

16 February 2024

Ohakune Ratepayers and Residents' Society Inc
fyi-request-24558-774fcea3@requests.fyi.org.nz

Tēnā koe Ohakune Ratepayers and Residents' Society Inc

Thank you for your request to Kāinga Ora – Homes and Communities, dated 27 October 2023, under the Official Information Act 1982 (the Act):

“1) No street parking design layouts have been provided to date showing an aerial view & the number of proposed parking spaces, please provide these designs.

2) Design documents related to swale design were known to be insufficient and incorrect in June and were incorrect in the Resource Consent application. Please provide latest stormwater design documents and discussions relating to the stormwater design and the modifications.

3) Please provide documentation discussing or relating to what will be done with the additional lots over and above the 44 residential lots. For example, the current build requirement for CIP is for 44 houses to be built, however 46 residential lots exist on the design and consent; Please provide any discussions or documents or plans or considerations for the additional lots.

3a) The S&P Agreement signed between RDC & KO contained milestone dates, Milestone 1 was for the completion of the Master plan by 30th September 2023. Please provide the latest copy of the Master Plan

3b) The same agreement mentioned above (4) has a condition

3c) A condition within the agreement states a satisfaction date of 30th June 2024 for HNZ Build Approval Condition. Please advise if this condition has been met yet, and if not, what is the condition based upon.

3d) Please advise if any conditional dates or milestone dates have been modified from the original agreement, and if so, when were these done and what are the new dates proposed.

3e) Please provide conditional & milestone dates KO has with MHUD or CIP or whomever the funding is with; and also advise if any of these dates have been extended and if so to what dates.

4) In the agreement stated above, point 17.3 discusses the worker-rental homes, please advise if any conflict of interest is registered against this item; i.e. that partners (Ngāti Rangī, RDC & KO) are unable to purchase these properties

4a) and that no affiliation with these companies will have first right of refusal; that a third party will be chosen that does not conflict or have an association with these partners.

5) OIA information released to date discussed a draft agreement between Ngāti Rangī; please elaborate what the agreement provides for? (unless you can provide a copy)

5a) Does the agreement give preferential access to any of the housing?

5b) Does the agreement provide any incentive for Ngāti Rangī to have become a partner to the Teitei Dr project?

5c) Does the agreement provide any preferences to Ngāti Rangī?

6) This query should be dealt with under section 35 of the RMA (subsection 5(g), (ga) and (gb). - See 95A (3)(a) as to request to notify), however your partner RDC has failed to provide the details and multiple complaints have been lodged with the Ombudsman for the failures. So as a partner with access to the information, we ask you to immediately provide latest S92 notices and response and any communications regarding the consent since acceptance on 25th July 2023.

7) Provide any and all communications (related to Teitei Drive) internal to KO, or between any partners or other government agencies, or contractors working on the project that are not currently covered by the pro-active release already on your website up until today the 27th October 2023

7a) Please provide any other communications regarding Teitei Drive that fit the same scope as above (internal to KO, or between any partners or other government agencies, or contractors working on the project) that were missed in the pro-active release (possibly due to a confined search parameter to select sources).

8) Please provide the spend to date on the Teitei Drive Project

9) Please provide the total number of people within KO working on the Teitei project and the FTE hours spent on the project to date.”

On 8 November, the Society asked for further information in relation to specific questions from the original request above:

Relates to question 1 in original request:

“CONCEPT MASTERPLAN:

- Page 15 - shows 2 parking spaces per lot

- Page 16 - Isthmus shows a 18m wide road with a sidewalk on either side with recessed parking on the right hand side going through the sidewalk and over the person. There is a 1m side berm and a 1.5m walkway shown, if the walkway and side berm was removed, the parking space would be 2.5m however there would no longer be a pedestrian walkway. We note the swale side berm is also on this side of the road and will likely be a deep cut over 1m in depth, not usable as pedestrian walkway plus culvert driveway access over swales. We also note that a loading zone would require 3m wide parking space, for moving trucks, delivery trucks, etc.

- Page 16 - Isthmus for 14m wide road, we consider the same issues.

As per the original question, please provide an aerial view & the number of proposed street parking spaces.”

Relates to question 5a:

“Question 5a asks whether the informal unsigned agreement will give any preferential access to any of the housing or land?”

