

Report 11.210
Date 17 May 2011
File TP/03/23/04

Committee Freight Plan Hearing Subcommittee
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Process for considering submissions

1. Purpose

To brief the Subcommittee on the process for considering submissions on the draft Regional Freight Plan 2011.

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

At its meeting on 29 March 2011 the Regional Transport Committee established this Subcommittee to consider and hear submissions and to make recommendations to the Regional Transport Committee on the draft Freight Plan. A copy of the Subcommittee's terms of reference, which sets out its roles and responsibilities, is attached as **Attachment 1** to this report.

3.1 Public Consultation

This meeting completes the public consultation phase on the draft Regional Freight Plan 2011.

The Subcommittee must consider both the oral and written submissions it receives at this meeting, and must decide what, if any, changes it wishes to recommend to the Committee regarding the draft Freight Plan.

3.2 Principles of consultation

Six principles of consultation are set out in the Local Government Act 2002 (the Act). 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 should be present for the duration of the hearing of the oral submissions.

4. Submissions received

Greater Wellington has received 11 submissions on the draft Freight Plan.

A copy of all the written submissions has been distributed to members of the Subcommittee (under separate cover).

5. Draft Freight Plan submission process

The purpose of this meeting is to hear oral presentations in support of written submissions. At the time of writing this paper, two submitters have requested that they be heard on the draft Freight Plan.

Ten minutes have been allocated to each submitter. This allows approximately five minutes for the submitter to present their key points and five minutes for Subcommittee members to ask questions of clarification.

The preliminary timetable for the hearing oral submissions is as follows:

9.45am – Paula Warren, Public Transport Voice

10am – Nick Flack and Neville Hyde, CentrePort

As some changes to the timetable may be required a final timetable will be available at the start of the meeting.

5.1 Consideration of issues raised in submissions

The Subcommittee must consider all written submissions, regardless of whether or not an oral submission has been made.

The principles of consultation, set out in section 82 of the Local Government Act 2002, apply to the submission process. It is important that Subcommittee 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 Subcommittee. There will be an opportunity to discuss the issues raised in both written and oral submissions once all submissions have been heard.

5.2 Process after consideration of submissions

The Subcommittee will need to prepare a report to the Regional Transport Committee setting out its recommendations on the draft Freight Plan. The report will be considered by the Committee at its meeting on 30 June 2011.

It is proposed that each submitter receives a letter identifying the final changes to the Regional Freight Plan 2011 agreed by the Committee, including commentary around the reasons for these recommendations.

6. Communication

The Subcommittee meeting for hearing submissions has been advertised and all oral submitters contacted regarding the hearing date.

7. Recommendations

That the Subcommittee:

1. *Receives the report.*
2. *Notes the content of the report.*

Report prepared by:

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Attachment 1 Terms of reference