

Our Ref: NZ0113017

Contact: Rhys Phillips

2 April 2013

Proposed Kapiti Coast District Plan 2012  
Kāpiti Coast District Council  
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Attention: Jim Ebenhoh, Sustainable Development Manager

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Dear Jim,

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*Form 5*

Submission on Proposed Kapiti Coast District Plan 2012

**1. Name of Submitter:**

Kotuku Parks Ltd C/- Cardno (NZ) Ltd  
PO Box 13 142  
Johnsonville  
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Attn: Rhys Phillips

**2. Submission on:**

Proposed Kapiti Coast District Plan 2012

**3. Submission Covers:**

Chapter 4 - Coastal Environment

& related sections of Chapter 5 – Living Environment and Chapter 9 – Hazards.

#### **4. Submission Details:**

##### Overview

Kotuku Parks Ltd (Kotuku) opposes the inclusion of Coastal Hazard Management Areas (CHMA's) in the Proposed Kapiti Coast District Plan 2012 (PDP) and seeks the removal of the CHMA and all associated objectives, policies, rules and standards until such time as a detailed assessment of the coastal processes and likely effects of sea level rise (SLR) on the position of the shoreline has been completed.

Alternatively we seek a re-examination of the positions of the 50 and 100 year projected "Otaihanga shorelines" at Kotuku Park, as there appears to be inconsistencies between the calculated values and the plotted positions of these lines.

The CHMA's are based upon the Kapiti Coast Erosion Hazard Assessment 2012 Update by Dr Roger D Shand of Coastal Systems (the Shand Report). Cardno's Coastal and Ocean team have visited the site and undertaken a detailed review of Dr Shand's Report, including meeting with him to seek clarification regarding technical aspects of his work.

Cardno's "*Assessment of the Kapiti Coast Erosion Hazard Report 2008 and 2012 Update by Dr Roger Shand*" is attached in Appendix A. This report details several issues and limitations with the Shand report, many of which are acknowledged by Dr Shand himself in his report. It recommends that Dr Shand's report be used as a starting point for a detailed study of coastal processes for the entire Kapiti coast.

Cardno's report also notes significant issues with the position of the 50 and 100 year CHMA's adjacent to, and affecting Kotuku Parks land. Our assessment indicates that calculations used to assess the CHMA lines are overly conservative. They also indicate that the positions of the plotted CHMA's do not match Dr Shand's calculations. More detailed analysis of the position of the CHMA' lines affecting Kotuku needs to be undertaken before any restrictions are placed upon Kotuku's land.

##### Background:

Kotuku Parks Ltd has been developing a large area of land to the south of the Waikanae River mouth for many years. The last two stages of this development, Stages 4 and 7 (see 98265-PG01 attached at Appendix B) have been approved and constructed. The applicant is currently liaising with KCDC over the last few items before the s224C certificate is issued and titles are created.

As Cardno Plan 98265-PG-01 attached shows, the proposed 100 year managed and 100 year unmanaged CHMA's cross the western portion of Stages 4 and 7, affecting 11 of the approved residential lots.

#### **5. The Shand Report 2012.**

The *No build* CHMA and Relocatable Building CHMA's in the PDP are based upon the unmanaged 50 year and 100 year erosion predictions in the Shand Report.

As noted our review of the Shand Report attached at Appendix A, this submission should not be seen as a criticism of the studies and reports by Dr Shand, rather it is intended to highlight the challenges faced by Dr Shand when working with limited funds and information on what is clearly a complex coastal system. It is noted that Dr Shand has responsibly, and transparently, noted the limitations of the available information, the process understanding and the conservative nature of the assumptions that were necessary to undertake the project.

Kotuku recognises that the New Zealand Coastal Policy Statement 2010 (NZCPS) requires the provision of a coastal hazard assessment up to a 100 year time frame. However, there are significant issues with the Shand Report which require consideration.

### **5.1 Accretion not considered.**

A significant concern with the Shand Report is that accretion has not been included. As our report at Appendix A states there is clear evidence that some areas of the coast are accreting, particularly adjacent to Kotuku.

Section 1(b) of Policy 24 of the NZCPS (copy below) clearly states that hazard risks are to be assessed over at least 100 years having regard to among other things natural dynamic processes of erosion and accretion. The Shand Report clearly considers erosion but largely ignores accretion despite the NZCPS requiring consideration of it. As a result both the Shand Report and the PDP do not correctly apply Policy 24 of the NZCPS.

