

Public notice of intention to prepare a new Harding Park Reserve Management Plan

Meeting: Kaipara District Council
Date of meeting: 25 August 2021
Reporting officer: Mark Schreurs, Infrastructure Strategic Planner

Purpose | Ngā whāinga

To update the Kaipara District Council (the Council) on the process for making a new Reserve Management Plan (RMP) for Harding Park. To seek a resolution to invite persons and organisations interested to send to the Council written suggestions on the content of the plan. To delegate the Harding Park Committee to consider all written suggestions and propose a draft RMP to Council.

Executive summary | Whakarāpopototanga

The Pou Tu o Te Rangi Joint Management Committee, Harding Park Committee and Kaipara District Council have decided to review the current Reserve Management Plan for Pou Tu o Te Rangi Harding Park and directed staff to start the process.

Following legal advice, staff have determined that a new reserve management plan (RMP) should be made for each of Pou Tu o Te Rangi and Harding Park. This is because, while the whole site is commonly regarded as one park, the reserve properties that constitute it are managed by two different administering bodies – the Pou Tu o Te Rangi Joint Management Committee is the administering body of the Pou Tu o Te Rangi historic reserve and Kaipara District Council is the administering body of the Harding Park and Old Mount Wesley Cemetery local purpose reserves (collectively referred to as Harding Park). The Reserves Act 1977 does not allow two administering bodies to make a joint RMP. However, noting the intention of all parties to manage the whole site as one Park, these two RMP's and the process to make them can be aligned almost seamlessly.

The next step in making RMPs for Pou Tu o Te Rangi and Harding Park is to give public notice of the administering bodies' intention to do so and invite the public and local Iwi to make written suggestions on the RMP's content. The Pou Tu o Te Rangi Joint Management Committee have resolved to do this for the Pou Tu o Te Rangi historic reserve and the Harding Park Committee are requesting Council do the same for Harding Park. If Council respond as requested, consultation is proposed to be open from 31 August 2021 until 04 October 2021.

The Harding Park Committee are also requesting that Council delegate them to consider any such suggestions from the community and Iwi, prepare a draft RMP for Harding Park and then propose this draft RMP to Council. Following all this, the next step would then be for Council to adopt the draft RMP for full public consultation, including hearings before a final RMP is approved.

Recommendation | Ngā tūtohunga

That the Kaipara District Council:

- a) Directs the Chief Executive to give public notice of the Council's intention to prepare a Reserve Management Plan for Harding Park.
- b) Invites persons and organisations interested to send to the Council written suggestions on the content of the plan.
- c) Delegates the Harding Park Committee to consider all suggestions received from the public, prepare a draft Harding Park Reserve Management Plan and recommend this draft plan to Council.

Context | Horopaki

The Pou Tu o Te Rangi Joint Management Committee and Harding Park Committee resolved to review the current Reserve Management Plan for Pou Tu o Te Rangi and Harding Park at the 19 May 2020 Combined Pou Tu O Te Rangi Joint Management Committee and Harding Park Committee meeting. This was then taken to Council as part of the approval process. At the Council meeting held on 7 October 2020 the Council agreed to review the Reserve Management Plan (RMP) for Pou Tu o Te Rangi Harding Park and directed staff to start the process.

Staff have since engaged Stellar Projects to assist with this project, have determined the necessary steps in the statutory process and reviewed the existing RMP. They have reached the conclusion that a new RMP should be made for each of Pou Tu o Te Rangi and Harding Park.

While the intent for many years has been to manage Pou Tu o Te Rangi and Harding Park as one complex, the reserve properties which comprise this park are held by different administering bodies and therefore cannot share a single RMP under the Reserves Act 1977. It is therefore necessary for the Pou Tu o Te Rangi Joint Management Committee to prepare a new RMP for the Pou Tu o Te Rangi Historic Reserve and for Kaipara District Council to prepare a separate new RMP for the remainder of the site. While these must be two separate documents and follow two separate processes, with separate resolutions being required of both Council and the Committee, staff will endeavour to align the two so closely as possible such that they will appear as one plan for one site. The processes for developing the two new RMPs can also be almost completely aligned to run almost as one process.

Discussion | Ngā kōrerorero

Under section 41(5) of the Reserves Act 1977, the first step in the process for making a new Reserve Management Plan is to give public notice of the administering body's intention to do so and invite the public to make written suggestions on the RMP's content. This part of the process is an opportunity for the administering body to get feedback from the community who use the reserve on how they use this reserve, what they value about it and how they would like to see it managed and developed into the future.

Under section 41(5A) the Council can opt to skip this step in the process if it determines by resolution that written suggestions on the proposed plan would not materially assist in its preparation.

