

6. APPOINTMENT OF A HEARINGS PANEL



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

1. To recommend the appointment of the Council Hearings Panel.

EXECUTIVE SUMMARY

2. The Council Hearings Panel was deemed to be discharged on the coming into office of the new Council on 22 October 2010. It is therefore necessary to appoint a new Panel and to delegate powers to it.

LEGAL CONSIDERATIONS

3. Clause 30 schedule 7 of the Local Government Act 2002 gives the Council the power to appoint such committees as it considers appropriate.
7. 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.
8. The responsibilities usually delegated to the Hearings Panel include the power to hear applications and objections under various statutes and regulations. A schedule of the current delegations is attached (**Attachment A**).

STAFF RECOMMENDATION

That the Council resolves to:

- (a) Appoint the Council Hearings Panel comprising the Mayor, Councillors and all community board members;
- (b) Delegate to the Council Hearings Panel the responsibilities, duties and powers set out in **Attachment A**.

BACKGROUND

9. Council staff have issued Notices of Hearing in respect of the following matters:
 - (a) 29 November 2010: Application to the District Licensing Agency for a Special Licence;
 - (b) 6 December 2010: Objection to a ruling made by Council staff under the Dog Control Act 1996.
10. Notice was given on the basis that the Council would have appointed the Hearings Panel at its meeting on 25 November 2010. This meeting has been brought forward to 18 November 2010.
11. In order to proceed with the hearing of the Special Licence application on 29 November 2010 the Hearings Panel will need to be appointed before that date. The next ordinary meeting of the Council has been set down for 2 December 2010.