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12th December, 2010

Mayor, Richard Kempthorne
Deputy Mayor, Tim King
Councillor, Brian Ensor
Councillor, Trevor Norriss
The Tasman District Council
189 Queen Street
Richmond

Dear Mayor and Councillors,

Re: Draft Plan Change for the Mapua/Ruby Bay Area

I refer to the Tasman District Council Environment & Planning Committee meeting scheduled for Thursday, 16 December 2010 and in particular agenda item #1.

I should be grateful if you would provide answers to the following nine questions after evaluating any information and recommendations made by TDC staff concerning this matter.

- 1) The plan refers to the adverse effects of a possible increase in sea level of 0.8m over the next 90 years and seeks to restrict development.
 - *How likely is it that the sea level will rise 0.8m?*
 - *Will the forecast increase in sea level be linear – in other words, what is the proximity of the risk?*
 - *What is the impact of this risk ie which parts of the district will be affected and to what degree?*
 - *Will the only areas affected be those where restrictions (future residential closed) are proposed?*

- 2) We understand the plan will remove our fundamental right to develop our vacant sections at 138 and 140 Stafford Drive and will thus destroy value.
 - *We have paid for that right in the form of municipal rates. Will rates paid be refunded?*
 - *These sections would not require any council services should they not be able to be developed. Will future rates be waived?*

- 3) The reasons and outcomes of the proposed plan are not clear.
 - *If TDC do not wish to accept liability for repairing damage to private property caused by erosion are they willing to formally transfer the risk to property owners?*
 - *An unexpected consequence of implementing the plan may be the dereliction of properties because no one is responsible for the effects of*

erosion. Are TDC willing to accept this consequence and the costs of mitigation?

- 4) We have spent nearly \$70,000 to protect our properties from the effects of coastal erosion. TDC staff were unhelpful and handled the process with much obfuscation and delay.
- *Will Council adopt a more collaborative approach in dealing with the problem of erosion so that both TDC and property owners achieve a desirable outcome? For example: fast track consents; design advice; engineering resources; etc?*

Yours sincerely,

John Jackson