

Report 13.34
Date 26 February 2013
File X/08/12/02

Committee Council
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Approval and notification of the Regional Policy Statement for the Wellington Region 2013

1. Purpose

To seek the approval of Council to make the Regional Policy Statement for the Wellington Region 2013 (RPS) operative, and to set a date for this document to be made operative.

2. The decision-making process and significance

The matter requiring decision in this report has been considered by officers against the requirements of Part 6 of the Local Government Act 2002.

2.1 Significance of the decision

The development and adoption of the Regional Policy Statement is a matter of significance. The Resource Management Act 1991 sets out the processes for the development and approval of a Regional Policy Statement. These processes have been followed and are now complete.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

3. Background

The Regional Policy Statement describes in high level terms the priorities for resource management in the Wellington Region over the next ten years. In particular, the document lays out objectives and policies that shall be given effect to in statutory decision making processes such as resource consents and regional and district plan changes.

For example, the relevant objectives and policies of the Regional Policy Statement will be given effect to in the Natural Resources Management Regional Plan currently under review. The Regional Policy Statement also sets out a range of methods for both the Wellington Regional Council and territorial authorities to carry out.

Relevant background information on the following matters is provided below:

- The public consultation and decision making process for the RPS
- The key provisions of the RPS amended by appeals

3.1 Public consultation and decision making process of the RPS

The decision-making process for the Regional Policy Statement, including public notification, submission and hearing processes and timeframe for lodging appeals, is explicitly prescribed for by Schedule 1 of the Resource Management Act 1991.

Following a comprehensive review of the operative Wellington Regional Policy Statement (1995), the Wellington Regional Council released a *draft* proposed Regional Policy Statement (2008) for public comment in March 2008. This informal consultation sought comments from individuals, groups and organisations, which were then considered in the further development of the proposed Regional Policy Statement.

Subsequently, the Wellington Regional Council's proposed Regional Policy Statement (2009) was publicly notified on 21 March 2009. A nine week period for submissions closed on 25 May 2009, with further submissions closing on 7 August 2009. A total of 144 submissions and 29 further submissions were received.

Following written submissions, submitters were heard at hearings in November 2009, and then deliberated between November 2009 and February 2010 by a Hearing Committee appointed for this purpose. The Hearing Committee comprised Cr Fran Wilde (Chair), former Cr Ian Buchanan, former Cr Sally Baber, former Cr Rex Kirton and Mr Te Waari Carkeek (then Chair of Ara Tahi). Decisions were made by Council on 18 May 2010.

An appeal period followed the notification of decision. A total of 13 appeals were lodged, made by 11 parties, with a number of interested parties under s274 of the Resource Management Act. Following extensive Court-assisted mediation between the Environmental Policy team, appellants and s274 parties, all matters under appeal were resolved by the end of 2012. Consent orders with the mediated terms have been signed by all parties, and sealed copies of each received by the Environment Court, the last in December 2012.

The next step in the Schedule 1 process is for the Wellington Regional Council, under section 17, to approve the Regional Policy Statement. Section 20 of Schedule 1 further directs that the Wellington Regional Council shall set a date on which the Regional Policy Statement becomes operative.

3.2 Key provisions of the RPS amended by appeals

The matters which were appealed and resolved through mediation are as follows:

- The approach for determining ‘significance’ of indigenous biodiversity in our region’s rivers, lakes, wetlands and coast
- The role of cleanfills for diverting waste from landfill
- Methods for identifying and managing special amenity landscapes
- Avoiding inappropriate subdivision and development in areas at high risk of natural hazards
- Approaches to recognise and provide for matters of significance to tangata whenua
- Managing urban and rural development and their impact on the productive capacity of rural land and extraction industries
- Managing water allocation efficiently and safeguarding fresh water bodies for aquatic ecosystem health
- Managing reverse sensitivity from activities which discharges contaminants to air
- Recognising the benefits of using highly productive agricultural land for productive uses
- Preserving the natural character of the region’s coastal environments from inappropriate use and subdivision
- Acknowledging the regional economic benefits of appropriately managing mineral extraction activities

Attachment 1 of the full text of the finalised Regional Policy Statement for the Wellington Region 2013 (#1173568) is enclosed separately – a printed copy is also available in the Councillor’s Lounge.

4. The Regional Policy Statement may now be approved

To finalise the Schedule 1 process, the Council must now approve the Regional Policy Statement being made operative, affix the Council’s common seal and publicly notify the date on which it becomes operative. Notification must be at least five working days before the operative date.

The final published document will have three pieces of cross-reference information not shown in the copy provided to Council. These are:

- Cross-referencing in the sidebars
- An updated user guide table, and
- Referenced page numbers

This information is not able to be provided until formatting is completed as part of the publishing process. Formatting will commence once Council has approved this document.

As it is difficult to state a definitive date for printing, this memo recommends that the Regional Policy Statement be made operative following the completion of printing the finalised document. Publishing will be complete in April 2013 and notification of the operative date can be done immediately afterwards.

5. Recommendations

That the Council:

1. **Receives** this report,
2. **Notes** the content of this report, and
3. **Approves** the finalised Regional Policy Statement for the Wellington Region 2013 in **Attachment 1** in accordance with Schedule 1 of the Resource Management Act 1991, and
4. **Authorises** the Chief Executive to affix the Council's common seal to the Regional Policy Statement for the Wellington Region 2013, and
5. **Publicly notifies**, in April 2013, the date on which the Regional Policy Statement for the Wellington Region 2013 is to be made operative.

Report prepared by:

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Attachment 1: Finalised Regional Policy Statement for the Wellington (2013)
WGN_DOCS-#1173568-Regional Policy Statement - for Council approval, February 2013