

## 16. LOCAL GOVERNMENT ACT 2002 - STANDING ORDERS

<b>Officer responsible</b> Director of Legal & Secretariat Services	<b>Authors</b> Peter Mitchell, DDI 941-8549
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The purpose of this report is to advise that with the commencement of the procedural provisions of the Local Government Act 2002 on 1 July 2003, there is a need to update the current Standing Orders to reflect the provisions of the new statute.

Tabled in conjunction with this report is an updated copy of the current 1997 edition of the Council's Standing Orders. These have been amended so as to reflect the provisions of the new Act and the change in terminology from City Manager to Chief Executive. There are two clauses which are drawn to Councillors' attention.

Firstly the 2002 Act has as a default position that the Chair of a meeting does not have a casting vote, unless the Standing Orders provide otherwise. The tabled Standing Orders are on the basis the Council would wish to continue the status quo and the chairperson have a casting vote. S.O. 2.22.1.2 provides for a casting vote.

Secondly the 2002 Act provides that questions before a meeting are decided by "... a majority of the members present ...". So this could include members who are present in the room but who are not voting, e.g. for members' interests reasons. The tabled Standing Orders again are drafted on the basis the Council would wish the status quo position that questions are decided by a majority of members "present and voting". S.O. 2.22.1.1 provides for this.

Otherwise there are no other substantive changes to the updated Standing Orders.

The Standards Association has convened a project team (of which the Council Secretary is a member) to look at any further substantive changes that may be necessary to the Standing Orders in light of the new Act and as a consequence of the work done by that project team there may be a need for the Council to look at further updating the Standing Orders at some point in the future.

### **Staff**

**Recommendation:** That for the purposes of clause 27 of Schedule Seven of the Local Government Act 2002 the Council adopt the tabled revised July 1997 edition of the Standing Orders for the conduct of its meetings and those of its committees, community boards and subcommittees.

### **Chair's**

**Recommendation:** That the above recommendation be adopted.