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Legal Case-notes October 2021

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We would appreciate comments and suggestions from members on content, format or information about cases that might be of interest to members as not all cases may have been reported in "Your Environment".

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Summaries of cases from Thomson Reuter's "Your Environment".

This month we report on six court decisions covering diverse situations associated with subdivision, development and land use activities from around the country;

- The decision on settlement of an appeal against the Whangarei District Council to make proposed changes to urban and services provisions in its district plan;
- A decision on a further case between Maungaharuru-Tangitū Trust and Hasting District Council involving constraints for farming activities or development on *wāhi taonga* sites identified in its district plan;
- An appeal against the judicial review of Gore District Council not to notify an application to establish a river-rafting tourist operation on the Mataura River;
- A further appeal against a proposal to re-route State Highway 3 near Mt Messenger in Taranaki;
- The sentencing of a developer for undertaking unconsented works on a property at Panmure, Auckland;
- The striking-out of a purported appeal against a decision of Auckland Council to require public notification of an application for resource consent at Forest Hill on Auckland's North Shore.

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CASE NOTES OCTOBER 2021:

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Kāinga Ora - Homes and Communities v Whangarei District Council _ [2021] NZEnvC 127

Keywords: district plan; objectives and policies

This consent determination related to the last remaining aspects of the appeal by Kāinga Ora – Homes and Communities ("Kāinga Ora") against the decisions of the Whangārei District Council ("the council") on the package of Urban & Services plan changes to the Operative Whangārei District Plan ("the plan"). Following direct discussions, the parties had reached an agreement to resolve the remainder of this appeal.

The Court had now read and considered the appeal and the consent memoranda of the parties dated 13 August 2021. The Court stated it could not pre-judge or pre-empt processes yet to be undertaken by the council in implementation of the National Policy Statement on Urban Development 2020 ("NPS-UD 2020"). The Court had not relied on those provisions in assessing this consent order. Nor did the Court consider that it was appropriate to comment on the role of Kāinga Ora or their view of their Mandate or the NPS-UD 2020. The Court found the changes could be justified by reference to the objectives and policies of the plan that were settled.

The Court was satisfied the proposed provisions gave greater clarity and consistency both within zones and across zones. This made the changes more understandable and workable. Further, the Court was satisfied they were more enabling for development in part because of greater clarity. The Court stated it made the consent order under s 279(1) of the RMA, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court stated this determination could not be regarded as a precedent for other plans particularly as it related to the role of Kāinga Ora in plan proceedings or the application of the NPS-UD 2020.

The Court ordered, by consent, that: the planning maps of the plan were amended in accordance with the maps in Annexure 1 to the decision; and specified chapters of the plan were amended in accordance with Annexures 2 to 8 to the decision. The appeal by Kāinga Ora was otherwise dismissed. Specified appeal topics were closed. There was no order for costs.

Decision Date 21 September 2021 Your Environment 22 September 2021

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Maungaharuru-Tangitu Trust v Hastings District Council _ [2021] NZEnvC 98

Keywords: district plan proposed; Māori culture; district plan rules

This matter followed *Maungaharuru-Tangitū Trust v Hastings District Council* [2019] NZHC 2576, where the High Court ("HC") allowed appeals against the Environment Court's ("EC") decision in *Maungaharuru-Tangitū Trust v Hastings District Council* [2018] NZEnvC 79. In that case the EC had determined that all the sites in issue were wāhi taonga, and which rules under the Proposed Hastings District Plan should apply to each. In allowing appeals against the EC decision, the HC remitted the matter to the EC for reconsideration.

