

Report 08.665
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Committee Council
Author Councillor Sally Baber

Approval of Plan Change 3 to the Regional Freshwater Plan – water allocation provisions

1. Purpose

To seek approval of Plan Change 3 to the Regional Freshwater Plan (Plan Change 3).

2. Significance of the decision

The matters for decision in this report **do not** trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the Local Government Act 2002.

3. Background

The Regional Freshwater Plan is Greater Wellington's statutory plan under the Resource Management Act 1991 for managing fresh water. It was made operative in 1999. Plan Change 3 limits the taking of additional water from the following fully-allocated water bodies in the Wairarapa:

- The Makoura Stream, Otukura Stream, Papawai Stream, Parkvale Stream/Booths Creek, Stonestead (Dock) Creek and Tauweru River/Makakaha Stream.
- Parkvale, Martinborough Terraces, and Kahutara groundwater zones.

Plan Change 3 also revised allocation limits for the Battersea, Rathkeale, Martinborough Terraces and Huangarua groundwater zones. Since making the Regional Freshwater Plan operative in 1999, allocation limits in these zones have been investigated and new limits are included.

4. The plan change process

Prior to beginning the formal plan change process, information sheets on a draft plan change were sent to all resource consent holders in affected areas. Some small amendments were made to the draft plan change as a result of feedback from landowners. We also sought feedback from the Department of Conservation, Ministry for the Environment, territorial authorities, Federated Farmers and the Wellington Fish and Game Council.

Plan Change 3 was publicly notified in May 2007 and public submissions closed in July 2007. A summary of submissions was then publicly notified and further submissions closed on October 2007. There were four submitters. No further submissions were received.

The Hearing Committee of Councillors Ian Buchanan, Chris Laidlaw and myself was appointed by the Regulatory Committee in March 2008 to hear and make decisions on submissions. Staff reports making recommendations on submissions were then sent to submitters, also in March 2008.

None of the submitters asked to be heard. The Hearing Committee made its decision to adopt staff recommendations on submissions on 29 April 2008. A period of 30 working days followed, when submitters had the opportunity to appeal the Hearing Committee's decision to the Environment Court. No appeals were lodged.

5. The plan change can now be approved

The outcome of the process set out above, is that there have been no changes to Plan Change 3 since it was notified in May 2007. To finalise the plan change, the Council must now approve it and publicly notify the date on which it becomes operative. Notification must be at least five working days before the operative date. The plan change is set out in full in **Attachment 1** to this report.

6. Communication

The process of consultation, notification, submissions hearings and appeals has provided plenty of opportunities to communicate Plan Change 3.

7. Recommendations

That the Council:

1. ***Approves Plan Change 3 to the Regional Freshwater Plan;***
2. ***Makes Plan Change 3 to the Regional Freshwater Plan operative on 18 October 2008; and***
3. ***Publicly notifies the operative date for Plan Change 3 to the Regional Freshwater Plan on 11 October 2008.***

Report prepared by:

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Chairperson
Hearing Committee for Proposed Plan Change 3
to the Regional Freshwater Plan

Attachment 1: Plan Change 3 to the Regional Freshwater Plan