

OIR: 2324/836

9 April 2024

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Tēnā koe ██████████

Request for Information under the Local Government Official Information and Meetings Act 1987 (the Act) (the LGOIMA)

Thank you for your email of **11 March 2024** requesting the following information:

I would therefore like to ask you the following questions, with supporting documentation which the Council holds.

1) Did you authorise the Jacob's Report notations to appear on LIM reports for property owners in Kapiti?

Yes, in August 2022 Council staff authorised the Jacob's Report notations to appear on LIM reports for property owners in Kapiti in accordance with legal advice and to reflect Council's obligations under the LGOIMA.

2) How many properties are affected by these notations?

The existing notations appear on all LIMs in Kāpiti.

At present, the notations on LIMs state:

Coastal Erosion and Inundation Hazards

Council holds a set of reports prepared by environmental engineering consultancy Jacobs NZ Ltd covering susceptibility and vulnerability assessments of the coastal areas of the district based on a range of sea level rise scenarios over periods of 30, 50 and 100 years. The Council intends using these reports to inform future district plan work which will consider any necessary changes to land use and subdivision controls in areas which may be affected. Various parties have raised concerns regarding the approach taken in those reports. Those concerns will be addressed during consideration of the submissions received during the plan change process.

Please note that any information provided in response to your request may be published on the Council website, with your personal details removed.

The information on coastal hazards that the Council holds is available on the following link: www.kapiticoast.govt.nz/coastal-science.

3) Why have the affected property owners not been advised of this vitally important fact?

While Council is not required to consult with all property owners about changes to the notations of LIMs for their properties, Council has undertaken efforts to publicly communicate its approach to include the notation described above on all LIMs across the district to reflect the Jacob's work to date. Recently, for example, Council has included information about the inclusion of the above LIM notation in its "[Frequently Asked Questions](#)" on the Council website for the Takutai Kapiti project. Further to this, Council emailed our ratepayers database raising awareness of these FAQs on [19 October 2023](#) and again on [26 March 2024](#).

In addition, property owners may request a new LIM for their property at any time in accordance with the requirements of LGOIMA and Council is required to issue them with a current LIM that meets the obligations of sections 44A(2)(a) and 44A(3).

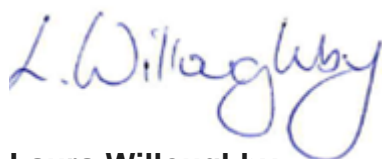
4) Under which legal Act was this enacted?

The contents of every LIM are prescribed by statute and a LIM must be issued for any particular property within the specified period.

Section 44A(2)(a) of the LGOIMA requires a council to include on a LIM information known to it which identifies a "special feature or characteristic of the land concerned" relating to (among other things) potential erosion and inundation. Council has a discretion under section 44A(3) to include additional information "concerning the land" which it considers relevant.

We consider the information notated on existing LIMs meets the legislative requirements under LGOIMA.

Ngā mihi,



Laura Willoughby

Acting Group Manager Regulatory and Environment
Kaiwhakahaere Rōpū Ture me te Taiao