

Council Briefing Meeting Minutes

Date: Wednesday, 7 July, 2021
Time: 9:00 a.m.
Location: Council Chamber
Forum North, Rust Avenue
Whangarei

In Attendance Cr Shelley Deeming (Chairperson)
Her Worship the Mayor Sheryl Mai (Virtually)
Cr Vince Cocurullo
Cr Nicholas Connop
Cr Ken Couper
Cr Tricia Cutforth
Cr Shelley Deeming
Cr Jayne Golightly
Cr Phil Halse
Cr Greg Innes
Cr Greg Martin
Cr Anna Murphy (Virtually)
Not in Attendance Cr Gavin Benney
Cr Carol Peters
Cr Simon Reid

Scribe Sue Reid (Democracy Adviser)

1. Apologies

Apologies were received from Crs Benney and Peters. Cr Couper apologised for early departure at 10:30.

Cr Deeming convened the briefing at 09:00 and said the District Plan sets the flavour for our district, before handing over to Mr Dominic Kula (General Manager – Planning & Development).

Mr Kula said these are programmes which have been collectively worked on for some time. Referring to the Significant Natural Areas (SNA's) he said that Whangarei was different to our neighbours in the north and that there has been ongoing discussion with hapu and Te Karearea for at least twelve months. Also, as a council, it was prudent to wait until the National Policy

Statement (NPS) comes out. There have been ongoing discussions with Elected Members on the NPS especially around car parking and how we can manage the issue whilst recognising we have to implement the National Policy Standards.

2. Reports

2.1 District Plan Work Plan Update

Mr Evan Cook (Senior Planner, District Plan) commenced the presentation which covered:

- Update on the Biodiversity Plan Change (SNA;s)
- Update and outline of the Draft Natural Hazards, Hazardous Substances and Esplanade Area Plan Changes
- Amendments to the District Plan in accordance with the National Planning Standards and the National Policy Statement on Urban Development (NPS-UD)

Biodiversity Plan Change

Mr Cook said the site mapping has now been completed and identified 454 SNA's, which is 28% of the district. Two-thirds of this is in private ownership. The mapping provides an inventory of our indigenous vegetation across the district and gives a good starting point to begin consultation with affected parties and to identify how we are going to manage areas going into the future.

Far North District Council released their SNA's to the public and there was considerable controversy, however Whangarei has a different starting point as we are doing a rolling review of our District Plan. Mr Cook said we have been waiting for the NPS before beginning the consultation programme so things don't have to be repeated or changed. When the NPS come out, staff will co-host hui on marae to work out the consultation process together.

Mr Cook said the next step is to take a precautionary approach and look at making a submission when the NPS is released, followed by a press release to inform where we are in the process and what the thinking is.

Elected members feedback and discussion included:

- There is a change of thought towards farming practices and farmers taking ownership to protect the environment. Information put out about biodiversity should be in the context that there are a range of techniques, some of which are already in the District Plan, which provide management of these areas that will provide benefit to farming.

- The reason the natural areas are here is that the landowners have looked after them and now they feel they are being penalised. The submissions should be from the affected landowners and their neighbours.
- *Are SNA's being imposed on us from higher up or do we get a chance to make change?* Mr Cook responded that at the moment the document is in draft and has been delayed, but comments from Elected Members will be fed into the submission from council.
- There was discussion around putting information on the council website about what has been done so far to dispel any myths and to put in a strong rider that the rules have not yet been written. Also to balance individual property owners and the concerns of residents about losing more native bush. It was suggested a fact sheet and Q&A would be useful to communicate the balance we are trying to find.
- Information provided on the website is crucially important and has to be accurate and informational, but there was also concern that if we go out too early we put a false sense of complacency and security for when rules are applied to these areas.
- Interest was expressed about what had happened in the Far North and Mr Cook responded that they have far more SNA's than Whangarei (40% of the district) and a lot more Maori land. Mr Robert Burgoyne (Manager, District Plan) said there were also issues with the mapping when it was released and which caused some confusion.
- Mr Cook was asked about landowners who might be concerned about the detail, such as control of possums and weeds. He responded that they are not looking at putting any restrictions on the management of land in terms of the District Plan, nor are they looking at putting any rules around fencing. Rules would only apply to changes in land use.
- *Who is administrating the SNA's?* Mr Cook confirmed that, based on the draft, district council not central government will be monitoring in terms of vegetation and the usage of land.
- Mr Cook was asked if an ecologist could come and talk to Elected Members about the biodiversity of the district for their professional development. He responded that at staff level, they do have experts coming to speak to them and an ecologist who monitors our covenant areas on private land. Mr Kula highlighted that Wildlands Consultants attended a workshop with Councillors at the start of the mapping process.
- *What SNA's are currently protected and what are newly protected?* Mr Cook said he would have to look into that but about half is unprotected, although it would still have rules that apply to vegetation clearance.

