



Report 09.168
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File TP/01/14/03

Committee Regional Transport
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Establishment of a Hearing Subcommittee

1. Purpose

To establish a subcommittee of the Regional Transport Committee (RTC) to hear and report on submissions lodged on the proposed Regional Land Transport Programme (RLTP) 2009 - 2012.

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 Proposed Regional Land Transport Programme 2009 - 2012

The amended Land Transport Management Act 2003 (the Act) requires the Committee to prepare and consult on a RLTP every three years. The proposed RLTP for the Wellington region was agreed for consultation at the 5 March 2009 Committee meeting.

The public notice for submissions went out on 21 March 2009. The submission period will last five weeks from 23 March to 24 April 2009. All people making submissions will be offered the opportunity to be heard in support of their submission.

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. Due to the large volume of expected submissions it is reasonable to assume that the number of submitters who wish to be heard cannot be accommodated within upcoming RTC agendas and therefore a hearings subcommittee is considered appropriate.

It is currently expected that the Hearings Subcommittee will be scheduled for a full day session on the 26 May 2009. In addition, some evening hearings in different parts of the region may also be convened.

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 RTC.

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 subcommittee's recommendations will then be considered by the full RTC at the 23 June 2009 meeting.

4.2.2 Subcommittee Membership

All members of the RTC are eligible for appointment to a hearings subcommittee. However, as the objective and cultural interest representatives on the RTC do not have voting rights on the RLTP (see **Report 08.931** from the 11 December 2008 meeting) they are not being recommended for membership of the hearing 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 (including the objective and cultural representatives) are welcome to attend the hearings.

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

The RTC Chair has informally canvassed availability and it is recommended that the following members be appointed:

- Councillor Fran Wilde
- Mayor Jenny Brash
- Mayor Wayne Guppy
- Dr Deborah Hume

It is also recommended that Councillor Wilde 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. Consistent with the provisions for the RTC the Chair of the Hearings Subcommittee will have a deliberative vote, but not a casting vote.

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 a full day has been set aside for the hearings with further time potentially required for hearings and deliberations. To minimise inconvenience to submitters as a result of needing to reschedule the hearings, a quorum of two members is recommended.

5. Communication

There is nothing to communicate as a result of consideration of this report.

6. Voting

Section 107(1) of the amended Act states that objective and interest representatives have full speaking rights, but are not entitled to vote on matters related to regional land transport programmes. As the subject matter of this report relates to the regional land transport programme, objective and interest representatives **may not** vote on the resolutions.

7. 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 proposed Regional Land Transport Programme 2009 - 2012 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 proposed Regional Land Transport Programme 2009 – 2012 Hearing Subcommittee:

- *Councillor Fran Wilde (chair)*
- *Mayor Jenny Brash*
- *Mayor Wayne Guppy*
- *Dr Deborah Hume*

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Attachment 1: Terms of Reference for the proposed Regional Land Transport programme 2009 – 2012 Hearing Subcommittee