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Purpose of Minute

- [1] This Minute addresses housekeeping matters arising from the hearing, which is adjourned to enable the Council to file a reply by 28 April 2023. By keeping the hearing open, the Panel (*we*) can address any issues or questions that arise along the pathway to making a report in a manner consistent with fairness principles.
- [2] The housekeeping matters are relatively narrow and are addressed below using headings.

Submission by Ngā Hapū o Ōtaki and Kāinga Ora

- [3] At the end of Kāinga Ora's presentation, we invited Kāinga Ora to follow on YouTube the presentation by Ngā Hapū o Ōtaki for two reasons:
- (a) Kāinga Ora sought greater levels of intensification and re-zonings around Ōtaki township - which has historical and cultural significance to Ngāti Raukawa and ART - that Ngā Hapū o Ōtaki did not support;
 - (b) Kāinga Ora has a statutory mandate with special Te Tiriti o Waitangi elements.
- [4] If Kāinga Ora wishes to make any written response to the evidence of Ngā Hapū o Ōtaki, then it may do so in writing, and the Panel requests that by 25 April 2023.
- [5] We also request that in the Council's reply, it provides in consultation with Ngā Hapū o Ōtaki a copy of any useful Waitangi Tribunal reports explaining the patterns of residential land allocation around Ngāti Raukawa Marae and environs as part of the Tribunal's research. That is because Ms Hapeta's evidence supports the Panel's understanding that the subdivision and land allocation patterns around Ngāti Raukawa Marae were part of a native reserve policy that, somewhat uniquely, was implemented in Ōtaki township.

Submission by Ms Liakhovskaia regarding 39 and 47 Rongomau Lane

- [6] The sole reason the Council did not support the rezoning of the subject land was because of the existence of the NZTA designation. Ms Liakhovskaia claimed that that designation had to be removed, and she was assured it was. We invited her to engage with Waka Kotahi, which resulted in email exchanges sent by the Administrator to the Panel.
- [7] This information should be supplied to Waka Kotahi. The Panel's preliminary view is that the designation is not required for public work, and there are only administrative reasons why it has not been removed. These reasons do not impact the assessment of the appropriateness of rezoning. We acknowledge the legal force of the designation while it applies, but that is not conclusive. The Panel is also free to take a different view on scope from the s42 A report and could do so.
- [8] Waka Kotahi is invited to make any response to this information or the Panel's observations above by 25 April 2023.

Submission by Mansell SO23 and SO23.FS.1

- [9] We asked for further information from the submitter. The submitter indicated that it may want to speak to that additional material. We ask that the material be supplied by 19 April 2023. We ask the administrator, Ms McCashin to make arrangements for an AVL hearing with the Panel if required in the week commencing 24 April 2023.

Submission by Retirement Villages Association SO196

- [10] The Panel was invited to perform a site visit of retirement villages. That did not prove practical. The Chair would still wish to undertake a site visit but this can only be performed in Auckland in the week commencing 17 April 2023. The submitter is to liaise with Ms McCashin to arrange that.

Hei kona ra,



John Maassen
Chairperson