Relates to question 5b:

“The agreement has been discussed as saying the two additional lots were not specifically listed, which could be considered that different wording could have been used, such as "additional lots over and above the 44 lots" could be allocated to Ngāti Rangī. Please provide actual wording referred to in the "ENGAGEMENT IS IN ACCORDANCE WITH OUR LEGISLATION" and whether any incentive has been provided to Ngāti Rangī to partner with Teitei Drive.”

Relates to question 5c:

“is Ngāti Rangī receiving any assets or discounts in return for their involvement as an incentive?”

Relates to question 6:

“We still request all updates to the resource consent that proceed the date you uploaded the original resource consent files, this is to include the section 92 notices but is not limited to the

On 24 November 2023, Kāinga Ora extended the due date for response by 50 working days under sections 15A(1)(a) and 15A(1)(b) of the Act, due to the substantial collation associated with the preparation of the response and consultations necessary to make a decision on the request. This extension took account of the period of 25 December 2023 to 15 January 2024 which are not considered working days under the Act.

I have responded to your requests for official information in an asked and answered format below. Please note the additional information sought on 8 November 2023 has been incorporated with the original request of 27 October 2023.

1) No street parking design layouts have been provided to date showing an aerial view & the number of proposed parking spaces, please provide these designs.

CONCEPT MASTERPLAN:

- Page 15 - shows 2 parking spaces per lot

- Page 16 - Isthmus shows a 18m wide road with a sidewalk on either side with recessed parking on the right hand side going through the sidewalk and over the person. There is a 1m side berm and a 1.5m walkway shown, if the walkway and side berm was removed, the parking space would be 2.5m however there would no longer be a pedestrian walkway. We note the swale side berm is also on this side of the road and will likely be a deep cut over 1m in depth, not usable as pedestrian walkway plus culvert driveway access over swales. We also note that a loading zone would require 3m wide parking space, for moving trucks, delivery trucks, etc.

- Page 16 - Isthmus for 14m wide road, we consider the same issues.

As per the original question, please provide an aerial view & the number of proposed street parking spaces.

An official information request response (OI 23 434) was provided to your Society President, Mr Barry Murphy, on 9 October 2023 and it contained information and relevant links to the concept masterplan and integrated traffic assessment in resource consent documents on the Kāinga Ora website. It notes two parking spaces per home with additional street parking. Further information is provided in the form of the updated integrated transport assessment detailed in question 6 below.

Your request for an aerial view is refused under section 18(e) of the Act, as the requested document does not exist. The final stage one design, including car parking, will be included in an application for land use and fee simple subdivision to enable the residential development.

2) Design documents related to swale design were known to be insufficient and incorrect in June and were incorrect in the Resource Consent application. Please provide latest stormwater design documents and discussions relating to the stormwater design and the modifications.

There are no further documents available at this time. Kāinga Ora is currently reviewing stormwater design documentation in response to the s92 Request for further information for the original consent lodged with RDC, and the timeframe for our submission of this

information to Council has been extended until 1 April 2024. I refer you to the Kāinga Ora update provided on the revised consenting strategy: link to FAQ and neighbour letter. https://kaingaora.govt.nz/assets/Developments-and-Programmes/Regional-Housing-Programme/Manawatu-Whanganui/TeiTei-Drive-Ohakune/Letter-to-neighbours_resource-consent-application-Nov-2023.pdf.

3) Please provide documentation discussing or relating to what will be done with the additional lots over and above the 44 residential lots. For example, the current build requirement for CIP is for 44 houses to be built, however 46 residential lots exist on the design and consent; Please provide any discussions or documents or plans or considerations for the additional lots.

I refer to the previous responses on this matter (OI 23 660, OI 23 696 and OI 23 750 refers) provided to you in late 2023 and early 2024. There is no further information to provide.

3a) The S&P Agreement signed between RDC & KO contained milestone dates, Milestone 1 was for the completion of the Master plan by 30th September 2023. Please provide the latest copy of the Master Plan

The first version of the S&P on the Kāinga Ora website remains the current version. The development partners acknowledge the updated milestones and have voted to accept the revised milestone date of 1 April 2024 for an updated version of the master plan, in accordance with the revised consenting strategy.

There is an updated draft master plan in development that will be made public in early 2024. As this document is still being drafted Kāinga Ora is withholding it under section 9(2)(g)(i) of the Act, to *'maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.'*

I do not consider the withholding of the information is outweighed by public interest considerations in making that information available.

