

11. EXTENSION OF DELEGATION TO APPOINT COUNCIL HEARINGS PANELS



General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8462
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PURPOSE OF REPORT

1. To recommend extending the delegation to the Mayor and Chief Executive to appoint certain Council Hearings Panels until 28 February 2011.

EXECUTIVE SUMMARY

2. At its 18 November 2010 meeting, the Council resolved:
 - 6.3 *That the Mayor and Chief Executive appoint the following hearings panels if required to meet prior to the end of the year:*
 - (i) *RMA panels.*
 - (ii) *A number of exemptions under the Fencing of Swimming Pools Act.*
 - (iii) *Several objections under the Dog Control Act.*
3. It may be necessary for further such Hearings Panels, and those referring to matters under the Sale of Liquor Act, to be appointed up until the end of February 2011.

LEGAL CONSIDERATIONS

4. Clause 30 Schedule 7 of the Local Government Act 2002 gives the Council the power to appoint such committees as it considers appropriate.
5. The Council Hearings Panel appointed by the Council has the same status as a Committee. Historically the Mayor, Councillors and Community Board Members are appointed to the Hearings Panel.
6. The responsibilities usually delegated to the Hearings Panel include the power to hear applications and objections under various statutes and regulations.

STAFF RECOMMENDATION

That the Council resolves that the Mayor and Chief Executive appoint any hearings panels required to meet before 28 February 2011 on the following matters:

- (i) Resource Management Act 1991
- (ii) Exemptions under the Fencing of Swimming Pools Act 1987
- (iii) Objections under the Dog Control Act 1996
- (iv) Sale of Liquor Act 1989.