### **Policy 24: Identification of coastal hazards**

1. *Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunamis), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to:*
  - a. *physical drivers and processes that cause coastal change including sea level rise;*
  - b. *short-term and long-term natural dynamic fluctuations of erosion and accretion;*
  - c. *geomorphological character;*
  - d. *the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent;*
  - e. *cumulative effects of sea level rise, storm surge and wave height under storm conditions;*
  - f. *influences that humans have had or are having on the coast;*
  - g. *the extent and permanence of built development; and*
  - h. *the effects of climate change on:*
    - i. *matters (a) to (g) above;*
    - ii. *storm frequency, intensity and surges; and*
    - iii. *coastal sediment dynamics;*

*taking into account national guidance and the best available information on the likely effects of climate change on the region or district.*

In fact both Council and the Shand Report acknowledge that some areas of the shoreline, including the shoreline adjacent to Kotuku's land are accreting:

The document attached to Council's letter of 10 December 2012 states that:

*"No value for accretion of the shoreline has been included in these equations. It is acknowledged that the shoreline north of the Waikanae River Mouth to the districts northern boundary and to a lesser degree, at the northern end of Paraparaumu has been undergoing long term accretion with shorter periods of erosion. However, current understanding of the causes of this is imperfect. There are no tested and reliable models or analysis which could be used with confidence to assess whether this process will continue or reverse under the impact of sea level rise and increased storm intensity. As a consequence the risk assessment has considered this process but not assigned a numeric value to it in the methodology."*

This statement implies that it is not possible to develop reliable models or analysis which would take into account accretion. This is not the case and Appendix A of our review of the Shand Report contains a methodology for developing such a model. The reality is that Council simply didn't spend the time or money developing a more reliable models/analysis.

As the NZCPS requires consideration of accretion it is not appropriate to simply ignore accretion because it is considered difficult to quantify.

## 5.2 Generic Nature of the Shand Report

Council notes that accretion has not been included because current understanding of it is imperfect and there are no tested or reliable models or analysis which could be used with confidence. However, KCDC is prepared to impose CHMA's and their associated restrictive rules on the community despite the fact that Dr Shand's Report states that it is a generic assessment ...

*A generic assessment model was applied along the entire coast with some modification for coastal structures and for inlets. However, applying a generic model where widespread coastal variation occurs can lead to some seemingly inconsistent results... (Shand 2012, Section 6.1 Page 63)*

*The scale of the coast and spacing of measurement locations necessitated a 'generic' approach, but he suggests that more detailed, site-specific assessments may allow some flexibility in the application of the hazard prediction lines. (Shand 2012, Appendix H - Dr Mike Shepard Review, Page 105)*

of a coast where the key processes are "not fully understood", ...

*2) North Paraparaumu has undergone slow erosion (0.3 m/yr) since the 1960s with accretion occurring prior to this; such behaviour appear to be linked with Waikanae Inlet dynamics. As explained in the 2008 Assessment (Part 1), where such nonlinear behaviour is demonstrated and not fully understood, the precautionary approach is to use the more recent (erosional) trend. (Shand 2012, Section 3.2.1(2), Page 20).*

some of the results are "erratic" and further study is required.

*3) South Paraparaumu-North Raumati is the section of coast where the overall accretional behaviour to the north changes to the typically erosional behaviour to the south. As such, the shoreline behaviour defined in the 2008 Assessment was somewhat erratic and contrasts between early and later periods which indicated a more detailed assessment could be helpful. The 2010 MRP study provided up to 9 additional shoreline samples (n = 13) and 8 additional measurement sites (n = 16). The effect on hazard parameters is now assessed (Shand 2012, Section 3.2.1(3), Page 21).*

In addition to this, the Shand Report also clearly states that his own assessment may be "overly cautious".

*While general precautionary approaches such as these help to minimize uncertainty and increase the safety margin, they may also result in some hazard distances derived in this report being overly cautious. (Shand 2012, Section 6.1, Page 63)*

In fact Dr Shand himself acknowledges the limited usefulness of his own report when he provides the following recommendation:

**Recommendation:** *that the KCDC emphasis to the public, at appropriate times, the difference between (the present assessment's) local/regional hazard assessment and a site specific assessment. (Shand, Section 6.1, Page 63)*

To any reasonable person these points add up to the conclusion that the Shand Report is based upon limited data used in a generic model and is overly cautious. As a result it cannot be reliably used as a basis for the development of specific controls on land use development via the PDP. It could best be described as a preliminary regional assessment, or scoping study, which identifies the issues and the areas which need further research before there is any attempt to forecast detailed future shoreline movements and therefore develop coastal management strategies.