Cr Deeming (Chairperson) asked how many Elected Members would prefer to go out to the public with all the mapping areas with rhetoric around it that is very clear there are no rules at this stage and we are awaiting national direction prior to commencing a plan change and submission process. This

would proactively make the draft maps available to the public, rather than them having to request the information under LGOIMA. All but one Councillor was in favour of this approach.

Her Worship added that she was hesitant because our hapu partners should be approached before anything is put on the website. Mr Burgoyne added that some LGOIMAs have come from hapu so that information has already been provided to them.

Cr Deeming requested that when they have decided on the caveats for the website, it comes to Elected Members for comment. There was general agreement around that.

Natural Hazards

Mr Burgoyne continued the presentation and said they are currently workshopping natural hazard provisions internally and waiting for the NRC mapping to come through so they can start formal pre consultation with the public process. He said the mapping will need to be reviewed and they are planning to come back to council before going out for public consultation.

Elected members feedback and discussion included:

- *How accurate is the mapping of flood hazards as this can be very frustrating for people?* Mr Burgoyne said the updated mapping would be more accurate than the current one. They have been discussing the methodology and process and this will be part of the consultation and submissions. There was concern about going out to public if the mapping is not accurate and the public need to be aware so that they can comment.
- Concern was raised about mapping of flood hazards affecting insurance premiums. Mr Burgoyne said they have been in touch with the Insurance Council of New Zealand who advise that insurance companies have their own mapping and our model does not directly affect their premiums.

Hazardous substances

Mr Burgoyne explained the current approach, what has changed since the last District Plan review and the management of risks. He covered the three options which will all be going into a report to be brought back to Council before going out for public consultation.

Elected members feedback and discussion included:

- There are a number of agencies involved in the responsibility and accountability and it is important to get something straightforward and practical wo work with them.

- Concern was raised about manmade hazards, for example the old Puhipuhi Mine where chemicals are coming through. Mr Kula said information would be sent to Elected Members on this site separately from this briefing.
- Mr Burgoyne was asked how the resource legislation amending act removing control of hazardous substances would fit in around these options.

Work was being undertaken on the Trade Waste Bylaw which would come to Elected Members. Mr Burgoyne said there is nothing to say we can't manage it but there is no explicit function for us to do so.

Mr Forlong suggested the benefits of not doing it and gave Sustainable Solvents as an example.

Esplanade Reserves and Strips

Mr Cook continued with the presentation and said this was in the early stage of the plan change and had been introduced to Council in December.

Esplanade Priority Areas (EPA)

Mr Cook covered these before taking questions from Elected Members.

Elected members feedback and discussion included:

- There was concern that trees were planted in floodplains and during a weather bomb were washed into the river, causing blockage to drains and damaging bridges.
- There was support for the review of the esplanade area in our plan change and the need to take into account hazard mapping as there was a lot to consider in this area and management is separate from policy in a plan change. There was also support for creating more esplanades or walkways.
- Mr Cook was asked what form council compensation to landowners takes. He responded that is a private agreement between the landowner and council but they don't have budget for it and Parks want to focus on the city centre and get reserves in the blue/green areas. He said in the country it is more appropriate to take a strip of land so the land is still owned and managed by the landowner at no cost to Council.

Mr Cook said the plan is about identifying where we need these reserves and the method we use and doesn't concern the ongoing management which is something that has to be looked at outside of this.

National Planning Standards

Mr Burgoyne took Elected Members through the National Planning Standards, the amendments undertaken and the amendments required.

There were no questions from Elected Members.

NPS on Urban Development – Car Parking

Mr Kula said he appreciated there were very strong views on this but said we cannot change the direction from central government through the NPS-UD.

Elected members feedback and discussion included:

Can we put a submission to central government? Mr Burgoyne said it is in effect now and was not sure if there is any more submission opportunity unless they were to review it. He gave some background on car parking and what this would look like in terms of changes to the plan and secondary effects. He said they are working with NTA to look at the parking strategy this council has to manage it. People still want and need cars in Whangarei so developers will still be providing that regardless of what the plan says.

Mr Kula said he understood what Mr Burgoyne was saying and that we can look at circumstances where we can provide other mechanisms and work with other tools, but we can't change government's direction. As a regulator we have to implement it.

3. Closure of Meeting

The briefing concluded at 10:52