

Table 1 – Summary of Submissions

Issue	Administration Response
1.1	<p>Clause 2.3 should say “as prescribed by the regulations and displayed on the City’s web site.” It is inconvenient for members of the public to attend the office and it is impossible on weekends or public holidays.</p> <p>Supported.</p> <p>Administration supports the inclusion of an amended clause requiring the publication of the notice paper on the City’s website. This is in line with the City’s current practice.</p>
1.2	<p>Clause 2.1 should say that selection of a presiding member should be done in public.</p> <p>Not Supported.</p> <p>In the rare occasions that there is a requirement to “select” a presiding member in the absence of the Mayor and Deputy Mayor, this is done by Council Members prior to the Council Meeting.</p> <p>The Local Government Act 1995 requires that a chosen Council Member preside at a Council Meeting and technically it is not possible to open the meeting without a presiding member.</p>
1.3	<p>Clause 2.9 should make it clear that council members cannot ask for leave of absence for the meeting at which it may be granted. This was determined by the Standards committee or somebody with a similar standing.</p> <p>Not Supported.</p> <p>Section 3A(b) of the <i>Local Government Act 1995</i> prohibits the granting of leave for “the part of the meeting before the granting of leave”. This implies that it is acceptable to grant leave from the time of the grant of leave onwards.</p>
1.4	<p>Clause 2.16 (1) should be dropped and 2.16 (2) amended. The press, and public, should be able to record any part of the meeting that is open to the public.</p> <p>Not Supported.</p> <p>Council Meeting live streamed and recordings are made available to the public on the City’s website.</p>
1.5	<p>Clause 2.16 (3) should not just be limited to web streaming and should include that the recordings will be made available to the public.</p> <p>Not Supported.</p> <p>Since September 2017 the City’s current practice is to make recordings available via the website. While it would not be unreasonable to include this in the Local Law, Administration is of the view that it is appropriate that recordings are provided at Council’s discretion via the City’s <i>Policy 4.2.4 - Council Meetings – Recording And Web Streaming</i> rather than through the Local Law.</p>
1.6	<p>Clause 2.16 should also include provision for recording those parts of the meeting that are not open to the public and that those segments may subsequently be made public.</p> <p>Not Supported.</p> <p>As above, Administration is of the view that it is appropriate that recordings are managed at Council’s discretion via the City’s <i>Policy 4.2.4 - Council Meetings – Recording And Web Streaming</i> rather than through the Local Law. It is noted that clause 1 of that policy provides the discretion to record proceedings occur behind closed doors.</p>
1.7	<p>Clause 2.18 should be changed to say that minutes will include the agenda reports as well as the decision. The aim should be for completeness rather than brevity so that anybody subsequently looking at the minutes is aware of the recommendations and reasons, and is aware of any late amendments to the agenda. The current practice requires people to look through at least two documents, and be aware of all amending documents, to get a full picture.</p> <p>Not Supported.</p> <p>Administration is of the view that the current minutes document produced provides the most readable and accessible mechanism for finding decisions on Council Items and that the inclusion of the agenda reports – which are already available in the agenda – would only serve to make the minutes more lengthy and therefore harder to read and understand.</p>
1.8	<p>Clauses 2.8 (5) and 2.19 (5) (a) are not consistent. 2.8 says that items are considered in the order in which they are raised while 2.19 says they are considered in numerical order.</p> <p>Supported.</p> <p>While it is not considered that the clauses are inconsistent with one another, it is agreed that the clauses could be clearer. it is proposed to amend clause 2.8(5) as follows:</p> <p>“(5) Notwithstanding sub-clauses (1) and (2), reports listed in the agenda are to be considered in the <u>following order</u>: new order in which they are raised and include;”</p>
1.9	<p>Clause 2.19 (8) should be dropped. In the interests of brevity, accountability and transparency any written questions which are submitted should be treated as normal questions on notice from members of the public and the answers included in the next agenda.</p> <p>Not supported.</p>
1.10	<p>Clause 2.22 (2) should say “presiding member” rather than mayor. Generally “mayor” should be changed to “presiding member” where relevant to cater for situations where the mayor is on leave and another member, usually the deputy, takes their place.</p> <p>Partially Supported</p> <p>It is proposed to amend 2.22(1) as follows: “...Mayor or the committee presiding member, as the case may be”.</p> <p>It is proposed to amend 2.22(2) as follows: “If the Mayor or <u>presiding member</u> is of the opinion”</p>

