or

(b) protects areas of significant indigenous vegetation; or

(c) protects areas of significant habitats of indigenous fauna; or

(d) protects historic heritage; or

(e) provides for or relates to aquaculture activities.

107. This enables Council to seek earlier legal effect from the Environment Court or to resolve that rules only have legal effect once the proposed Plan has been made operative. Council did not exercise either of these options in relation to the PDP.

108. This means that rules in Chapter 3 relating to indigenous vegetation, Chapter 9 relating to contaminated sites, Chapter 10 relating to Historic Heritage and any consequential references to provisions in these chapters have legal effect at the date of notification of the PDP (29 November 2013).
109. When the PDP was notified in November of 2012, the following list of rules having immediate legal effect under section 86B(3) was included in Chapter 1 Introduction and Interpretation:
- Rule 3A.1.5.2
 - Rule 3A.2.3
 - Rule 3A.3.4 in relation to ecological sites and historic heritage only
 - Rule 3A.3.1 (a) and (d)
 - Rule 3A.3.2
 - Rule 3A.3.3 in relation to areas only
 - Rule 3A.3.5 in relation to ecological sites only
 - Rule 3A.3.7 in relation to ecological sites only
 - Rule 3A.3.8 in relation to ecological sites and historic heritage only
 - Rule 3A.3.10 in relation to ecological sites only
 - Rule 3A.3.11 in relation to ecological sites only
 - Rule 3A.4.2 (a), (d) and (f)
 - Rule 3A.4.5
 - Rule 3A.1.1
 - Rule 3A.5.2
 - Rule 5C.3.1
 - Rule 7A.1.10
 - Rule 7A.2.2 in relation to ecological sites and historic heritage only
 - Rule 7A.3.6 in relation to ecological sites only
 - Rule 7A.3.7 in relation to ecological sites only
 - Rule 7A.5.4 in relation to ecological sites only
 - Rule 7A.5.9 in relation to ecological sites and historic heritage only
 - Rule 8.1.8 in relation to historic heritage only
 - Rule 8.4.2 in relation to historic heritage only
 - Rule 9E.1.2 in relation to water and soil protection
 - Rule 9E.1.3 in relation to water and soil protection

- Rule 9E.1.6 in relation to water and soil protection
 - Rule 9E.2.1 in relation to water and soil protection
 - Rule 9E.3.2 in relation to water and soil protection
 - Rule 9E.4.1 in relation to water and soil protection
 - Rule 10A.1.1 to Rule 10A.1.8 in relation to historic heritage
 - Rule 10A.2.1 in relation to historic heritage
 - Rule 10A.2.2 in relation to historic heritage
 - Rule 10A.3.2 to Rule 10A.3.8 in relation to historic heritage
 - Rule 10A.4.1 to Rule 10A.4.3 in relation to historic heritage
 - Rule 10A.5.1 to Rule 10A.5.5 in relation to historic heritage
 - Rule 11A.1.8 to Rule 11A.1.12 in relation to ecological sites and historic heritage only
 - Rule 11A.3.6 in relation to ecological sites and historic heritage only
 - Rule 11A.3.7 and Rule 11A.3.7 in relation to ecological sites only
 - Rule 11A.4.1 to Rule 11A.4.4 in relation to ecological sites and historic heritage only
 - Rule 11B.1.2 in relation to historic heritage only
 - Rule 11B.1.3 to Rule 11B.1.5 in relation to ecological sites and historic heritage only
 - Rule 11B.3.1 in relation to historic heritage
 - Rule 11B.3.2 to Rule 11B.3.4 in relation to ecological sites and historic heritage
 - Rule 11B.4.1 and Rule 11B.4.2 in relation to ecological sites and historic heritage
 - Rule 11B.5.1 in relation to ecological sites and historic heritage
 - Rule 12C.1.1 in relation to historic heritage only
 - Rule 12C.2.2 in relation to historic heritage only
 - Rule 12C.3.2 in relation to historic heritage only
110. The Council commissioned an independent review of the PDP by Sylvia Allan and Richard Fowler (see Section 5.2 below). One of the findings of the review was that the list of rules set out in the PDP as having immediate legal effect incorporated a number that technically do not have legal effect. In some cases this was due to the limitations of Section 86B(3) of the RMA which restrict the range of rules with immediate legal effect to very specific circumstances. Other reasons were that the Operative District Plan provided

equivalent protection, or where a rule was poorly worded and was not capable of reasonable interpretation.

111. A recommendation of the independent review was that Council undertake a review of the content and scope of the rules listed as having immediate legal effect and:
- remove from the listing all those which cannot be justified in terms of Section 86B(3);
 - confine those which are justified in limited situations, to those situations only; and
 - provide advice online and in hard copies of the PDP, as to the applicability of remaining rules.
112. Based on the recommendations of the independent review, at the meeting on 24 July 2014 Council resolved as follows:
- 3. The Council undertake a detailed review of the rules of the PDP having legal effect and clarify these provisions as soon as possible. [KCDC 14/06/128]*
113. Staff analysed the PDP and identified those provisions as legitimately having immediate legal effect in accordance with Section 86(B) of the RMA. The main changes to the list of rules having immediate legal effect are:
- removal of rules pertaining to contaminated land;
 - clarification that the rules apply to scheduled heritage, sites and buildings rather than just historic heritage; and
 - removal of some rules in Chapter 3 relating to ecological sites.
114. Staff analysed the PDP and identified those provisions as legitimately having immediate legal effect under Section 86B(3) as being:
- Rule 3A.1.5.2 (a) and (c)
 - Rule 3A.3.1 (a) and (c)
 - Rule 3A.3.8 in relation to ecological sites and scheduled historic heritage sites and buildings only
 - Rule 3A.3.10.2 in relation to ecological sites only
 - Rule 3A.4.2 (a), and (c)
 - Rule 3A.5.2 in relation to ecological sites only
 - Rule 5C.3.1 in relation to ecological site K066 only

- Rule 7A.3.6 in relation to ecological sites only
- Rule 7A.3.7 in relation to ecological sites only
- Rule 7A.5.4 in relation to ecological sites only
- Rule 7A.5.9 in relation to ecological sites and scheduled historic heritage sites and buildings only
- Rule 8.4.2 in relation to scheduled historic heritage buildings only
- Rule 10A.1.1 to Rule 10A.1.8 in relation to scheduled historic heritage sites and buildings only
- Rule 10A.2.1 in relation to scheduled historic heritage sites and buildings only
- Rule 10A.2.2 in relation to scheduled historic heritage sites and buildings only
- Rule 10A.3.2 to Rule 10A.3.8 in relation to scheduled historic heritage sites and buildings only
- Rule 10A.4.1 to Rule 10A.4.3 in relation to scheduled historic heritage sites and buildings only
- Rule 10A.5.1 to Rule 10A.5.5 in relation to scheduled historic heritage sites and buildings only
- Rule 11A.1.8 to Rule 11A.1.12 in relation to ecological sites and scheduled historic heritage sites and buildings only
- Rule 11A.3.6 in relation to ecological sites and scheduled historic heritage sites and buildings only
- Rule 11A.3.7 and Rule 11A.3.7 in relation to ecological sites only
- Rule 11A.4.1 in relation to ecological sites and historic heritage only
- Rule 11B.1.2 in relation to historic heritage only
- Rule 11B.1.3(b) in relation to ecological sites only to Rule 11B.1.5 in relation to ecological sites and to scheduled historic heritage sites and buildings only
- Rule 11B.3.1 in relation to scheduled historic heritage sites and buildings
- Rule 11B.3.2 to Rule 11B.3.4 in relation to ecological sites and to scheduled historic heritage sites and buildings
- Rule 11B.5.1 in relation to ecological sites and to scheduled historic heritage sites and buildings
- Rule 12C.1.1 in relation to scheduled historic heritage buildings only

- Rule 12C.2.2 in relation to scheduled historic heritage buildings only
- Rule 12C.3.2 in relation to scheduled historic heritage buildings only

115. This was adopted by Council at the Regulatory Management Committee meeting on 2 October 2014 (RMC 02/10/50):

That, in accordance with Clause 8 of Schedule 1 of the RMA, and as generally outlined in Attachment 1, the Committee resolve to withdraw from the Proposed District Plan those parts of the maps, objectives, policies and rules relating to:

- *Coastal Hazard Management Areas*
- *Hazardous substances and facilities*
- *Priority Areas for Restoration*

5.2 Progressing the PDP

116. In response to public concern about aspects of the Plan, Council commissioned an Independent Review of the PDP in October 2013 to be undertaken by Sylvia Allan and Richard Fowler from a planning and legal perspective respectively. The review took place between December 2013 and March 2014 and was outlined in the report Independent Review of the Kapiti Coast Proposed District Plan (Sylvia Allan and Richard Fowler, 2014).

