



# Te Tai o Poutini PLAN

A combined district plan for the West Coast

## Te Tai o Poutini Plan Committee Meeting Westland District Council and via Zoom

7 August 2024

10.00am

Via zoom

Meeting URL:

<https://wrcr->

[nz.zoom.us/j/82854031262?pwd=6zEOpV4by86KU5ABbehqQIKZNO6pB8.1&from=addon](https://wrcr-nz.zoom.us/j/82854031262?pwd=6zEOpV4by86KU5ABbehqQIKZNO6pB8.1&from=addon)

Meeting ID: 828 5403 1262

Passcode: 147196

### AGENDA

<b>10.00am</b>	Welcome and Apologies	<b>Chair</b>
<b>10.05am</b>	Confirm previous minutes of 19 July 2024 Confirm previous minutes of Emergency Meeting 26 July 2024	<b>Chair</b>
<b>10.10am</b>	Matters arising from previous meeting	<b>Chair</b>
<b>10.20am</b>	Report - Updated Te Tai o Poutini Plan Standing Orders	<b>Project Manager</b>
<b>10.30am</b>	Report – Delegation to hear TTPP Variations 1 and 2	<b>Project Manager</b>
<b>10.40am</b>	Report – Extension Request for Decision on TTPP	<b>Project Manager</b>
<b>10.50am</b>	Report - Financial Statement to 30 June 2024	<b>Project Manager</b>
<b>11.00am</b>	Project Manager Update	<b>Project Manager</b>
<b>11.10am</b>	In Committee Report – 2024-25 Contracts	<b>Project Manager</b>
<b>11.35am</b>	Meeting ends	

### Meeting dates for 2024:

10 October 2024, 9.00 am at Grey District Council



**MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD AT CLOCKTOWER CHAMBERS,  
WESTPORT AT 10.00AM ON 19 JUNE 2024**

**Present**

Mayor J. Cleine (BDC) (Chairman), Mayor T. Gibson (GDC), Cr G. Neylon (BDC), Mayor H. Lash (WDC), Cr B. Cummings (WDC), Cr A. Cassin (WDC), Cr P. Haddock (WCRC) (online), Cr Brett Cummings (WCRC) (online), Kaiwhakahaere P. Madgwick (Makaawhio) (online)

**In attendance**

Simon Pickford (BDC), Scott Baxendale (WDC), D. Lew (WCRC), J. Allen (WCRC), P. Pretorius (GDC), Doug Bray (WCRC), Chu Zhao (WCRC)  
Via Zoom - M. Conland (WCRC), L. Easton (Kereru Consultant on behalf of WCRC), Michael McEnaney (GDC), Max Dickens (WCRC), Brendon McMahon (Media), Vance Boyd (Member of the public)

**Welcome**

**Apologies**

Rex Williams (Chairman), Cr A. Gibson (GDC), F. Tumahai (Ngāti Waewae)

**Moved** (Cr G. Neylon) *That the apologies of Rex Williams, Cr A. Gibson and F. Tumahai be accepted.*

*Carried*

**Confirm minutes of the previous meeting held 29 April 2024**

Mayor T. Gibson asked a question regarding action point 2 on Page 7 of last Minutes: was Minister Hoggard in fact written to?

M. Conland answered that the letter is yet to be drafted.

Mayor J. Cleine suggested bringing it forward as a point to be actioned following this meeting.

**Moved** (Mayor Gibson/ Mayor Lash) *That the minutes of the meeting held 29 April 2024 be confirmed.*

*Carried*

**Report – Amendment to Standing Orders for TTPP Committee**

M. Conland noted that this matter relates to attendance via an audio link or audio-visual link to meet the requirement for a quorum. At the moment Schedule 7 of the Local Government Act (LGA) 2002 provides for attendance at a meeting via an audiovisual link. M. Conland noted that the Standing Orders differ, so the recommendation is to bring the standing orders in line with the LGA. M. Conland noted that an amendment of the LGA is due to come into force on 1<sup>st</sup> October 2024 to continue to allow those attending by audio or audio visual link to be part of the quorum. Therefore, M. Conland suggested that the amendment to the standing orders come into effect on 1<sup>st</sup> of October 2024 which will align with what the LGA will say when it is amended by the Local Government Electoral Legislation Act 2023.

M. Conland noted that there has been an amendment to the template Standing Orders by the Local Government Commission. M. Conland recommended that the Standing Orders be updated to reflect that template. M. Conland noted the recommendation is that the final version of the standing orders be brought back to the next committee meeting for adoption, with the changes to take effect from the 1<sup>st</sup> of October 2024.

Mayor Cleine asked a question in terms of the recommendation: we are talking about the general amendments through the separate attachment, but that doesn't include the suggested changes to 11 and 13 (Page 12), that are embedded in this report. It was generally agreed by the Committee that they were comfortable with the wording of the resolution which refers to the amendments in the attached document, and those in the Committee report, and no further amendments were suggested.