The NZCPS Policy 3 promotes the adoption of a precautionary approach. However, given the high degree of uncertainty and the conservative nature of the Shand Report, the hazard lines identified by KCDC in the PDP are not considered to represent areas which are “likely” to be affected by erosion within 50 or 100 years as required by Policy 27 of the NZCPS. Rather they reflect a worst case assessment of what might be within the realms of possibility. Particularly, with regard to the 100 year line.

#### **4.1 Calculation Issues**

As noted on our report attached at Appendix A, several issues have been noted with the type of calculation and the values used in those calculations to predict the 50 and 100 year shorelines adjacent to Kotuku.

The most significant factor is the use of a more generic open coast formula to predict the future shorelines adjacent to Kotuku. As our report notes the most seaward boundary of the most seaward allotments in the Kotuku development are setback of over 400m from the overall coastal alignment, between 100m and 150m from the current estuary shoreline and approximately 80 to 100m from the current estuary shoreline vegetation. Given this, the shoreline adjacent to Kotuku is in fact an inshore coastline where the effects of sea level rise and increased storm intensity will be moderated by the 400m of shallow estuary between the Kotuku subdivision and the open sea.

#### **4.2 Mapping issues**

As noted on page 19 of our review of Dr Shand’s Report the calculated figures of an offset of 29.1m (SLR =20m, DS=3.1m, CU= 6m) for the 50 year period and 73.1m (SLR=60m, DS=3.1m, CU=10m) for the 100 year period produce hazard lines that, for the 100 year line, pass through some of the allotments of the Kotuku Park development when in fact the seaward side of those allotments are set back more than 73 m from the shoreline. That is, there appears to be an error in the location of the lines on the aerial photographs presented in the report, and hence possibly on the information being held by Council.

### **5. Section 32 Report**

S32 of the RMA requires an analysis of the alternatives, costs and benefits of the PDP. Council’s s32 analysis does not adequately assess the costs and benefits to the land owners in the affected area or the wider community as:

- It lacks a robust economic analysis of the costs and benefits of various management options including managed retreat, maintenance and enhancement of existing hard protection structures, foredune rehabilitation, beach renourishment, intensification, etc.
- No consideration has been given to the willingness of ratepayers and affected residents to pay for the various management options.
- The social and economic costs of Council’s preferred option of managed retreat and the highly restrictive rules of the PDP have not been considered adequately.

For example: A family living in the *no build* CHMA has an additional child or an elderly relative move in. They need to add an additional bedroom to their house to cater for the new arrival, but the PDP rules prevent this. The family has to either squeeze into the existing space or move. However, they can't afford to move as their house value has dropped due to the PDP's CHMA's and no one is buying in the area due to the uncertainty created by the PDP. The end result is overcrowded living conditions or massive financial loss to the landowners.

There has been a lack of consultation regarding the various options available. Council has taken a steer from Policy 25 the NZCPS and assumed managed retreat is the best option, without full consideration of the relevant options in consultation with the community.

## **6. PDP Objectives and Policies**

Kotuku accepts the intent of Objective 2.4(d) and 2.5, being to minimise the risk of coastal hazards affecting existing communities. However, the policies and rules which flow from these objectives are based around the Shand Report which Kotuku considers to be overly conservative. The policies related to these objectives need to be deleted until such time as a more detailed assessment of the risks of coastal hazards has been completed, independently peer reviewed and discussed by the community.

Kotuku also has the following concerns:

- Policy 4.4(e) implies that coastal structures need to be removed as part of a subdivision or development irrespective of the merits or value provided by these structures;
- Policy 4.6 seeks to accommodate natural shoreline movement;
- Policy 4.7 seeks to enable natural migration of dunes inland;
- Policy 4.8 promotes retreat from areas where hard protection structures fail or are no longer sustainably managed;
- Policy 4.9 seeks to actively discourage hard protection structures.
- Policies 4.11, 4.12, 4.13 & 4.14 are considered to be overly restrictive for areas of existing residential development and Policy 4.13 gives undue weight to managed retreat as the preferred long-term option.

All of these policies point to the fact that Council has adopted an approach of managed retreat. It is considered inappropriate for Council to presume managed retreat is the communities' choice without robust consultation and assessment of the options based upon a specific assessment. These policies should be deleted or amended accordingly.

