

## 6. APPOINTMENT OF COMMITTEES AND SUBCOMMITTEES

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### PROPOSAL/PURPOSE OF REPORT

The purpose of this report is to seek the appointment of some Council committees and subcommittees.

### FINANCIAL IMPLICATIONS

Where Councillors are appointed to committees meeting fees will not apply if the Council adopts the salary only model.

Elected members who serve on Council Hearings Panels will be reimbursed for resource consent hearings because this activity sits outside the "pool" for elected members' salaries. This is the only situation where an elected member can obtain remuneration from the Council outside the salaries paid from the pool.

Other types of hearings carried out by the Panels do not qualify for remuneration. Examples of these other types of hearings include barking dogs, fencing of swimming pools, road stoppings and use of reserves.

Approval of the delegations sought will not result in any additional expenditure. The Council is legally empowered to grant the subject delegations, pursuant to the relevant provisions of the legislation quoted in each case.

### DISCHARGE AND REAPPOINTMENT OF COMMITTEES AND SUBCOMMITTEES

All committees and subcommittees of the previous Council were deemed to be discharged on the coming into office of the newly elected Council. The intention of this provision is that at the commencement of each term, the Council should look afresh at its governance structure, and review the need for subordinate arrangements. It is recommended that the subcommittees/support group listed in Schedule A attached be appointed, with the terms of reference show in each case.

### COUNCIL HEARINGS PANELS

In previous years, Council Hearings Panels have been granted extensive delegations to exercise the powers of the Council in a variety of areas. Under the Local Government Act 2002, all such delegations automatically expire when the former Council goes out of office, and it is therefore necessary for fresh delegations to be approved by the incoming Council.

It is appropriate that the delegations for the Council Hearings Panels be re-established so that normal Council business of conducting hearings can continue. Although the Council has yet to conclude its discussions on future delegations, all elected members are appointed to the Panel. The work of the City Plan Reference Subcommittee should conclude during the term of this Council.

### CHANGES TO DELEGATIONS OF COUNCIL HEARINGS PANELS

Some of the delegations listed below are new and others have been amended from those adopted by the previous Council. There are three reasons for these changes.

1. In September 2004 the previous Council resolved to amend the delegations to incorporate changes introduced by the Resource Management Amendment Act 2003. Those amendments however did not cover all of the required changes.
2. A general audit has been undertaken by the Council's former RMA solicitor to identify any powers in the RMA omitted from the Register of Delegations. As a consequence, more powers have now been added.
3. Based on legal advice provided as part of the general audit, some broad clauses have been introduced to replace detailed clause by clause delegations. This approach is simpler, reduces the risk of omission and provides some future proofing.

Delegations that have been amended or newly introduced have been marked 1,2 or 3 as above.

#### **COMPOSITION OF EACH HEARINGS PANEL**

In the past, the composition of each Hearings Panel was approved by the Chairperson of the Regulatory and Consents Committee. This was done in consultation with the Planning Administration Manager.

As the Council has chosen not to continue with the previous Committee structure, it is suggested that the power to approve the composition of each Panel be delegated to the Planning Administration Manager. (John Gibson). This could be reviewed when the Council has a firmer view on how the proposed portfolio structure will operate.

#### **STAFF RECOMMENDATIONS**

It is recommended:

- (a) That pursuant to Clause 30 of the Seventh Schedule of the Local Government Act 2002 the committees and subcommittees of the Council and the Community Board Advocates listed in Schedule A attached to this report be appointed, with the terms of reference and delegations shown in Schedule B attached.
- (b) That each committee (except for the Council Hearings Panel which does not have a chairperson) /subcommittees/subordinate body be delegated power to appoint its own chairperson.
- (c) That the Council make the delegations set out in Schedule B.