



MEMO

To: Scott Evans, Deputy Secretary - Infrastructure & Digital
From: Sam Fowler, Head of Property Delivery; Lucy Ross, Regional Infrastructure Manager
Cc: Marlene Clarkson, Director of Education; Office of the Secretary for Education
Date: 5 November 2021
Subject: Proposed next steps regarding the Taihape school farm

Background

1. Taihape College Board of Trustees purchased the 13 hectare Taihape school farm from a local landowner in March 1990 for \$45k for the purposes of supporting agricultural education programmes at the College. Following a reorganisation of the local schooling network in 2004-05, Taihape College and the local primary school merged and a new area school created for the town. Even though ownership of the farm passed to the Ministry of Education upon the merger, commitments were made by both the then Minister of Education and the Ministry of Education that the land would still be retained for the new Taihape Area School.
2. The former College site, including the farm, was later placed in disposal. The Area School believed the land was in its ownership as a result of the commitments made. However, we subsequently disposed of the land when the Area School was unable to prove its ownership. The previous owner declined to purchase the farm (the first step in the disposal process) and the land was subsequently acquired for the Treaty Settlements land bank where it remains pending the settlement of Treaty claims in the Taihape district. It is generally accepted that the disposal should not have occurred given the commitments that had been made to the school. In 2017 we enquired about removing the land from the land bank but elected not to pursue this as local iwi did not support any change in the land's status prior to the conclusion of the Treaty settlement process.

Commitment to ensure ongoing access to land for educational programmes

3. The school and some community members have since advocated for the removal of the land from the land bank and returned to the school. Our position since 2017 has been a commitment to ensuring the school has access to land for its agricultural programmes as long as this is part of the school's educational offering. This commitment is public and has been reiterated to the school in your recent letter.
4. As you know, the Ministry recently apologised to the school for the handling of the farm situation. The school's response to the apology indicates the school and community does not have faith in

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this commitment. It is clear, and understandable, that there is a lack of trust between the school, community and the Ministry given that commitments made in 2004/05 were not honoured.

5. The commitment has always been worded in such a way that enabled flexibility of options to be considered – such as exploring a long-term lease of the current farm post Treaty settlement, or reacquiring the farm if it was not picked up through that process, or leasing alternative land elsewhere, or acquiring land elsewhere – noting that some of those options may or may not be possible depending on factors out of the Ministry’s control. We also considered it a commercially sensitive matter in that, if we made a clear public commitment on the course of action we proposed, this could impact our ability to achieve good value for public money through a lease or acquisition.

Strengthening our commitment

6. Treaty settlements in the area may take several years to conclude and may have an uncertain outcome, meaning the school has ongoing uncertainty about investing in the land. Given this, and a need to support the school to move forward and rebuild confidence with its community and the Ministry, I recommend that we present the school with two options to consider.
7. **Option 1:** Await the outcome of local Treaty settlements (which may be several years away) and then, depending on the outcome of this process, either:
 - Reacquire the farm from the land bank or the open market if it is not picked up through the Treaty settlement process; or
 - If the farm has new iwi owners following the Treaty settlement process, explore the possibility of a long-term lease for the school; or
 - Commit to acquiring another equivalent and educationally suitable piece of land as recompense for the school, at that time, *if suitable land is available at market value*. This land would be Crown-owned but managed by Taihape Area School as part of its Property Occupancy Document, as with the main school site.
8. **Option 2:** Offer the school the option of exploring the acquisition of a replacement piece of land now as recompense (if such land is available at market value), develop an acquisition brief with the school, and commission our Acquisitions and Designations team initiate a search for feasible options. Any acquired land would be Crown-owned but managed by Taihape Area School’s Property Occupancy Document, as with the main school site.
9. Rough estimates are that acquisition of equivalent land could cost in the region of 9(2)(f). Leasing options may also remain as an alternative short or longer-term option to ensure the school still has access to land in the event that land cannot be readily acquired.
10. This approach does not represent any material change to our position. However it does give the school the opportunity to explore permanent solutions earlier than might otherwise be the case, and offers an opportunity to clarify our commitment to resolving this long standing issue for the local community.

Engaging with the school

11. Attached is a letter of response to the school setting out these options and inviting the school to meet with us after they have considered the options.
12. There will be a number of operational considerations to discuss with the school, should they wish to progress one of these options. We will, for example, need the school to commit to invest money made from farm operations into the upkeep of any acquired farm facilities as the Ministry does not fund teaching farms (although a small increase in the property maintenance grant would apply). These matters can be discussed with the Board once it has considered its preferred course of action.

Endorse / decline



Scott Evans

Hautū – Te Puna Hanganga, Matihiko | Infrastructure and Digital

Date: 05 November 2021



5 November 2021

Shari Chase
Board of Trustees Chair

Craig Dredge
Principal
Taihape Area School

via schase@tas.school.nz

Tēnā kōrua Shari rāua ko Craig

Thank you for your response of 22 October 2021 about the Taihape school farm.

I reiterate my sincere apologies, on behalf of the Ministry of Education, for what has happened regarding your school farm. I do understand the hurt that has been caused and the difficulty this issue has caused for the school and its community over several years.

The Ministry has committed, for a number of years, to ensuring Taihape Area School would have access to facilities that support its agricultural programmes now and in the future. That commitment remains. Given the farm's land banked status, we anticipated this would be best addressed once the outcome of local Treaty settlements became known. However, I acknowledge that our previous failure to honour a commitment made to your school means the Taihape community may not consider this sufficient.

To help enable your school and community to move forward with confidence, I am happy to set out options now for your consideration which I trust will give you the guarantees you need. As I see it, there are two ways this can be achieved and I would welcome the opportunity to discuss this with you once your Board has had the opportunity to reflect.

Option 1 would see us await the outcome of local Treaty settlements, as is the current Ministry position. Depending on those outcomes, which could be a number of years away, we could work through the following options:

- reacquire the existing farm if it is not picked up through the Treaty settlement process; or
- if the land is taken up through the settlement process, and a long term lease would be agreeable to both the Board of Trustees and new iwi owners, explore the possibility of a long-term lease of the land; or
- acquire another equivalent piece of land at that time, if suitable land is available at market value.

Option 2 is to explore the acquisition of an alternative piece of land now. We could work together to develop a land acquisition brief and begin a search for feasible options. Any newly acquired land would fall under Taihape Area School's Property Occupancy Document, in Crown ownership as with the main school site.

I remain keen to work with your Board, in good faith, to support you to achieve positive outcomes for Taihape Area School. I appreciate you will want to take some time to consider your response. My team and I will be happy to visit if you would like to discuss the options I have proposed in more detail.

Ngā mihi

A handwritten signature in black ink, appearing to read 'S. Evans', with a stylized flourish at the end.

Scott Evans

Hautū – Te Puna Hanganga, Matihiko | Deputy Secretary - Infrastructure and Digital

cc Iona Holsted, Te Tumu Whakarae mō te Mātauranga