

10. 11. 2011

24. EXTENSION OF DELEGATION TO APPOINT COUNCIL HEARINGS PANELS

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8462
Officer responsible:	Unit Manager, Democracy Services
Author:	Clare Sullivan, Council Secretary

PURPOSE OF REPORT

1. To recommend extending the delegation to the Mayor and Chief Executive to appoint certain Council Hearings Panels until 8 December 2011 (or until such time as the Council has considered its delegations to Hearings Panels) and to seek retrospective approval for the appointment of hearings panels from May 2011 to 9 November 2011.

EXECUTIVE SUMMARY

2. At its 16 December 2010 meeting the Council resolved:

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

- (i) RMA panels;
- (ii) A number of exemptions under the Fencing of Swimming Pools Act;
- (iii) Several objections under the Dog Control Act; and
- (iv) Sale of Liquor Act 1989.

3. In February 2011 it was intended to bring a report to Council considering the issues of hearings panels and extending this delegation, if the matter was not resolved. However, following the period of the national emergency this matter was overlooked and the extension of the delegation and retrospective approval for the period from May to November is now required.

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

It is recommended that the Council:

- (a) Extend the delegation to the Mayor and Chief Executive to appoint any hearings panels until such time as the Council has considered its delegations to Hearings Panels on the following matters:
 - (i) RMA panels;
 - (ii) A number of exemptions under the Fencing of Swimming Pools Act;
 - (iii) Several objections under the Dog Control Act; and
 - (iv) Sale of Liquor Act 1989.
- (b) Grant retrospective approval of the appointment of Hearings Panels from May 2011 to 9 November 2011.