

**KAPITI COAST DISTRICT COUNCIL**  
**PROPOSED KAPITI COAST DISTRICT PLAN**  
**HEARINGS PANEL MINUTE 13**

**19 AUGUST 2016**

**EXPERT WITNESSES' CONFERENCE**  
**COASTAL ENVIRONMENT**

1. The purpose of this Minute is to advise all parties of the Hearing Panel's decision to request the experts who presented evidence on behalf of submitters on the definition and mapping of the "coastal environment" to participate in an expert witnesses' conference.

**BACKGROUND**

2. The Proposed District Plan (PDP) as notified located the inland boundary of the "coastal environment" a considerable distance inland from the coast.
3. Only three submitters addressed this point in their Notice of Submission and presented expert evidence on this particular PDP provision at the hearing. They were:
  - Submitter 202: Director-General of the Department of Conservation
  - Submitter 441: Greater Wellington Regional Council
  - Submitter 485: Frank and Vicki Boffa
4. Submitters 202 and 441 supported Policy 4.1 of the PDP, with the Greater Wellington Regional Council supporting the identification and definition of the landward extent of the coastal environment on planning maps which is consistent with both Policy 1 of the New Zealand Coastal Policy Statement (NZCPS) and Policy 4 of the Regional Policy Statement for the Wellington Region (RPS).
5. Conversely, Submitter 485 (Frank and Vicki Boffa) requested that the coastal environment should be more confined, with the inland boundary being located much closer to the coast.
6. The Chapter 4 (Coastal Environment) s42A Report writer (Ms Frances Lojkine), in response to the submission by Frank and Vicki Boffa, and drawing on further technical work undertaken by the Council's technical advisors (Isthmus Group), recommended amending the landward extent of the coastal environment to a location much closer to the coast than shown on the PDP maps as notified.
7. At the hearing of submissions on Chapter 4 (Coastal Environment) held on 8 to 10 August 2016, expert evidence presented on behalf of the Director-General of the Department of Conservation and the Greater Wellington Regional Council concluded that the amended landward extent of the coastal environment would not give effect to the NZCPS or the RPS. Accordingly, the witnesses for both the Director-General and the Regional Council opposed the s42A Report recommendation.
8. Faced with conflicting expert evidence the Hearings Panel agreed to 'adjourn' the hearing and request that the Council's consultant experts and the experts for the Director-General of the Department of Conservation and the Greater Wellington Regional Council meet to discuss their differences in expert opinion, with a view to reaching an agreed position on how the extent and characteristics of the coastal environment are most appropriately defined/described in the District Plan; or alternatively, clearly state the reasons for any differences of expert opinion.
9. Following the expert witnesses' conference, the Hearings Panel proposes reconvening the Chapter 4 hearing to receive the experts' report, at which time all the experts would be available to answer on questions from the Hearings Panel.

## **PARTICIPANTS TO ATTEND EXPERT WITNESSES' CONFERENCE**

10. The Hearings Panel requests that the following experts attend and participate in the conference:

(a) on behalf of the Kapiti Coast District Council:

- Lisa Rimmer, consultant landscape architect
- Frances Lojkine, consultant policy planner

(b) on behalf of the Director-General of the Department of Conservation:

- Graeme La Cock, ecologist
- Chris Rendall, senior RMA advisor
- Helen Marr, planning consultant

(c) on behalf of the Greater Wellington Regional Council:

- Dr Jamie Steer, ecological advisor
- Lucy Harper, policy advisor

## **TIMING OF EXPERT WITNESSES' CONFERENCE**

11. The Hearings Panel request is that the expert witnesses' conference is held just as soon as reasonably practicable, but by no later than Friday 2 September 2016, with a report summarising the outcome of the conference to be provided to the Hearings Panel by no later than Friday 9 September 2016. The report will be posted on the Council's PDP web page: <http://www.kapiticoast.govt.nz/Your-Council/Planning/District-Plan-Review>.

## **HEARINGS PANEL'S DIRECTIONS**

12. The Hearings Panel specifically requests that the experts' response covers, but is not limited to, the following questions:

### Overriding question:

(a) What is the most appropriate method to define/describe the '*landward extent of the coastal environment*' in order to give effect to Policy 1 of the NZCPS and Policy 4 of the RPS?

### Supplementary questions:

(b) With respect to Policy 4 of the RPS, what are the principal considerations involved in determining the extent of the coastal environment:

- (i) generally - i.e. what characteristics/features should be taken account of in determining the inland extent of the coastal environment?; and
- (ii) specifically - i.e. what specific characteristics/features of the Kapiti Coast should be taken account of in determining the inland extent of the Kapiti Coast coastal environment?

(c) Having determined the components that constitute the description/definition of the coastal environment in the Kapiti context, how should they be provided for in the District Plan? Should it be by:

- (i) lines on a map;
- (ii) a policy / narrative construct;
- (iii) a mixture of the above; or
- (iv) some other method(s).

- (d) If lines on a map are preferred as a method, then:
- (i) Is identifying an inland boundary of the coastal environment as a defined line on the Planning Maps consistent with 'best practice'?
  - (ii) Should the extent of the coastal environment and hence any delineation of an inland boundary on the Planning Maps be based on a definition of the "coastal dominance zone" as distinct from the "coastal significance zone"?
  - (iii) Should the inland extent of the coastal environment for the Kapiti Coast generally 'align' with that of the adjoining local authority to the north (i.e. the Horowhenua District)?
13. The Hearings Panel requests that the report prepared by the experts should confirm areas of agreement and areas of remaining disagreement. Where there remain areas of disagreement reasons for that disagreement should be cited.
14. The Hearings Panel has requested the Kapiti Coast District Council Manager - Research Policy and Planning to:
- (a) take the lead on contacting the witnesses and confirming the time and venue for the expert witnesses' conference; and
  - (b) make available the necessary administrative support, including the provision of an appropriately qualified person to assist the experts prepare their report.

#### **TIMING OF RESCHEDULED CHAPTER 4 HEARING**

15. The Hearings Panel proposes to schedule the reconvened Chapter 4 (Coastal Environment) hearing for Wednesday 21 September 2016.
16. As per standard practice, if there are any questions arising from this Minute then they should be directed to the Hearings Administrator (Leanne Taylor) in the first instance. Leanne can be contacted at the following email address: [districtplanreview@kapiticoast.govt.nz](mailto:districtplanreview@kapiticoast.govt.nz).



Alistair Aburn  
Chairperson

for and on behalf of  
Proposed Kapiti Coast District Plan Hearings Panel

19 August 2016