

OIR: 2223/413

23 November 2022

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

Thank you for your email of 16 November 2022 requesting ***clarification about Section 3 Papakāinga Chapter of the proposed Plan Change 2:***

You noted you have yet to receive a response to questions you have raised in your submission to Plan Change 2. When questions are asked within a submission on a notified proposed plan change, Council does not treat them as an information request under the LGOIMA. Instead, they are treated as a submission point to be considered in the statutory process for preparing the plan change. Part 6 of Schedule 1 of the Resource Management Act 1991 details the statutory process for preparing Plan Change 2, including the steps in the process for considering matters raised in submissions.

Part 6 of Schedule 1 of the Resource Management Act is available at:
<https://www.kapiticoast.govt.nz/your-council/forms-documents/district-plan/>

Further guidance on the Plan Change 2 process is also available from the Council website:
<https://www.kapiticoast.govt.nz/your-council/forms-documents/district-plan/>

Notwithstanding the above, as you have now asked for this information directly, please find our response below:

1. Where did "Proposed new Papakāinga Chapter" in section 3 come from?

The reasons for developing the proposed new Papakāinga chapter are explained in the [Section 32 Evaluation Report for Plan Change 2](#), which can be found on the Council website for Plan Change 2.

Please refer to the following sections of the report for further explanation:

- An overview is provided in section 1.1 (page 13), under the heading "Enabling papakāinga"
- Section 3.1.2 (pages 67-70) provides background information
- Section 3.3.2 (pages 92-96) explains the operative District Plan provisions as they relate to papakāinga

- Section 3.3.4 (pages 97-100) analysis the approaches taken by other district plans to papakāinga
- Section 3.4.3, under the heading “Development of the papakāinga provisions” (pages 106-110) describes tangata whenua involvement in developing the provisions
- Section 3.5.2 (pages 118-121) describes public feedback received on draft Plan Change 2, including public feedback on the papakāinga provisions
- Section 5.3 (pages 147-149) describes how Plan Change 2 proposes to incorporate the papakāinga provisions into the District Plan
- Section 7.3 (pages 194-205) provides an evaluation of the objectives contained in the proposed new Papakāinga chapter (including alternatives considered)
- Section 8.4 (pages 235-244) provides an evaluation of the policies and rules for papakāinga proposed by Plan Change 2 (including alternative approaches considered).

2. Who wrote it?

The proposed new Papakāinga chapter was drafted by the Council following extensive work undertaken with tangata whenua, through Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga) and Te Ātiawa ki Whakarongotai.

3. Were you instructed to include it in the revised District Plan?

The Council was not instructed to include the proposed Papakāinga chapter in Plan Change 2. However, for the avoidance of doubt, the Council agreed to include the proposed new Papakāinga chapter in Plan Change 2 as part of agreeing to proceed with the public notification of Plan Change 2 at the [Council meeting on the 28th of July 2022](#).

4. If so, by who?

Please refer to our response to Q3 above.

5. Is there some table defining terms/words used in the Chapter: one example is what is included in "ancestral land" - this could mean the whole of New Zealand to some.

There are a range of new or amended defined terms that are included in Plan Change 2, including several that relate to the proposed new Papakāinga chapter. These are contained in section 20 of the [Plan Change 2 “Intensification Planning Instrument”](#) on the Council’s website (refer pages 164-167). This includes a definition for ancestral land.

Ngā mihi



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Te Kaiwhakahaere Roopu Rautaki, Te Tipuna me te Whakaoranga