The Pou Tu O Te Rangi Joint Management Committee considered these findings at the 17 August Combined Pou Tu O Te Rangi Joint Management Committee and Harding Park Committee meeting and resolved:

To direct the Chief Executive of the Kaipara District Council to give public notice of the Committee's intention to prepare a Reserve Management Plan for the Pou Tu O Te Rangi Historic Reserve; and

To invite the public to make written suggestions on the reserve management plan's content.

The Harding Park Committee also considered these findings at the 17 August 2021 combined meeting. They resolved:

to request that the Kaipara District Council give public notice of its intention to prepare a new reserve management plan for Harding Park and invite the public to make written suggestions on the plan's content.

to request that the Kaipara District Council delegate the Harding Park Committee to review all suggestions received from the public and prepare a draft Harding Park Reserve Management Plan for presentation to Council.

Council now needs to consider if it accepts these requests from the Harding Park Committee.

Options

With regards to the incorporation of consultation in the development of the Reserve Management Plan

Option 1: give public notice of the Council's intention to prepare a new Reserve Management Plan for Harding Park and invite the public to make written suggestions on its content. This is the recommended option as it would assist in understanding how the community use the Park, what they value about it and how they would like to see it managed going forward.

Option 2: determine that written suggestions on the proposed plan would not materially assist in its preparation and, in accordance with section 41(5A), proceed directly to drafting the new RMP. This is not recommended as no recent public engagement has been undertaken on this matter and the community's views are not already well understood. Skipping this initial round of consultation would miss a valuable opportunity to involve the community in planning this park's future.

With regards delegation of responsibilities to the Harding Park Committee to consider feedback and assist in shaping the Reserve Management Plan

Option 3: delegates the Harding Park Committee to consider all suggestions received from the public, prepare a draft Harding Park Reserve Management Plan and recommend this draft plan to Council. All written suggestions would still be made available to Council in support of the draft RMP. Council would still be responsible for considering the draft RMP and making the decision to adopt it for public consultation. Delegating the Harding Park Committee to undertake these activities will assist in streamlining the processes for preparing the RMPs for this site as the Harding Park Committee and Pou Tu o Te Rangi Joint Management Committee have the same members and hold joint meetings. Decisions for Pou Tu o Te Rangi and Harding Park can therefore be considered alongside each other.

Option 4: make no delegations to the Harding Park Committee and have the full Council consider all written suggestions received from the public and prepare a draft RMP. This will make it more difficult to align development of the two RMPs for the Pou Tu o Te Rangi and Harding Park site.

NB: other options such as continuing with the current RMP and making only minor amendments which do not require full public consultation are not considered in this report as the decision to review the current RMP has already been made (refer to the Context | Horopaki section of this report).

The recommended option is **option 1 and option 3**.

Policy and planning implications

Having a current RMP for Pou Tu o Te Rangi is a requirement of the Reserves Act 1977. This Act also states that certain matters will be controlled, allowed or guided by the direction set out in the RMP. Staff will assist with these aspects through the process of drafting the RMP.

Financial implications

The cost of preparing new RMPs for Harding Park and Pou Tu o Te Rangi will be borne by Council and are included in existing budgets.

Risks and mitigations

One risk will be managing the community's expectations throughout this process i.e. community members and interest groups may propose projects which are beyond the scope of available budgets. This can be managed by being clear about the Council's ability to deliver, not listing specific timeframes for implementation and noting that some projects are aspirational and may be dependent on external funding and volunteer labour.

Another risk will be managing competing views about how the Park should be managed. This will need to be addressed on a case by case basis.

Impacts on Māori

The Pou Tu o Te Rangi Pa once extended over the whole of Harding Park and its surrounds. While much of this site has been extensively modified by past earthworks, the whole area remains of importance to local Iwi. Te Uri o Hau and Te Roroa will be engaged in the process of preparing a RMP for this site. Direction will be sought from Te Uri o Hau and Te Roroa on how best to engage with them on preparation of this RMP.

Significance and engagement | Hirahira me ngā whakapāpā

This report and the associated decisions relate to a statutory consultation matter and therefore consultation will be undertaken in accordance with the legislative requirements and following the process outlined in this report and as provided for in Council's Significance and Engagement Policy.

Next steps | E whaiake nei

It is proposed to give public notice in accordance with section 41(5) in the 31 August 2021 Kaipara Lifestyler and on Council's website. In addition, letters will be sent to all immediate neighbours of the reserve and to all key stakeholders. It is proposed to hold one public information session and also to meet with all current lessees of Harding Park and with local Iwi. Hearings are not required at this stage of the process. Consultation is proposed to be open until 04 October 2021.

Following this first round of consultation, staff will work with the Committee to workshop the direction for the Park. This direction will then be captured in a draft RMP. Once the Committee is satisfied with the draft RMP, it will be recommended to Council. If Council are satisfied with the draft RMP, they can then take the next step of subjecting it to full public consultation, including the opportunity for submissions and hearings. The draft RMP can then be amended in response to the submissions received before being submitted to Council for approval.