

Report 12.336
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File E/01/10/03

Committee Representation Review 2012 Hearing Committee
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Process for hearing submissions on proposed representation arrangements

1. Purpose

To brief the Representation Review 2012 Hearing Committee on the process for considering submissions on the Council's initial representation proposal for the 2013 elections.

2. The decision-making process and significance

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

2.1 Significance of the decision

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 the matter be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

3. Background

At its meeting on 13 June 2012 the Council established the Representation Review 2012 Hearing Committee (the Committee) to consider and hear submissions on the Council's initial representation proposal for the 2013 elections and to make recommendations to the Council on its final representation arrangements. A copy of the Committee's terms of reference, which set 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 initial representation proposal.

The Committee 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 Council regarding the initial representation proposal.

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 10 submissions on the Council's initial representation proposal. Two of the submissions were received after the closing date. It is recommended that the Committee accept the late submissions for consideration.

A copy of the written submissions has been distributed to members of the Committee as Attachment 1 to Report 12.337. It is suggested that at the Committee's meeting, the written submissions are taken as read by the Committee, and that Committee members only discuss those submissions on which they want to make a particular comment.

5. Submission process

The purpose of this meeting is to hear oral presentations in support of written submissions. Five submitters have confirmed that they wish to be heard on the Council's initial representation proposal.

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 Committee members to ask questions of clarification.

The preliminary timetable for hearing oral submissions is attached as **Attachment 2**.

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 Committee must consider all written submissions, regardless of whether or not an oral submission has been made, along with other consultation material.

The principles of consultation set out in section 82 of the Act, 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 written and oral submissions and other consultation material once all submissions have been heard.

5.2 Process after consideration of submissions

The Committee will need to prepare a report to the Council setting out its recommendations on the proposed final representation arrangements. The report will be considered by the Council at its meeting on 21 August 2012.

The Local Electoral Act 2001 requires that the public notice of the Council's final proposal must state the reasons for any amendments to the Council's initial proposal and the reasons for any rejection of submissions. It will, therefore, be important for the Committee's findings and recommendations to include reasoning for any amendments to the Council's initial representation proposal and for the rejection of any submission.

It is proposed that each submitter receives a letter identifying any changes to the initial representation proposal agreed by the Council, including the reasons for these changes.

6. Communication

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

7. Recommendations

That the Committee:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Accepts the late submissions received on the initial proposed representation arrangements for consideration.*
4. *Reports its findings and recommendations to the Council meeting on 21 August 2012.*

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Attachment 1: Representation Review 2012 Hearing Committee Terms of Reference.

Attachment 2: Preliminary timetable for hearing oral submissions.