



**Far North
District Council**



Te Kaunihera o Tai Tokerau ki te Raki

AGENDA

Supplementary Reports Strategy and Policy Committee Meeting

Tuesday, 6 September 2022

Time: 9:30 am
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

Cr Rachel Smith - Chairperson
Cr David Clendon – Deputy Chairperson
Mayor John Carter
Deputy Mayor Ann Court
Cr Dave Collard
Cr Felicity Foy
Cr Kelly Stratford
Cr Moko Tepania
Cr John Vujcich
Member Belinda Ward
Member Sam Napia
Member Raniera Kaio

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5 REPORTS

5.9 TE PĀTUKUREA: INTEGRATION OF THE PROPOSED DISTRICT PLAN AND THE KERIKERI WAIPAPA SPATIAL PLAN

File Number: A3848800

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TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval to continue with the proposed work programme and delay public consultation on the Te Pātukurea Foundation Document to better align and integrate with the Proposed District Plan statutory plan making process.

WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- In August 2021 staff were directed to review the 2007 Kerikeri-Waipapa Spatial Plan. This review was based on the provisions for a Future Development Strategy as defined in the National Policy Statement – Urban Development 2020 (NPS-UD) and has taken a spatial planning approach
- The Project Team established for the review of the 2007 Structure Plan targeted the 6 September 2022 Strategy and Policy Committee as a date to seek approval on engagement on a Foundation Document for Te Pātukurea (the name given the Kerikeri-Waipapa Spatial Plan by the Hapū Rōpū)
- On 27 July 2022, the Far North District Council (FNDC) notified the Proposed District Plan (PDP) with submissions closing 21 October 2022
- Various government departments who we consulted with as part of early engagement on Te Pātukurea expressed concerns about public confusion between the two planning processes. The PDP is a regulatory document required under the Resource Management Act 1991. Te Pātukurea is a plan that the Council has elected to prepare. Te Pātukurea is being prepared with full engagement with hapū and other stakeholders. A foundation document will precede a draft spatial plan.
- Staff at FNDC also expressed concerns about not having sufficient evidence to support proposed future urban zoning in the Kerikeri-Waipapa area which formed the working draft scenarios put forward in the draft Te Pātukurea foundation document
- Staff at FNDC, through an established subject matter expert group and a project steering group, assessed the implications that the issues raised above were having on both the PDP and Te Pātukurea projects
- This assessment was taken to the Hapū Rōpū established for Te Pātukurea on 29 August 2022 for a decision on how to progress Te Pātukurea that captures the community's sentiments and aspirations into the future while best supporting the PDP statutory process
- The Hapū Rōpū concluded that Option Two (commence public engagement early to mid-2023 on a Foundation Document) form the recommendation to the committee for the following reasons;
 - (1) There are cross cutting issues (e.g., environmental quality, infrastructure, housing, cultural impact, three waters, mahinga kai, provincial growth fund projects) that are affecting Kerikeri-Waipapa that should not be delayed until 2024-25
 - (2) There is rapid urban growth and development in Kerikeri-Waipapa that is happening now
 - (3) There is a real need to address whanau wellbeing now.

TŪTOHUNGA / RECOMMENDATION

That the Committee approve Option Two:

- a) **public consultation on the Foundation Document for Te Pātukurea (the Kerikeri-Waipapa Spatial Plan) is scheduled to commence early to mid-2023.**
- b) **that the proposed work programme identified in Attachment 4 be amended to include a Hapū Rōpū cultural impact assessment.**
- c) **that the Hapū Rōpū continue as the governing group for projects in the programme of work to ensure continuity of engagement.**

1) TĀHUHU KŌRERO / BACKGROUND

On 10 August 2021 staff led a workshop with elected members on “What next for Far North 2100?”. Staff were directed in this workshop to undertake a review of the 2007 Kerikeri-Waipapa Structure Plan as the first spatial planning project undertaken as part of the implementation of Far North 2100. Far North 2100 was adopted on 4 November 2021.

The review of the 2007 Kerikeri-Waipapa Structure Plan has been guided by the National Policy Statement-Urban Development 2020 (NPS-UD) and has been based on the requirements of a Future Development Strategy (FDS) as per Subpart 4 of the NPS-UD.

The intent of the review of the Kerikeri-Waipapa Structure Plan has always been to guide, support, and inform the Proposed District Plan (PDP) through to notification. Taking a spatial planning approach to this review reinforced that this is a plan to reflect and capture the community’s aspirations for Kerikeri-Waipapa.

