

### 3. LOCAL GOVERNMENT ACT 2002

The Subcommittee considered a report from Zefanja Potgieter, Resource Planner Solid Waste, Christchurch City Council, which provided an update to members on the new Local Government Act 2002 as it affected the Canterbury Joint Standing Committee (CJSC). The report noted the significant changes in the new Act, in respect of such matters as the requirement for all territorial authorities to have a waste management plan by 2005 and highlighted issues relevant to the CJSC in relation to:

- Provision for a Chairman's casting vote
- Automatic discharge of Joint Standing Committees following the triennial elections
- Classification of LATEs within the new Act into Council-controlled trading organisations (CCTOs), such as Transwaste, and the requirements for statements of intent.

The report summarised the legal advice received from Buddle Findlay that the new Act did not affect the provision for a chairman's casting vote as provided for in the constituting agreement and it confirmed that a new statement of corporate intent would be prepared by Transwaste Canterbury Ltd.

It noted that all Councils who are members of the CJSC would need to pass a specific resolution which would then allow the Joint Standing Committee to remain in place. The resolution, details of which are set out below, should be adopted after the relevant provision in the Local Government Act 2002 comes into effect on 1 July 2003:

*"The ..... Council resolves as provided for by Clause 30(7) of Schedule 7 to the Local Government Act 2002 that the Canterbury Joint Standing Committee and the Canterbury Waste Subcommittee shall not be deemed to be discharged on the coming into office of the members of the Council elected or appointed at the next triennial general election of members."*

The Subcommittee **resolved**:

1. That the information be received.
2. That member councils of the Canterbury Joint Standing Committee pass the resolution as detailed above before the next triennial election.