Maungaharuru-Tangitū Trust ("the Trust") contended, among other matters, that the eight sites in dispute were of significance to them and the extent of the footprints of each site had to be viewed through their eyes, and with their values and beliefs in mind. The Trust asserted that the best solution was to classify any activity on an area that was wāhi taonga as restricted discretionary, unless specified as permitted, as that would ensure that the activities were assessed against suitable criteria, i.e. criteria that related to cultural matters. Hastings District Council ("the council") had the general view that the outcome argued for by the Trust would impose unreasonable restrictions, inconvenience and/or cost on the landowners who might wish to undertake otherwise unexceptional farming activities. They argued the council's proposed rules provided the most appropriate rules option for these areas because, while avoiding blanket restrictions, they also sought to provide appropriate protection to the sites by limiting the effects of activities such as buildings and earthworks. They would allow day-to-day farming activities to continue, without requiring resource consents for minor buildings or earthworks.

The Court considered the evidence as to each site in dispute. Regarding MTT86, the Court stated it had received no evidence to make it think that there was good reason to disagree with the rules proposed by the council, and confirmed them. As to MTT88, the Court found that the site was a wāhi taonga site but that the evidence suggested that the level of protection and control sought by the council were sufficient to provide for the Trust's relationship with Tītī-a-Okura, and that the Trust's draft rules would be an unreasonable interference with the rights of the landowners. Regarding MTT90 & MTT91, the Court considered the status and extent of wāhi taonga on this site were the two peaks that were part of the ridgeline of Maungaharuru. The Court found the rules proposed by the council would adequately protect the values of the wāhi taonga, without unreasonably restricting realistic uses of the land in question.

Regarding MTT35, the Court noted that following the HC appeal, whether the site was wāhi taonga was not in dispute, and neither were the rules to apply; the extent of the site was in issue. The land was privately owned by Sunset Investment Partnership ("SIP"). The Court accepted the SIP witnesses' views of the extent of the site. As to MTT38, the Court considered that the evidence suggested that the level of protection and control sought by the Trust exceeded what was needed to provide for the relationship of the Trust hapū with the site and that the council's proposed rules were more appropriate. Finally, regarding MTT44 & 45, the Court considered that the evidence suggested that the level of protection and control sought by the Trust overreached what was needed to provide for the relationship of the Trust hapū with the site, and that their proposed rules would be an unreasonable interference with the rights of the land owners. The Court considered that the rules proposed by the council were more appropriate.
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The council sought directions to finalise the remainder of the provisions. The proposed direction in para 13(a) of the council's memorandum of 31 August 2020 was made. The council was to file material described in para 13(b) and circulate the documents as suggested in para 13(c), with the parties to have one week in which to provide comment. The council would have one further week to make necessary amendments. The Court would issue a final decision following that process. The Court left open the question of costs.

Decision Date 6 August 2021 _ Your Environment 9 August 2021

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NZ Southern Rivers Society Inc v Gore District Council _[2021] NZCA 296

Keywords: Court of Appeal; resource consent; river; council procedures; judicial review; public notification

This was an appeal against the High Court's ("HC") decision in *NZ Southern Rivers Society Inc v Gore District Council* [2020] NZHC 1996, (2020) 22 ELRNZ 26. NZ Southern Rivers Soc Inc ("the Society") applied for judicial review of the decision of the commissioner for Gore District Council ("the council") not to notify the application by P Joostens for land use consent. The consent sought was for a proposal to establish a river rafting tourism activity on the Mataura River ("the River"). The HC found that the non-notification decision was not invalid and the application for review was dismissed. The Society now appealed the HC's decision.

The Society appealed the HC judgment on three grounds. It claimed that: (a) the HC Judge was wrong to dismiss the Society's claim that the council had insufficient information for its decision not to notify the application; (b) the HC Judge was wrong to find that the Society had not pleaded that the council erred in failing to consider the email correspondence sent to it by members of the angling community; and (c) as a result of the error in (b), the HC Judge erred in not determining whether the council made an error of law as a result of the information not being referred to by the planning consultant who reported to the council in his recommendations on notification to the commissioner.

