

19-D-00070

s 9(2)(a)

Tēnā koe s 9(2)

Thank you for your email of 17 January 2019 to Hon Nanaia Mahuta, requesting the following under the Official Information Act 1982 (the Act):

"All information the offices of Local Government & Ministry for the Environment hold about Matatā in respect of the Awatarariki area including the proposed changes to district & regional plans and proposed voluntary/managed/forced retreat from our homes. The time frame for this request is from our last request dated 22 July 2018 until the present time"

As you are aware, on 22 January 2019, Hon Mahuta's office transferred your request to the Ministry for the Environment (the Ministry) and to the Department of Internal Affairs (DIA).

The Ministry has identified ten documents in scope, as detailed in the attached document schedule. However, we have not released these documents on the basis that they are, or soon will be, publicly available, as provided for under section 18(d) of the Official Information Act (1982).

With reference to the *Natural Hazards Updates* (Documents 4 and 10 in the attached schedule), both originate from DIA, and they are being provided to you by that Department as part of its response to your request. For that reason, we have not provided these documents to you again.

In respect of the draft report '*Adaptation to Sea-Level Rise: Local Government Liability Issues*' (Document 3 in the attached schedule), I note that the focus of the report is not on the proposed managed retreat from properties on the Awatarariki Fanhead in Matatā, but it is used as an example of how the current resource management system provides for such situations. We understand that the report will be finalised and made publicly available within the next four weeks, and will let you know when it has been published.

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

If you have any queries about this response, please feel free to contact our Executive Relations team.

Ngā mihi nui


Jo Gascoigne
Director, Natural & Built System (Resilience)

List of documents

Document no.	Document date	Content	Decisions	OIA sections applied
1	Document from mid-July 2018, received by MfE 3 August 2018	Managing Natural Hazard Risk – Awatarariki Debris Flow; presentation to LGNZ conference by Mayor Tony Bonne	Withhold in full	s 18(d) – the information is publicly available
2	Document dated July 2013, received by MfE 21 August 2018	Landslide and Debris Flow Hazard Management – Issues and Options report prepared for Whakatāne District Council (July 2013)	Withhold in full	s 18(d) – the information is publicly available at: https://www.whakatane.govt.nz/sites/www.whakatane.govt.nz/files/documents/about-council/council-projects/debris-flow-and-landslide-hazards/Issues%20and%20Options%20Final.pdf
3	30 September 2018	Adaptation to Sea-Level Rise: Local Government Liability Issues Draft Working Paper for the Deep South National Science Challenge	Withhold in full	s 18(d) – the information soon will be publicly available at: https://www.deepsouthchallenge.co.nz/projects/sea-level-rise-housing-and-insurance-liability-and-compensation
4	12 October 2018	Natural Hazards updates – Awatarariki Fanhead (Matatā)	Withhold in full	s 18(d) – the information originates from the DIA, who are considering the information for release to you
5	26 October 2018	Awatarariki – Joint Agency Meeting, 26 October 2018 (minutes of meeting between DIA, WDC and BOPRC)	Withhold in full	s 18(d) – the information is publicly available
6	20 November 2018	Cabinet Paper – Community Resilience in the face of natural hazards and climate change	Withhold in full	s 18(d) – the information is publicly available at: https://www.dia.govt.nz/Central-Local-Government-Partnership
7	Various dates, received by MfE 21 November 2018	Eight submissions on proposed plan change 17 (Bay of Plenty Regional Council)	Withhold in full	s 18(d) – the information is publicly available at: https://www.boprc.govt.nz/your-council/plans-and-policies/plans/regional/regional-natural-resources-plan/awatarariki-fanhead-matatā-proposed-plan-change-17/
8	27 November 2018	Public Notice of availability of decisions requested on Proposed Plan Change 1 to the Whakatāne District Plan, Awatarariki Fanhead, Matatā for further submissions	Withhold in full	s 18(d) – the information is publicly available at: www.whakatane.govt.nz/sites/www.whakatane.govt.nz/files/documents/contact-us/have-your-say/2018-plan-change/awatarariki/public_notice_-_summary_of_decisions_requested_private_plan_change_1.pdf

Document no.	Document date	Content	Decisions	OIA sections applied
9	27 November 2018	Public Notice of availability of summary of decisions requested on Proposed Plan Change 17 (Awatarariki Fanhead) to the Bay of Plenty Regional Natural Resources Plan	Withhold in full	s 18(d) – the information is publicly available at: https://cdn.boprc.govt.nz/media/796267/i-pc17-awatarariki-summary-of-decisions-requested-public-notice-on-web-and-enclosed-with-letters.pdf
10	28 November 2018	Natural Hazards updates – Awatarariki Fanhead (Matatā)	Withhold in full	s 18(d) – the information originates from the DIA, who are considering the information for release to you

Released under the provision of
the Official Information Act 1982