117. Once a position was reached that neither the process nor the contents of the PDP in its current form were so flawed that the PDP needed to be abandoned, four means of progressing with the plan were identified and evaluated.

118. The options were:

- Option 1: continue the PDP process as set out on the Council website (i.e. a rolling programme of hearings and decisions)
- Option 2: withdraw the PDP and do nothing
- Option 3: withdraw the PDP and recommence the review (i.e. treat the PDP as a draft)
- Option 4: continue the PDP process, but modified so that the process efficiently addresses the plan as a whole, and drawing on the “basket of tools” available to the Council where improvements are needed that are beyond the scope of submissions.

119. On 24 July 2014 Council chose Option 4 recommended by the Independent Review of the PDP to continue with a modified PDP process which

addresses the Plan as a whole using the "basket of tools" available to Council.

120. In a similar review process, Council had an expert coastal panel review the technical analysis which underpinned the PDP approach to managing coastal hazards. The recommendations were outlined in the report Coastal Erosion Hazard Assessments for the Kāpiti Coast: Review of the Science & Assessment Undertaken for the Proposed Kapiti Coast District Plan 2012. The recommendations were that further research was needed on coastal erosion hazards. The recommended actions included withdrawing the coastal hazard provisions, forming a coastal advisory group, and developing a coastal hazard research strategy.

121. At the Council meeting on 24 July 2014, Council made the following resolutions:

KCDC 14/06/128

That the Council, in relation to the report "Independent Review of the Kapiti Coast Proposed District Plan" (Attachment 2 to Report SP-14-1253):

(a) endorse the Independent report; and

(b) adopt its recommendations 1 to 6 being:

1. The Council proceed with the PDP on the basis of a modified process of hearing and making decisions which includes all elements set out in section 5.5 of this report.

2. A detailed implementation plan including resourcing and timetable is developed to progress the PDP in accordance with recommendation 1. A communications plan to keep the community informed would be a necessary part of the implementation.

3. The Council undertake a detailed review of the rules of the PDP having legal effect and clarify these provisions as soon as possible.

4. The Council resolve to withdraw from the PDP the coastal hazard management areas on the plan maps along with the associated policy section and rules, and clarify the parts of the operative district plan which provide stop-gap coverage relating to coastal hazards.

5. The Council develop an implementation plan to progress work on the coastal erosion hazard assessment, and other aspects of coastal hazard management. The implementation should build on the work already done and incorporate adequate and appropriate communication and consultation provisions, including a role for an advisory group as described in section 6.4 of this report.

6. *At an appropriate time (or times) the Council proceeds with a variation (or variations) to include suitable and relevant policy, methods and rules in the PDP to address the district's coastal hazards in accordance with the NZCPS, the RPS and best practice; and*

(c) adopt Option 4 (continuation of the Proposed District Plan process) but reserve the ability to invoke Option 3 (withdraw the PDP) once further analysis of all submissions have been completed in November 2014.

That the Council, in relation to the report "Coastal Erosion Hazard Assessment for the Kāpiti Coast: review of the science and assessment undertaken for the Proposed Kapiti Coast District Plan" (Attachment 1 to Report SP-14-1253):

(a) endorse the Coastal report; and

(b) adopt the report's recommendations in full.

That the Council endorse the formulation of a Coastal Advisory Group (CAG) with membership from key statutory agencies, neighbouring councils, submitters, coastal land owners and community representatives with an independent chair.

That staff develop a draft terms of reference for the Coastal Advisory Group and identify the skills / attributes of potential group members for Council consideration.

5.3 Withdrawal of Provisions

122. Based on the recommendations of the two independent reviews, at the meeting on 24 July 2014 Council resolved to withdraw from the PDP the maps and provisions relating to Coastal Hazard Management Areas. At that same meeting Council resolved to withdraw from the PDP all provisions relating to hazardous facilities and references to Priority Areas for Restoration.
123. Clause 8D of Schedule 1 of the Resource Management Act 1991 allows for the withdrawal of whole or part of proposed changes to district plans. Provisions can be withdrawn at any time up until the point where appeals are made to the Environment Court or the plan change is approved by the local authority.
124. On 30 October 2014 the withdrawal of objectives, policies, rules, and map layers was publically notified for:
- Coastal Hazard Management Areas;
 - Hazardous substances and facilities; and
 - Priority Areas for Restoration.

125. The reasons for withdrawing hazardous substances and facilities is that the provisions were not considered best practice and conflicts with requirements for landowners to comply with Hazardous Substances and New Organisms (HSNO) legislation.
126. The reason for withdrawing Priority Areas for Restoration is that the evidence base was extremely limited.
127. Withdrawing these provisions results in the removal of objectives, policies, map information, rules, some definitions (which relate to these issues only) and cross references to these provisions.
128. The land that was covered by Coastal Hazard Management Areas overlays in the PDP is still covered by an underlying PDP zone such as Beach Residential. The coastal hazards will continue to be addressed by the Operative District Plan while the coastal hazards research continues until replacement coastal hazard provisions have progressed through a Schedule 1 process and the district plan review is complete. The enduring coastal provisions of the operative District Plan are discussed in more detail in the Section 42A report Part B addressing the coastal provisions of the PDP.
129. Section C9 of the Operative District Plan contains objectives and policies regarding the coast and addresses issues such as coastal amenity, natural character and hazards. Only the policies relevant to the management of coastal hazards will be retained while the coastal hazard approach is revised.
130. Yard setbacks are the key mechanism in the Operative District Plan for managing buildings in the coastal environment. Section D1 contains the standards for the Residential Zones:

(iii) Coastal Building Line Restriction

Waikanae, Te Horo Beach - 7.5 metres from the seaward title boundary.

Peka Peka - 70.0 metres from the seaward edge of the existing Esplanade Reserve.

Paraparaumu, Raumati, Paekakariki - 20 metres as shown on Paraparaumu Urban Zone Maps 1, 2, 6, 7, 11, 16, 21 and 26 and Paekakariki Urban Zone Maps 1-3.

131. Section D1 also contains standards for residential buildings in certain areas to be relocatable:

(iv) Relocatable Buildings

Buildings within the relocatable area, as defined in Part Q of this Plan and shown on Paraparaumu Urban Zone Maps 1, 2, 6, 7, 11, 16, 21 and 26 and Paekakariki Urban Zone Maps 1-3, between 20 metres and 50 metres, shall be relocatable. Section 36 of the Building Act 2004 may be implemented for new and relocated buildings in areas subject to coastal erosion or flooding to indemnify Council against possible damages.

132. Similarly D2 contains coastal yard setback rules for the rural environment:
133. *All buildings including relocated buildings, replacements and extensions shall be set back at least 100 metres (50 metres on Kapiti Island) from the seaward title boundary or Esplanade Reserve Boundary, whichever is the most seaward, or the seaward toe of the foredune or vegetation line where this is within the title.*
134. The Council carried out an administrative update in 2010 to simplify its Operative District Plan maps from A4 to A3 layout. Updates to the map references within the Operative District Plan were not carried out at the same time. This is to be rectified via a minor correction as provided for by Clause 20A of Schedule 1 to the Act.
135. The Council overall remains in a full review of the Operative District Plan, and until new coastal hazard and hazardous substances and facilities provisions become operative, the Operative District Plan provisions relating to those topics will remain in force. The RMA contemplates that district plans can be a 'composite' plan made up of sections that are approved at different times and through successive planning processes, and therefore there will be no regulatory gap.
136. Once the PDP is made operative, it will not displace all of the provisions of the Operative District plan, especially areas that are not covered by the PDP as a result of the withdrawal. While there may have been a 'full district plan review' commenced initially, due to the withdrawals the Council is now not advancing a full replacement plan notified all at once as the coastal hazard provisions are being progressed on a later programme and timeframes.
137. All points of submission (and in some cases the full submission) will effectively fall away and no longer be considered as the provisions to which they relate have been withdrawn.
138. In terms of coastal hazards, Council is intending to advance this matter through a programme of scientific and engineering research. To facilitate this process the Council decided to form a Coastal Advisory Group (CAG) comprised of Statutory agencies and community representatives to guide the Council's future work programme in consultation with the community.

