

**Attachment B_ Waiheke Local Board report_September
2018_Resetting the role of the Waiheke Local Board in the
development and Finalisation of the ROSP Management Plan**

Resetting the Waiheke Local Board role in the Development and Finalisation of the Rangihoua and Onetangi Sports Park Management Plan

File No.: CP2018/17503

Te take mō te pūrongo / Purpose of the report

- To recommend the Waiheke Local Board form separate committees to:
 - develop and notify the draft Rangihoua Reserve and Onetangi Sports Park management plan; and
 - hold hearings and make decisions on submissions, and undertake decision-making on adopting the management plan.

Whakarāpopototanga matua / Executive summary

- At its 26 July 2018 meeting, the Waiheke Local Board considered a staff report on options for a process to make decisions on the proposed Rangihoua Reserve and Onetangi Sports Park management plan.
- The report responded to the local board's request for a formal report including options for independent decision-making and presented the following four options for the board's consideration.

Option	Approach
A	The local board hears submissions and makes decisions on the management plan
B	The local board appoints an independent commissioner to chair a panel with some or all of the local board and to make decisions on the management plan
C	The board appoints a panel of three independent commissioners to hear submissions and make recommendations to the local board on the management plan
D	The local board appoints an independent committee to hear submissions and make a decision on the management plan

- The report recommended Option D that the board appoint a committee comprising two accredited commissioners, one of whom would chair the committee, the Chair of Waiheke Local Board, one other Waiheke Local Board member and the Chair of Great Barrier Local Board.
- The report noted that this option provided the greatest level of independent decision-making and met the requirements of both the Local Government Act 2002 and Reserves Act 1977. It also noted that due to the long and contentious history surrounding Rangihoua Reserve and Onetangi Sports Park, the local board had wanted to consider independent decision-making.
- At the 26 July 2018 meeting, the Waiheke Local Board resolved to appoint all local board members as the Rangihoua Reserve and Onetangi Sports Park management plan committee to hear objections and comments from submitters, consider the extent to which they have been allowed or accepted or disallowed or not accepted and approve the management plan (Resolution number WHK/2018/153). This included all local board members participating in the development of the draft management plan.

Tātaritanga me ngā tohutohu / Analysis and advice

7. Since that time, local board members have had further discussions and received further staff advice on this decision, and agreed to reconsider an approach which is most likely to be supported by submitters and interested parties.
8. The revised approach separates out plan development, notification of the draft plan, hearings on submissions and objections, and decision-making processes to adopt the plan and sees members Upchurch and Walden stepping aside from all proceedings due to perceptions of conflicts of interest.
9. On this basis, staff recommend that solely Chairperson C Handley (as chair), Members S Brown and J Meeuwsen and the Great Barrier Local Board chair participate in the development of a draft management plan.
10. The development committee would be responsible for decision-making regarding initiating the development of the plan and notifying the draft plan as well as providing political oversight of the draft plan as it is developed.
11. The development committee would also be responsible for making decisions on whether to include Rangihoua maunga and landscape amenity area following consultation with Ngati Paoa and/or decisions by the Rangihoua and Tawaipareira Committee which has yet to be convened.
12. Rangihoua Reserve is currently held in fee simple under the Local Government Act 2002. As part of the plan development process, the development committee may want to consider the merits of declaring and classifying it as reserve. It is recommended that the ability to make decisions on this matter be included in the committee's responsibilities.
13. A hearings committee consisting of these members (with member Handley as chair) plus an independent commissioner experienced in Reserves Act matters would be constituted to hear submissions and objections, and make decisions on submissions and objections, and adopting the management plan.
14. It is noted that the project timeline suggested for management plan development and approval in the 26 July 2018 report has been revised and updated and is provided as Attachment A. It sees the process spanning the October 2019 local board elections with a draft management plan being notified for submissions prior to the elections.
15. While this timeline is conservative given that a robust process is essential, the above recommendations seek to provide certainty to all parties, notwithstanding the outcome of the elections.


Ngā tūtohunga / Recommendations

That the Waiheke Local Board:

- a) rescind resolution WHK/2018/153 from the 26 July 2018 meeting.
- b) appoint Chairperson C Handley (as chair), Members S Brown and J Meeuwsen and the Great Barrier Local Board chair as a committee to develop the draft Rangihoua Reserve and Onetangi Sports Park management plan including decisions on:
 - i. the scope of the management plan
 - ii. inclusion of Rangihoua maunga and landscape amenity area following consultation with Ngati Paoa and/or decisions by the Rangihoua and Tawaipareira Committee
 - iii. whether to declare and classify any part of Rangihoua Reserve following consultation with Ngati Paoa and/or decisions by the Rangihoua and Tawaipareira Committee
 - iv. publicly notifying the intention to prepare the plan and seek comments to

- inform the preparation of the plan
- v. publicly notifying the draft plan and seeking comments and objections on the draft plan.
- c) appoint Chairperson C Handley (as chair), Members S Brown and J Meeuwsen, the Great Barrier Local Board chair and an independent commissioner experienced in Reserves Act matters as a committee to:
 - i. hear objections and comments from submitters
 - ii. consider the extent to which they would be allowed or accepted or disallowed or not accepted
 - iii. seek, where required, the Minister of Conservation's comments and/or approval of the management plan
 - iv. approve the Rangihoua Reserve and Onetangi Sports Park management plan.

Ngā tāpirihanga / Attachments

No.	Title	Page
A 	Updated management plan indicative timeline	107

Ngā kaihaina / Signatories

Author	John Nash - Programme Manager, Waiheke & Gulf Islands
Authoriser	Helgard Wagener - Relationship Manager Great Barrier and Waiheke Local Boards