## **7. Adaptation Strategy**

Council proposes the formulation of an "*adaptation strategy*" for the *no build* CMA under Policy 4.15. This policy states that:

*An adaptation strategy will be developed by Council in the no build urban CHMA, where coastal protection structures currently protect properties, to progressively reduce the current exposure to coastal erosion hazard risks, and to recognise that over time buildings and infrastructure may need to be relocated landward of the area.*

These Adaptation Strategies are then linked to the PDP rules.

- Under Rule 4A.4.3, *Minor additions to buildings (not exceeding 10m<sup>2</sup> or 5% increase in gross floor area) in the no-build urban CHMA where there is an adaptation strategy for that property are a Discretionary Activity.*
- Under Rule 4A.5.2, *Minor additions to buildings (not exceeding 10m<sup>2</sup> or 5% increase in gross floor area) in the no build urban CHMA where there is not an agreed adaptation strategy are a Non-complying activity.*

Not having an adaptation strategy places a more onerous activity status on an application. However, no guidance is provided regarding how these adaptation strategies will be formulated, under what process they will be created and what the time frames for their completion are.

Council notes that the relevant communities will be involved in the formulation of their adaptation strategy. It implies in Rule 4A.5.2 that these adaptation strategies will be “agreed”. This implies that the community would have to agree to their adaptation strategy before Rule 4A.4.3 could come into effect, otherwise all minor additions are a non-complying activity.

Without a clear legal mandate for the formulation of these adaptation strategies, there is no guarantee that the community will be adequately involved in their formulation, despite the significant effects these adaptation strategies will have upon their lives.

In addition to the above we note that the Council’s policies are inconstant. Policy 4.15 clearly states that one adaptation strategy will be formulated for the entire *no build* CHMA. However, other areas of the PDP including Policy 4.11 refer to the provision of multiple adaptation strategies for different areas. Council needs to clarify this matter.

Council’s proposal to use adaptation strategies requires significant clarification and legal assessment before the PDP can be finalised. Kotuku seeks the deletion of objectives, policies and rules relating to adaptation strategies until such time as a clear legal process has been defined and agreed for their formulation and adoption.

## **8. Rules Assessment**

Kotuku is opposed to Rules 4A.1.1, 4A.1.2, 4A.1.3, 4A.1.4, 4A.2.2, 4A.3.4, 4A.4.3, 4A.5.2, 4A.5.3, 4A.6.1, 4A.6.2 and 5A.1.9, 5A.2.1 and 5A.4.3 for the following reasons.

### **8.1 Building Limitations – Rules 4A.1.1, 4A.1.3, 4A.2.2, 4A.3.4, 4A.4.3, 4A.5.2, 4A.6.1**

Council has severely limited the scale of development which can occur in the CHMA’s as of right under the PDP.

- No build CHMAs - Permitted development in the *no build* CHMAs is limited to alterations which do not increase the footprint of the building or its gross floor area (Rules 4A.1.3). As a result only minor internal alterations are permitted. Minor additions to buildings (not exceeding 10m<sup>2</sup> or 5% increase in gross floor area) area a Discretionary activity under Rule 4A.4.3 if there is an adaptation strategy in place and a non-complying activity under rule 4A.5.2 if there is not. Additions over 10m<sup>2</sup> or 5% increase in gross floor area would appear to be a Discretionary Activity under Rule 4A.4.1 regardless of whether or not there is an adaptation strategy in place or not. Any new building is a prohibited activity under Rule 4A.6.1.

- Non-relocatable buildings in the Relocatable Building CHMA – It is permitted to undertake minor additions (10m<sup>2</sup> or 10% of gross floor area whichever is the lesser) to existing non-relocatable buildings in the relocatable building CHMA. Additions or alterations to non-relocatable dwellings which are greater than these limits are Restricted Discretionary under Rule 4A.3.4. Non-relocatable additions greater than 10m<sup>2</sup> or 10% of the gross floor area of a non-relocatable building are a Restricted Discretionary Activity under Rule 4A.3.4.
- Relocatable buildings in the Relocatable Building CHMA – While Rule 4A.1.1 permits “minor” additions to existing buildings it places no limits on the area of extensions for relocatable buildings. As a result any size and type of extension (relocatable or non-relocatable) would be permitted. New relocatable buildings are a controlled activity under Rule 4A.2.2 provided they meet the general build and location requirements.