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1.11	<p>Clause 2.22 (a) should be dropped. There is no need to provide limits other than the time as per 2.22 (b).</p> <p>Not supported.</p> <p>Administration has no issue with clause 2.22(b) which is intended to provide for orderliness during deputations by limiting the number of members of a deputation that may be present and may address Council.</p>
1.12	<p>Clause 2.24 (1) (d) should drop the date the person signed.</p> <p>Not supported.</p>
1.13	<p>Clause 2.25 (9) should be dropped. It is not right if the proposer can't make it to the meeting that it can't be proposed for another 3 months.</p> <p>Not supported</p> <p>Clause 2.25(8) provides that if a Council Member is not present or if the motion is deferred that the notice of motion may be proposed at a subsequent Council Meeting.</p> <p>2.25(9) provides that if a notice of motion has lapsed at two meetings that it may not be entertained for 3 months.</p>
1.14	<p>The term "other than presiding member" should be dropped from 4.7 (1) and (2) and 5.14 (3) and anywhere else where they preclude the presiding member from moving an amendment. The presiding member should be given the right to move amendments.</p> <p>Not supported.</p> <p>Custom and convention is that a presiding person should not move a motion (including an amendment) from the chair as it is argued that moving a motion undermines the presiding member's impartiality which is the cornerstone of their authority in the meeting.</p>
1.15	<p>Clause 4.9 should be changed from "before the motion is put" to "before the motion is determined" to allow questions until such time as the votes have been counted. Similar changes should be made to 4.12 because the mover may raise a point during the "right of reply" that warrants a question.</p> <p>Not supported.</p> <p>Administration is of the view that it is not appropriate to allow questions on an item between it being put and between the vote being declared. The role of questioning is to ensure Council Members are fully informed before they vote, therefore it follows that questions should be concluded before a vote is taken.</p> <p>Similarly, the role of the right of reply is intended to close debate and no new material should be raised, therefore it is appropriate that no questions be asked during the right of reply.</p>
1.16	<p>Clause 5.2 (3) should be changed to make it clear that the result of each individual's vote is known to all those present at the meeting. We must avoid the situation where an electronic vote is taken but only the result (e.g. 5-3) is known at the meeting. It should not be left to reading the minutes some time later.</p> <p>Partially supported.</p> <p>Clause 5.1(b) provides that voting is to be undertaken "openly and not by secret ballot". Administration asserts that this would prevent any anonymous electronic voting system from being implemented.</p>
1.17	<p>Clause 7.1 should have a clause similar to 7.2 (6) that stops a member from speaking then moving deferral without allowing other members to speak first, or debate should be allowed on deferral contrary to 7.1.(4) (c)</p> <p>Not supported.</p> <p>While the procedural motions to "defer" and to "adjourn" are similar in nature, an adjournment has the effect of pausing debate on an item while a deferral stops debate and allows it to be recommenced at a later point. As a consequence, it may be appropriate and desirable to defer a motion after all members have spoken which would be prevented by this clause, whereas this can never be the case with an adjournment.</p>
1.18	<p>Clause 8.10 should say that devices should not be used during a meeting for any purpose other than council purposes. It is disrespectful to other council members and the public to see council members using electronic devices for non-council purposes during meetings.</p> <p>Not supported.</p> <p>The intent of the clause is to prevent interference with the conduct of the meeting.</p>

A total of one submission was received in response to the City's public notice advertising the Standing Orders Amendment Local Law 2017.