The Court considered the ground of insufficient information to make the decision not to notify the application. The Society submitted that without having the views of anglers who fished on the River, the council lacked the information necessary to determine that the adverse effects of the proposed activity on the environment would not be more than minor. The Court accepted the submission for the council that the relevant facts were all able to be ascertained from the details and description of the proposal in the consent application. They enabled the commissioner to assess the likely interaction between anglers and rafts and the time a raft would take to pass an individual angler. The Court accepted that it was reasonably open to the commissioner to determine that the level of interaction with, and potential effect on, anglers would be infrequent, short-term and small in scale.

Regarding the second ground, the Society argued that the Judge misconstrued the statement of claim, and that the Society had pleaded directly that the council erred by not considering the emails. The Court did not consider the HC Judge made any error in the way he construed the statement of claim. The relevant allegation in the pleading was that in making the decision to process the application on a non-notified basis, the council misdirected itself and was in breach of its obligations under s 95A of the RMA by treating the written approval received from Fish and Game as representing the interests and views of the angling community on the proposal and amounting to an approval by them in relation to the adverse effects on the recreational amenity of the anglers. That was the allegation that the HC Judge rejected on the basis that the council had considered the potential effects of the proposal on actual river users. The Court rejected this ground of appeal.

The third error alleged was that the commissioner did not have sufficient information as to the actual potential effects of the proposal because the email correspondence was not made available to him. The Society argued that the planning consultant who reported to the council had contributed to the error by not referring the emails to the commissioner. In contrast to *Videbeck v Auckland City Council* [2002] 3 NZLR 842 (HC), the Court found in the present case, it did not consider that the report prepared for the commissioner's consideration could be said to lack balance. What was necessary was that the commissioner be informed about the characteristics of the area, and the effects of the proposed activity on those characteristics. On those issues, the Court found there was sufficient information before him for the purposes of both the notification and consent decisions. He was aware of all the necessary facts, and able to draw inferences and apply his understanding of them in making his decision. The subjective
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views of anglers would not have added anything of value to his consideration of the application. The Court rejected the third ground of appeal.

The appeal was dismissed. The Society was ordered to pay the council costs calculated for a standard appeal on a band A basis, together with usual disbursements.

Decision Date 23 July 2021 _ Your Environment 26 July 2021

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Poutama Kaitiaki Charitable Trust v Taranaki Regional Council [2021] NZSC 87
Keywords: Supreme Court; appeal procedure

This application for leave to appeal concerned an interim decision of the Environment Court ("EC") as to the re-routing of State Highway 3 through the Mangapēpeke forest and wetlands near Mt Messenger and north of New Plymouth. An appeal against that decision was dismissed by the High Court ("HC") in *Poutama Kaitiaki Charitable Trust v Taranaki Regional Council* [2020] NZHC 3159, (2020) 22 ELRNZ 202, and the applicants, Mr and Mrs Pascoe ("the Pascoes") (whose land was affected by the proposal) and Poutama Kaitiaki Charitable Trust ("Poutama"), sought leave to appeal to the Supreme Court ("SC") from the HC decision. The application for leave to appeal was out of time, and the applicants sought leave for an extension. Waka Kotahi New Zealand Transport Agency, Taranaki Regional Council and New Plymouth District Council ("the respondents") and Te Rūnanga o Ngāti Tama Trust ("interested party") opposed the application for leave to appeal and the extension of time sought.

The HC had found that the conclusions of the EC were primarily of fact and for this reason, not susceptible to direct challenge on appeal confined to points of law and that there were no associated errors of law in the way the issues were addressed by the EC. The SC stated that even if the EC had applied an incorrect understanding of the principle of mana whenua (a proposition the applicants did not advance in express terms), the factual findings of the EC left no room for argument that any such error could have been material. The EC found that there was no evidence of a Poutama ancestral connection to the land in question. The SC found that this was a finding justified on the evidence. The EC recorded its preference for the report commissioned by Te Rūnanga o Ngāti Tama Trust over the report commissioned by Poutama on this central issue. The same factual finding met the claimed error in relation to s 6(e) of the RMA, which required decision makers to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands. Insufficient evidence of an ancestral connection meant that the Pascoes and Poutama could not have a relevant interest under s 6(e), regardless of whether that section applied to iwi, hapū or Māori more generally. The SC therefore saw no substantial prospect of the HC decision on these issues being reversed. This was sufficient to dispose of the application for leave to appeal.