While Kotuku appreciates that Council is trying to manage development in the CHMA's, surely it is up to the individual property owners what they build. An owner may want to build a brick veneer two storey dwelling, or undertake a 100m<sup>2</sup> extension on a site in the *no build* CHMA. If the Shand Report proves to be correct, and there is no guarantee that it will be, erosion may affect this property sometime in the future. The owners of the building can then decide if they want to relocate or demolish the building. If they relocate it and the cost of doing so is higher because of the type of building they built, surely that is their responsibility and risk, not Council's.

Council seems to be trying to avoid increasing the capital value of existing development within hazard areas, rather than simply advising people of the potential risk and let them make their own decisions. The PDP rules should focus on avoiding or mitigating adverse effects on the environment rather than controlling the scale of development in the CHMA's. Council's approach to this matter should be to advise people of the potential for coastal erosion and encourage owners to build easily relocatable buildings. It should not be making decisions on behalf of private owners as to acceptable levels of private risk and severely restrict their private property rights, particularly given the high degree of uncertainty surrounding the position of the CHMA's and the long time frames involved.

Making new buildings in the *no build* CHMA a prohibited activity is inappropriate. It presumes that these structures will have such a significant adverse effect upon the environment that they should not be provided for at all. Clearly it cannot be the case for all possible scenarios.

The PDP rules are considered to be overly restrictive. They inexplicably remove the reasonable property rights of the landowners without adequate consideration to their appropriateness or their effects on the reasonable property rights of property owners. As a result they will have significant negative social and economic effects upon the affected residents and the surrounding community.

All rules limiting housing types and extension sizes in the CHMA should be removed. Alternatively Kotuku would accept a simple rule which specified that all buildings built in the CHMA (*No build* and Relocatable) should be relocatable. This rule should not focus on building size, materials etc but simply specify that a building must be physically capable of being relocated.

## **9.2 Coastal Protection Structures – Rules 4A.5.2 and 4A.6.1**

Coastal protection structures in the *no build* CHMA's are a non-complying activity under Rule 4A.5.3 and a prohibited activity under Rule 4A.6.1 along with any new building. Clearly the same activity cannot have two classifications at the same time.



Making coastal protection structures in the *no build* CHMA a non-complying or prohibited activity is inappropriate. It presumes that these structures will have such a significant adverse effect upon the environment that they should not be provided for at all. It also assumes that managed retreat is the only option and that some form of new coastal protection structure is not appropriate. Clearly this cannot be the case in all scenarios.

Rules 4A.5.3 and 4A.6.1 should be deleted and a new discretionary activity rule added for coastal protection structures.

### **9.3 Planting – Rule 4A.1.2(d) & (e)**

In addition to imposing severe limits on what can and cannot be done in the *No build* CHMA these rule are confusing. Part (d) permits “*planting of locally indigenous species*” and part (e) permits “*planting of exotic garden and lawn plants*”. Which means that the only plants that can’t be planted are non-local indigenous species.

These rules should be deleted.

### **9.4 Prohibited activities - Rule 4A.6.2**

Making subdivision in the CHMA’s a prohibited activity is Council’s way of preventing further built development in this area. Council seems to be trying to avoid increasing the number of lots within hazard areas, rather than guiding subdivision and advising of the potential risk. It should not be making decisions on behalf of private owners as to acceptable levels of private risk and severely restricting their private property rights. Particularly given the high degree of uncertainty surrounding the position of the CHMA’s and the long time frames involved.

New owners may be willing to pay for and build on a lot in the no build area on the basis that their house may only be on site for 25-50 years before it needs to be relocated. However, the Shand Report may not be correct and the house might be there for 50 – 100 years or longer. These are risks that private owners will need to assess and decide upon when they consider buying a lot in the *no build* CHMA.

Rule 4A.6.2 should be deleted.

### **9.5 Relocated Buildings – Rules 4A.1.4, 5A.1.9, 5A.2.1 and 5A.4.3,**

Rule 4A.1.4 states that it is a permitted activity to remove a building or structure from the *no build* urban and *no build* rural CHMA’s. However, Rule 5A.1.9 - Relocation of any building, states that it is a permitted activity to relocate a dwelling only if it is being repositioned within the site, being moved off a boundary or if it is less than 15 years or less than 30m<sup>2</sup> in area. Relocation of a building which does not comply with the 15 year and 30m<sup>2</sup> requirements is a Discretionary Activity under Rule 5A.4.3.

Rule 5.A.0 states that the more stringent rule applies. As a result, Council’s attempt to make relocation of a building in/from the *no build* CHMA easier via permitted Rule 4A.1.4, is thwarted by Rules 5A.1.9 and 5A.4.3. Clearly there is a conflict between these rules which needs to be addressed.

