



greater WELLINGTON

REGIONAL COUNCIL

Te Pane Matua Taiao

Report 11.198
Date 12 May 2011
File SP/04/04/03

Committee Annual Plan Hearing Committee
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Process for considering submissions on the Proposed Annual Plan 2011/12 and other matters that are the subject of concurrent consultation

1. Purpose

To brief the Committee on the process for handling submissions, both at this meeting and following the consideration of submissions.

2. Significance of the decision

The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002.

Officers have considered the significance of the matter, taking into account the Council's significance policy and decision-making guidelines. Due to the procedural nature of this decision officers recommend that adopting a process for the consideration of submissions be considered to have low significance.

3. Background

3.1 Public Consultation

This meeting completes the public consultation phase on the Council's Proposed Annual Plan 2011/12. The Council concurrently consulted on:

- Proposed Dangerous Dams Policy 2011
- Proposed Resource Management Charging Policy 2011
- Proposal to amend the Treasury Risk Management Policy contained in the Regional Council's 2009-2019 Long Term Council Community Plan and to invest in New Zealand Local Government Funding Agency Limited (proposal to join the LGFA).

The Committee must consider all oral and written submissions it receives at this meeting, and decide if it wishes to recommend to Council consequent changes to the Proposed Annual Plan 2011/12 and changes to any of the other proposals.

3.2 Submissions received

The table below set out the number of submissions received on each of the matters being consulted on by the Council:

Matter being consulted on	Number of submissions received
Proposed Annual Plan 2011/12	257
Proposed Dangerous Dams Policy	81
Proposed Resource Management Charging Policy 2011	70
Proposal to amend the Treasury Risk Management Policy contained in the Regional Council's 2009-2019 Long Term Council Community Plan and to invest in New Zealand Local Government Funding Agency Limited	86

Report 11.196 *Submissions received on the Proposed Annual Plan 2011/12 (including amendments to policies and 10-Year Plan 2009-19)* - provides a summary of these submissions.

3.3 General Managers' responses to submissions

Submissions have been circulated to the relevant General Managers for their response. General Managers prepared their responses based on current Council policy. In the case of the proposed Resource Management Charging Policy and the proposed Dangerous Dams policy, the submissions raised matters which warrant the Committee considering specific changes to the proposed policies. These are identified in Report 11.196 under the headings "suggested change to the proposed Policy". It should be noted that the General Managers' responses on these two proposed policies have been drafted as if the committee has recommended the suggested changes to the Policy.

It is envisaged that these responses will form the basis of the Council's replies to submitters. However, the responses are not intended to preclude Council from making different or additional comments; all decisions rest with Council.

3.4 Distribution of submissions and managers' responses

Two sets of documents are associated with this report. They are:

- copies of the submissions (previously provided); and
- print-outs of the summaries of the submissions and General Managers' responses from the submission database (provided with report 11.196).

These will be made available to the public on request, unless there is good reason to withhold them or any part of them under the Local Government Official Information and Meetings Act 1987.

4. Comment

4.1 Submission process

4.1.1 Oral presentations

A key purpose of this meeting is to hear oral submissions in support of written submissions. 40 submitters requested in their written submission that they be heard. Each submitter has been allocated ten minutes, with additional time allocated for organisations. This allows approximately five minutes for the submitter to present their key points and five minutes for Councillors to ask questions of clarification. The preliminary timetable for the hearing oral submissions is included as **Attachment 1** to this report. As some changes to the timetable may be required a final timetable will be available at the start of the meeting.

4.1.2 Written submissions

The Committee must consider all written submissions, regardless of whether or not an oral submission has been made. It is suggested that written submissions are taken as read by the Committee, and that Councillors only discuss those submissions on which they want to make a particular comment or make changes to General Managers' responses.

4.1.3 Consideration of issues raised in submissions

The principles of consultation, set out in section 82 of the Local Government Act 2002, apply to the submission process. It is important that Committee members retain an open mind in the consideration of submissions. Members should be present for the hearings and deliberations in order to participate in the decision-making of the Committee. There will be an opportunity to discuss the issues raised in both written and oral submissions once all submissions have been heard.

4.2 Process after consideration of submissions

After considering all submissions, the Committee will report to the Council meeting on 8 June 2011 with its recommendations for amendments to the Proposed Annual Plan 2011/12 and other matters which are the subject of concurrent consultation. The Committee's report may propose that specific matters be further considered by the Council at its meeting on 8 June 2011. The Committee may wish to seek management advice on funding, resource and workload implications. It is suggested that the Chief Executive be asked to report on these matters, as well as on any other matters that could impact on overall rate requirements.

It is proposed that formal replies be sent to submitters on the basis of General Managers' responses, or as otherwise directed by the Committee and Council, following the formal adoption of the Annual Plan 2011/12 and other matters which are the subject of concurrent consultation. It is appropriate that these

replies should originate from the Council Chair. Under the Local Government Act 2002, reasons must be given for decisions made, including a decision not to take any action.

It is proposed that Council make its final decisions on the Annual Plan 2011/12, the Resource Management Charging Policy (2011), the Dangerous Dams Policy and amend the Treasury Risk Management Policy contained in the 2009-2019 Long Term Council Community Plan to enable Greater Wellington to invest in New Zealand Local Government Funding Agency Limited at its meeting on 29 June 2011.

5. Recommendations

That the Committee:

1. **Receives** the report.
2. **Notes** the content of the report.
3. **Considers** all written and oral submissions in the manner set out in section 4 of this report.
4. **Notes** the responses from General Managers on the submissions (contained in Report 11.196).
5. **Reports** its findings and recommendations to the Council meeting on 8 June 2011, and if appropriate, asks the Chief Executive to further report on the implications of any proposals that it considers warrant further consideration at the Council meeting on 8 June 2011 as well as on any matters which may impact on rate requirements.
6. **Agrees** that the Council Chair sign the formal replies to all submitters on the basis of General Managers' replies, or as otherwise recommended by the Committee and determined by Council, following formal adoption of the Annual Plan 2011/12 and other matters that are the subject of concurrent consultation.

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Attachment 1: Timetable of Oral Submissions