The SC found nothing of significance turned on the fate of the application for an extension of time. Given the limited period of delay and the lack of any prejudice associated with it, the SC granted an extension of time. The SC, however, dismissed the application for leave to appeal. The SC stated the respondents and interested party were entitled to costs.

Decision Date 22 July 2021 _ Your Environment 23 July 2021

(See previous reports Newslink March and June 2021 - RHL)

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Auckland Council v Eminens International Ltd _ [2021] NZDC 6595

Keywords: prosecution; earthworks; abatement notice; discharge

This was the sentencing of Eminens International Ltd ("EIL"), Z Chen ("C") and H Luo ("L") who had pleaded guilty to charges relating to activities carried out during the earthworks phase for a commercial/residential development at 13 and 15 Domain Rd, Panmure, Auckland ("the site"). The charges against all of the defendants related to offences against ss 9(2) and 15(1)(b) of the RMA and in respect of EIL a further charge of permitting the contravention of an abatement notice pursuant to s 338(1)(c) of the RMA. C and L sought discharge without conviction.

On 27 May 2019, an Auckland Council ("the council") compliance monitoring officer issued an abatement notice to EIL for contravention of condition 13 of the resource consent, as the erosion and sediment controls on the site had not been maintained throughout the earthworks phase. On a number of dates between June and October 2019 council officers attended the site and observed that sediment-laden water was being discharged from the site, and that the erosion and sediment controls were not sufficiently maintained to control the flow of sediment-laden water from the site.

The Court found that the offending would have contributed to the adverse cumulative effects of sediment discharges in the Auckland region. The courts had long accepted the seriousness of such cumulative effects. It found that EIL did not approach its responsibilities with regard to the management of the site, compliance with the resource consent and abatement notice and training of its employees with sufficient care and that it had been highly careless. The Court found C to have been careless in the discharge of his responsibilities as opposed to highly careless. The Court found that L was careless, but that he carried less responsibility for the offending than did EIL and C.

The Court stated that for EIL, an appropriate starting point for the land use and discharge offending was $50,000 and an appropriate starting point for the breach of the abatement notice was $10,000. The Court found that for C, a starting point of $25,000 was appropriate, and for L, $15,000. The Court did not consider that it was appropriate to discharge C and L without conviction. The Court found that each defendant was entitled to a credit of 20 per cent for their guilty pleas and to a further credit of five per cent for their good character. EIL was convicted and fined $37,500 for the land use and discharge offending and $7,500 for the abatement notice offence. C was convicted and fined $18,750. L was convicted and fined $11,250. Ninety per cent of the fines were to be paid to the council.

Decision Date 19 July 2021 _ Your Environment 20 July 2021

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Closebrook Properties Ltd v Auckland Council _ [2021] NZEnvC 91

Keywords: appeal procedure; public notification; strike out; jurisdiction

This purported appeal related to an application for resource consent at 145 Sunnynook Rd, Forest Hill, Auckland. On 4 June 2021 the Auckland Council ("the council") made a notification determination where it decided that the application must be processed with public notification. On 25 June 2021 the applicant for the resource consent, Closebrook Properties Ltd, filed a purported appeal against this notification determination seeking that the council's decision to publicly notify the application be quashed.

The Court stated it was established law that there was no right of appeal to the Environment Court in respect of a notification determination by a consent authority. The remedy for those matters was in judicial review to the High Court. The Court found the purported appeal thus disclosed no reasonable or relevant case for the Court to determine. On this ground the Court exercised its discretion to strike out the purported appeal. The purported appeal was struck out for lack of jurisdiction. The filing fee was to be refunded.

