

Report 99.331

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Report to the Policy and Finance Committee
from Cr Ian Buchanan, Chairperson, Hearing Committee
for the Variation to the Regional Plan for Discharges to Land

Decisions on Submissions to the Variation to the Regional Plan for Discharges to Land

1. Purpose

To seek the Committee's approval of the decisions recommended by the Hearing Committee for the Variation to the Regional Plan for Discharges to Land.

2. Background

The Variation was publicly notified on 26 September 1998. Nineteen people and organisations made submissions and/or further submissions on the Variation. Council staff completed a report of recommendations on submissions last April.

The hearing of submissions was held on 24 May 1999. The Hearing Committee comprised Councillors McDavitt, Turver and myself. Ten submitters were represented at the hearings. Apart from seeking some minor changes, the submitters expressed support for all recommendations made in the Officers' Report.

The Hearing Committee considered the submissions and the changes recommended in the officers' reports. The Hearing Committee Reports, and copies of the Plan as changed by the Variation and decisions in those reports, are available in the Councillors' lounge.

After considering the submissions, the Hearing Committee is satisfied that all changes recommended in decisions are in accordance with Part II of the Act, are necessary to achieve the purpose of the Act, and are the most appropriate means

of exercising our functions under the Act, having regard to the efficiency and effectiveness of other means. This is required by section 32 of the Act.

3. **Where To From Here?**

The process for preparing and changing regional plans is set out in the First Schedule of the Resource Management Act. If the Council approves the recommended decisions of the Hearing Committee, the Council must give a copy of its decision to each submitter, including the reasons for accepting or rejecting any submission made. The Council must also publicly notify the fact that it has made its decisions on submissions to the Variation.

Any person who wishes to refer a decision on their submission to the Environment Court, must do so within 15 working days of receiving the decision. At that time, the Variation will have reached the same stage in the First Schedule process as the Proposed Plan. With the exception of an appeal already made against one 1080 rule, the appeals against the decisions made on the Proposed Plan have largely been resolved through the Variation process and consent orders on those appeals can be prepared.

If an appeal is made against any decision on a submission to the Variation, the matter referred can be agreed to by Consent Order between the parties, or will proceed to the Environment Court. The Plan cannot be made operative until all appeals, including any made against the Variation decisions, have been resolved.

4. **Recommendation**

That the Committee recommend that Council approve the recommended decisions of the Hearing Committee for the Variation to the Regional Plan for Discharges to Land.

CR IAN BUCHANAN
Chairperson
Hearing Committee for the
Variation to the Regional Plan for Discharges to Land