

20-D-01371

s 9(2)(a)

Dear s 9(2)(a)

Thank you for your email of 23 July 2020 requesting the following under the Official Information Act 1982 (the Act):

1. *What instructions were sent by MFE to Porirua City Council (or it's staff) about the appointment of commissioners by PCC to assess the plimmerton farm development near Porirua.*
2. *any correspondence, documents or similar on whether these instructions have been met*

The Ministry for the Environment (the Ministry) has identified that there are no documents in scope of your request that are not already publicly available and as a result, this request has been refused for the following reasons:

- The information requested relating to the instructions sent by the Ministry to Porirua City Council (PCC) about the appointment of commissioners is publicly available. Therefore, it is being refused under section 18(d) of the Act for this reason.
- The information requested relating to compliance with these instructions does not exist. Therefore, it has been refused under section 18(e) of the Act for this reason.

The Minister for the Environment's direction contains information regarding the appointment of commissioners by PCC to assess the Plimmerton Farm Plan Change. This is publicly accessible on the New Zealand Gazette website, here: <https://gazette.govt.nz/notice/id/2020-go1878?year=2020&noticeNumber=1878>.

The Minister for the Environment has provided clear instructions pertaining to the appointment of the commissioners. These are outlined in the final steps of the direction where it states:

*In accordance with clause 78(5) of Schedule 1 of the RMA, the Minister directs that the hearing panel convened to hear submissions under Step 6 must include at least three independent hearing commissioners.*

*The hearing panel must have:*

- *at least one member with knowledge of tikanga Māori and mātauranga Māori;*
- *member(s) with knowledge, skills and experience in sedimentation and freshwater ecology matters; and*
- *a Chair who is legally skilled with experience in situations where cross examination has been used.*

The Ministry has been in contact with PCC officials who has confirmed that the panel has been appointed. The panel membership is listed on the project webpage which can be found here:

<https://porirua.govt.nz/your-council/getting-involved/public-consultation/proposed-plan-change-18-plimmerton-farm/>.

If you have further questions about the appointment of these panel members you can contact Andrew Cumming (Environment and City Planning: Major Projects, PCC) on (04) 237 3868 or via email [Andrew.cumming@porirua.govt.nz](mailto:Andrew.cumming@porirua.govt.nz).

The Ministry does not hold any other documents within the scope of your request.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to refuse 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](http://www.ombudsman.parliament.nz).

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Executive Relations team: [ministerials@mfe.govt.nz](mailto:ministerials@mfe.govt.nz).

Yours sincerely



Liz Moncrieff  
**Director Natural and Built Systems**

Released under the provisions of the Official Information Act 1982

### Document schedule

No.	Date	Content	Decision	OIA Section/s applied	Further information
1	6 May 2020	Gazette Notice (2020-go1878): The Resource Management (Direction to Porirua City Council to Enter the Streamlined Planning Process for a Proposed Change to the Porirua District Plan – (Proposed Plimmerton Farm Plan Change) Notice 2020	Refused in full	18(d)	<a href="https://gazette.govt.nz/notice/id/2020-go1878?year=2020&amp;noticeNumber=1878">https://gazette.govt.nz/notice/id/2020-go1878?year=2020&amp;noticeNumber=1878</a>

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