Decision Date 21 July 2021 _ Your Environment 22 July 2021

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This month's cases were selected by Roger Low, rlow@lowcom.co.nz, and Hazim Ali, hazim.ali@aucklandcouncil.govt.nz.

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Dispute over planned wheelchair ramp for Wellington Railway Station

Stuff reports that Heritage New Zealand is opposed to the design of a wheelchair ramp proposed to be installed at the front of Wellington's main railway station. The railway station is a Category 1 heritage-listed building, is regulated by a heritage covenant, and Heritage New Zealand needs to agree to any changes. Read the full story here.

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Proposed high-rise apartments in Whangārei CBD

Stuff reports that Kāinga Ora intends to buy two council-owned sites to build high-rise apartments in Whangārei's CBD. The apartments are likely to be a mix of social housing and housing sold at market price. Read the full story here.

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Legal fight against dredging of the Rangitoto Channel

Radio New Zealand reports that iwi and environmental groups have gone to the Environment Court in opposition to the dredging of the Rangitoto Channel. In August 2020, Ports of Auckland was granted resource consent to deepen the channel. Read the full story here.

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Westport faces thousands of tonnes of waste after flooding

The Otago Daily Times reports that flood damage to Westport has created more than double the amount of waste usually collected from the town in a year. Some of the waste is being trucked to landfills in Greymouth and Hokitika. Read the full story here.

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Fonterra Stirling cheese plant to be coal-free

The Otago Daily Times reports that the Fonterra Stirling cheese plant will be coal-free and using wood biomass to fire the site by August next year. It will be Fonterra's first 100 per cent renewable thermal energy site. Read the full story here.

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Building boom in Christchurch

Stuff reports that over 3000 new homes were consented in Christchurch over the past 12 months. More than half of the newly consented homes were units, apartments or townhouses, rather than free-standing houses. Read the full story here.

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Amazon Web Services to build data centres in Auckland

Radio New Zealand reports that Amazon Web Services will spend $7.5 billion to build data centres in Auckland, which are due to open in 2024. The investment will need approval from the Overseas Investment Office. Read the full story here.

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Fiordland landfill remediation

Stuff reports that the Government has announced $35,000 in funding to Environment Southland and the Department of Conservation to determine the extent of contamination at the landfill at the Little Tahiti site in Fiordland. The site near Milford Sound has a range of contaminants including heavy metals, pesticides and asbestos from the dumping of waste during the construction of access roads. Read the full story here.

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New Brighton development approved

Stuff reports that a developer has received consent to create a large complex of hospitality outlets, shops and an events venue opposite the beach at New Brighton, Christchurch. The
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proposed site is the corner of New Brighton Mall and Marine Parade and is to be called The Beach House. Read the full story here.

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Hastings State housing project delayed due to supply chain issues

Radio New Zealand reports that at least one State housing project has been delayed by issues with the construction industry supply chain. Kāinga Ora says these problems have delayed one project in Hastings, for 40 homes at Kauri Place. Read the full story here.

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Water takes over-allocated on the Mataura River

Stuff reports that Environment Southland will consult with more than 40 resource consent holders after discovering consent allocations for water takes in the Mataura catchment above Gore are over-allocated. There are concerns that the problem could affect Gore District Council's water supply. Read the full story here.

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Summerset granted consent for its 35th village, a $150m development in Cambridge, Waikato

Stuff reports that listed retirement village operator Summerset Group has been granted resource consent for a $150 million retirement village in Cambridge; this will be the company's fourth village in Waikato and 35th in New Zealand. Read the full story here

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Bid to change consent conditions at two salmon farms in the Marlborough Sounds rejected

Stuff reports that New Zealand King Salmon has lost its bid to change consent conditions at two of its farms in the Marlborough Sounds. The company had sought to alter the terms arguing that the Marlborough District Council interpreted them too strictly. Read the full story here.