The vast majority of the buildings in the CHMA are likely to be both greater than 15 years old and greater than 30m<sup>2</sup> in area. If Rule 5A.1.9 is retained a resource consent will be required every time a dwelling in the *no build* CHMA is moved off site. With approximately 1,800 properties affected by the CHMA’s a significant number of consents would be required by this rule, should the Shand Report prove to be accurate.

Kotuku appreciates that there is a need to obtain consent to relocate a building to a new site as Council needs to ensure that the building does not have an adverse effect upon the amenity and character of the surrounding area. However, Kotuku fails to see the need to apply for consent to move a dwelling off a site that may be eroding.

Council promotes the idea of managed retreat throughout the CHMA. Rules which require consent for a building to be moved off a site do not facilitate this in the most efficient manner. This appears to be a case of red tape for red tapes sake.

Rules 5A.1.9, 5A.2.1 and 5A.4.3 should be amended so that relocation of a dwelling off a site is a permitted activity.

### **9.7 Adaptation Strategy – Rules 4A.4.3 & 4A.5.2**

As noted in section 8 these rules are linked to the implementation of an “*adaptation strategy*” which does not seem to have a clear legal mandate or process and as such these rules should be deleted.

## **10 Other matters**

Kotuku is disappointed at the lack of consultation by Council regarding the Shand Report and the CHMA's in the PDP. Documents with such wide ranging effects on the community should have been rigorously tested and the community given the opportunity for input before development of such restrictive rules.

The use of the terms *no build* and *relocatable building CHMA* are alarmist. A simple CHMA 1 and CHMA 2 would be more appropriate.

The structure of the PDP is hard to follow and the rules do not seem to have been coordinated properly.

## **11 Summary**

Council has imposed a highly restrictive set of objectives, policies and rules on land owners based upon the Shand Report. A report that can best be described as a generic regional assessment which by its own admission is overly cautious. As a result it cannot be reliably used as a basis for the development of specific controls on development or coastal management strategies via the PDP.

The Shand Report fails to consider accretion as required by Policy 24 of the NZCPS and its overall cautious approach is considered to be contrary to Policy 27 of the NZCPS.

Council's Section 32 analysis fails to take into consideration the full social and economic costs to the community of its decisions. This is largely a result of the significant lack of consultation undertaken by Council.

Council's objectives, policies and rules impose severe restrictions on private property rights and presume that managed retreat is the only option available to deal with possible future coastal erosion. These decisions have been made without proper consultation and are an overreaction based upon the generic Shand Report.

## **12 Decision Requested:**

Kotuku seeks that the removal of the coastal hazard provisions, including all of Chapter 4, any related provisions in Chapters 5 and 9 and all map references to the CHMA's from the PDP until such time as:

- A detailed study of the coastal process for the Kapiti coast has been completed. As noted earlier there are significant limitations on the Shand Report due to time, resource and information constraints. This report should be used as a basis for a more detailed study of the area.
- a detailed investigation of alternative coastal management methods along the coast has been completed. Council has presumed managed retreat is the only option without adequately considering the alternatives.
- a thorough and robust s32 Report has been completed with an objectives, policies and rules regime that has been considered in consultation with the public.

Alternatively,

Kotuku seeks a reexamination of the CHMA's as they relate to Kotuku. As noted in section 4.1 and 4.2 there are significant concerns about the plotted location of the lines and the use of an open coast formula to calculate the position of the CHMA's for what is in fact an inshore environment.

and

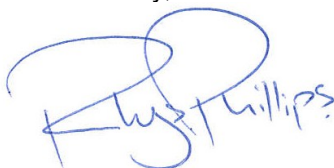
amendments to the PDP in accordance with the above submission, so that:

- managed retreat is not presumed to be the only option available,
- coastal protection structures are a discretionary activity;
- there is a simple requirement that all buildings and extensions in all CHMA are relocatable;
- that subdivision is a discretionary activity; and
- all references to adaptation strategies are removed.

### **Kotuku Parks Ltd wish to be heard in support of their submission.**

If others make a similar submission, Kotuku parks will consider presenting a joint case with them at a hearing.

Yours faithfully,



**Rhys Phillips**  
Senior Resource Management Consultant  
for Cardno (NZ) Ltd  
(on behalf of Kotuku Parks Ltd)

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## Appendix A

### Assessment of the Kapiti Coast Erosion Hazard Reports 2008 and 2012 Update by Dr Roger Shand

# Appendix B

## Cardno Plan 98265 PG 01