

OIR: 2526/241

30 January 2026

[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 **23 December 2025** requesting the following information:

I am particularly interested in Proposed Plan Change 3 as it relates to the Kārewarewa Urupā. [REDACTED]

On the map there are 2 distinct areas. WTSx1 & WTSx2. The WTSx1 areas are mostly undeveloped waste lands [and a disgrace].

1. What are the differences between these areas?

To clarify, the Proposed Plan Change 3 (PC3 - Kārewarewa Urupā) recognises and provides for Kārewarewa Urupā as a site of significance to Māori. The sites proposed for wāhi tapu include:

- Wāhi Tapu Site 1 (WTSx1) referred to as wāhanga tahi is the undeveloped parts of the urupā site
- Wāhi Tapu Site x2 (WTSx2), referred to as wāhanga rua, is the developed part of the urupā site.

The undeveloped parts of the urupā site will be subject to the wāhanga tahi provisions of the Sites and Areas of Significance to Māori (SASM) chapter of the District Plan, while parts that have already been developed will be subject to the wāhanga rua provisions.

Please see the following hyperlink to view the associated provisions and to view the differences between the two areas: [Site and Areas of Significance to Māori](#).

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

2. What is likely to happen to these areas in the future?

As currently proposed:

- PC3 supports the active protection of the interests of tangata whenua by controlling land use and subdivision at the urupā, so that the effects of these activities on the tangible and intangible values associated with the urupā can be appropriately managed.
- PC3 will incorporate the Kārewarewa urupā into Schedule 9 the District Plan (Sites and Areas of Significance to Māori). This means that land use activities and subdivision at the urupā would be subject to the objectives, policies, and rules set out in the District Plan's Sites and Areas of Significance to Māori (SASM) chapter.

As the site is privately owned, outside of the above, Council cannot comment on what is likely to happen to the areas in the future.

3. When KCDC originally proposed these changes the Waikanae Land Company took the council to court and the proposal was overturned. Is there likely to be a further objection to the plan change?

To clarify:

- The Council's decision to incorporate Kārewarewa urupā into the District Plan as part of Plan Change 2 (PC2 – Intensification) was judicially reviewed by the High Court. The judicial review was brought against the Council by the Waikanae Land Company, a landowner within the urupā area.
- The judicial review was not about the merits of incorporating Kārewarewa urupā into Schedule 9 of the District Plan. Rather, the Court was asked to determine whether the Council had the legal power to do so as part of PC2.
- This is because PC2 was a unique 'one-off' plan change required by the government as part of its direction to councils across New Zealand to incorporate the Medium Density Residential Standards into their district plans. As an Intensification Planning Instrument, PC2 was subject to limitations on its scope set out in the Resource Management Act 1991 (RMA). The Court was asked to determine whether incorporating Kārewarewa urupā into Schedule 9 breached these limits.
- The Court delivered its decision on 21 June 2024. The Court found that the Council did not have the power to incorporate Kārewarewa urupā into the District Plan as part of PC2 in the manner that it did, because it was outside the scope of what could be included in an Intensification Planning Instrument under the RMA. As a result, the Court quashed (or cancelled) the scheduling of the urupā.
- However, the Court also recognised that the Council could incorporate Kārewarewa urupā into the District Plan through an 'ordinary' plan change under Part 1 of Schedule 1 to the RMA. PC3 achieves that purpose.

- PC3 was publicly notified in September 2024. Eleven submissions were received – 5 in support, 5 opposed and 1 both in support and in opposition.

Currently, hearings of submissions have been on hold due to Government's Plan Stop requirements. In this respect:

- Councils were required to withdraw proposed plan changes that have not yet reached a hearing unless they are covered by an automatic exemption under the Act or have been granted an exemption by the Minister.
- Our Council has applied to the Minister for the Environment for an exemption to allow PC3 to continue through the plan change process.
- Our Council is currently awaiting the Minister's decision.

Ngā mihi,



Kris Pervan

Group Manager Strategy and Growth
Te Kaihautū Rautaki me te Tupu