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Air New Zealand investigates hydrogen-powered aircraft

Radio New Zealand reports that Air New Zealand is exploring the viability of adding hydrogen-powered passenger planes to its fleet by 2030. The company is working with aircraft manufacturer Airbus on the project. Read the full story here.

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New opening date to be set for $1.2 billion Transmission Gully project

Radio New Zealand reports that Waka Kotahi NZ Transport Agency says Level 3 restrictions and supply chain problems mean a new opening date will need to be set for the $1.2 billion Transmission Gully project. The agency had been advised that contractor Wellington Gateway Partnership and its subcontractor, CPB HEB Joint Venture, could no longer meet the 27 September deadline. Read the full story here.

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Sale of Catlins station for forestry approved

Otago Daily Times reports that Ingka Group — one of 12 different groups of companies that own Swedish furniture and homeware giant Ikea — has bought a 5500ha sheep and beef station in the Catlins for forestry development. Following recent approval by the Overseas Investment Office, an area of 330ha at Wisp Hill, in the Owaka Valley, will soon be planted with radiata pine seedlings. The long-term plan was to have 3000ha — more than threemillion seedlings — planted in the next five years and the remaining 2200ha would "naturally regenerate into native bush", the company said in a statement. Ingka Group owns about 248,000ha of forestry in the United States, Estonia, Latvia, Lithuania and Romania. Read the full story here.

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Taihape Area School doesn't accept apology over land fiasco

Stuff reports that Taihape Area School, wronged by officials who transferred ownership of farmland intended for children's learning to the landbank for Treaty settlements, is consulting the community on what to do next after deciding not to accept an apology from the Ministry of Education. The land had been purchased by the community and gifted to the local high school at the time. When the local primary and high schools merged an administrative error failed to transfer the property and it ended in the landbank. Read the full story here.

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Property developer seeks judicial review

Dominion Post reports that an NZ property developer is asking a high court judge to judicially review the decision of the Overseas Investment Office after it approved the purchase of a large section of land on the outskirts of Havelock North. Residential property developer CDL Land NZ Ltd bought 69.4 hectares of land between Iona and Middle roads earlier this year; that purchase is now being challenged by Winton Property Investments. CDL and its wholly owned subsidiary CDLL, have now been named as respondents in a High Court judicial review over the acquisition of the land. Read the full story here.

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Kiwi Property presses go on the country's biggest "build-to-rent"

Stuff reports that big retail property owner Kiwi Property has announced it will build a $221 million, 295- apartment complex at Sylvia Park for long term rental. It is by far the biggest "build-to-rent" development in the country with the others that have been developed only about 40 to 50 apartments alongside apartments for sale. Build-to-rent developments are big overseas, in the United States and in the United Kingdom, but are only just starting in New Zealand where apartment blocks have typically been built for individual apartment sales rather than rental. Read the full story here.

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Chinese property developer's debt struggle rattles investors

Stuff reports that one of China's biggest real estate developers is struggling to avoid defaulting on billions of dollars of debt, prompting concern about a broader economic fallout and protests by buyers of unfinished apartments. Evergrande Ltd ran into a cash crunch after its borrowing to build apartments, office towers and shopping malls collided with pressure from the ruling Communist Party to reduce corporate debt loads that are seen as a threat to the economy. Beijing has made reducing financial risk a priority since 2018. Read the full story here.

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Three groups compete for land at Christchurch's QEII Park

The Press reports that a second greyhound racing track for Christchurch is being proposed for QEII Park. Greyhound Racing NZ wants to build the country's first straight track at QEII Park, 24 years after leaving the area. The proposal is one of three being mooted for a 4-hectare section of the park, which has been zoned for commercial property development. Other proposals being considered are a range for the Christchurch Archery Club and a $13 million multi-sport training and entertainment complex.   Read the full story here.

