

Report 07.183  
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Committee Policy, Finance and Strategy  
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## Appointment of a Subcommittee of the Environment Committee to Review the Resource Management Charging Policy

### 1. Purpose

To appoint a subcommittee of the Environment Committee to hear submissions and decide on the Resource Management Charging Policy.

### 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

Greater Wellington is reviewing its Resource Management Charging Policy. The policy was adopted in 1997 and revised in 2001, and forms a sound basis for determining charges. Charges have been held for six years and now need to be updated.

On April 2007, the Environment Committee was presented with a Draft Resource Management Charging Policy (Report 07.139).

The Committee:

- *Received the report and Draft Resource Management Charging Policy;*
- *Noted that the Draft Resource Management Charging Policy is a draft document only and will be subject to a Special Consultative Procedure; and*
- *Recommended that the Policy, Finance and Strategy Committee note the Draft Resource Management Charging Policy and appoint a Subcommittee to hear public submissions and make recommendations to the Council.*

Those resolutions require the Policy, Finance and Strategy Committee to note the Draft Policy (see Report 7.139), note that the Special Consultative Procedure applies, and recommend that Council appoint a subcommittee to hear submissions on the Draft Policy.

#### **4. The Special Consultative Procedure**

The Special Consultative Procedure is quite straightforward and can be described as follows:

- The Council (through the Environment Committee) resolves to adopt the Draft Policy and carry out the Special Consultative Procedure;
- The Council publicly advertises that the Draft Policy is available for inspection and that submissions are welcome (the submission period must be at least one month);
- Once the submissions have been received, the Council gives submitters “a reasonable opportunity to be heard”;
- As a result of the submissions, changes may be made to the Draft Policy; and
- The Council (through the Environment Committee) formally adopts the Final Policy.

The following timetable has been implemented:

- 3 April 2007 - the Council (through the Environment Committee) approved the Draft Resource Management Charging Policy for public consultation.
- 21 April 2007 – the Draft Policy advertised and submissions have been called for.
- 8 May 2007 – the Council notes the Draft Resource Management Charging Policy and that the Special Consultative Procedure commenced on 21 April 2007. The Council (through the Policy, Finance and Strategy Committee) appoints a Hearings subcommittee as a subcommittee of the Environment Committee.
- 21 May 2007 – Submission period closes (at 5.00 pm).
- 7 (and another date TBA) June 2007 – Hearings and deliberations.
- 21 June 2007 – Recommendations received by the Environment Committee
- 28 June 2007 – New Charging Policy adopted by Council.
- 1 July 2007 – New Charging Policy comes into effect.

## **5. The Hearing process**

### **5.1 Hearings Subcommittee**

Hearings subcommittees are an efficient option for hearing and considering submissions where there are high numbers of submitters wishing to be heard. Even though submission numbers are relatively low at this stage, the establishment of a hearing subcommittee is still likely to be the most efficient option (the alternative is for the full Committee to hear/consider the submissions).

### **5.2 Terms of Reference**

#### **5.2.1 Subcommittee Membership**

All members of the Environment Committee are eligible for appointment to the hearings subcommittee. It is consistent with best practice and the requirements of the special consultative procedures set out in the Local Government Act 2002 that members hearing submissions be present for the duration of the hearing of the submissions. The only constraint on membership of the hearing subcommittee, therefore, is the availability to sit through the anticipated two days of hearings and be available for deliberations.

It is proposed that the Chairperson of the Environment Committee and two other Committee members be appointed to the subcommittee.

Those members of the Committee not appointed to the subcommittee would of course be able to attend the hearings.

#### **5.2.2 Chair, Quorum and Standing Orders**

It is recommended that the Chairperson of the Environment Committee chairs the subcommittee.

When deciding on a quorum the main issue to consider is the risks that illness or other unanticipated commitments may prevent a committee member from attending part of the hearings. A quorum of one less than the total membership i.e. two, is recommended.

The Wellington Regional Council Standing Orders apply to the subcommittee.

#### **5.2.3 Makeup of the Previous Hearings Subcommittee**

The subcommittee for the 2001 review of the Resource Management Charging Policy comprised the Chairman of the Environment Committee, the Chairman of the Rural Services and Wairarapa Committee and one other Councillor (in that case Cr Turver).

The Policy, Finance and Strategy Committee will need to recommend that Council appoint members to this subcommittee and Councillors Ian Buchanan, Chris Turver and Sally Baber have indicated that they will be able to sit at such hearings.

## 6. Communication

The review of the Policy has been advertised in the daily newspapers (21 April 2007). A newsletter (20 April 2007) has been sent to all consent holders to advise them of the review and of their right to submit. In addition, we have posted a copy of the newsletter and the Draft Resource Management Charging Policy on our website.

## 7. Recommendations

*1. That the Committee recommends that Council:*

- (a) **Appoints** three councillors as a subcommittee of the Environment Committee to hear submissions on the Draft Policy and to make recommendations to Council;*
- (b) That Council **confirms** the Terms of Reference for the subcommittee in accordance with Attachment 1; and*
- (c) **Notes** that the Special Consultative Procedure, as set out in section 83 of the Local Government Act 2002, has commenced.*

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**Attachment 1:** Terms of Reference for the Resource Management Charging Policy Hearings Subcommittee