6.0 Decision Making Process

6.1 Procedures and Timeframes for Decision Making

138. The RMA sets out procedures and timelines for decision making. In particular the following Clauses in Schedule 1 to the RMA set out the processes required:

- Clause 9: decision on notices of requirement and heritage orders.
- Clause 10: decisions on provisions and matters raised in submissions. This must include the reasons for accepting or rejecting submissions. The Council must give its decision and publicly notify it no later than 2 years after notifying the PDP (29 November 2014).
- Clause 11: public notification of a decision including the availability of the decision. Council is required to serve a copy of the public notice on every person who made a submission as well as landowners and occupiers who, in Council's opinion, are directly affected by the decision.
- Clause 13: response to the decisions on designations or heritage protection orders.
- Clause 14: appeals to the Environment Court regarding aspects of the decision can be made by submitters who referred to the provision or the matter in their submission, and the appeal does not seek the withdrawal of the PDP as a whole. This needs to be undertaken within 30 working days of the decision being publicly notified.
- Clause 15: the Environment Court shall hold a hearing and may direct Council to make amendments. Council must comply with the court's directions.

6.2 Extension of Timeframes

139. Section 41B(7) requires Council to hold the hearing within 40 working days after the closing date for submissions. As outlined above, Clause 10(4)(a) of Schedule 1 to the RMA requires that decisions are given on a proposed plan within two years of its notification. Given that the PDP was notified in November 2012, this would require hearings to be held and decisions to be made by November 2014. The legislative timeframe was not possible due to additional technical reports, analysis of submissions, on-going consultation with submitters and the duration of the hearing itself.

140. At the Council meeting on the 24 July 2014, Council made the following resolution:

That the Council acknowledges that the RMA timeframe for Proposed District Plan decisions will require an extension by invoking Sections 37 and 37A of the Resource Management Act and defer this decision until the 16 October 2014 Council Meeting.

141. Section 37 of the RMA allows a local authority to extend the time limits:

A consent authority or local authority may, in any particular case,—

(a) extend a time period specified in this Act or in regulations, whether or not the time period has expired;

142. In extending the timeframes, Section 37A(1) of the RMA requires a local authority to take into account a number of factors:

a) the interests of any person who, in its opinion, may be directly affected by the extension or waiver; and

(b) the interests of the community in achieving adequate assessment of the effects of a proposal, policy statement, or plan; and

(c) its duty under section 21 to avoid unreasonable delay.

143. Section 37(2) of the RMA enables a time period to be extended for:

a) a time not exceeding twice the maximum time period specified in this Act; or

(b) a time exceeding twice the maximum time period specified in this Act if the applicant or requiring authority requests or agrees.

144. Section 37(2) is quite clear about being able to double the time limits but any more than this is if the applicant requests or agrees. Section 2 of the RMA defines the “applicant” as “the person who initiates the matter”. The matters are listed in Section 39(1)(a) as “a proposed policy statement, a plan, a change, or a variation”. In this case, the person who initiated the proposed plan is Council, and is therefore able to more than double the time frames.

145. At the Regulatory Management Committee meeting on the 27 November 2014, the Committee resolved to extend the timeframes as follows:

KCDC 14/11/187

That, in accordance with Section 37 of the Resource Management Act 1991, the Council agree to an extension of the timeframes for giving its decision on the provisions and the matters raised in submissions on the Proposed District Plan to 29 November 2017:

a. That this extension be communicated to requiring authorities, submitters and further submitters by letter; and

b. That this extension be communicated by a press release and information on the Proposed District Plan website.

146. Section 37A(6) of the RMA requires Council to communicate the extension of the time limits:

A consent authority or a local authority must ensure that every person who, in its opinion, is directly affected by the extension of a time limit or the waiver of compliance with a time limit, a method of service, or the service of a document is notified of the extension or waiver.

147. A letter to every submitter and further submitter, in conjunction with a series of more general community-wide communications and press releases fulfilled this statutory requirement.

6.3 Consultation Processes Post-Notification

148. With the extension of time for the PDP process, an interim Submitter Engagement Version (SEV) of the PDP was released on 15 June 2015. The purpose of the SEV was to without prejudice show the changes recommended by the planners to the PDP so far in response to the submissions received and form the base for engagement with submitters leading up to the hearing. The amendments made in the SEV were for discussion purposes only and do not have any legal effect.

149. The main purpose of the SEV was to facilitate discussions and various methods were used to engage with submitters:

- PDP Update – a newsletter that provides progress updates and other relevant information on the PDP.
- Issue workshop – where an issue may involve many submitters, a workshop will provide a broad overview on progress relative to their submissions, proposed amendments and where any challenges may be.
- Planner drop-in – submitters could make an appointment to meet a council planner connected with the chapter relevant to their submission.

- PDP chapter lead meeting – this is a meeting initiated by a council planner seeking to discuss a particular submission point with a submitter. A third person attended the meeting to document any outcomes and actions. The meeting notes were made available to the submitter.
 - Facilitated meeting – where submitters and council were brought together to clarify or ideally reach agreement. The meetings were pre-arranged, facilitated by a non-council person and documented.
 - Pre-hearing meetings under Clause 8AA of Schedule 1 to the RMA – this is an RMA formal process and this type of meeting was chaired by an independent commissioner.
150. While all meetings were recorded and minutes produced, all the pre-hearing meetings were documented with reports prepared under Clause 8AA(5) of Schedule 1 to the RMA. These are appended to the relevant Part B Section 42A reports.

6.3 Appointment of a Hearings Panel

151. At the Council meeting on the 31 January 2013, the Council resolved to appoint independent commissioners for specified coastal provisions:

KCDC 13/1/324

COASTAL HAZARDS: CLOSING DATE FOR SUBMISSIONS AND APPOINTMENT OF COMMISSIONERS (SP-13-801)

That Council resolves that ONLY independent commissioners be used to preside over hearing of submissions associated with Chapter 4 – Coastal Environment of the Proposed District Plan (including any policies referred to in that chapter, and to coastal hazard spatial information shown on planning maps 1C, 2C, 4C, 5C, 6C, 7C, 8C, 9C, 11C, 14C, 16C, 17C, 18C, 19C, and 24C).

That Council notes that the appointment of independent hearing commissioners for any other hearings will be decided once submissions and cross-submissions have been received and analysed.

152. As the coastal hazard provisions in the PDP were withdrawn, this resolution will be implemented at a later date when the coastal hazard matter is progressed.
153. At the Council meeting on 24 July 2014, Council made the following resolutions with regards to the number and composition of the Hearings Panel:

KCDC 14/06/128

That Council endorse the appointment of an independent chair for the Proposed District Plan Hearings Panel.

That Council endorse the appointment of a Proposed District Plan Hearings Panel comprising the following (maximum of five):

<i>Option 1</i>	<i>Option 2</i>
<i>Independent chairperson</i>	<i>Independent chairperson</i>
<i>Independent commissioner</i>	<i>Independent commissioner</i>
<i>2 elected commissioners</i>	<i>3 elected commissioners</i>
<i>1 iwi commissioner</i>	

That staff canvas independent commissioner's availability and suitability for positions on the Proposed District Plan Hearings Panel following Councils decision on panel composition and present suitable candidates to Council for its consideration and appointment.

154. In terms of the PDP, in accordance with Section 34A(1) of the RMA, the Council appointed a five-member Hearings Panel to hear the PDP.
155. The Hearings Panel comprises three independent commissioners and two KCDC councillor commissioners:
- Alistair Aburn (Independent Commissioner and Chairperson)
 - Miria Pomare (Independent Commissioner)
 - David McMahon (Independent Commissioner)
 - Diane Ammundsen (Commissioner)
 - Mike Cardiff (Commissioner)

6.4 Continuation of the PDP Process

156. On 10 December 2015, Council considered the readiness of the PDP in order to commence hearings. The report to Council considered that the recommendations outlined in the independent review report have either been addressed, or are in the process of being addressed. Officers saw no impediment at this stage to commencing substantive hearings in April 2016.
157. The report to Council considered that the hearings may not be complete prior to the Local Body Elections in October 2016 and this could impact on the elected member commissioner's appointments to the panel. The period of

appointment of the elected hearings commissioners would need to extend past the end of the current triennium to ensure that the same hearings panel can complete the process as required. This action was supported by the Chair of the Hearings Panel to provide contingency should hearings extend beyond the end of the triennium.

158. The Council resolved:

KCDC 15/12/451

That the Council notes the commencement of Proposed District Plan hearings in April 2016 with a direction setting meeting of the Hearing Commissioners in February 2016.

That the Council agrees to extend the period of appointment of Councillors Diane Ammundsen and Mike Cardiff as hearings commissioners for the Proposed District Plan past the end of the current triennium on 8 October 2016 until 23 December 2016 to provide contingency should hearings and decisions extend beyond the end of the triennium.

