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| <b>AGENDA ITEM NO:</b>   | <b>SUBJECT MATTER: REGIONAL POLICY STATEMENT REVIEW</b>   |
| <b>REPORT:</b> Council   | <b>DATE OF MEETING:</b> 27 July 2006  |
| <b>FILE REFERENCES:</b>  | <b>PORTFOLIO:</b> Democratic<br><b>PROJECT:</b> Regional Policy Statement Review<br><b>OUTPUT:</b> Consultation |
| <b>REPORT BY:</b> Richard Ball<br>Coasts, Biodiversity and<br>Pests Policy Manager | <b>ENDORSED BY:</b> John Talbot<br>Director Policy and Planning   |

## PURPOSE

The purpose of this report is to:

- Update Council on progress and the next steps for the Regional Policy Statement (RPS) review
- Obtain Council endorsement of proposed amendments to the Triennial Agreement for the RPS Review.

## ATTACHMENTS

A copy of the Canterbury Triennial Agreement containing an additional clause referring to the RPS review.

## PROGRESS UPDATE

Since the last report to Council in May staff have been working to finalise the following reports:

- A review of relevant case law and legislative changes
- An analysis of the existing CRPS, including an assessment of its effectiveness
- A scoping report for the review, outlining the issues, priorities and recommended approaches.

The first two are technical reports that serve as input to the scoping report. The scoping report is intended to serve as a basis for discussion with stakeholders, particularly territorial authorities. Following these discussions it will be amended (if required) and the recommendations within it brought to the Regional Planning Committee for decision.

Since the last report to Council, staff meetings have also been held with the Lyttelton Port Company, Christchurch International Airport Limited, Transit New Zealand and Orion.

## NEXT STEPS

The scoping report will be circulated to Councillors shortly and presented to a Council workshop at the first available opportunity.

Copies of the scoping report will be provided to other key stakeholders. Meetings are being arranged with staff from territorial authorities to seek feedback on the approach and recommendations within the report. Where necessary presentations can be made to individual councils if this is sought.

A presentation to the Mayoral Forum is scheduled for the 21 August 2006. This will summarise the key issues and recommended approach for the review. It will also be an opportunity to introduce options for the consultation process, which is required to be incorporated into the Triennial Agreement. Any changes to the Triennial Agreement will need to be ratified separately by each of the participating councils.

## **PROPOSAL**

It is proposed that Council approve for consultation with Canterbury territorial authorities the insertion of the following clause to the Triennial Agreement:

*"This Triennial Agreement will apply to the review of the Canterbury Regional Policy Statement."*

## **CONSIDERATION OF OPTIONS**

The RMA requires that affected local authorities include within the Triennial Agreement (under the Local Government Act 2004) an agreement on the consultation process to be used for a change or review of the regional policy statement. If agreement can not be reached it will be determined either by mediation or by the Minister for the Environment.

What, if any, change is required for CRPS review is yet to be determined. There are several options available for such an agreement, ranging from the local authorities agreeing that no change is required (i.e. existing consultation provisions within the Triennial Agreement will apply) through to a detailed Memorandum of Understanding.

In other regions of New Zealand where this has been addressed they have opted for little or no change to existing agreements. The preferred approach here is to add the clause as outlined above. This approach makes it explicit that the existing contents of the Triennial Agreement will apply to the RPS review, without unduly constraining the process or being inflexible to changes in circumstances. Other mechanisms, such as the Scoping Report, provide opportunities for more detailed input and discussion on the approach and processes for the review. If this amendment to the Triennial Agreement is agreed and subsequently found to be inadequate, it can be reconsidered at any time.

## **VIEW OF AFFECTED PARTIES**

This matter has been raised in meetings with territorial authorities at both the political and staff levels. Further consultation and formal agreement is required prior to finalisation.

## **RECOMMENDATION**

That Council approves the proposed amendment to the Triennial Agreement as a basis for consultation with Territorial Authorities.