



HEARINGS PANEL

25 September 2017

Order Paper for the meeting to be held in the
Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt,
on:

Thursday 28 September 2017 commencing at 9.00am

and

Friday 29 September 2017 at 9.00am if required

The purpose of the hearing is to hear submissions and make recommendations to Council on Proposed District Plan Change 39 - Transport, to the Hutt City District Plan.

Membership

Mr R Schofield, Independent Commissioner (Chair)
Cr L Bridson Cr T Lewis

For the dates and times of Council Meetings please visit www.huttcity.govt.nz

DISTRICT PLAN COMMITTEE

Membership:	6 elected members Chair: RMA Certified (RMA hearing commissioner under Making Good Decisions programme) Minimum of either 3 or 4 elected members (including the Chair) and alternates who have current certification under the Making Good Decisions Training, Assessment and Certification Programme for RMA Decision-Makers. The inclusion of independent Commissioners in hearing subcommittees or hearing panels as appropriate
Quorum:	3
Meeting Cycle:	Meets on a six weekly basis, as required or at the requisition of the Chair
Reports to:	Council

PURPOSE

To monitor the effectiveness of the City of Lower Hutt District Plan as a strategic policy and operational document for the district and facilitate consideration of Plan Changes.

To consider matters relating to quasi-judicial responsibilities of the Council under legislation. This includes matters under the RMA including district plan hearings.

Recommend

- Recommend to Council District Plan changes and District Plan variations for Council approval prior to notification.
- Recommend to Council private District Plan Change requests for Council to *Accept, Adopt* or *Reject*.
- Recommend to the relevant Requiring Authority decisions on all matters concerning Designations and Notices of Requirements in accordance with Part 8 of the Resource Management Act 1991.
- Recommend to Council for final approval, to make operative, District Plan and District Plan Changes (in accordance with clause 17, Part 1, Schedule 1 of the Resource Management Act 1991).

Determine

- Determine all other matters (including decisions requested by submitters) concerning the District Plan and District Plan changes (in accordance with Schedule 1 of the Resource Management Act 1991)."
- Exercise the power of waiver of the requirement to provide parties with copies of written reports prior to hearings (under Section 42A (4) of the Resource Management Act 1991).
- Appoint a subcommittee or hearing panel of suitably qualified person(s) to conduct statutory hearings on behalf of the Committee. The Chair of the District Plan Committee is also delegated this function.

General

- Set the District Plan Work Programme and monitor its implementation.
- Develop and review appropriate strategies and policies in relation to the District Plan.

- Approve and forward submissions to other authorities on matters relevant to the Committee's area of responsibility.
- Monitor the effectiveness of the District Plan and consider issues raised with the committee.

NOTE:

The Ministry for the Environment advocates that Councils offer specialist RMA training in areas of law which are difficult to grasp or where mistakes are commonly made. This is to complement the Making Good Decisions RMA training that MfE runs (which is an overview and basic summary of decision making, rather than an in-depth training in specific areas of the RMA). Therefore in order to facilitate this, the RMA training run for councillors that wish to be hearings commissioners is mandatory.

Reasons for the importance of the training:

- 1 Hearings commissioners are kept abreast of developments in the legislation.
- 2 Legal and technical errors that have been made previously are avoided (many of which have resulted in Environment Court action which is costly, time consuming and often creates unrealistic expectations for the community).
- 3 The reputation of Council as good and fair decision makers or judges (rather than legislators) is upheld.

HUTT CITY COUNCIL**HEARINGS PANEL**

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ORDER PAPER**PUBLIC BUSINESS**

1. **CONFLICT OF INTEREST DECLARATIONS**
2. **HEARING OF SUBMISSIONS ON PLAN CHANGE 39**

Please use the following link for [Proposed Plan Change 39 and Section 32 Evaluation Report; Full Set of Submissions and Further Submissions; Summary of Submissions and Further Submissions; Officer's Report; and Pre-Circulated Evidence](#).

The following schedule contains the submitters who have indicated that they wish to be heard. A full list of submitters is in the separately circulated attachments, as provided in the link above.

Submission number	Submitter
*DPC39/4 and DPC39F/4	*New Zealand Transport Agency
*DPC39/5	*KiwiRail Holdings Limited
*DPC39/7	*Bikes Welcome Charitable Trust
*DPC39/8 and DPC39F/2	*Andrew Banks
*DPC39/13 and DPC39F/1	*Nick Ursin
*DPC39/15	*David Tripp
*DPC39/17	*Hutt Cycle Network
*DPC39/20	*Greater Wellington Regional Council
*DPC39/24	*Minister of Education
*DPC39/26	*Tim Julian

People wishing to sit in on hearings are advised to phone Ms Karen Piper on 570 6761 close to the hearing date for an update on the hearing schedule. If any information is required on the hearing procedures or any equipment is required for use at the hearing, please contact Ms Karen Piper.

Susan Haniel
COMMITTEE ADVISOR