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Committee Council
Author Cr Fran Wilde, Chairperson,
Hearing Committee proposed Regional Policy
Statement

Decisions on the proposed Regional Policy Statement

1. Purpose

To seek the Council's approval of the decisions recommended by the Hearing Committee on proposed Regional Policy Statement for the Wellington Region. Copies of the Decisions Report are available in the Councillors' Lounge or on request.

2. Significance of the decision

The Resource Management Act 1991 (the Act) sets out the process for the preparation of, consultation on, and finalisation of the Regional Policy Statement. This process has been followed in the development of the proposed Regional Policy Statement for the Wellington Region.

3. Background

The Act requires every regional council to prepare a regional policy statement, designed to achieve the purpose of the Act by providing an overview of the resource management issues for the region, and outlining the policies and methods required to achieve the integrated management of the region's natural and physical resources.

The Act requires a 'review' of provisions in the regional policy statement if they have not been the subject of review in the previous 10 years. The operative Regional Policy Statement for the Wellington Region has been in place since May 1995. When the Regional Policy Statement review commenced in May 2005, none of its provisions had previously been reviewed.

The proposed Regional Policy Statement for the Wellington Region 2009 follows a comprehensive review of the operative Regional Policy Statement (1995). It represents significant work in collaboration with the territorial authorities and other agencies in the Wellington region. It also follows the release in March 2008 of a draft proposed Regional Policy Statement (2008)

for public comment. That pre-notification (or informal) consultation also called for submissions, and people and organisations took that opportunity to comment. In doing so, they contributed to the review process to develop the proposed Regional Policy Statement (2009).

3.1 Submissions

The Wellington Regional Council's proposed Regional Policy Statement for the Wellington region 2009 was publicly notified on 21 March 2009. The nine week period for submissions closed on 25 May 2009, with a summary of submissions notified on 11 July 2009. The date for receiving further submissions closed on 7 August 2009.

A total of 144 submissions and 29 further submissions were received.

3.2 The Staff Report

Following submissions, the *Staff Report: proposed Regional Policy Statement for the Wellington Region 2009 volumes 1 & 2 2009* (the Staff Report) was prepared. For each chapter, section or provision submitted on, the Staff Report included summaries of submissions, a discussion of submissions, recommended decisions and recommended changes to the proposed Regional Policy Statement. The Staff Report was sent to submitters prior to the hearing of submissions. It is referred to extensively in the Decisions Report and should be read in conjunction with this report. A copy of the Staff Report is also available in the Councillors' Lounge.

3.3 Consideration of submissions and decisions

Submissions were heard and considered by a Hearing Committee appointed for this purpose. The Hearing Committee comprised Cr Fran Wilde (Chair), Cr Ian Buchanan, Cr Sally Baber, Cr Rex Kirton and Mr Te Waari Carkeek (chair of Ara Tahi).

The submissions were heard between 3 and 16 November 2009.

The Hearing Committee considered all submissions made by submitters whether or not they attended the hearing, and their recommended decisions are recorded in the Decisions Report. As the Hearing Committee were not delegated the authority to formally decide on provisions and submissions, these decisions are now being recommended to the Wellington Regional Council for approval.

3.4 Key changes to the proposed Regional Policy Statement

The Hearing Committee are recommending a number of changes to the provisions in the proposed Regional Policy Statement. These changes are being collated into one document with all changes marked which will be available at the time of the Council Meeting. Most of these changes are relatively minor and seek to provide clarification or minor corrections as sought by submitters. The minor nature of many changes can be attributed largely to the extensive consultation undertaken through the review process

and, in particular, through feedback from the public and organisations on the draft document which was incorporated into the proposed Regional Policy Statement.

More significant changes were made to the provisions relating to; the coastal environment, landscapes (in particular 'significant amenity landscapes'), and regional form, design and function.

Policies on natural character in the coastal environment have been amended to more clearly provide for the protection of areas of high natural character, which will be relatively unmodified environments, but also to give guidance to the community on how to manage the effects of activities on natural character.

There were a number of amendments made to the landscape provisions in the proposed Regional Policy Statement in response to submissions. Significant changes were made in regard to the 'significant amenity landscape' provisions in particular. The changes have been made in response to a number of submitters who expressed their concerns that these provisions would prevent them from being able to undertake 'normal' everyday farming operations on their properties should they be identified as 'significant amenity landscapes'. The amendments clarify that it is not the intention to prevent change but to ensure that change is managed appropriately in relation to the specific amenity values identified within these landscapes. This policy framework will allow for the management of these landscapes whilst still supporting the ever changing productive activities within them.

Changes have been made to the regional form provisions to ensure they accurately reflect the outcomes sought by the Wellington Regional Strategy as requested by submitters. The key changes specifically relate to maintaining and enhancing the vibrancy and vitality of regionally significant centres, and distinguishing between sub-regional centres and suburban centres of the region. Development and management of regional focus areas is of critical importance to the achievement of a compact and well designed urban form and changes have clarified that this is to be implemented through the Wellington Regional Strategy. The changes also clarify that the identification and promotion of higher density and/or mixed use development includes key centres identified in territorial authority's growth and development strategies and frameworks.

4. Comment

The process for reviewing a Regional Policy Statement is set out in the First Schedule of the Resource Management Act 1991.

After making its decisions, the Council must publicly notify the fact that it has made the decisions. At the same time the Council must send a copy of the notice to each submitter.

Any person who wishes to appeal a decision on their submission to the Environment Court must do so within 30 working days of receiving notice of the decision.

If no person appeals a decision to the Environment Court, the Regional Policy Statement is made operative at a date to be notified by the Council.

If an appeal is made on the decisions, the matter appealed to the Environment Court can be agreed by Consent Order between the parties or will proceed to the Environment Court. Once appeals are resolved the Regional Policy Statement is made operative at a date to be notified by the Council.

5. Communication

The Council must take the formal step of publicly notifying the fact that it has made the decisions and notifying each submitter in person.

A press release had been prepared and will be circulated to media upon the Council's decision.

6. Recommendations

That the Council:

1. ***Receives the report;***
2. ***Notes the content of the report;***
3. ***Approves the recommended decisions of the Hearing Committee on the proposed Regional Policy Statement, and***
4. ***Notes that the decisions will be publicly notified.***

Report prepared by:



Cr Fran Wilde
Chairperson, Hearing Committee, proposed Regional Policy Statement