7.0 Section 42A Reports

7.1 Technical Reports

159. Many technical reports were commissioned to inform the District Plan Review prior to notification of the PDP. These were focused on topics where Council staff required additional data or technical expertise to understand particular resource management issues in Kāpiti and to analyse potential District Plan options. Consultants assembled data and/or prepared reports on the following subjects:

- Population and employment forecasts (MERA: James Newell);
- Landscape (Isthmus: Brad Coombes and Lisa Rimmer);
- Housing choice and affordability (Hill Young Cooper: David Mead and Elizabeth Moncrieff, and University of Auckland: Tricia Austin);
- Open space framework, including ecological corridors (PLaCE consultants: consortium of Corydon, Clive Anstey, Isobel Gabites and Linda Kirkmeester);
- Ecological sites (Wildland Consultants Ltd.);
- Urban native tree identification and protection (Megan McDonald, Barrett Pistoll, and P A Handford & Associates: Peter Handford and Angus Hulme);
- Waahi tapu (Whaiao: Pātaka Moore);
- Archaeological alert layer (Subsurface: Andy Dodd, Wild North: Chris Wild, and Envision: Elise Smith);
- Barriers to sustainability (Aurecon: Louise Stroger);
- Rural productive potential (Landcare Research);
- District carrying capacity (AECOM: Matthew Paetz, and Landcare Research: Robbie Andrew and Daniel Rutledge);
- Coastal hazard planning (Focus Resource Management Group: Jim Dahm, Bronwen Gibberd, and Robin Britton);
- Transport (Abley Consultants: Ann-Marie Head, and Transport Futures: Don Wignall);
- Employment areas and retail leakage (Property Economics: Tim Heath, and Planit Associates: Matt Bonis);

- Contaminated land (Trevor Sutton);
- Growth management, future growth areas, and growth-related issues related to the proposed Expressway (MWH: Andrew Guerin, Kirsty van Reenen and Simon Stewart); and
- Paraparaumu Town Centre (Urbanism Plus: Kobus Mentz and Wayne Bredemeijer, Brewer Davidson: Kevin Brewer, and Sinclair Knight Merz: Ben Fountain).

160. In addition to the research and technical reports that informed the development of the PDP, the following reports have assisted in addressing the submissions:

- Proposed District Plan – Update of District Plan Incentive Methods (MWH, October 2014);
- Proposed District Plan – Non-Regulatory Methods (MWH, October 2014);
- Proposed District Plan - Benchmarking of Earthworks Provisions (MWH, August 2014);
- Proposed District Plan - Benchmarking of Urban Tree Protection Provisions (MWH, July 2014);
- Proposed Kapiti Coast District Plan - Benchmarking of Dominant Ridgelines and Dominant Dunes Provisions (Environmental Management Services, September 2014); **Error! Reference source not found.**
- Proposed District Plan – Comparison of the Contaminated Land Provisions with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (MWH, September 2014);
- Kāpiti Coast Proposed District Plan – Benchmarking of Regulatory Provisions for Rural and Urban Ecological Sites (Wildland Consultants, November 2014);
- Assessment of Ecological Site Significance in Kāpiti District – Methodology (Wildland Consultants & Kessels Ecology, November 2015);
- Benchmarking Report: New Zealand Ecological Sites Regulatory and Non-Regulatory Approaches (EMS Limited, December 2015);

- Issues and Options Report – District Plan Provisions for Ecological Sites and Significant Indigenous Biodiversity (EMS Limited, December 2015);
- Kapiti Coast Proposed District Plan: Review of Submissions, Plan Definitions and Ecological Sites (Wildland Consultants, March 2016 (expected completion date 11 March 2016));
- Submission response natural character assessment methodology (Isthmus, 2015);
- Outstanding Natural Character Assessment Record Sheets (Schedule Item) (Isthmus, 2015));
- Coastal Environment Background Report (Isthmus, 2015);
- Sand Dune Assessment - Paraparaumu Town Centre (Boffa Miskell, December 2014);
- Kāpiti Coast Retail Analysis Update (Property Economics, October 2015);
- Kāpiti Employment Land Assessment (Property Economics, October 2015);
- Transforming Paraparaumu and Waikanae town centres: Kāpiti Town Centres and Connectors Transformation Summary Report Kapiti Coast District Council (March 2015);
- Town Centres and Connectors Transformation Project – concepts and options various;
- Town Centres and Connectors Implications for the Proposed District Plan (Beca Ltd, February 2015);
- Kāpiti Traffic Modelling Report (Beca Ltd, November 2014);
- Kāpiti Traffic Modelling Databook (Beca Ltd, November 2014);
- PDP - Benchmarking of contaminated land Provisions in Chapter 9 – Hazards (Andrew Stewart Ltd, January 2015);
- Slope Instability and Erosion Susceptibility - Review of Submissions (Opus, December 2014);
- PDP - Benchmarking of Chapter 9 Hazards - Hazardous substances (Andrew Stewart Ltd, January 2015);
- PDP - Stormwater submission review number 86 (Klimenko) CH2M (Beca Ltd, April 2015);

- PDP - Stormwater submission review number 205 (Bilsland) CH2M (Beca Ltd, May 2015);
- PDP - Stormwater submission review number 176 (Dalton) CH2M (Beca Ltd, 2015);
- PDP - Stormwater submission review number 216 (Halstead) CH2M (Beca Ltd, 2015);
- PDP - Stormwater submission review number 496 (Page) CH2M (Beca Ltd, 2015);
- Letter from GWRC re PDP submission J & E Harding, 21 Field Way, Waimeha Beach (GWRC, 18 February 2015);
- Letter from GWRC re PDP submissions Winstones, Waikanae Christian Holiday Park, Mansell and Lutz (GWRC);
- Tree evaluation report on heritage tree T21 (Norfolk Island Pine, corner Tangahoe & Aperahama Streets, Paekakariki) (Jonny Baxter, Leisure and Open Space Contract Operations Officer (ISA Certified Arborist), 13 March 2015);
- Tree evaluation report on heritage tree T55 (2 Kohekohe, 7 Maple Lane, Waikanae) (Jonny Baxter, Leisure and Open Space Contract Operations Officer (ISA Certified Arborist), 17 March 2015);
- Memo regarding proposed heritage protection of macrocarpa hedge outside 84 Te Moana Road, Waikanae (Neil Trotter, Transport Planner Rooding Assets, 16 February 2015);
- Flood hazard report - Bunnings / Catholic Church (Jacobs);
- Flood hazard report - Kāpiti Coast Airport (Jacobs);
- Flood hazard report – Meehan (Jacobs);
- Flood hazard report – Church (Jacobs);
- Flood hazard report – Hedger (Jacobs);
- Flood hazard report - O'Connor (Jacobs);
- Flood hazard report – Manning (CH2M);
- Waahi tapu - Taumānuka (Dr Des Kahotea);
- Waahi tapu – Makahuri (Dr Des Kahotea);
- Waahi tapu – Pukehou (Dr Des Kahotea);
- Waahi tapu – Kaiwarehou (Dr Des Kahotea);

- Waahi tapu – Taewapirau (Dr Des Kahotea);
- October 2015 Review of the 'Wāhi Tapu and Kāpiti Coast Research Report' (Dr Des Kahotea);

7.2 Te Ohu Taiao

161. With the shift in focus from the notified Proposed District Plan (and subsequent Submitter Engagement Version of the Proposed District Plan) to the hearings process, a smaller group than the Tāngata Whenua Working Party was needed. Therefore, a decision was made on 25 August 2015 to appoint a new PDP Working Group, known as Te Ohu Taiao and comprising one member from each iwi.
162. It was agreed that the members of Te Ohu Taiao should not be submitters or further submitters (either as individuals or signatories to group submissions) on the PDP, and should be nominated and endorsed by their iwi as well as being endorsed by Te Whakaminenga o Kāpiti.
163. The functions of Te Ohu Taiao were to undertake a review the SEV and liaise with the PDP Chapter Lead Planners where advice was sought on iwi issues, particularly in the drafting of Section 42A reports. Thus the feedback from Te Ohu Taiao was in the context of a technical iwi review.

8.0 Hearings and Decision Process

164. The Hearings Panel is required to hear all submissions and further submissions and prepare reports (with recommendations) on the submissions and further submissions for the Council's consideration and adoption.
165. In advance of the first hearing scheduled for Monday 4 April 2016, the Hearings Panel convened a one-day meeting on 17 February 2016 to hear from submitters or their representatives on any procedural points regarding the hearings process.
166. Following the hearing, the commissioners will adjourn to deliberate on the decisions they consider appropriate in terms of RMA requirements and mandate. The commissioners will then make a recommendation to Council's Regulatory Management Committee and the Committee will make decisions. When making its decision, the Council is required under Clause 10 of Schedule 1 to the RMA to give reasons for accepting or rejecting any submissions (grouped by subject matter or individually). The decisions of the Council may also include consequential alterations arising out of submissions and any other relevant matters it considered relating to matters raised in submissions.
167. The decisions will be released in writing after the hearing and sent to submitters. The decision version of the rules of the PDP will have legal effect as at this date in accordance with Section 86B of the RMA.
168. Submitters are entitled to appeal to the Environment Court if they are not satisfied with the decision. Any appeals must be lodged within the time period specified in Clause 14 of Schedule 1 to the RMA being within 30 working days of service of the notice of decision from the Council.

