

21 August 2023

[REDACTED]

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Tēnā koe [REDACTED]

Thank you for your request to the Department of Conservation, received on 6 July 2023, in which you asked for:

- a. *all decisions made in the last five years by the Minister of Conservation (Minister) requiring amendments to be made to a regional coastal plan under clause 19(1) of Schedule 1 of the Resource Management Act 1991 (RMA); and*
- b. *the reasons given by the Minister for requiring a regional council to make any changes to a regional coastal plan in the last five years, as required by clause 19(3) of Schedule 1 of the RMA.*

We have considered your request under the Official Information Act 1982 (OIA).

On 2 August 2023 we advised you that an extension of 10 working days was required due to consultation required on your request, to 18 August 2023. On 18 August we wrote to you to confirm that we had made the decision to grant your request subject to certain information being withheld under section 9(2)(a) of the OIA, but that additional time was required to prepare the information for release.

Thank you for your patience while we finalised these documents for release.

There are three occurrences of the Minister of Conservation directing councils to amend their regional coastal plans under clause 19(1) in the last five years. These are:

1. The Auckland Unitary Plan
2. The Chatham Islands Resource Management Document
3. Plan Change 13 (Air Quality) to the Bay of Plenty Natural Resources Plan.

The Minister of Conservation's power to amend regional coastal plans under clause 19(1) has been delegated to staff of the Department of Conservation. In two of these cases, the delegated authority was used.



The decision to amend a regional coastal plan is supported by a memo or briefing to the decision-maker and implemented by a letter to the council stating the required amendments and the reasons for them.

I have attached the three relevant letters and the respective memo or briefing. These are listed in the schedule enclosed as an attachment to this letter

At the time of receiving your request, the Department did not hold a signed version of the letter the then Minister of Conservation, Hon Poto Williams, sent to the Bay of Plenty Regional Council. Instead of transferring this part of your request to the Minister of Conservation response pursuant to section 14(b)(i) of the OIA, we engaged with the Minister's office to obtain a copy of the signed letter that was sent to the Council.

Subsequently, we replaced the draft version of the letter, attached to our briefing to the Minister of Conservation, to amend regional coastal plans, with the signed version (please refer to Item 6 in Table 1 – Schedule of documents, below).

Please note that some information has been withheld under section 9(2)(a) of the OIA - *to protect the privacy of natural persons, including that of deceased natural persons.*

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA and determined there are no public interests that outweigh the grounds for withholding.

Please note that this letter (with your personal details removed) and attached documents may be published on the Department's website.

[Redacted]

Nāku noa, nā

[Redacted]

Sarah Owen
Acting Director, Regulatory Services
Department of Conservation
Te Papa Atawhai



Table 1 – Schedule of documents

Item	Date	Document description	Decision
1	10 April 2018	Memo to Auckland Operations Director regarding amendments to the Auckland Unitary Plan	Released in part
2	16 April 2018	Letter to the Auckland Council – Amendments to the regional coastal plan provisions of the adopted Auckland Unitary Plan	Released in part
3	14 January 2020	Memo to Director of Planning Permissions and Land regarding amendments to Chatham Islands Resource Management Document	Released in part
4	16 January 2019	Letter to Chatham Islands Council – Amendments to adopted Regional Coastal Plan	Released in part
5	1 September 2020	Briefing to Minister of Conservation regarding amendments to the Bay of Plenty Natural Resources Plan Change 13 (Air Quality)	Released in part
6	10 October 2022	Letter to Bay of Plenty Regional Council – Amendments to the Bay of Plenty Natural Resources Plan Change 13 (Air Quality)	Released in part