

0.0 LATE ITEM: STANDING ORDERS: AMENDMENT OF TO PROVIDE FOR MEMBERS TO JOIN REMOTELY**File Number:****Report Author:** Acting Chief Executive**Report Authoriser:** Acting Chief Executive**Appendices:** Nil**1. REPORT PURPOSE**

- 1.1. To change Standing Orders to allow for members joining the meeting remotely, to be counted as quorum.

2. EXECUTIVE SUMMARY

- 2.1. Events like COVID-19 and Cyclone Gabrielle resulted in Council members having to join Council meetings remotely. The problem was that S 25A (4) of Schedule 7 of the Local Government Act 2002 specifically provided for any Council member participating remotely, to NOT be counted for purposes of a quorum. This has since been addressed by The Local Government Electoral Legislation Act 2023 which provided for members joining a meeting remotely to be counted as quorum so long as the Standing Orders of Council provides for it. This amendment is set to be repealed on 1 October 2024, so it is prudent to add provision for this in Standing Orders.
- 2.2. It may be that Council may need an on-line meeting which means that the ability to do so beyond 1 October 2024 must be provided for.

3. OFFICER RECOMMENDATION

That Council:

1. Notes the contents of the report.
2. Confirms the need for Council members to, under certain circumstances, join Council meetings remotely and be counted as part of quorum.
3. Council resolves to amend Standing Orders as follows:
 - To, in Clause 11.1. delete the word “*physically*” from parts (a) and (b) of the Clause
 - To, in Clause 13.8 delete the word “*not*” from the Clause.
 - To in Clause 13.9, delete the word “*physically*” from the Clause.
4. Council notes that the change will come into force on 1 September 2024.

4. BACKGROUND

- 4.1. Please refer the information under Executive Summary above. The key requirement for remotely joined members to be able to be counted as quorum is to amend Standing Orders to provide for it. The Clauses in Standing Orders will have to be amended. These are:

Cl. 11.1. Council meetings

The quorum for a meeting of the Council is:

(a) half of the members physically present, where the number of members (including vacancies) is even; and

(b) a majority of the members physically present, where the number of members (including vacancies) is odd.

The recommendation is that the word “physically” be removed from both parts (a) and (b) of the Clause.

Cl. 13.8 Member’s status: quorum

Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.

The recommendation is that the word “not” be deleted from the Clause.

Cl. 13.9

Where a meeting has a quorum, determined by the number physically present, the members attending by electronic link can vote on any matters raised at the meeting.

The recommendation is that the word “physically” be deleted

It should be noted that any change to Standing Orders require a majority vote of 75% of members **present and voting**.

5. SIGNIFICANCE AND ENGAGEMENT

5.1.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	The principle of zoom style meetings has become well accepted.tl
Is there a significant impact arising from duration of the effects from the decision?	Low	N/A
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	Low	N/A
Does the decision create a substantial change in the level of service provided by Council?	Low	N/A
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	Low	N/A
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	Low	N/A
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	Low	N/A

Does the proposal or decision involve Council exiting from or entering into a group of activities?	Low	N/A
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Confirmation of Statutory Compliance

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

- (a) This report contains:
 - (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
 - (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.
- (b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.