

OIR: 2223/359

7 October 2022

[REDACTED]

[REDACTED]

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

Thank you for your email of 27 August 2022 requesting the following information regarding the Otaki Beach ownership and perpetually delayed development:

A) Because he was involved in 2014 the mayor will recall that LINZ, when the late OCB member Colin Pearce tried, supported by 120 members of the public to develop Otaki beachfront with all \$ and work from locals, found the beach was Crown land. They offered to lease the land. Simpson & Grierson stated (2014) the land in question was KCDC land (Surf Club, Pavilion, car parks – Koromiko Sreet to Tasman Road).

Survey information (A)

This OIA quote states in 2015 KCDC paid a surveyor to establish who owned the land, "In April 2015 KCDC engaged a surveyor to provide advice re land ownership along the coast at Otaki Beach."

- 1. Please provide a copy of the surveyor's report re beach ownership commissioned by KCDC, April 2015.***

Please refer to:

- Attachment 1 – Otaki Beach – Status of Land April 2015
- Attachment 2 – LINZ – Otaki Foreshore.

- 2. Provide a copy of the invoice from the surveyor showing the date and full cost of the survey.***

After a search of our records we have been unable to find this information. On that basis I must decline this part of your request as the document alleged to contain the information requested does not exist, despite reasonable efforts to locate it, it cannot be found, section 17(e) of the LGOIMA refers.

- 3. Advise what action KCDC took regarding the surveyor's finding. In addition, detail and provide email/written material to/from any government department about land ownership, Koromiko St-Tasman Rd.**

This is an ongoing issue for the Council. Please refer to Attachment 3 – LINZ – Opinion Otaki Foreshore.

B) Three to six years ago KCDC put signs on grass between Otaki Beach and Marine Parade seeking objections to a KCDC proposal to change the beach status for development purposes. The advertisements said KCDC planned to develop the land for Otaki community use (note: it had a skate rink in the 1950s/60s).

KCDCs 1991 development plan In 1991 KCDC produced plans for new WCs, change rooms etc south of the Surf Club. They included demolishing the Pavilion. Vehement resident objections halted work. The now 82 year old WC block was saved, now has Historic Listing. Letters in the last two months from KCDC show they refuse, 33 years later to increase change room/wc amenities at Otaki Beach. However, at the same time, KCDC replace newish wcs and build new wcs through Kapiti Coast. KCDC successfully applied to MBIE this year for funding for new isolated WCs yet refuse new wcs for the beach despite its high use and proven tourism/fund generation for Otaki community. Apart from swimmer, walker, dog-walker and surfer use, KCDC's up to \$30,000 grant for annual Kite Festivals & Matariki confirm tourism support and prove income generation. Yet a large sum of funds raised goes to hiring Porterloos, needed as KCDC refuse new beacWCs.

Please clarify the confusion (C):

- 4. If the beach actually is legally Crown land the application is appropriate (to establish the right to use).**

This is a complex land issue, and it is entirely appropriate for the council to seek to address these complexities. Please refer to Attachment 4 – LINZ Otaki Beach Addendum Status report.

Further clarification (D):

- 7. How many community replies did KCDC get to beach/newspaper adverts re its proposal (RMA required)?**

- 8. Can the public see copies of the public's replies? If they are not available, why not?**

After a search of our records we have been unable to find information relating to your Questions 7 and 8. On that basis I must decline this part of your request as the document alleged to contain the information requested does not exist, despite reasonable efforts to locate it, it cannot be found, section 17(e) of the LGOIMA refers.

- 9. Provide documents detailing reasons and councillor decisions for Otaki beach development delay.**

The Council is not aware of the existence of any such documents.

10. In what way and when will KCDC involve/consult with Otaki community over beach developments?

The Council is bound by statutory planning and budgeting consultation and timing requirements in legislation including the Resource Management Act 1991 and the Local Government Act 2002.

11. Were there objections from iwi over the proposed use of waterfront/seashore land? If so, what are they? i.beachfront ownership? ii.proposed land claim/land use? iii.impact on accessing sea food? iv other

Council does not have records of any objections from iwi.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to info@ombudsman.parliament.nz, by fax to (04) 471 2254, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



Mike Mendonca

Acting Group Manager Place and Space
Te Kaiwhakahaere roopu, Takiwa me te Waahi