

OIR: 2324/860

24 April 2024

[REDACTED]
[REDACTED]

Tēnā koe [REDACTED],

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

Thank you for your email of **25 March 2024** requesting the following information:

We live [REDACTED] in Waikanae Beach and are most concerned that our street could be classed as a Coastal Adaptation Area and that this could be registered on our land title. We have seen no convincing evidence that this is a fair assessment. The base science seems to be the Jacob's report which appears to use extreme modelling relating to sea level rise.

We would be grateful if you could please tell us, as one of our representatives:

Please note: I am a Council Officer (not a Councillor / representative). However, I am providing a response to your query on behalf of your representative.

- 1. Whether you think it is fair to place hazard information on land titles and in LIM reports when the supporting science comes from an extreme point of view?***

To clarify, Adaptation Areas do not define Hazard Areas, nor are they relevant for district planning purposes, and their meaning and purpose are not considered relevant to LIMs. I can confirm that the Council does not intend to classify any properties as "Coastal Adaptation Areas", and reference to these areas has not (and will not be) put on LIMs. Further information on Adaptation Areas and their use for the Takutai Kapiti project are available at [FAQs on the Takutai Kapiti website](#).

Currently, the reference to the Jacobs Report that is on all newly issued LIMs, for all properties within the district, is as follows:

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

“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. The information on coastal hazards that the Council holds is available on the following link:

Council includes this note on all LIMs to ensure compliance with statutory obligations for LIMs in the Local Government Official Information and Meetings Act 1987 (LGOIMA). Section 44A of this Act outlines requirements for Land Information Memorandum (LIMs) including that:

- 1. A person may apply to a territorial authority for the issue, within 10 working days of a land information memorandum in relation to matters affecting any land in the district of the authority.*
- 2. The matters which shall be included in that memorandum are—*
 - a. Information identifying each (if any) special feature or characteristic of the land concerned, including but not limited to potential erosion, avulsion, falling debris, subsidence, slippage, alluvion, or inundation, or likely presence of hazardous contaminants, being a feature or characteristic that—*
 - i. is known to the territorial authority; but*
 - ii. is not apparent from the district scheme under the Town and Country Planning Act 1977 or a district plan under the Resource Management Act 1991:*
- ...*
- 3. In addition to the information provided for under subsection (2), a territorial authority may provide in the memorandum such other information concerning the land as the authority considers, at its discretion, to be relevant.*

The specific wording of this note was carefully prepared to align with relevant case law. It was also informed by useful feedback from the group: Coastal Ratepayers United.

2. Do you think the ripple on effects to insurance premiums and property values are fair?

The Insurance Council of New Zealand (ICNZ) determines insurance settings, and I can confirm that Kāpiti Coast District Council has no direct involvement in this process. An insurance company’s decision on whether or not to insure a property will be based on their own policies.

I acknowledge that the potential impact to insurance premiums as a result of identifying potential risk hazards is a concern for many homeowners. You may be interested to know that the Coastal Advisory Panel has received a presentation from John Lucas of ICNZ, in which he states that “The work you are doing is so important for ongoing insurability.” This is an important endorsement of the Takutai Kapiti process given (as mentioned above) it is ICNZ who is responsible for determining insurance settings.

You can view the ICNZ presentation to the Coastal Advisory Panel (noting the above quote is from the last slide) at:

<https://www.kapiticoast.govt.nz/media/3agfd5by/icnz-takutai-kapiti-cap-presentation-11-march-2022.pptx>

To ensure Council continues to do what it can to support our community, we will be writing to ICNZ to inform our future work post-Takutai Kapiti, including to better understand how ICNZ perceives that any perceived increase in hazard risk (if that is confirmed as an issue) can be mitigated or reduced at a local level.

3. *What emphasis will you be placing on preventative work such as tree planting for example?*

The Coastal Advisory Panel (the Panel) will be making recommendations for Council (Elected Members) to consider in June 2024. The Panel may recommend that Council consider ‘enhancing’ its existing preventative work, including tree planting for example, to provide stronger protection in targeted areas. I understand from CAPs work to date, that evidence indicates prioritising such work is an effective and low-cost pathway.

I can confirm that Elected Members will not make decisions to progress implementation actions without appropriate community engagement. Of note, any decisions to increase Council’s work in this area would require community consultation through a future Long-term Plan process and engagement with any impacted communities.

4. *What do you see as being the solution to mitigating any residual risk after preventative actions?*

I want to clarify that Council will undertake further engagement with communities to determine the changes in the environment (signals) that we will monitor (threshold), to confirm when change is significant enough (trigger) to take further action. If preventative actions are no longer effective, then additional pathways would be considered, including the benefit of soft and hard engineering options for example.

The Panel has set out pathways, through development of the “Dynamic Adaptive Pathway” approach, which suggest potential pathways across the individual Adaptation Areas. More about this can be found [here](#). Movement along the pathway will be informed by the signals, triggers, and thresholds which are agreed with each community. More information on signals, triggers and thresholds can be found as part of the [FAQs on the Takutai Kapiti website](#).

Ngā mihi,

A handwritten signature in black ink, appearing to read 'Kris Pervan', with a stylized, cursive script.

Kris Pervan

Group Manager Strategy and Growth
Te Kaihautū Rautaki me te Tupu