3b) The same agreement mentioned above (4) has a condition

3c) A condition within the agreement states a satisfaction date of 30th June 2024 for HNZ Build Approval Condition. Please advise if this condition has been met yet, and if not, what is the condition based upon.

This condition remains in place, subject to costings based on final masterplan layout.

3d) Please advise if any conditional dates or milestone dates have been modified from the original agreement, and if so, when were these done and what are the new dates proposed.

Please refer to 3A. No other amendments have been made.

3e) Please provide conditional & milestone dates KO has with MHUD or CIP or whomever the funding is with; and also advise if any of these dates have been extended and if so to what dates.

I refer you to the Crown Infrastructure Partners funding agreement on the Kāinga Ora website, which contains relevant dates: <https://kaingaora.govt.nz/assets/Publications/OIAs-Official-Information-Requests/September-2023/Agreements-with-HUD-and-RDC.pdf>.

4) In the agreement stated above, point 17.3 discusses the worker-rental homes, please advise if any conflict of interest is registered against this item; i.e. that partners (Ngāti Rangī, RDC & KO) are unable to purchase these properties

No conflict of interest is registered against this provision noting that any/all end purchasers of homes need to be contracted via arm's length terms of sale.

4a) and that no affiliation with these companies will have first right of refusal; that a third party will be chosen that does not conflict or have an association with these partners.

No First Right of Refusal provisions are included in the contract, nor are partners excluded from tendering for the development opportunities associated with the worker rental homes.

5) OIA information released to date discussed a draft agreement between Ngāti Rangī; please elaborate what the agreement provides for? (unless you can provide a copy)

Under section 16(1)(e) of the Act, Kāinga Ora is providing the following summary: this Partnership Agreement formalises the relationship between Kāinga Ora and Nga Waihua o Paerangi. This Partnership Agreement sets to establish an ongoing co-operative relationship regarding shared areas of interest between Ngāti Rangī and Kāinga Ora.

5a) Does the agreement give preferential access to any of the housing? Question 5a asks whether the informal unsigned agreement will give any preferential access to any of the housing or land?

Kāinga Ora's engagement with Ngāti Rangī is in accordance with the Kainga Ora - Homes and Communities Act 2019. The draft Partnership Agreement does not include provision for houses to be given or allocated to Ngāti Rangī. For the 15 public homes that will be built, the Kāinga Ora specialist placement team matches new homes to applicants on the Ministry of Social Development's Housing Register with the highest priority for a home of that size and in that location.

5b) Does the agreement provide any incentive for Ngāti Rangī to have become a partner to the Teitei Dr project? The agreement has been discussed as saying the two additional lots were not specifically listed, which could be considered that different wording could have been used, such as "additional lots over and above the 44 lots" could be allocated to Ngāti Rangī. Please provide actual wording referred to in the "ENGAGEMENT IS IN ACCORDANCE WITH OUR LEGISLATION" and whether any incentive has been provided to Ngāti Rangī to partner with Teitei Drive

No incentive is provided. Ngāti Rangī are Mana Whenua of the area of the development project. Kāinga Ora's engagement with Ngāti Rangī is in accordance with the Kainga Ora - Homes and Communities Act 2019. The draft Partnership Agreement does not include provision for houses to be given or allocated to Ngāti Rangī.

5c) Does the agreement provide any preferences to Ngāti Rangī? Is Ngāti Rangī receiving any assets or discounts in return for their involvement as an incentive?

No. Ngāti Rangī are Mana Whenua of the area of the development project. Kāinga Ora's engagement with Ngāti Rangī is in accordance with the Kainga Ora - Homes and Communities Act 2019, which can be found here: <https://www.legislation.govt.nz/act/public/2019/0050/latest/whole.html#LMS169206>.

There is no agreement with Kāinga Ora for houses to be given or allocated to Ngāti Rangī.

6) This query should be dealt with under section 35 of the RMA (subsection 5(g), (ga) and (gb). - See 95A (3)(a) as to request to notify), however your partner RDC has failed to provide the details and multiple complaints have been lodged with the Ombudsman for the failures. So as a partner with access to the information, we ask you to immediately provide latest S92 notices and response and any communications regarding the consent since acceptance on 25th July 2023. We still request all updates to the resource consent that proceed the date you uploaded the original resource consent files, this is to include the section 92 notices but is not limited to the section 92 notices.

