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Kāpiti Coast says it can't go it alone on coastal issues

JOEL MAXWELL/STUFF

A view south along Paraparaumu Beach toward the embankment built up with sand trucked in by Kapiti Coast District Council. (File photo)

A legal case brought by ratepayers over coastal planning rules highlights that the issue is too big for small councils to deal with on their own, the High Court has been told.

Coastal Ratepayers United has taken Kāpiti Coast District Council to court over the way the council has, or has not, dealt with coastal erosion and hazards in its planning process.

The council has taken some coastal issues out of its current District Plan review after hundreds made submissions about it.

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Contractors survey damage to the wall protecting a walking path south of Ocean Rd in Paekakariki, in February. (File photo)

Its lawyer told the court that coastal planning was a national issue that councils such as Kāpiti struggled to deal with.

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The ratepayers group took the council to the Environment Court, with limited success. Its appeal against the Environment Court decision was heard at the High Court in Wellington on Monday.

The council said in 2012 that it was reviewing its District Plan. In 2014, it withdrew some provisions from the review, including parts about coastal hazards.

Coastal Ratepayers United lawyer Chris Mitchell said the council wanted to leave it for a few years and get some guidance from central government.

The ratepayers group said withdrawing parts of the plan from the review should have been done by a variation on which the public could have its say. But it appeared the council thought all it had to do was withdraw parts from the review and those withdrawn parts would continue in effect, Mitchell said.

The group was established mostly by property owners affected by plans for hazard lines and hazard management areas that could have affected house values and insurance rates. The group was also concerned with maintaining the environment.



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The council's lawyer, Paul Beverley, said a coastal hazard national policy statement was due to be issued next year, and councils were advised not to rush ahead with planning when it was being worked on at a higher level. A Wellington regional climate change working group was also considering policy.

The Kāpiti council wanted to be collaborative, and the public would have several opportunities to be involved, Beverley said.

On November 22 the council would formally notify its decisions on the proposed District Plan, which could be appealed to the Environment Court. Parts of the current plan, including coastal hazard planning, would remain unchanged in the meantime.

On the southern part of the Kāpiti Coast District Council area, there was clearly coastal erosion, but on the northern reaches the coast was accumulating in layers, Mitchell said.

Justice David Collins reserved his decision. He hoped to issue it this year.

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