In April 2022, the project was rescoped to address the following risks and issues;

- The need to fully comply with section 3.15 (consultation and engagement – requirements for an FDS) in the NPS-UD. This required a more comprehensive engagement plan
- The need to establish a project governance structure that included (a) a hapū governance group (b) an internal steering group and (c) an internal subject matter expert group.

This rescoping also took onboard feedback from the government agencies and other Councils on the best approach to an FDS. This advice prescribed two rounds of public consultation.

- A first round of consultation on a Foundation Document and
- A second round of public consultation, following the Local Government Act 2002 Special Consultative Procedure, on a draft Spatial Plan.

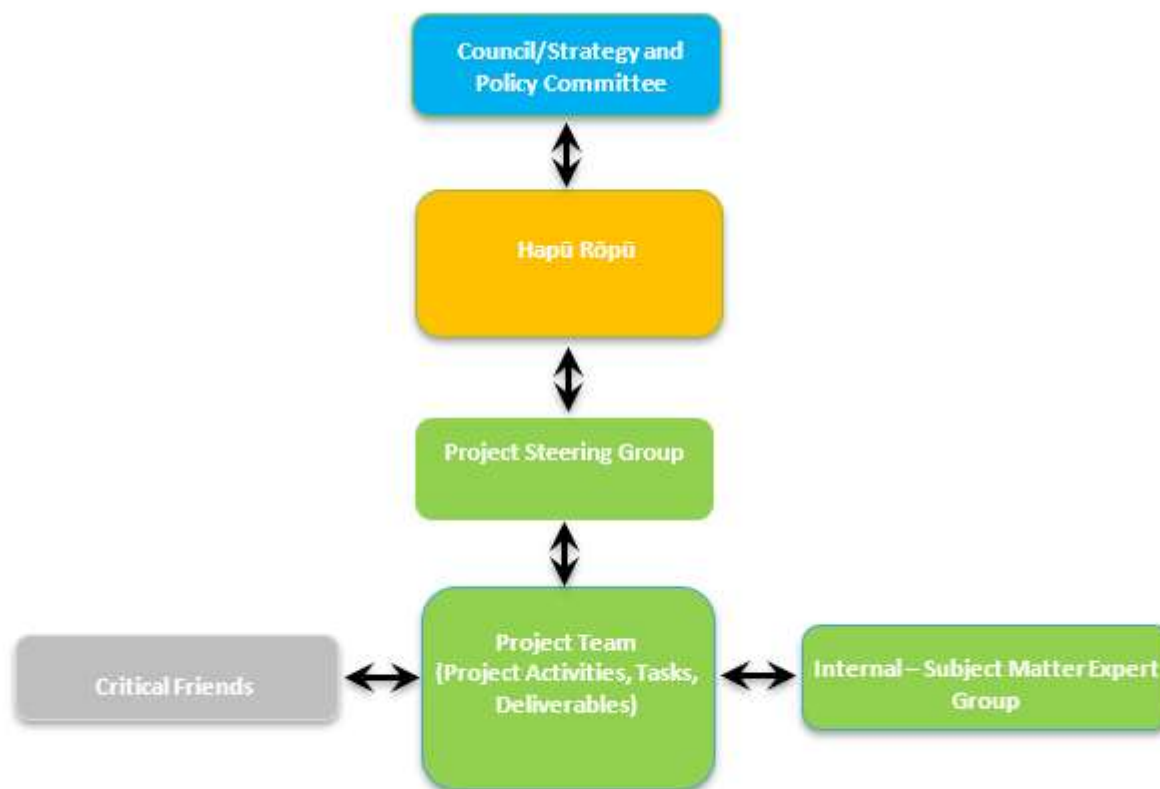
The outcome of this rescoping was the decision to target the 6 September 2022 Strategy and Policy Committee for a decision on public consultation on a draft Foundation Document for Te Pātukurea.

From February to August staff on the Te Pātukurea Project have been consulting and engaging with relevant government agencies, hapū and iwi, providers of additional infrastructure, relevant providers of nationally significant infrastructure, developers and members of the property sector, resident and community groups and other stakeholders. A summary of Consultation on Kerikeri-Waipapa Spatial Plan can be found in Attachment One to this report. The project team has also been gathering evidence and undertaking constraint mapping.