Appendix A: List of Submitters

Submission number	Submitter (Organisation or Individual)
374	26 Limited
475	26 Limited
196	44 Ihakara Street Limited
8	Aaron & Michael Jack
32	Aaron Johnson
117	Adil Abdat
529	Adriana Arron
693	Aidan O'Connor
4	Alan Bollard
296	Alan Hynson
5	Albrecht Ruben Eingaertner
266	Alex Metcalfe
76	Alistair McKenzie
443	Allan A Smith
446	Allan Darragh
307	Amanda Kingsbeer
47	Amnico Properties Ltd
589	Amuri Partnership
228	Andrew & Liz Smaill
155	Andrew Faith
776	Andrew Fletcher
89	Andrew Hazelton
770	Andrew McIntyre
225	Andrew Melles
603	Angela van der Sman
456	Anlaby Road Action Group
20	Ann Cherrington
72	Ann Kennedy-Perkins
357	Ann Mackenzie
662	Anna Gawn
199	Anna Rutten
728	Anne Russell
369	Anthony and Anne McEwan
646	Anthony Good
514	Anthony Kebbell
394	Anthony Reeve
270	Antipodes NZ Ltd
241	Antony David Grenfell
758	Antony Willis
695	Ashby & Snow
351	August Van De Roer

Submission number	Submitter (Organisation or Individual)
484	Awatoto Holdings Ltd
663	B & LM Stanley-Hunt
413	Baillie Hawthorn Ltd
326	Ballinger Industries Ltd
641	Barbara & Murray Scott
105	Barbara Beaumont
34	Barry & Zena Jobson
22	Barry Redican
380	Barry, Suzanne and Timothy Mansell
215	Bart van der Kwast
461	Barton Holdings Ltd
41	Beach Property Investments Ltd
521	Beatrice CF Colao
1	Beggs Family Trust
487	Bellcamp Trust Company Ltd
763	Bernard Parker
343	Betty Furner
768	Bill Trotter
402	Blair Nicholl
189	Boat City International
346	Braeden & Caroline Whitelock
359	Brandon Green
727	Brenda Staples
449	Brent Congdon
11	Brian & Sandie Waddell
674	Brian Pegler
138	Bride Coe
732	Bronek Kazmierow
298	Bronwyn Ginty
7	Bruce Manners
33	Bruce Shelley
59	Bryan Davy
704	Bryce Hazlitt
340	Bryce Moller
280	Bryce Wilkinson
262	Bunnings Ltd
371	C Brooks Ltd
424	C D Bowie
775	Cabrach Holdings Ltd
137	Caleb Royal
98	Carlene Laskey
349	Caroline & Maurice Davies
320	Carter Family of Reikorangi

Submission number	Submitter (Organisation or Individual)
410	Catherine Strong
381	Catholic Schools Board Ltd
305	Ceinwen Kingsbeer
755	Charmaine Brauer Fluker
578	Chatto Creek Trust
442	Chorus New Zealand Limited
53	Chris & Esmae Brown
279	Chris Gianus
423	Chris Harrington
303	Chris Howard
96	Chris Jackson
181	Chris Longstaff
588	Chris Milne
21	Chris Munn
403	Chris Rutten and Cavallo Agistment Ltd
56	Chris Stone
577	Chris Turver
93	Christine Edwards
75	Christine Stewart
124	Christine Vaughan-Dawkes
575	Christopher Butler
376	Christopher Glover
365	Christopher Hargreaves
356	Christopher Ruthe
237	Christopher Smith
504	Christopher Stevens
478	CMS Trustees Ltd
158	Coast Community Church
378	Coastal Ratepayers United (CRU)
218	Coastlands Shoppingtown Ltd
130	Colin McLennan
488	Colin Mowbray
119	Colin Pearce
633	Colleen M Kelly
306	Collin Hope
325	Connor Strong
74	CR & JM Cotterrell Family Trust
550	Cuttriss Consultants Ltd
240	CWB Advisory Group
63	D & E Magrath
513	Dale Evans
28	Dan Magrath
557	Daniel Castle

Submission number	Submitter (Organisation or Individual)
318	Daniel Rodie
259	Danielle Tobin
292	Darren Hunter
185	Darren Stafford
618	David & Helen Walshaw
541	David Cox
26	David H & Ethel M Burson
420	David Hedger for Hedger Greenhouse Ltd
339	David Hickman on behalf of Second Image Ltd
210	David Mann
414	David Moore
109	David Neufeld
439	David Nichols
43	David Oram
537	David Smail
665	David Sowry
401	David Winthrop
552	Dean & Vendulka Tutton
84	Dean Anderson
118	Deans & Associates (Kapiti) Ltd Accountants
564	Debbie Mattingley
239	Deborah Laing
104	Declan Graves
738	Denis & Jan Toohey
769	Denise Church & Michael Veneer
332	Denise Harrison
668	Denise Milne
202	Department of Conservation
269	Derek Schulz
39	DF & AE Smith Partnership & Ratanui Farming Partnership
82	Diane Richards
606	Diane Waddel
707	Dianne & Malcolm Macaskill
183	DJ Liddle Ltd
701	DMS & JD Hazlitt Family Trust
652	Don & Carole Boddie
671	Don & Jannie Hunn
685	Don Frampton
759	Don Wignall
324	Douglas Tregurtha
723	Dr Paul Callister & Dr Judith Galtry
567	Drew Baty

Submission number	Submitter (Organisation or Individual)
595	DUNE
295	Edith Cleal
148	Edward Cobb
100	Egon Guttke
396	Eion Abernathy
640	Elaine Cox
386	Elise Daly Sadgrove
235	Elizabeth Hird
678	Elizabeth O'Brien
363	Elizabeth Treahy
174	Elizabeth Wilkin Family Trust
287	Emanuel Kalafatelis
434	Emma Harris
128	Erica and Tim Hodgkinson
509	Errol Croad
644	Esther Bullen
250	Federated Farmers of New Zealand
135	Feriel Falconer
46	Ferndale Development Ltd
561	Fiona Gunter-Firth & Steven N Firth
180	Fiona Heron
42	Florence Maher
421	Foodstuffs (Wellington) Co-Operative Society Ltd
586	Frank & Catherine Wafer
485	Frank & Vicki Boffa
384	Freya Daly Sadgrove
341	Friends of Te Hapua Dunes and Wetlands Society Inc
168	G and V Simpson Family Trust
491	Galarp Holdings Ltd & Mahaki Holdings Ltd
660	Garry Phelps
470	Gary Phillips
362	Gavin Bradley
601	Geoff Monk & Margarette Treacher
524	Geoffrey Comber
448	Geoffrey Thompson
110	George & Audrey Wren
373	George Hickton
125	Gerald Parsonson
85	Gerald Rys
688	Gil Retter
530	Gilbert Comber
283	Gill Ward
383	Gillian Tousoon

Submission number	Submitter (Organisation or Individual)
613	Glen Mattingley
666	Glenn Charlett
220	Go Underground Waikanae Inc.
49	Good Folk LTD
229	Gordon & Sylvia Moller
167	Graeme & Elizabeth Yager
285	Graeme Boucher
596	Graeme Mills
62	Graham Coe
216	Graham Halstead
476	Graham Latham
66	Graham Mowbray
465	Graham Owles
467	Grant & Denise Johnson
598	Grant & Pamela Boyd
18	Grant Birkinshaw
661	Grant Burston
441	Greater Wellington Regional Council
23	Guy Weaver
206	Hadyen Gaisford
553	Hallam GR Cresswell
416	Hamish and Leigh Wells
771	Hamish McIntosh
131	Harrisons Country Gardenworld Ltd and Trustees of AA Bills Resettlement Trust
706	Hayden Hazlitt
123	Heather and Gavin Thorley
431	Heather Elias
651	Heather Paul & Peter Jones
45	Helen & Tom Bevin
233	Helen Naylor
198	Helen Punton
532	Helen Welch
260	Hendrik Timmer
734	Henry Fullerton-Smith
545	Hilary Peterson Family Trust
134	Hope Centre Church
219	Horticulture New Zealand
345	House Movers Section of New Zealand Heavy Haulage
687	Ian & Penny Redward
468	Ian Calder
145	Ian Corder
466	Ian Hayes

