

House of Representatives

Supplementary Order Paper

Tuesday, 23 May 2017

Point England Development Enabling Bill

Proposed amendment

Eugenie Sage, in Committee, to move the following amendment:

New clause 10

After *clause 9* (page 4, after line 22), insert:

10 If right of first refusal not exercised

If Ngāti Paoa or Ngā Mana Whenua o Tāmaki Makaurau Collective does not exercise their right of first refusal over the development land by 31 December 2020,—

- (a) **sections 6(1)(d) and 7(3)(d)** will no longer apply, and the land will no longer be set apart and held for state housing purposes; and
- (b) the Registrar-General must record the development land as being held by the Crown for future Treaty of Waitangi (Te Tiriti o Waitangi) settlement purposes; and
- (c) the development land must be managed by the Crown and Auckland Council to protect and enhance the land's natural, historic, cultural, and amenity values, including recreational values.

Explanatory note

This Supplementary Order Paper inserts *new clause 10* into the Point England Development Enabling Bill.

The Regulatory Impact Statement, submissions, and advice from officials during select committee made it clear that the Government intends to offer the development

land to Ngāti Paoa as commercial redress under Te Tiriti of Waitangi/the Treaty of Waitangi. If neither Ngāti Paoa nor Ngā Mana Whenua o Tāmaki Makaurau Collective chooses to buy the land, then the Crown will offer it for sale to a private developer for housing development.

Te Whanake/Point England is ancestral land of Ngāti Paoa. If Ngāti Paoa or Tāmaki iwi are unable to buy the 11 ha of land the Bill identifies for development, the land's significance to iwi and as unique urban green space on the coast in part of Auckland subject to significant population growth and intensification means it should be retained by the Crown to protect options for its future use, ownership, and management. The Supplementary Order Paper inserts *new clause 10* to do this.