The project also commissioned the following external studies as evidence to support the Foundation Document;

- Kerikeri-Waipapa economic and social wellbeing evidence base – Infometrics. Attachment Two
- Current State Assessment – Kerikeri-Waipapa as per the well-functioning criteria as found in the NPS-UD policy one, the Regional Policy Statement and the New Zealand Urban Design Protocol.

The following high-level project structure has been in place for the Te Pātukurea since April 2022.



Details of the project structure can be found in Attachment Four.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Feedback was received during engagement on the Foundation Document that the relationship between Te Pātukurea and the PDP was not clear. One government agency wanted to understand how the outcome of the PDP submissions process would inform the scenarios in the Foundation Document and the resulting Spatial Plan (Te Pātukurea).

It was also raised by another government agency and from members of the Critical Friends group that there may be public confusion about the two plans (Te Pātukurea and the PDP). Following this feedback, it was decided to reflect further on how to better integrate the two planning processes and documents.

There is also some critical evidence on development feasibility yet to be gathered that will better inform any potential future urban zones in the Kerikeri-Waipapa area. This gap in evidence has been highlighted by government agencies, the Project Team, and the Subject Matter Expert Group.

On 20 July 2022, the Subject Matter Expert Group met to consider the following options to address the concerns raised on the integration between the planning processes (Te Pātukurea and the PDP);

- Option 1: Status Quo: Continue to develop the Kerikeri-Waipapa Spatial Plan Foundation Document and publicly notify in November 2022
- Option 2: Recognise the PDP as the instrument for medium supply of housing and business land. Monitor and utilise submissions to inform and develop strategic planning/spatial plan for long term supply. Revisit relevant spatial plan components based on evidence and data from the PDP public consultation
- Option 3: Adopt the Operative District Plan as the base line in the spatial plan.

This resulted in the following recommendation to the internal steering group;

Adopt the PDP as medium growth option going forward; continue spatial plan engagement activity and evidence gathering; utilise the PDP submission process to help inform long term

strategic planning growth options; delay notification of the Foundation Document to align better with the PDP submission process.

The Steering Group meet on 27 July 2022 to consider the recommendation from the Subject Matter Expert Group. After considering the pros and cons of each option the Internal Steering Group agreed to the following;

In principle, adopt the PDP as the medium growth option going forward; continue spatial plan engagement activity, evidence gathering and development against the objectives of a well-functioning urban environment; utilise the PDP submission process to help inform long term strategic planning growth options; delay notification of the Foundation Document to align better with the PDP submission process; subject to confirmation of the implications of a revised programme.

The Hapū Rōpū was provided with a draft Foundation Document on 19 August 2022 and a copy of the options presented in this report on 23 August 2022. A hui was held on 29 August 2022 to consider the draft Foundation Document and to discuss the options presented in this report. As per the governance structure for Te Pātukurea, the Hapū Rōpū considers the spatial planning reports from staff and determines a recommendation to the Strategy and Policy Committee.

In summary the key issues that need to be considered when deciding on how to proceed with the spatial plan are as follows;

- Alignment with the PDP process
- Keeping council’s commitment to the Hapū Rōpū, community and stakeholder groups
- The evidence required to inform a sound foundation document.

The following options assess the differing ways forward for public consultation on the Foundation Document, the impact that is option has on PDP statutory process while also assessing the impact on the progression of Te Pātukurea for the Kerikeri-Waipapa Community.

Option One: Commence public engagement on the Te Pātukurea Foundation Document on 1 November 2022 as originally planned.

Advantages	Disadvantages
<ul style="list-style-type: none"> • This demonstrates a commitment to the approved project plan and moves in a positive direction. • This does not impose further delays on getting to a Spatial Plan for Kerikeri-Waipapa in 2023. • This retains confidence of community in the process and in council, that it will complete what it sets out to do. • This continues the partnership set up with Hapū Rōpū fully engaged. • This can continue the collaboration with key stakeholders (critical friends), central government, and the wider community. 	<ul style="list-style-type: none"> • The project team consider that there are gaps in the evidence that if not addressed, will undermine the final spatial plan, and may limit government funding . • Central government agencies may not engage or submit on the Foundation Document as the agencies wait for outcome of their submissions on the Proposed District Plan. • This could cause potential confusion about the role and relationship between the PDP and Te Pātukurea. • There is no opportunity for the Strategy and Policy Committee to approve a consultation document (summarised and illustrated version of the foundation document) and story map prior to the end of the triennium. • There is a risk of consultation fatigue – with Council asking for feedback on two significant documents one after another – The Proposed District Plan (PDP) and then the Te Pātukurea Foundation Document.

