

Submission on notified proposal for plan change



About preparing a submission on a proposed plan change

You must use the prescribed form

- [Clause 6](#), Schedule 1 of the Resource Management Act 1991 (RMA) requires submissions to be on the prescribed form.
- The prescribed form is set out in [Form 5](#), Schedule 1 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.
- This template is based on Form 5. While you do not have to use this template, your submission must be in accordance with Form 5.

Your submission and contact details will be made publicly available

- In accordance with [clause 7](#) of Schedule 1 of the RMA, the Council will make a summary of your submission publicly available. The contact details you provide will also be made publicly available, because under [clause 8A](#) of Schedule 1 of the RMA any further submission supporting or opposing your submission must be forwarded to you by the submitter (as well as being sent to Council).
- [Section 352](#) of the RMA allows you to choose your email to be your address for service. If you select this option, you can also request your postal address be withheld from being publicly available. To choose this option please tick the relevant boxes below.

Reasons why a submission may be struck out

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- ☐ it is frivolous or vexatious
- ☐ it discloses no reasonable or relevant case
- ☐ it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- ☐ it contains offensive language
- ☐ it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

To Kāpiti Coast District Council

Submission on Proposed Plan Change 2 to the Operative Kapiti Coast District Plan 2021

Submitter details

Full name of submitter: **DAVID JOHN SMAIL**

Contact person (name and designation, if applicable):

Postal address (or alternative method of service under section 352 of the RMA):

Telephone: **027 245 1101**

Electronic address for service of submitter (i.e. email):

daviesmail@yahoo.com

I would like my address for service to be my email *[select box if applicable]*



I have selected email as my address for service, and I would also like my postal address withheld from being publicly available *[select box if applicable]*



Scope of submission

The specific provisions of the proposed plan change that my submission relates to are:
[give details]

1. Opposition to the Council utilising the report, Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Report Volume 2: Results (Jacobs Volume 2) as a basis for the Coastal Qualifying Matter Precinct (CQMP).
2. Opposition to the Council's interpretation and application of NZCPS Policy 24 (Hazard identification) and Policy 25 (Subdivision, use, and development in areas of coastal hazard risk).
3. Opposition to the Council's interpretation and application of section 6 of the RMA.
4. Opposition to the inconsistent approach the Council has adopted to providing for a qualifying area based on potential for coastal erosion.

Continue on a separate sheet if necessary

Submission

My submission is: *[include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]*

I support CRU's submission.

Continue on a separate sheet if necessary

I seek the following decision from the Kāpiti Coast District Council: [give precise details]

- a) Delete the proposed CQMP which has been based on Jacobs Volume 2 report.
- b) Replace the proposed CQMP with a new enlarged area CQMP based on further advancing the NZCPS objectives and policies already addressed in the District Plan.
 - i. As a minimum, CQMP to include all land identified as the "Adaptation Area" in the Takutai Kāpiti GIS Map Viewer maps.
 - ii. Alternately, if the Council chooses instead to base the CQMP on coastal hazard identification, CQMP should include only that land and those properties that are currently identified in the District Plan as within the 'no build' and 'relocatable' coastal hazard zones.
 - iii. The alternative above at (ii) is not CRU's preferred approach, however CRU submits it is the only lawfully defensible approach given the Council's failure to have implemented NZCPS Policy 24 by not yet bringing forward proposed coastal hazard provisions under NZCPS 2010 via a Plan Change specifically addressing these matters.
- c) Such further or consequential relief as is required to give effect to this submission.

Continue on a separate sheet if necessary

Hearing Submissions [select appropriate box]

I wish to be heard in support of my submission.	☐
I do not wish to be heard in support of my submission.	☐
If others make a similar submission, I will consider presenting a joint case with them at a hearing.	☒
If others make a similar submission, I will not consider presenting a joint case with them at a hearing.	☐



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

Date

20/9/22

A signature is not required if you make your submission by electronic means.

Trade Competition [select the appropriate wording]

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by [clause 6\(4\)](#) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could ☐ / I 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 ☐ / I am not ☒ directly affected by an effect of the subject matter of the submission that—

(a) adversely affects the environment; and

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

Email your submission to district.planning@kapiticoast.govt.nz or post/deliver to:

Attn: District Planning Team
Kāpiti Coast District Council
175 Rimu Road
Paraparaumu 5032

For office use only

Submission No:

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☐

From: [David Smail](#)
To: [Mailbox - District Planning](#)
Subject: Submission
Date: Wednesday, 21 September 2022 9:05:01 am
Attachments: [20220921090401_001.pdf](#)

See attached

David Smail



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