

9. DELEGATIONS DURING INTERREGNUM

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The purpose of this report is to recommend that the Council delegate certain powers during the interregnum.

The interregnum is the interval when the normal activities of the Council are suspended between successive regimes following an election. The term of this Council ends when the Electoral Officer officially declares the results of the election, which is expected to be about a week after election day. Although newly elected Councillors take office on the day following the Electoral Officer's declaration, they cannot act as members until they have been sworn in at the inaugural Council meeting.

The powers delegated to committees cannot be exercised by the Council until the committee structure of the new Council is in place. This means that there may be a period of several weeks during which the powers of the City Plan References Subcommittee (including the power to settle references by consent) will not be able to be exercised.

As the Council's delegations currently stand, there is a risk that the Council's ability to settle references and proceedings in the Environment Court will be frustrated during the interregnum.

This report seeks a delegation to authorise the Team Leader City Plan to appoint elected Councillors as commissioners during the interregnum, and to appoint independent commissioners to make decisions on matters where the Council may have a conflict of interest.

Committee

Recommendation: That the Council delegate to the Team Leader City Plan the power during the interregnum to appoint independent commissioners and any two or more persons declared elected as Councillors following the Electoral Officer's declaration of the election results in October 2004 as commissioners to:

1. Consider and resolve any consent orders requested in respect of any proceedings before the Environment Court arising out of the Council's decisions on the City Plan; and
2. Exercise any of the powers presently delegated to the City Plan References Subcommittee; and
3. Exercise the following powers presently delegated to the Council Hearings Panel:
 - 1(c) The power to hear and consider submissions on any variation and to recommend decisions to Council, and
 - 1(f) The power to lodge an appeal to the Environment Court against the decision of a requiring authority, and
 - 1(t) The power to agree to an alteration to a designation.