

The Resource Management (Direction to Waikato Regional Council to Enter the Streamlined Planning Process for Proposed Changes to Chapter 3.10 of the Waikato Regional Plan) Notice 2020

Pursuant to clauses 78 and 79(2) of Schedule 1 of the Resource Management Act 1991, the Minister for the Environment gives the following notice.

Notice

1. Title and Commencement

(1) This notice is the Resource Management (Direction to Waikato Regional Council to enter the Streamlined Planning Process for a proposed change to Chapter 3.10 Lake Taupō Catchment of the Waikato Regional Plan) Notice 2020.

(2) This notice shall come into force on the date of publication.

2. Direction to Enter Streamlined Planning Process

Minister for the Environment's Direction on the Application from Waikato Regional Council to Use a Streamlined Planning Process for a Proposed Change to Chapter 3.10 Lake Taupō Catchment of the Waikato Regional Plan

The Minister for the Environment received an application from Waikato Regional Council on 15 November 2019, pursuant to section 80C and clause 75 of Schedule 1 of the Resource Management Act 1991 ("RMA"), to use a streamlined planning process to prepare a planning instrument, being a change to Chapter 3.10 Lake Taupō Catchment of the Waikato Regional Plan.

In accordance with clause 78 of Schedule 1 of the RMA, the Minister for the Environment directs that Waikato Regional Council uses the following streamlined planning process for the proposed change to Chapter 3.10 Lake Taupō Catchment of the Waikato Regional Plan.

	Step	Timeframe
1	Complete pre notification consultation on proposed Regional Plan Change 2: Taupō Overseer, including consultation with Te Kōpu ā Kānapanapa Co-Governance Committee.	To be completed no later than 10 working days from the date of publication.
2	Provide a copy of the proposed Regional Plan Change 2: Taupō Overseer to relevant iwi authorities (including Te Kotahitanga o Ngāti Tūwharetoa) and have particular regard to any advice received on the proposed Regional Plan Change 2: Taupō Overseer in accordance with Clause 4A of Schedule 1 of the RMA.	To be completed within 20 working days from the completion of Step 1.
3	Publicly notify proposed Regional Plan Change 2: Taupō Overseer in accordance with clause 5 of Schedule 1 of the RMA. A period of 20 working days for submissions must be specified in the public notice.	To be publicly notified no later than 10 working days after completion of Step 2.
4	Provide an opportunity for written submissions in accordance with clause 6 of Schedule 1 of the RMA.	Public submissions to be received no later than 20 working days after public notification (Step 3).
5	If requested or on its own initiative, the Council will undertake resolution of disputes in accordance with clause 8AA of Schedule 1 of the RMA (to the extent applicable under this Direction).	To be completed within 40 working days from the close of submissions (Step 4).
6	Prepare a written report showing how submissions have been considered and the changes (if any) recommended to proposed Regional Plan Change 2: Taupō Overseer. The report must: <ol style="list-style-type: none"> include how particular regard was given to the section 32 evaluation, and any additional report prepared under section 32AA (as may be relevant) be prepared having regard to any report prepared under clause 8AA(5). 	To be completed within 20 working days of the completion of Step 5.
7	Provide for the Minister for the Environment's consideration, the final report from Step 6 and all other documents required by clause 83(1) of Schedule 1 of the RMA.	To be submitted to the Minister no later than 5 working days after the completion of Step 6.

The total time period within which the streamlined planning process for the proposed change to Chapter 3.10 of the Waikato Regional Plan must be completed. The process is considered to be complete when the documents referred to in Step 6 above are submitted to the Minister for the Environment.	Steps 1-7 to be completed no later than 125 working days after the date of publication of the Direction.
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Statement of Expectations

The expectations of the Minister for the Environment for Waikato Regional Council are that in undertaking the Streamlined Planning Process as directed:

- a. The public notice and supporting information required by Step 3 should clearly identify that a hearing will be replaced with a resolution of disputes process in accordance with clause 8AA of Schedule 1 of the RMA. Information should clearly detail to a potential submitter what the process is following public notification and how they can be proactively involved.
- b. No later than when proposed Regional Plan Change 2: Taupō Overseer is publicly notified under Step 3, the following information is available (and updated as necessary) on a publicly accessible website, so members of the public can be informed:
 - dates and timeframes for the steps in the streamlined planning process.
- c. Submissions on proposed Regional Plan Change 2: Taupō Overseer should be placed on a publicly accessible website within 5 working days after each submission period closes.
- d. A review of the proposed planning instrument is undertaken prior to public notification. The intent of the review is to ensure as far as reasonably possible, provisions are:
 - expressed in plain English
 - use consistent terms and modes of expressions
 - formatted in a consistent way that assists in finding specific provisions and in navigating related provisions.
- e. Tūwharetoa Māori Trust Board technical staff should be actively engaged in the preparation of the written report required by Step 6.

Reporting Requirements

The Waikato Regional Council shall provide a written report to the Minister within 10 working days of the completion of Steps 1 to 5 above. These reports shall demonstrate compliance with the steps and timelines and identify any issues which may have a bearing on meeting the Minister's Direction and Statement of Expectations.

Dated at Wellington this 19th day of March 2020.

HON DAVID PARKER, Minister for the Environment.

Notes

- i. This Direction must be complied with.
- ii. Section 80B(2)(a) and (b) specifies all mandatory Schedule 1 requirements in any Streamlined Planning Process (to the extent they are applicable to the particular planning instrument).
- iii. Clause 80 of Schedule 1 of the RMA provides the Minister with the ability to amend this Direction on his/her own initiative or following a request from the local authority.
- iv. The Local Authority may, in accordance with clause 81 of Schedule 1 of the RMA apply in writing to the Minister for an extension of timeframes.
- v. Clause 89 of Schedule 1 of the RMA provides the Minister with the ability to revoke a Direction made under clause 78 of Schedule 1 of the RMA.
- vi. Clause 88 of Schedule 1 of the RMA provides for the Council to withdraw the planning instrument at any time prior to the Minister making his/her decision on the proposed planning instrument under Clause 84 of Schedule 1 of the RMA.