

**IN THE MATTER** of the Resource Management Act 1991 (**RMA**)

**AND**

**IN THE MATTER** of **a Notice of Requirement (NoR)** from the Ministry of Education to the Kaipara District Council to designate land for educational purposes to enable the relocation of Te Kura Kaupapa Maori O Ngaringaomatariki to 9 Tawa Road, Kaiwaka – Lot 5 DP 388478 (the site) and to enable the use of the site as a Kura Kaupapa Māori for years 0 to 13 and a Puna Reo and referenced RM230077

## **HEARING DIRECTION 2 FROM THE INDEPENDENT HEARINGS COMMISSIONER**

1. Pursuant to section 34A of the RMA, Kaipara District Council (the Council) has appointed me William (Bill) Smith as sole Independent Hearings Commissioner to consider the above NoR. My function is to hear the application, submissions and evidence and make a recommendation to the Minister on the NoR proposal.
2. The NoR's aim is as shown above and in the application documentation.
3. The Hearing was convened at 9am at the Kaiwaka Sports Centre, Kaiwaka on the 21 November 2023 and was adjourned at 4.56pm on the same day.
4. The two planning experts (the only planning experts at the hearing) were directed to confer to see if they can reach agreement regarding the wording of a set of draft conditions. A single document specifying the draft conditions, including those that are agreed and any not agreed between the planners, and any alternative wording for any draft condition/s, is to be provided to the Council by 4pm on Friday 1 December 2023.
5. The Applicant's Legal Counsel is to provide the Right of Reply in writing to Council by 4pm on Friday 1 December 2023.
6. As indicated at the hearing the recommended conditions and Right of Reply provided to the Council (Ms Tollemache) will be circulated by the Council to all of the parties (for their information only) to the hearing and myself as soon as possible.
7. As agreed at the hearing Mr Sadlier will seek an extension of time if the Right of Reply cannot be supplied on time. *Note: There was a lot of evidence given verbally at the hearing and I did request those parties who read from notes to supply a copy to Council so that it could be downloaded onto the Council's website as soon as possible.*
8. In the unlikely event that as a result of receiving the written right of reply from Mr Sadlier or the recommended conditions from the two planning experts that I need the hearing to be re-convened I will notify the Council as soon as possible so that suitable arrangements can be made.

9. If I decide that I have all the information needed to make a decision I will close the hearing and advise the Council so it can advise all parties of my decision to close the hearing.
10. Once the hearing is closed, I will endeavour to provide my written recommendation on the NoR within 15 working days and once this is done it will be supplied to all parties to the hearing.

Any questions regarding this Direction should be directed to Jodi Tollemache ([rmanotified@kaipara.govt.nz](mailto:rmanotified@kaipara.govt.nz)) at the Council.

A handwritten signature in black ink, consisting of the letters 'W S' followed by a stylized, cursive flourish.

**William (Bill) Smith, Independent Hearings Commissioner**