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Report to Policy and Finance Committee
from Ted Maguire, Council Secretary

End of Triennium Matters

There are a number of matters relating to the end of the Triennium which require consideration by Council:

1. Minutes of Last meeting before Election

Standing Order No. 32 provides:

“The Chairman and General Manager shall be responsible for confirming the accuracy of the Minutes of the last meeting of Council prior to the Election of members”.

Minutes of the meeting of 26 September will be submitted for confirmation at the meeting on Thursday, 11 October.

Minutes of the final meeting on 11 October will be circulated in the Bulletin for urgent comment prior to confirmation in accordance with Standing Order No. 32. The Chairman will make the final decisions regarding any changes sought by Councillors. The action must be completed before the Chairman vacates office.

2. Vacation of Office

In terms of the Local Government Act and Local Elections Act the following arrangements apply to Councillors:

- (a) Those Councillors re-elected unopposed (Crs Shields and Turver) go out of office on the date of the Local Authority Elections i.e. Saturday, 13 October. While they again take office as Councillors on Sunday, 14 October, they cannot act until they have been sworn in at the first meeting of the new Council (provisionally planned for Friday, 26 October).

- (b) Those who are retiring, or who face an election, go out of office on the date of the Electoral Officer's Declaration which is expected to be Wednesday, 17 October. (The newly-elected Councillors take office on the day of the following).
- (c) The previous provision, in the Local Government Act, that the Chairman holds office until a successor has been elected, was repealed earlier this year. This means that the Chairman will also cease to hold office on the date of the Electoral Officer's Declaration. The new Chairman will of course be elected at the first meeting of the new Council.

3. **Discharge of Committees**

Standing Order 5(a) deems that all committees of the present Council are discharged from the date of the Electoral Officer's Declaration.

4. **Emergency Arrangements**

As there will be none of the present Councillors in office from the date of the Electoral Officer's Declaration, and the re-elected or newly-elected Councillors, cannot act until sworn in, there is a need for delegation of authority to deal with emergency and some other matters in the "interregnum". It is proposed that the General Manager be authorised to act in any emergency matters in consultation with the appropriate Divisional/Corporate Manager. Any such matters to be reported to the incoming Council as soon as practicable.

Also, normal delegation to Committees, or involving particular political office holders, e.g. Committee Chairs, cannot resume until the Committee structure is confirmed and members appointed. However, once the new Council is sworn in, a meeting of the full Council could be convened to deal with any significant matters.

Also the Resource Management Act 1991 provides tight statutory timeframes for the consideration of resource consent applications and it may be necessary to commence arrangements for hearings in the period between the two Councils. If such circumstances arise, it is proposed that the General Manager be authorised to appoint hearings commissioners in consultation with either the Divisional Manager, Environment or the Divisional Manager Wairarapa, according to their respective areas of responsibility within the Region.

Recommendation

That the Policy and Finance Committee:

1. *Receive the Report.*
2. *Recommend that the Council:*
 - (a) *Authorise the General Manager to act on any emergency matters arising from the time the present Council and its Committees are discharged until the new Council is sworn in.*
 - (b) *Authorise the General Manager, in consultation with either the Divisional Manager, Environment or the Divisional Manager Wairarapa, according to their respective*

areas of responsibility to appoint hearings commissioners if required to consider any notified resource consent application during this period.

- (c) Instruct the General Manager to report any such matters to the incoming Council at the first appropriate opportunity.*

TED MAGUIRE
Council Secretary