

# 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:** Thomas McQuade Berthold and Fiona Margaret Forbes Berthold

**Contact person (name and designation, if applicable):** Thomas Berthold

**Postal address (or alternative method of service under section 352 of the RMA):**  
[REDACTED]

**Telephone:** 04 297 3201

**Electronic address for service of submitter (i.e. email):** thosberthold@gmail.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]*

See Attached

*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.	<input type="checkbox"/>
I do not wish to be heard in support of my submission.	<input checked="" type="checkbox"/>
If others make a similar submission, I will consider presenting a joint case with them at a hearing.	<input type="checkbox"/>
If others make a similar submission, I will not consider presenting a joint case with them at a hearing.	<input checked="" type="checkbox"/>

15 September 2022

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

\_\_\_\_\_  
Date

*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](mailto: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:

95

**From:** [Tom Berthold](#)  
**To:** [Mailbox - District Planning](#)  
**Subject:** Re: Submission to KCDC on proposed change to District Plan  
**Date:** Monday, 19 September 2022 1:08:20 pm

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Yes that is correct.. Cheers  
(We're new at this submissions business!)

On Mon, Sep 19, 2022 at 12:17 PM Mailbox - District Planning  
<[District.Planning@kapiticoast.govt.nz](mailto:District.Planning@kapiticoast.govt.nz)> wrote:

Hi Tom and Fiona

Just to clarify, you have not intended to include or attach another document? Instead on page 3 of the submission form under 'Submission' and how you have put "See Attached" are you wanting this to refer to your comments on page four under 'I seek the following decision from the Kāpiti Coast District Council: [give precise details]'

Kind regards,

**Abbey Morris**  
Planning Technical Support Officer

Kāpiti Coast District Council  
Tel 04 296 4725  
Mobile 027 3037 312

[www.kapiticoast.govt.nz](http://www.kapiticoast.govt.nz)

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**From:** Tom Berthold <[thosberthold@gmail.com](mailto:thosberthold@gmail.com)>  
**Sent:** Monday, 19 September 2022 12:01 pm  
**To:** Mailbox - District Planning <[District.Planning@kapiticoast.govt.nz](mailto:District.Planning@kapiticoast.govt.nz)>  
**Subject:** Re: Submission to KCDC on proposed change to District Plan

Dear Abbey

Apologies for lack of clarity. The document (our submission) is the page headed "I seek the following decision from the Kāpiti Coast District Council: [give precise details]"

Kind regards

Tom and Fiona Berthold

On Fri, Sep 16, 2022 at 4:03 PM Mailbox - District Planning  
<[District.Planning@kapiticoast.govt.nz](mailto:District.Planning@kapiticoast.govt.nz)> wrote:

Hi Thomas and Fiona

Thank you for showing interest in Plan Change 2: Intensification.

Within your submission, under the 'Submission' section on the third page, it says "See Attached". The only attachment that came with your email was the completed submission form. Is there meant to be an accompanying submission document too?

Kind regards,

**Abbey Morris**  
Planning Technical Support Officer

Kāpiti Coast District Council  
Tel 04 296 4725  
Mobile 027 3037 312

[www.kapiticoast.govt.nz](http://www.kapiticoast.govt.nz)

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**From:** Tom Berthold <[thosberthold@gmail.com](mailto:thosberthold@gmail.com)>  
**Sent:** Thursday, 15 September 2022 1:12 pm  
**To:** Mailbox - District Planning <[District.Planning@kapiticoast.govt.nz](mailto:District.Planning@kapiticoast.govt.nz)>  
**Cc:** Fiona Berthold-nz <[fiona.berthold@gmail.com](mailto:fiona.berthold@gmail.com)>  
**Subject:** Submission to KCDC on proposed change to District Plan

Please find attached our joint submission.

Faithfully

Thomas Berthold

Fion Berthold

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