Option Two: Commence public engagement early to mid-2023 on the Te Pātukurea Foundation Document

This option allows time for a new council to approve a foundation document for consultation that results from further evidence gathered.

Advantages	Disadvantages
<ul style="list-style-type: none"> • May reduce public confusion about the Proposed District Plan and Te Pātukurea. • Provides hapū rūpū with confidence that the council is working in partnership by a timely delay while other related work can be completed. • Provides community stakeholders with confidence that the council is committed to place making in Kerikeri Waipapa with a timely delay while other related work can be completed (further evidence gathered as an example of further work). • There will be an opportunity for the new Council to approve a consultation document (summarised and illustrated version of the foundation document) and story map prior to public engagement. • Provides the opportunity to continue with a more comprehensive proposed work programme (attachment 4). 	<ul style="list-style-type: none"> • Creates a time delay of up to nine months that represents a risk to Council's commitment and relationship with Hapū and active community groups. • There is a risk that the analysis of submissions to PDP might be material to the scenarios put forward in the Foundation Document. • This would require careful integration between the Proposed District Plan Project and the Te Pātukurea Project.

Option Three (Option recommended by staff): Commence public engagement on the Te Pātukurea Foundation Document post hearings on the PDP. This is planned for mid to late 2024

Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows for detailed investigation and consideration of PDP submissions – so not requiring the community to repeat their submissions via different process. • Allows time for further evidence gathering • Enables outcome of the PDP submission and decision process to help shape the spatial scenarios for the Foundation Document. • Other work programmes that will inform the Foundation Document can continue through 2022-2024. See Attachment 4 for a full breakdown of this other work programme. • The Hapū Rōpū can be involved in other Foundation Document work programmes as a governance group during 2022-24. However, this will require careful, committed, and continuous engagement on the part of Council. 	<ul style="list-style-type: none"> • This is a significant delay of 18 - 24 months for Te Pātukurea. Mid to late 2025 is the timeframe for this option. • The Te Pātukurea Project risks losing momentum and potentially stopping. This will mean no Community lead Spatial Plan for Kerikeri-Waipapa. • The long delay with this option risks damaging relationships and partnerships that have been built through the project to date. • The long delay potentially discredits the relationship and governance of the Hapū Rōpū unless the benefits of involving the Hapū Rōpū are taken up by the council on an ongoing basis. • This option prioritises council resource management planning and process over broader community and strategic planning processes unless there is a council commitment to the wider work programme required to complete the Foundation Document.

Take Tūtohunga / Reason for the recommendation

The Hapū Rōpū recommend that Option Two form the basis of the recommendation to the Strategy and Policy Committee for the following reasons.

- There are cross cutting issues (e.g., environmental quality, infrastructure, housing, cultural impact, three waters, mahinga kai, provincial growth fund projects) that are affecting Kerikeri-Waipapa that should not be delayed until 2024-25.
- There is rapid urban growth and development in Kerikeri-Waipapa that is happening now.
- There is real need to address whanau wellbeing now.

The Te Pātukurea Project Team recommend Option Two as this is consistent with the governance structure and approval processes established for the Kerikeri-Waipapa Spatial Plan.

The Project Team recommend that the Hapū Rōpū continue as the governing group for projects in the programme of work to ensure continuity of engagement and that the programme of work include a cultural impact assessment.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Budget has been allocated for Strategy Development in the 2022-23 Annual Plan and has been earmarked in 2023-24 for Area Planning as per the 2021-31 Long Term Plan. It is expected that these two budgets will cover of all the options put forward in this paper.

ĀPITIHINGA / ATTACHMENTS

1. **Summary of Consultation Record - Kerikeri Waipapa Spatial Plan - A3849277**  
2. **Kerikeri-Waipapa Economic and Social Wellbeing Evidence Base - A3851632**  
3. **Project Roles and Responsibilities Kerikeri-Waipapa Spatial Plan - A3862978**  
4. **High Level Programme of Work Kerikeri Waipapa Spatial Plan - A3862980**  

Hōtaka Take Ōkawa / Compliance Schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

