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Committee Regional Transport
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Establishment of a Hearings Subcommittee

1. Purpose

To establish a subcommittee of the Regional Transport Committee (RTC) to hear and report on submissions lodged on the draft Regional Cycling Plan.

2. Significance of the decision

The matters for decision in this report **do not** trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the Local Government Act 2002.

3. Background

3.1 Draft Regional Cycling Plan Consultation

The existing Regional Cycling Plan was adopted in 2004. The plan is currently being reviewed and updated to take account of current information.

A draft Regional Cycling Plan was developed with input from a wide range of stakeholders and agencies, including the region's territorial authorities.

At its meeting on the 13 August 2008 the Committee approved the release of the draft Regional Cycling Plan for consultation. The plan sits alongside the Wellington Regional Land Transport Strategy but does not form a part of the strategy. The consultation process for this plan is not required to follow the special consultative procedures of the Local Government Act.

Two documents were made available for public consultation:

- The draft Regional Cycling Plan
- A 'Background Issues Paper' for walking and cycling

Submissions were invited on the draft Regional Cycling Plan. Submissions closed on the 19 September 2008. All people making submissions have been offered the opportunity to be heard in support of their submissions.

3.2 Regional Transport Committee

The statutory function of the RTC is set out in section 106 of the Land Transport Management Act (LTMA) 2003 (as amended).

In addition, Greater Wellington has delegated to the RTC specific responsibilities through its Terms of Reference, including the following:

- Prepare, review and monitor plans to implement the Regional Land Transport Strategy, except the Regional Passenger Transport Plan.

The Committee's Terms of Reference provide for it to appoint subcommittees where it considers it appropriate.

4. Comment

4.1 Need to Establish a Hearings Subcommittee

Hearings subcommittees are an efficient option for hearing a number of submitters and considering submissions in some detail.

Submissions closed on the 19 September 2008 and 35 submissions have been received. 14 submitters indicated that they wish to be heard.

It would take around 2-3 hours to hear this number of submitters which is unable to be accommodated within upcoming RTC agendas and therefore a hearings subcommittee is considered appropriate.

4.2 Terms of Reference

The recommended Terms of Reference for the Subcommittee are in **Attachment 1**.

4.2.1 Scope of the Subcommittee's Role

It is recommended that the subcommittee be established to hear, evaluate and report on submissions, and make recommendations to the Committee.

The subcommittee will have the opportunity to ask questions of those submitters who present their submissions orally and have matters clarified where necessary. The subcommittee will also spend some time discussing the submissions and deliberating on the matters raised. This will give it the ability to consider the submissions in some depth.

It is expected that the recommendations will then be considered by the full Committee in December 2008.

4.2.2 Subcommittee Membership

All members of the RTC are eligible for appointment to a hearings subcommittee. It is consistent with best practice and the requirements of the Local Government Act that members hearing submissions must be present for the duration of the hearing of the oral submissions. The only constraint, therefore, is the availability on the day of hearings and deliberations.

It is recommended that four committee members be appointed to the subcommittee. Those members of the RTC not appointed to the subcommittee are welcome to attend the hearings.

As well as subcommittee members a chair will need to be appointed.

Officers have contacted RTC members to ascertain availability for the hearing. Four members are available and it is recommended they all be appointed. They are:

- Mayor Wayne Guppy
- Councillor Peter Glensor
- Dr Stephen Palmer
- Michael Gross

It is also recommended that Mayor Guppy be appointed as the chair.

4.2.3 Quorum and Standing Orders

The Wellington Regional Council Standing Orders will apply to the subcommittee. This is provided for in the attached Terms of Reference.

When deciding on a quorum it is important to consider the risks that illness or other unanticipated commitments may prevent a committee member from attending part of the hearings.

In this case only several hours are likely to be required for the hearings with further time potentially required for deliberations. To minimise inconvenience to submitters as a result of needing to reschedule the hearings, a quorum of two members is therefore recommended.

5. **Communication**

On-going communications about the Regional Cycling Plan will continue, including adoption of a final plan in due course.

6. **Recommendations**

That the Committee:

1. ***Receives the report.***

2. *Notes the content of the report.*
3. ***Resolves** to establish a subcommittee to hear, evaluate and report on the submissions to the draft Regional Cycling Plan and make recommendations to the Committee in accordance with the Terms of Reference in **Attachment 1**.*
4. ***Resolves** to appoint the following four Committee members (including a chair) to the draft Regional Cycling Plan Hearing Subcommittee:*
 - *Mayor Wayne Guppy (Chair)*
 - *Councillor Peter Glensor*
 - *Dr Stephen Palmer*
 - *Michael Gross*

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Attachment 1: Terms of Reference for the Draft Regional Cycling Plan Hearing Subcommittee