

20 September 2023

File Ref: OIAPR-1274023063-16588

Tēnā koe [REDACTED]

### **Request for information 2023-223**

I refer to your request for information dated 23 August 2023, which was received by Greater Wellington Regional Council (Greater Wellington) on 23 August 2023. You have requested the following:

- *“The number of Sites and Areas of Significance to Māori (SASM) within your region, broken down by site type and year of identification.*
- *The number of instances in which the identification of Sites and Areas of Significance to Māori (SASM) within your region has resulted in changes in permitted land use, broken down by site type and year of identification.*
- *The number of resource consent requirements triggered as a result of the identification of Sites and Areas of Significance to Māori (SASM) within your region annually since 1 January 2017*
- *The number of resource consent applications that have been made in relation to Sites and Areas of Significance to Māori (SASM) rules annually within your region since 1 January 2017.”*

### **Greater Wellington’s response follows:**

#### ***The number of Sites and Areas of Significance to Māori (SASM) within your region, broken down by site type and year of identification.***

Our Natural Resources Plan identifies 164 sites of significance to Māori in Schedule C (sites with significant mana whenua values). Schedule C sites are identified within the following schedules:

- Schedule C1 (Sites of significance to Ngā Hāpu o Ōtaki)
- Schedule C2 (Sites of significance to Te Ātiawa ki Whakarongotai)
- Schedule C3 (Sites of significance to Ngāti Toa Rangatira)

- Schedule C4 (Sites of significance to Taranaki Whānui ki te Upoko o te Ika)
- Schedule C5 (Sites of significance to Ngāti Kahungunu ki Wairarapa and Rangitāne o Wairarapa)

The Natural Resources Plan (NRP) can be found on our website:

<https://www.gw.govt.nz/assets/Documents/2023/07/Natural-Resource-Plan-Operative-Version-2023-incl-maps-compressed.pdf>

***The number of instances in which the identification of Sites and Areas of Significance to Māori (SASM) within your region has resulted in changes in permitted land use, broken down by site type and year of identification.***

We do not record this information. However, in response to this question we have attached the versions of regional planning instruments that were operative at each point where Schedule C sites were first identified in a regional planning instrument.

The Schedule C sites 'Toka-a-papa Reef', 'Oterongo Bay', and 'Sinclair Head/Te Rimurapa-Pariwhero/Red Rocks' were first identified in a regional planning instrument in Appendix 3 (Sites with important conservation values) of the former Regional Coastal Plan (**Attachment 1**). The Regional Coastal Plan became operative on 19 June 2000 and has now been replaced by the NRP.

Schedule C sites have been identified in the NRP since it was notified on 31 July 2015 (**Attachment 2**). The Schedule C5 sites 'Motuwaireka Stream to Waipupu' and 'Whareama River mouth' replaced 3 existing sites on 31 July 2019 when decisions on the NRP were notified (**Attachment 3** and **Attachment 4**).

***The number of resource consent requirements triggered as a result of the identification of Sites and Areas of Significance to Māori (SASM) within your region annually since 1 January 2017***

There are a number of rules in our NRP linked to Schedule C sites which may trigger resource consent requirements. These rules have largely been in place since 2017. Below is an analysis of the rules made in relation to Schedule C sites.

Most of these rules will have multiple reasons for triggering resource consents and are not confined only to Schedule C sites.

*Permitted activities with conditions excluding Schedule C sites*

The activities identified in the permitted activity rules below specifically exclude these activities being considered as permitted, due to being Schedule C sites.

- Rule 44
- Rule 125

- Rule 126
- Rule 127
- Rule 128
- Rule 131
- Rule 132
- Rule 172
- Rule 174
- Rule 183
- Rule 195
- Rule 210
- Rule 212
- Rule 216

*Permitted activities with conditions that set standards relating to Schedule C sites*

The activities identified in the permitted activity rules below have environmental standards to be met for activities in Schedule C sites. If those standards are not met, a resource consent is required.

- Rule 48
- Rule 57
- Rule 91
- Rule 98
- Rule 115
- Rule 138
- Rule 159

*Rules that specifically require a resource consent due to Schedule C sites*

The rules below specifically require a resource consent due to a Schedule C site. (Note: These rules link to the permitted activity rules in 1 and 2 above.)

- Rule 93
- Rule 129
- Rule 133

- Rule 141
- Rule 142
- Rule 143
- Rule 144
- Rule 180
- Rule 181
- Rule 182
- Rule 186
- Rule 188
- Rule 218
- Rule 221
- Rule 230
- Rule 233
- Rule 235

However, Greater Wellington does not compile or maintain a list of resource consent requirements that are triggered as a result of the identification of Sites and Areas of Significance to Māori (SASM) as there is no legal requirement to have and maintain such a list.

As a result of this, the information you are requesting is not held by Greater Wellington; it would need to be created in order to respond to your request. We are therefore refusing this part of your request under section 17(g) of the Local Government Official Information and Meetings Act 1987 (the Act) on the basis that the information requested is not held by Greater Wellington and there are no grounds for believing that the information is held by another local authority or a department or Minister of the Crown or organisation.

***The number of resource consent applications that have been made in relation to Sites and Areas of Significance to Māori (SASM) rules annually within your region since 1 January 2017.***

In all but one instance (Rule 129 – see below) we do not specifically collect information on our consents database as to whether a Schedule C site has triggered these rules. Accordingly, except for Rule 129, we are refusing this part of your request under section 17(g) of the Act on the basis that the information is not held by Greater Wellington and there are no grounds for believing that the information is held by another local authority or a department or Minister of the Crown or organisation.

In the case of Rule 129, there was one application lodged in 2018, one in 2020, and one in 2021.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



Lian Butcher

Kaiwhakahaere Matua Rōpū Taiao | Group Manager Environment Group