He Take Ō Kawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Staff consider the recommendation made in this report to be of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	<ul style="list-style-type: none"> • Resource Management Act 1991 • National Policy Statement-Urban Development 2020 • Local Government Act 2002 • Te Mana o te Wai • Te Ture Whenua Act 1993 • Emissions Reduction Plan 2022 • National Adaptation Plan 2022 • Far North District Council Proposed District Plan.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	<p>The extent of the Spatial Plan for Kerikeri-Waipapa is contained within the boundaries of the Bay of Islands-Whangaroa Community Board. However, the implications from the adoption of Spatial Plan for Kerikeri-Waipapa has District Wide relevance.</p> <p>Members of the Bay of Islands-Whangaroa Community Board have participated in workshops on the Kerikeri-Waipapa Spatial Plan in September 2021 and May 2022.</p> <p>Staff from the Kerikeri-Waipapa Spatial Plan Project presented to the Bay of Islands-Whangaroa Community Board on 2 June 2022.</p>
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are wide reaching implications for Māori, whenua Māori, awa and moana that come from the recommendation in this report. Māori have been provided with the opportunity to participate in the decision-making process by (1) the forming of a Hapū Governance Group (Hapū Rōpū) made up of Hapū with

<p>State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.</p>	<p>an interest in the Kerikeri-Waipapa Area. This rōpū have had multiple hui and form part of the governance of the Kerikeri-Waipapa Spatial Plan. Full details on engagement with Hapū can be found in Attachment One to this report.</p> <p>The Hapū Rōpū is a partner alongside the Far North District Council on the development and decision on the making of the Spatial Plan for Kerikeri-Waipapa.</p>
<p>Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).</p>	<p>There are numerous community groups who have been engaged who have been engaged throughout the project to date. Details of these engagement activities and events can be found in Attachment One to this report.</p>
<p>State the financial implications and where budgetary provisions have been made to support this decision.</p>	<p>There is no requirement for further budgetary provisions to be made as result of the recommendation in this report.</p>
<p>Chief Financial Officer review.</p>	<p>The Acting CFO has reviewed this report.</p>

Kerikeri-Waipapa Spatial Plan
Summary of consultation
Community and Stakeholder Engagement
February 2022 - August 2022

Introduction

The National Policy Statement - Urban Development 2020 (NPS-UD) requires local authorities that are preparing a Future Development Strategy to engage with the following parties:

- (a) Other local authorities with whom there are significant connections relating to infrastructure or community
- (b) Relevant central government agencies
- (c) Relevant hapū and iwi
- (d) Providers of additional infrastructure (e.g., public open space, community infrastructure (e.g. community centres), social infrastructure (e.g. schools, health care facilities), land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities; a network operated for the purpose of telecommunications (as defined in section 5 the Telecommunications Act 2001; and a network operated for the purpose of transmitting or distributing electricity or gas
- (e) Relevant providers of nationally significant infrastructure (e.g., State highways, national grid electricity transmission network, renewable electricity generations facilities that connect with national grid; any airport (but not its ancillary commercial activities) used for regular transport services and carrying more than 30 passengers)
- (f) The development sector (to identify significant future development opportunities and infrastructure requirements).

The development of Kerikeri-Waipapa Spatial Plan is being guided by the provisions of the NPS-UD 2020. This summary of consultation demonstrates the engagement that has occurred with the above parties.

Additionally, it also records other consultation, such as that with residents and the wider community.

Consultation Record Foundation Document

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- Part 2: Relevant government agencies
- Part 3: Hapū and iwi
- Part 4: Providers of additional infrastructure
- Part 5: Relevant providers of nationally significant infrastructure
- Part 6: The development and property sector
- Part 7: Residents/community/community groups
- Part 8: Other stakeholders

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Consultation Record Foundation Document

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Part 1: Other local authorities

Who	Date	Purpose	Discussion
Northland Regional Council	From Feb 2022	Seek NRC involvement Ensure alignment with regional policy, integrated delivery of shared infrastructure and projects	<ul style="list-style-type: none"> • Draft Foundation Document provided to NRC • Joined online meeting held with central govt agencies 6 April 2022 and attended 27 June tour and workshop.
Whangarei District Council	April 2022	Understand respective roles/strategic functions; shared strategic objectives; seek feedback on impacts of projects	<ul style="list-style-type: none"> • FDS for Whangarei and its focus • Co-governance models • Role of Whangarei Airport versus Kerikeri Airport • Webinar by MR Cagney on HBA
Northern Transport Alliance	From Feb 2022	Alignment and transparency of information	<ul style="list-style-type: none"> • Elizabeth Stacey-Road and Safety Engineer, (NTA) attended the Community Workshop • Met with N2A team • ONF framework

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