

Hon David Parker BCom, LLB

Attorney-General

Minister for the Environment

Minister for Oceans and Fisheries

Minister of Revenue

Associate Minister of Finance



5 October 2022

OIA 1005-22

Sean Marshall

fyi-request-20279-ca0325eb@requests.fyi.org.nz

Dear Sean Marshall

Thank you for your email of 18 August 2022 requesting the following under the Official Information Act 1982 (the Act):

Please provide me with any correspondence between your office and Christchurch City Council, Waikato District Council or any other territorial authority relating to any delay to notifying Intensification Planning Instruments after the 20 August 2022 deadline.

There are two documents in scope of your request, as listed below:

- 18 August 2022 - Letter to Minister Parker from Waikato District Council
- 29 August 2022 - Letter to Chief Executive, Waikato District Council

Subsequent to this request, on 13 September 2022 Christchurch City Council voted not to notify its intensification planning instrument. This is non-compliant with the requirements of the Resource Management Act 1991. I am currently considering options to address this non-compliance.

There are no other territorial authorities that have notified their intensification planning instruments late.

You have the right to seek an investigation and review by the Office of the Ombudsman of my response to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please contact my office if you have any queries about this response.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Parker'.

Hon David Parker

Minister for the Environment

In reply please quote

If calling, please ask for
Gavin Ion



18 August 2022

Hon David Parker
Minister for the Environment
d.parker@ministers.govt.nz

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Dear Minister Parker

NOTIFICATION OF INTENSIVE PLAN CHANGES TO WAIKATO PROPOSED DISTRICT PLAN

Further to the above matter, I advise that Waikato District Council (**Council**) will unfortunately not be able to notify the intensive plan changes (**Variation**) to the Waikato Proposed District Plan (**PDP**) on 19 August 2022, as directed by central government. Council accordingly seeks an extension of the notification date to 19 September 2022 for the reasons outlined below.

Council has been undertaking the Variation work against a backdrop of an extremely high workload and organisational resource constraints due to the district plan review currently in progress. Although a recognised Tier 1 Local Authority, Council has limited resources and particularly in the Resource Management Policy space.

On 17 January 2022, Council notified the decisions version of the PDP. The appeals period was open for 30 working days, closing on 1 March 2022 with 66 appeals being received. The period within which additional parties can join under section 274 of the Resource Management Act 1991 closed on 1 April 2022. At the end of the s274 period, Council had received a further 250 notices equating to 85 parties in addition to the 66 appellants.

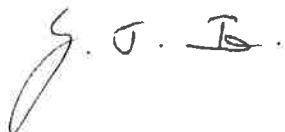
Council has indicated to the Environment Court that it anticipates having completed direct negotiations with parties within six months. As such, relevant staff within Council are working on those negotiations, thus further limiting the resources available to support the Variation project.

Despite these constraints, Council was confident that it would meet the required timeframe for notification. However, following a review undertaken by Council's legal team, it has become apparent that further work is required to ensure that the Variation is applied appropriately across the district.

On the basis that further work is required, notification must be delayed allowing for this work to be completed.

Council therefore seeks your support for an extension of four weeks, to ensure the Variation is sufficient to meet all requirements and proposes to publicly notify the Variation on **19 September 2022**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. J. I.', with a stylized flourish at the end.

Gavin Ion
CHIEF EXECUTIVE

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Hon David Parker BCom, LLB

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COR3341

29 AUG 2022

Gavin Ion
Chief Executive
Waikato District Council
info@waidc.govt.nz

Dear Gavin Ion

Thank you for your letter of 18 August 2022 outlining that while the Waikato District Council (Council) will not be able to notify its Intensification Planning Instrument by 20 August 2022, as is required by the Resource Management Act 1991 (RMA) it intends to notify by 19 September 2022.

Officials at the Ministry for the Environment (MfE) have spoken with Council staff and advise me that the delay in notifying the Intensification Planning Instrument will not impact on Council's ability to notify decisions on the independent hearings panel's recommendations by 31 March 2024 (as directed by New Zealand Gazette notice 2022-si2034).

I appreciate Council's work to date in implementing the National Policy Statement on Urban Development and the work to progress the Intensification Planning Instrument. MfE and Ministry of Housing and Urban Development officials have noted the constructive working relationship with Council staff.

Yours sincerely

Hon David Parker
Minister for the Environment