Kāinga Ora is currently reviewing the resource consent application documentation in response to the section 92 request for further information for the original consent lodged with RDC. The timeframe for our submission of this information to Council has been extended until 1 April 2024 and in all but one instance Kāinga Ora has not yet responded to the section 92 requests for information – in part this is related to the revised consenting strategy that was recently announced.

Details of the announced revised consenting strategy can be found here:

https://kaingaora.govt.nz/assets/Developments-and-Programmes/Regional-Housing-Programme/Manawatu-Whanganui/TeiTei-Drive-Ohakune/Letter-to-neighbours_resource-consent-application-Nov-2023.pdf.

For the integrated transport assessment information in scope of this part of the request, I refer to the combined material attached. Some information has been withheld under section 9(2)(a) of the Act, to protect the privacy of natural persons.

For any documents Kāinga Ora holds in draft form to respond to other section 92 notices, this material is withheld under section 9(2)(g)(i) of the Act, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

Similarly, any correspondence related to drafting of section 92 responses that have not yet been responded to, this information is also withheld under section 9(2)(g)(i) of the Act. I do not consider the withholding of the information is outweighed by public interest considerations in making that information available.

7) Provide any and all communications (related to Teitei Drive) internal to KO, or between any partners or other government agencies, or contractors working on the project that are not currently covered by the pro-active release already on your website up until today the 27th October 2023

7a) Please provide any other communications regarding Teitei Drive that fit the same scope as above (internal to KO, or between any partners or other government agencies, or contractors working on the project) that were missed in the pro-active release (possibly due to a confined search parameter to select sources).

Kāinga Ora ran multiple searches for correspondence that may be in scope of these two parts of the request. The broadest search of *Ohakune* returned more than 37,000 search

results, while the terms *Teitei Drive* and *Tei Tei Drive* returned more than 12,000 and 2,900 results collectively.

The *Teitei Drive* results could themselves conservatively be more than 25,000 pages of information to assess. Any email attachments would increase the volume of material needing to be assessed. There would also be no guarantee these or any other search results would capture all in scope information, as results capture any communications with specified search terms.

To attempt to respond to these two parts of the request would require Kāinga Ora to assess each individual search result (regardless of which search results were selected), to determine if there was any “missed” correspondence not provided in the material published on the Kāinga Ora website in September 2023, and also assess for any potential material that is outside of the timeframe covered by the published communications.

The work to assess search results, prepare any in scope information for release and then consult on that information with external entities would be prohibitive, costly to the public purse and impair efficient administration at Kāinga Ora. Therefore, these parts of your request are refused under section 18(f) of the Act, that the information requested cannot be made available without substantial collation or research.

8) Please provide the spend to date on the Teitei Drive Project

The information on project costs, as calculated at 24 November 2023, is publicly available at:

<https://fyi.org.nz/request/24278/response/93453/attach/4/Barry%20Murphy%20OI%2023%20650%20response%20signed.pdf>.

9) Please provide the total number of people within KO working on the Teitei project and the FTE hours spent on the project to date.

Kāinga Ora is not required under the Act to create information to respond to requests for information, which would be required to answer this part of the request.

But to summarise at a high level the project and stakeholder team is comprised of staff from various parts of Kāinga Ora, most of which are part time on the project (as they have other ongoing work commitments). Other internal resource is also used on an as needed basis.

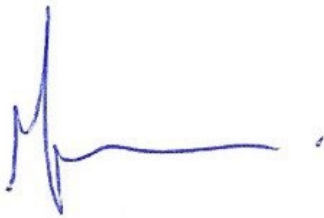
Timesheets are not kept, so it is not possible to provide how many FTE hours have been completed on the project. This part of the request is therefore refused under section 18(g)(i) of the Act, as the information is not held.

Also to note, the Kāinga Ora Government Relations team, which coordinates the preparation of responses to requests for official information, also has multiple staff working on requests for official information.

Under section 28(3) of the Act, you have the right to seek an investigation and review by the Ombudsman of this response. Contact details for the Ombudsman can be found at www.ombudsman.parliament.nz.

Please note that Kāinga Ora proactively releases our responses to official information requests where possible. Our response to your request may be published at kaingaora.govt.nz/publications/official-information-requests/ with your personal information removed.

Nāku noa, nā

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a horizontal line and a small dot.

Mark Fraser
General Manager – Urban Development and Delivery