Submission number	Submitter (Organisation or Individual)
275	Ian Jensen
27	Ian Kennedy
214	Ian King
368	Ian Linning
664	Ian Sheen
355	Invano Rutten
102	Irena Guttke
226	Isabella Barbalich
584	Jacqueline Archibald
463	Jacqueline Maree Elliott
754	Jacqueline Short
765	Jacquelyn Muir
576	Jacqui van den Berg
195	James Kebbell
133	Jan Nisbet
427	Jan Toohey
361	Jane Birchall
322	Jane Coombs
748	Jane Cuming
244	Jane Stewart Dickson
708	Janelle Hazlitt
430	Janet Lang
197	Janet Weber & Mike Sparrow
31	Janey Wilson
510	Jean Kahui
747	Jeanette Carpenter
35	Jeff Sims
761	Jeffrey Ashby
156	Jenni Froggatt
593	Jennifer Evans
153	Jenny Palmer Graphics Ltd
716	Jenny Parry
645	Jens Andreas
140	Jeremy Lumley
619	Jessica Moller
14	Jill Caughley
299	Jim Ginty
634	Jim Johnson
579	Jo Maddren
201	Joan Barbalich
387	Joan Sadgrove
679	Joanna Poole
426	Joanna Richmond

Submission number	Submitter (Organisation or Individual)
717	Joanne Hazlitt
658	Jo-Anne Phelps
721	Jocelyn Wilson
730	Joe Nolan
489	John & Brenda Cheese
37	John & Edna Garriock
464	John & Jennifer Taylor
352	John & Lorraine Adair
608	John Baldwin
12	John Hanning
474	John Harding
333	John Harrison
157	John Hassan & Waihopai Family Trust Trustees
166	John Le Harivel
563	John Lidgard
482	John Marshall
246	John McKinney
675	John Mills
722	John Morrison
288	John Murray
724	John Reardon
344	John Rice
526	John Rutten
291	John Snaddon
702	John Whitehead
107	John Wilson
293	Jonathan Ambler
16	Jordan Dallimore
454	Joy Stewart
694	Judith Bismark
40	Judith Gallocher
304	Judith Lowe
338	Juergen Jenkner
169	Julie Browne
257	Julie Darke, Geoffrey Alexander and MC2 Group Ltd
739	Julie Nevett
113	Juri Alnek
142	K W Nelson Ltd
452	Kapiti Amateur Radio Society Inc
334	Kapiti Architectural Design Limited on behalf of J Wakeham
276	Kapiti Coast Airport Holdings Ltd
132	Kapiti Coast Chamber of Commerce Inc

Submission number	Submitter (Organisation or Individual)
440	Kapiti Coast District Council
480	Kapiti Coast Grey Power Association Inc
422	Kapiti Coast Honda
149	Kapiti Commerical Limited
52	Kapiti Cycling Incorporated
540	Kapiti High Voltage Coalition Inc
175	Kapiti Island Watching Interest (Inc)
611	Kapiti Mountain Bike Club
68	Kapiti Women's Centre
477	Kapiti-Mana Forest & Bird
450	Karen Henry
676	Karen Hewitt
152	Karen Mason
126	Karin Currie
99	Kathleen Gasson
515	Katihiku Marae Committee
433	Katihiku X Trust (438)
64	Ken Barrett
264	Ken Griffiths
190	Ken Moselen
492	Kennott Trust Company Limited & Kauri Trust
236	Kensington Farm Park Limited
176	Kerry Dalton
713	Kerry Davies
329	Kieran Ginty
546	Kieren Howard
6	Kim Crysell
217	Kirsty Doyle
122	Kitchen Creators
447	KiwiRail Holdings Limited
729	Kolin Foo
772	Kotuku Parks Ltd
493	Kumototo Nominees Limited and Patone Holdings Limited
506	Kyle Martin
481	Kylee Martin
501	Land and Infrastructure Management Ltd
411	Land Matters Limited
191	Landlink Ltd
565	Larry Paul
328	Laura Ginty
301	Laura McKenzie
741	Laurie Petherick

Submission number	Submitter (Organisation or Individual)
367	Lawrence Family Trusts
347	Lawrence Senior
436	Leigh Nichols
531	Les Church
733	Les Holborow
55	Leslie D'Mello
54	Levack Family Group
609	Libby Hakaraia
400	Linda Niccol
207	Lorraine Brownie
77	Louise Trilloe
453	Lowell Manning
425	Lutz Brothers Limited and C E Lutz
762	Lydia Johnston
599	Lyn Bennett
336	Lynda Whyman
271	Lyndon Enterprises Ltd
737	Lyndy McIntyre
86	M D A & J H Klimenko and R & N Couchman
253	M Delany
496	M J Page
766	M P Trotter
330	M&R Trask Family Trust
654	Maggie Mouat
144	Magrath Family Trust
495	Mahaki Holdings Limited
61	Malcolm Brown
224	Malcolm Morris
398	Malcolm Robertson
141	Mana Kupu Trust/Ngati Waiorua
200	Mangaone Forest Trust
242	Marc Simpson
19	Maree Fitzgerald
379	Maree McGill
353	Margaret & Doug Bramley
592	Margaret & Doug Bramley
205	Margaret Bilsland
523	Margaret Comber
749	Margaret E Gordon
655	Margaret Flavell
302	Margaret Fulton
251	Margaret Niven
385	Margaret Smith

Submission number	Submitter (Organisation or Individual)
511	Mari Housiaux
744	Maria Stubbe & Mike Freeman
548	Marian Cox
583	Marian Cox
757	Marianne Tavenier
507	Marilyn Stevens
179	Mark Blood & Dorothy Muller
562	Mark Hopman
83	Mark Richards
151	Mark Sherlock
519	Mark Watson
395	Marnie Lanauze
234	Marshall Day Acoustics
143	Martin Warriner
435	Mary-Anne Wirihana Te Rei
574	Matt O'Sullivan
415	Matthew Comber
643	Matthew Tomkinson
154	Matthew Wyatt
746	Maurice & Marie Geffney
650	Mavis Symes
689	Max Retter
263	Maypole Environmental Ltd.
50	McDonald's Restaurants (NZ) Ltd.
282	Megan Rowe
528	Melanie Arron
88	Mical and Sarah Treadwell
731	Michael & Jennifer Berger
580	Michael & Veronica Weir
393	Michael Alexander
631	Michael Alexander
372	Michael and Elizabeth Welch
544	Michael Kingsbeer
677	Michael Polglase
669	Michael Williams
147	Michelle Lewis
405	Michelle Spiers
672	Michelle Yee
648	Mike & Marion Mealings
177	Mike Noon
254	Mike Olsen
494	Millhaven Limited
502	Minoan Corporation Limited, Medina Limited and

Submission number	Submitter (Organisation or Individual)
	Laurence Property Holdings Limited
538	Miranda Roderick
445	Miriama Selby-Rickit
44	Mitchell Law
112	Monique Lagan
48	Moxon Trustee Company Ltd.
700	Mr & Mrs C Waters
714	Mr Robert Kessler
712	Ms Marion Edmond
720	Ms Sarah Brown
419	Muhammad Asghar
51	Murray & Marion Stevens
752	Murray Short
36	Murray Williams
248	Nadine Brown
630	Nancy Pollock
70	Navilluso Trust
127	Neil Bagley
705	Neil Butler
735	Neil McClure
129	Neil McGrath
573	Neil Ranger
267	New Zealand Defence Force
188	New Zealand Farm Forestry Association - Wellington Branch
404	New Zealand Fire Service Commission
460	New Zealand Historic Places Trust
399	New Zealand Police
136	New Zealand Wind Energy Association
232	Nga Hapu O Otaki
438	Nga Hapu o Otaki - Koroki
407	Nga Manu Trust
170	Nga Uruora Kapiti Project Inc.
221	Ngahina Developments Ltd.
91	Ngairé Trappitt
348	Ngarara Road Residents
560	Ngati Koroki
500	Ngatotara Farms Limited and Rod Agar
570	Nicholas Morley-Hall
15	Nicola Holden
289	Nicol-Abernethy Trust
691	Nicole Retter
533	Nigel Welch

