



Report 08.928
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File J/01/03/05

Committee Regulatory Committee
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Process for considering submissions on proposed amendments to the Wellington Regional Navigation and Safety Bylaws 2003

1. Purpose

To agree to a process for handling submissions on the Council's proposed amendment to the Wellington Regional Navigation and Safety Bylaws 2003 (the Bylaws).

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. The decisions only relate to the process for handling the submissions Greater Wellington has received on its proposed amendment to the Bylaws.

3. Background

The consultation requirements for amending bylaws are set out in the Local Government Act 2002. On 4 October 2008 the Council notified the public of proposed amendments to the Bylaws and invited submissions. This meeting completes the consultation process on the Council's proposed amendments to the Bylaws.

4. Comment

Greater Wellington has received 44 written submissions and the committee is expecting to hear nine oral presentations. It is important that the Committee agrees a robust and transparent process for considering the submissions Greater Wellington receives. At this meeting the Committee will be hearing oral submissions and considering written submissions, and making a recommendation to the Council on proposed amendments to the Bylaws.

4.1 Principles of consultation

Six principles of consultation are set out in the Local Government Act 2002. One of these principles is that views presented to a local authority should be accepted with an open mind, and should be given due consideration by the local authority, in making a decision.

It is consistent with best practice that members hearing submissions must be present for the duration of the hearing of the oral submissions.

4.2 Oral submissions

Oral submissions provide submitters with the opportunity to speak to the Committee face-to-face about the key issues raised in their written submission. It is a time for Committee members to listen, but there is also the opportunity for members to ask questions, particularly with the aim of clarifying points made by submitters.

Officers have provided a ten minute timeslot for each oral submission. This allows approximately five minutes for the submitters to get across their key messages (but not read their submission in full) and five minutes for Committee members to ask any questions of clarification. A list of submitters wanting to make oral presentations is provided in **Attachment 1**.

4.3 Written submissions

Committee members have been provided with a copy of the written submissions Greater Wellington has received. Report 08.935 provides a summary of the key points raised in the written submissions.

4.4 Process after consideration of all submissions

After considering all submissions it is appropriate for the Committee to make a recommendation to the Council on the proposed amendments to the Bylaws. After the meeting, a paper outlining the Committee's recommendation(s) to Council will be prepared by officers. The Council will decide on whether to proceed with the proposed amendments to the Bylaws at its meeting on 10 February 2009.

The Committee's recommendations and the Council's decision must be made in light of the submissions that have been received.

Formal replies will be sent to all submitters who have supplied their contact details soon after the Council has made its decision on proposed amendments to the Bylaws. It is proposed that the replies include a brief summary of the reasons for the Council's decision. It is suggested that these replies be sent from the Council Chair.

5. Recommendations

That the Committee:

1. ***Receives the report;***
2. ***Hears the oral submissions; and***
3. ***Agrees to consider all written and oral submissions in the manner set out in section 4 of this report.***

Report prepared by:

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Attachment 1: Timetable for hearing oral submitters