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Legislative changes potentially an opportunity for investors

Good Returns reports that Squirrel's John Bolton has opined that mortgage advisers will benefit from CCCFA lending changes as borrowers seek help with complex home loan applications. The Squirrel founder believes the forthcoming Credit Contract and Consumer Finance Act changes, which put additional emphasis on lenders to review customer affordability, will "slow things down" in the application process. While loan applications will become more "painful", Bolton says, the complexities should play into the hands of brokers. Changes to the CCCFA have been designed to protect vulnerable borrowers, yet the law is broad in scope and will capture the biggest banks and mortgage lenders. Read the full story here.

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The council, the worm, and the legal stoush

Stuff reports that a rare worm slithered into a legal battle between the Dunedin City Council and a pair of developers. Two years ago the council applied enforcement orders over a large

undeveloped property – a potential home of the peripatus worm. The order included stopping vegetation clearance and not continuing without the required resource consent, and restoring an area where some native vegetation has been cleared, as a habitat for the worm. The pair were also ordered to instal 10 artificial peripatus habitats in certain places on the property. The peripatus, also known as the ‘velvet worm’, spits poisonous liquid on its prey before devouring them. Similar to a caterpillar in appearance, they are regarded as something of a living fossil after being unchanged in 500 million years. Read the full story here.

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Bowls club on a roll after old site sells

The Press reports that the half-hectare site of the former St Albans Bowling Club has been sold for $11.5 million to a property developer who plans to build on it. The club merged with another Christchurch bowling club after the earthquakes, and so the property became surplus to requirements. The land, on Donald Pl, is zoned for medium-density housing such as apartments or terraced homes. Land zoned for medium-density housing in Christchurch has been highly sought-after as developers try to meet demand from investors for new-build apartments and townhouses. Read the full story here.

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Housing support: providers step up care for homeless in lockdown

Gisborne Herald reports that Tairāwhiti's whānau without homes were not forgotten during the recent lockdown, say community housing providers. The Ministry of Housing and Urban Development/Te Tūāpapa Kura Kāinga worked closely with Tairāwhiti's housing providers and agencies throughout the lockdown to ensure people and whānau were supported. The spokesperson said the Ministry had been supporting Gisborne New Life Fellowship Trust's Oasis Community shelter, which was “initially for 10 places when set up in March 2020 and had subsequently increased to 20 places during recent alert level changes”. Read the full story here.

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Chathams conundrum keeps legislators busy

Otago Daily Times reports on the current select committee status of the Moriori Claims Settlement Bill. The history of Moriori and their island home of Rekohu (the Chathams) is contentious and badly needs addressing but, as modern jargon has it, there are multiple stakeholders engaged here. The committee, which includes Southland MP Joseph Mooney among its members, has had to delicately tiptoe between the interests of Moriori first and foremost, and those of the Crown, the current landowners of Rekohu, and of Ngati Mutunga o Wharekauri. Read the full story here.

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Women shaping their world for the better

Otago Daily Times reports on NZ women who are shaping the world around the for the better, in honour of NZ Suffrage Day, the annual commemoration of the day in 1893 when New Zealand women earned the right to vote. One of the five women so exposayed is one of Thomson Reuter's authors for the *Land Law* product, Jacinta Ruru, who was named the first Maori law professor in NZ. Prof Ruru is presently on a 12-month research sabbatical, working on several projects, including a book about Maori law, which she is working on with a small team including New Zealand’s first Maori Supreme Court Justice, Joe Williams. Read the full story here.

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Racist, ageist and discriminatory': Does mixed housing work?

Stuff reports that John Tamihere feels so strongly about the issue of Panuku’s mixed housing policy, that he is contemplating taking another tilt at the Auckland mayoral race. Panuku is the property arm of Auckland Council. Tamihere maintains the policy is 'racist, ageist and discriminatory'. Waipareira Trust, the social agency Tamihere leads, was due at the Human Rights Tribunal this week to argue that Auckland Council had run an unlawful housing policy which discriminated against the poor, elderly, Māori and Pasifika. Read the full story here.

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