Submission number	Submitter (Organisation or Individual)
508	Nigel Wilson
455	Nikau Trust
667	Noel & Cecelia Johnston
600	Noel & Joanna Todd
57	Noeleen Clifford
581	Norm Antcliff
38	North Otaki Beach Residents Group Inc.
203	NZ Association of Radio Transmitters (Inc.)
187	NZ Institute of Surveyors - Wellington Branch
457	NZ Transport Agency
412	Oliver Meehan
697	Otaki Surf Lifesaving Club
243	Owen Cox
331	Pacific Radiology Kapiti Road
406	Paekakariki Community Board
750	Paekakariki Community Board
594	Paekakariki Surf Lifeguards Inc.
323	Pamela Tregurtha
94	Paraparaumu Beach Golf Club
389	Paraparaumu Medical Centre
756	Pascal Odijk
81	Pataka Moore
335	Patricia Mason
591	Patricia Mason
638	Patrick Murray
30	Paul and Eppie Murton
743	Paul and Grace Dunmore
164	Paul Devereux
29	Paul Ingram
278	Paul Perniskie
745	Paul Robin John Hockey
632	Paul Stewart Barrett
350	Paula Keene
549	Paula Lynch
483	Pekawy Developments Ltd.
542	Peter & Sonya Jackson
469	Peter Abel
258	Peter Adlam
116	Peter and Diana Kiernan
590	Peter and Lyndia Wood
536	Peter Arthur Sear
103	Peter Brain
78	Peter Brownie

Submission number	Submitter (Organisation or Individual)
673	Peter Clemerson
364	Peter Cresswell
182	Peter Davis
726	Peter Evans
165	Peter Gibson
623	Peter John Holden
711	Peter Katz
670	Peter King
764	Peter McKenzie
760	Peter Middlemiss
703	Peter Nelson
114	Peter Robinson
736	Peter Stevens & Michelle Glogau
602	Peter van der Sman
377	Phil Sadgrove
605	Philip & Dorothy Tortell
209	Philip Butler
698	Philippa Poole
751	Ping Huang
629	PJ & RA Holden Family Trust
624	Poole Family Trust
277	Poultry Industry Association of NZ (PIANZ) & the Egg Producers Federation of NZ (Inc.) (EPFNZ)
255	Progressive Enterprises Ltd.
121	Prosser Family Trust
725	Prue Hyman & Pat Rosier
719	Q M Hay
653	Quentin Poole
657	R K Gibbons
682	Rae O'Hagan
625	Raewyn Holden
173	Rajan Kapadia
106	Rama McGee
429	Rangiuru By The Sea Neighbourhood Group
297	Rata Developments Ltd. & Lenture Trust
139	Raumati South Residents Association
366	Rebecca Wakelin
252	Regional Public Health
388	Reikorangi River and Bush Group
479	Richard Bull
337	Richard Goodman
172	Richard Heerdegen & Johanna Rosier
115	Richard Jessup

Submission number	Submitter (Organisation or Individual)
316	Richard Steere
231	Richard Swan
710	Richard Wagstaff
300	Richelle Cattermole
518	Rita Toney
499	Riverbank Estates Limited Riverbank Estates Limited
498	Riverbank Orchards Limited and Kennott Trust Company
497	RNR Trust
451	Rob Crozier & Joan Allin
184	Rob Kieboom
311	Robert & Louise Faulke
556	Robert & Patricia Noble-Beasley
354	Robert Borgers
281	Robert Buckett
539	Robert Isted
80	Robert J Barton
108	Robert McGee
587	Robert Stevens
321	Robin & Ferial Falconer
569	Robin Hartley
684	Robin McKenzie
428	Robyn Bowry
471	Robyn Henderson
223	Robyn Steele
753	Rochelle Wilson
649	Rod Cavaye
261	Roderick & Gillian Deane
503	Roderick and Carol Lingard
97	Roger Manthel No 2 Trust & Neil Manthel No 2 Trust
204	Roger Quayle
777	Ronald DeDera
699	Rosalind Poole
294	Roseanna Arthurs
621	Rosemary Barrington
568	Ross Boyd
628	Ross Hayward
656	Ross Wilson
375	Roy Opie
163	Rupene Waaka
696	Rupert Wilson
162	Russell Spratt
490	Russell Stevenson

Submission number	Submitter (Organisation or Individual)
554	Ruth Harrison & Malcolm Watson
639	Ruth McCabe
309	Ryan Tregurtha
516	Sacha Kenny
358	Salima Padamsey
627	Sally Poole
370	Sandra Linning
342	Sandra Robinson
25	Sara Velasquez
308	Sarah & Thomas Anthony
312	Sarah Anthony
360	Sarah Mackenzie
192	Sarah Reid
71	Seagrass Estates
274	Shane Murland
313	Shane Tregurtha
715	Sharif Family Trust
290	Sharon Hunter
65	Sharon Hurst
146	Sheryl Brunel
622	Shona Moller
390	Shona Thomson
740	Simon Arnold
186	Simon Lusk & Sue Holloway
534	Simon van Den Berg
680	Sir Grant Hammond & Lady Nanette Moreau Hammond
160	Sonia Dolan
473	Southcombe Architects
67	Sphinx Holdings Ltd.
610	Springwell Properties Ltd.
459	St Heliers Capital Limited
245	Stephan Titze
392	Stephen & Lynette Brown
194	Stephen Aitken
265	Stephen Barr
418	Stephen Cunningham
193	Stephen Johnson
432	Stephen Lang
612	Stephen Lange
597	Steve & Elly Simpson
273	Steven Brohashire
617	Stewart & Catherine Fraser

Submission number	Submitter (Organisation or Individual)
58	Stewart Knowles
604	Stuart & Mary Pritchard
520	Stuart Becker
486	Sue Smith and Chris Mitchell
620	Susan DeDera
637	Susan Jane Baird
642	Susan McIntosh
522	Susan Snaddon
571	Susan Stapleton
161	Susanne Branch
582	Suzanne Chetwin
249	Suzanne Kench
572	Sylvia Booth
310	T & S Anthony Family Trust
626	Tainui St and Kirkway Residents
222	Takahe Family Trust
60	Talisman Kapiti Ltd.
268	Tararua Tramping Club
397	Tasman Lakes Estates Ltd.
272	Te Anau Trust Terry & Ann Hall
284	Te Newhanga - Kapiti Community Centre
150	Te Runanga o Toa Rangatira Inc.
444	Telecom New Zealand Limited
558	Terry Parminter
171	The Brownie Trust
525	The Comber Family Trust
409	The Deborah Charitable Trust
607	The Front Room Cafe / Restaurant
517	The MacDonald Group
212	The NZ Anglican Church Pension Board
512	The Oil Companies
247	The Paetawa Trust
585	Sir Thomas & Lady Vida Eichelbaum
13	Tim Caughley
315	Tim Strong
256	Timothy John O'Connor
547	Tina Pope
681	Todd O'Hagan
718	Tom & Alison Delahunty
178	Tommys Real Estate Ltd.
774	Tony & Anne Frizelle
566	Tony Fraei
3	Tony Jack

Submission number	Submitter (Organisation or Individual)
391	Tony Thomson
208	Transpower New Zealand Ltd.
159	Trevor Wright
24	Tui Trust
17	Two Degrees Mobile Ltd.
692	Tyler Kendall
408	USNZ Forestry Group Limited
227	V J Limited
90	Valerie Ballinger
472	Valerie Pyke
709	Valmai Copeland
417	Van Der Kwast Family Trust
213	Vector Gas Ltd.
120	Verity Abdat
616	Vic James
382	Vincent Osborne
95	Vivian French
111	Vivienne Jeffs
767	W R Trotter
327	Waa Rata Estate
319	Waikanae Christian Holiday Park Inc. (El Rancho)
437	Waikanae Community Board
2	Waikanae Golf Club (Inc.)
286	Waikanae North Limited
458	Waitohu Stream Care Group
79	Wakapua Farm Limited Mr Sydney
73	Walter Maher
10	Warwick Dobbie
636	Warwick Halcrow
314	Warwick Wyatt
69	Warwick's Automotive Services
505	Wayne Stevens
462	Wellington Fish and Game Council
527	Wendy & Warwick Gibson
535	Wendy Masters
659	West Family Trust
559	Whakarongotai Marae - Te Ati Awa
543	William & Margaret Ricketts
615	William Bierly
773	William Garlick
101	William Gasson
92	Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Limited)

Submission number	Submitter (Organisation or Individual)
230	WN Pharazyn Charitable Trust
9	Y & C Young, J Fluker
87	Z Energy Ltd
317	Zachary Jordan
551	Zaida Holdings
647	Zoe Moller
238	Zoran Barbalich

Appendix B: List of Further Submitters

Further number	Submission	Submitter (Organisation or Individual)
FS140		Adrian Turner
FS135		Alan & Ann Parsonage
FS47		Alex Metcalfe
FS68		Allan Darragh
FS79		Allan Harvey
FS139		Allan Smith
FS117		Andrew Aspros
FS78		Andrew Coy
FS240		Andrew McIntyre
FS134		Angela Galland
FS30		Ann Higgs
FS38		Anna Heino Amaya
FS144		Anne Marie Moorhead
FS57		Anthony and Anne McEwan
FS146		Armin Guttke
FS145		Ballinger Industries Ltd.
FS27		Barbara & Murray Scott
FS3		Barry Hurman
FS59		Barry, Suzanne and Timothy Mansell
FS181		Bellcamp Trust Company
FS35		Bob Roberts
FS171		Brian Baggott
FS112		Bryan McConkey
FS207		Bryce Moller
FS48		Bunnings Ltd.
FS179		C D Bowie
FS137		Cabrach Holdings Ltd.
FS84		Cardno (NZ) Ltd.
FS120		Carey Strand
FS95		Carolyn Harrison
FS43		Carter Families of Reikorangi
FS148		Catherine Strong
FS61		Cavallo Agistment Ltd.
FS157		Charles Jelley
FS87		Chorus New Zealand Ltd.
FS152		Christine Balloch
FS239		Christopher Butler
FS138		Christopher Glover
FS200		Christopher Ruthe
FS214		Christopher Turver

Further number	Submission	Submitter (Organisation or Individual)
FS227		Coastal Ratepayers United
FS55		Coastlands Shoppingtown Ltd.
FS29		Crozier Family Trust and Allin Family Trust
FS111		Cuttriss Consultants Ltd.
FS104		Daniel McCarthy
FS40		Darren Smith
FS62		David & Lesleigh Hogg
FS21		David Feltoe
FS231		Dean & Vendulka Tutton
FS36		Debbie Clark
FS105		Deborah Griffiths
FS169		Denise Mednis
FS76		Dennis Portch
FS193		Department of Conservation
FS8		Derek Clay
FS83		Derek Edwards
FS126		DF&AE Smith & Ratanui Farming Partnership
FS219		Don Frampton
FS72		Donald McIntosh
FS49		Dr Chris Hoffman
FS236		DUNE (Dune Restoration Group Paraparaumu Beach)
FS9		Egon Guttke
FS20		Esther Feltoe
FS2		Faye Hiko / Paku
FS63		Federated Farmers of NZ
FS197		Forest & Bird Kapiti Mana
FS153		Garlap and Mahaki Holdings Ltd
FS13		Gerald Bates
FS223		Gerald Parsonson
FS155		Gillian Buchanan
FS107		Go Underground Waikanae Inc.
FS114		Graham Barker
FS39		Greg Bishop
FS141		Gregory Galland
FS116		Guy and Vanessa Simpson
FS130		GWF & JD Thompson, Reikorangi Forest Ltd, Kaitawa Forest Ltd.
FS1		Hamish Hunter Levack
FS230		Heather Paul & Peter Jones
FS25		Helen & David Walshaw
FS191		Horticulture New Zealand
FS222		Ian Baker
FS41		Ian Jensen

Further number	Submission	Submitter (Organisation or Individual)
FS208		Ian Kennedy
FS10		Irena Guttke
FS190		Isobel Gabites & Others
FS224		Jan Toohey
FS28		Jane de Joux
FS26		JCC Trust
FS199		Jean Luke
FS52		Jean Macdonald
FS98		Jessica Chambers
FS75		Jessica Ward
FS182		John & Brenda Cheese
FS192		John Barrett
FS149		John Govier
FS11		John Le Harivel
FS108		John Rice
FS7		John Topliff
FS67		Jonathan Battson
FS176		Joy Anderton
FS154		Julian Buchanan
FS170		Juris Mednis
FS94		Kapiti Coast Airport Holdings Ltd.
FS115		Katherine Welsh
FS71		Kathleen Ransley
FS168		Kathy Lyall
FS150		Kelvin Cudby
FS229		Ken Moselen
FS183		Kennott Trust Company Ltd and Kauri Trust
FS159		Kevin Eugene Symonds
FS238		Klaas & Suzanne Van Dalen
FS128		Kotuku Park Ltd
FS184		Kumototo Nominees & Patone Holdings
FS136		Land and Infrastructure Management Ltd.
FS178		Land Matters Ltd.
FS151		Larry Balloch
FS235		Larry Paul
FS5		Les Henshaw
FS4		Leslie J Rothwell
FS103		Leslie McKendry
FS16		Lorraine Upham
FS241		Lowell Manning
FS180		Lutz Brothers Ltd.
FS93		Lyndon Enterprises Ltd.
FS161		Lynn Anderson

Further number	Submission	Submitter (Organisation or Individual)
FS186		Mahaki Holdings Ltd.
FS202		Maranatha Foundation Trust
FS69		Margaret Wright
FS172		Mari Housiaux
FS12		Marian Tobin
FS132		Marilyn Stevens
FS97		Matthew Callahan
FS37		Maureen & William Roxburgh
FS125		Maypole Environmental Ltd.
FS31		Menno van Eyk
FS58		Michael & Elizabeth Welch
FS14		Michael Alexander
FS166		Michael Codyre
FS81		Michael McKeon
FS216		Michael Mealings
FS18		Michael Oldham
FS226		Michael Weir
FS86		Michelle Bullivant
FS185		Millhaven Ltd.
FS74		Minoan Corporation Ltd., Medina Ltd. & Laurence Property Holdings Ltd.
FS210		Moxon Trustee Company Ltd.
FS89		Murray Milnes
FS65		Neil Buchanan
FS174		New Zealand Fire Service Commission
FS175		New Zealand Historic Places Trust
FS51		Ngahina Developments Ltd.
FS42		Ngatotara Farms Ltd and Rod Agar
FS85		Nick James
FS194		North Otaki Beach Residents Group Inc.
FS90		Oliver Ewert
FS101		Otaihanga Boating Club
FS163		Pablo Wolinski
FS92		Paekakariki Community Board
FS45		Pat Thomson
FS124		Patricia & Alan Stuart
FS24		Patrick Murray
FS221		Paul & Grace Dunmore
FS15		Paul and Julie Browne
FS215		Paul Ingram
FS110		Paula Keene
FS123		Peter & Linda Gibson
FS73		Peter Gibson

Further number	Submission	Submitter (Organisation or Individual)
FS70		Peter Gilbert
FS33		Peter Kiernan
FS82		Peter Stevenson-Wright
FS122		Pip and Dean McCarroll
FS198		Poultry Industry Association of NZ and Egg Producers Federation of NZ
FS129		Progressive Enterprises Ltd.
FS212		Prue Hyman & Pat Rosier
FS17		Rachael Oldham
FS213		Ray Moyon
FS165		Rhys Lyall
FS77		Richard & Mary Williams
FS54		Richard Swan
FS189		Riverbank Estates Ltd.
FS188		Riverbank Orchards Ltd & Kennott Trust Company
FS109		RNR Trust
FS187		RNR Trust
FS121		Robert Bevan Smith
FS46		Robert Burns
FS143		Robin & Ferial Falconer
FS56		Robyn Bowry
FS211		Roger Quayle
FS156		Rose Jelley
FS147		Rouen Beale
FS100		Roy & Meryl Opie
FS196		Rutten Family
FS228		Salima Padamsey
FS34		Sarah Kershaw
FS80		Shane Murland
FS220		Sharif Family Trust
FS233		Shaun McCarthy
FS206		Shona Moller
FS234		Simon Arnold
FS96		Simon Callahan
FS66		St Heliers Capital Ltd.
FS160		Stanley Robert Goodright
FS217		Stephen Barr
FS164		Stephen McNamee
FS237		Steve & Elly Simpson
FS118		Steven Ransley
FS173		Susan Keast
FS113		Suzanne Chetwin
FS19		Suzanne Kendrick

Further number	Submission	Submitter (Organisation or Individual)
FS60		Tasman Lakes Estates Ltd.
FS88		Telecom NZ Ltd.
FS99		Terri Cook
FS6		Terry & Irene Parminter
FS50		Terry Creighton
FS106		The NZ Anglican Church Pension Board
FS127		Toni Strand
FS44		Tony Thomson
FS64		Transpower New Zealand
FS162		Trudi McNamara
FS102		USNZ Forestry Group Ltd.
FS142		Valerie Ballinger
FS167		Waa Rata Estate
FS177		Waikanae Christian Holiday Park Inc.
FS53		Waikanae North Ltd.
FS119		Warren Dickinson
FS232		Warwick & Wendy Gibson
FS133		Wayne Stevens
FS22		Wellington Gliding Club Incorporated
FS225		Wendy Masters
FS158		William Trotter
FS23		Winstone Aggregates (a division of Fletcher Concrete and Infrastructure Limited)
FS32		Yvonne Collin & Howard Simpson
FS131		Z-Energy Ltd, BP Oil Ltd, Mobil Oil NZ Ltd.