**Moved** (Cr Cassin /Mayor Gibson)

*1. That the Committee receive the report.*

*2. That the Committee agree that the Te Tai o Poutini Committee Standing Orders be amended generally as proposed (additions underlined, deletions struck through) in the attached document and report.*

*3. That a final version of the Te Tai o Poutini Committee Standing Orders be brought back to the next Committee meeting for adoption, with the changes to take effect from 1 October 2024.*

*Carried*

#### **Financial statements to the end of April 2024, and May 2024**

M. Conland noted that we are tracking below the originally budgeted costs, with a favourable variance to the end of May of \$515,658. M. Conland noted that the forecast for Workshops and Events has been increased slightly due to recent invoices for the use of external venues but is still below the originally budgeted amount.

**Moved** (Cr Neylon/ Cr Cassin)

- *The Committee receives the Financial Report.*

*Carried*

## Draft Budget for 2024/2025 and future forecast

M. Conland noted that the budget for the 2024/2025 financial year has been guided by the costs for the 2023/2024 financial year. M. Conland noted the Long-Term Plan (LTP) consultation document included an estimate of income from targeted rates of \$326k, and a budget for costs of \$1.6M. Finance costs as a result of interest payments were estimated at \$139k. The LTP is recommended to be adopted by the West Coast Regional Council on 25 June 2024.

M. Conland noted we are approximately halfway through the hearings, commissioner deliberations and decision writing will continue after hearings. The variations to TTPP will likely go to a hearing during the 2024/2025 financial year. M. Conland noted the costs beyond this time are more uncertain as this largely depends on the number of appeals received on the decision and whether these can be resolved through mediation or whether appeals are likely to proceed to the Environment Court. M. Conland noted that it is anticipated that costs will reduce in subsequent years once the TTPP is operative, but that there will still be costs involved in relation to implementing the plan, and managing plan changes etc.

P. Madgwick noted that to get the true picture of what the costs are going forward, we should be accruing from now. He expected to see it this year in the next budget. P. Madgwick also noted that he thought that the legal costs should be higher than \$50,000 for the 2024/25 financial year.

M. Conland noted that there was an underspend for some of the budget line items.

D. Lew added that the West Coast Regional Council estimated the TTPP process was going to cost 5 million dollars and that is the indicative budget that we are working to. to the costs to fund that have been spread over a 10-year period. He noted that we are only drawing down on this 10 year load as we need it, which is prudent. D. Lew noted that it's not in accrual situation as such, as the loan amount borrowed is just less than what was originally budgeted for. If we've got money in the bank left over from the 5 million dollars, then that will go towards the appeals. D. Lew said we are awaiting feedback from Development West Coast (DWC) in relation to the grant application that has been applied for.

P. Pretorius asked how the shortfall was funded.

M. Conland answered it would be funded by the loan. M. Conland added she is expecting that legal costs in terms of the Environmental Court mediation and appeals would be in the following 2025/26 financial year, starting 1<sup>st</sup> July next year, which is why there's only \$50,000 in the budget for the 2024/25 financial year.

Mayor J. Cleine asked if this budget is included in the WCRC Long-term Plan.

D. Lew explained that the WCRC LTP is going to be adopted next Tuesday (25<sup>th</sup> June), and that the LTP financial project is still working to the figure of a 5 million dollar loan over 10 years. If it's going to be more than that, there is potential to seek other funding sources such as grants. If that doesn't help, then there would be a financial reconsideration by WCRC by the end of next year or the year after.

G. Neylon asked in terms of the \$5M budget, how much it is for legal fees like appeals.



D. Lew said whatever we don't spend of the \$5M, that would be available for the appeals.

P. Haddock noted that there aren't people turning up as expected to the hearings, so it is a bit of an unknown factor.

**Moved** (Mayor Gibson/ Mayor Lash)

*1. The Committee receives the report.*

*2. The Committee approves the budget for the 2024/2025 financial year.*

Carried

#### **Project Manager Update**

M. Conland noted that there have been some large hearings for the Sites and Areas of Significance to Māori (SASM) and also Mineral Extraction Hearing topics. The next hearings are for the Industrial and Commercial Zones topic beginning 1 July and the Open Space Zones topic on 3 July. The next hearings after those will be the Residential Zones and Special Zones topics which will be jointly heard from 16th July. The Rural Zone and Settlement Zone topics will be jointly heard at the end of July.

M. Conland noted that limited notification of the variation to Activities on the Surface of Water Chapter will occur on 27 June, with submissions closing on 26 July 2024, and the Coastal Hazard Mapping variation will also be notified that day, with submissions closing on 16 August 2024. M. Conland noted that the summaries of submissions will be notified in September or October.

M. Conland noted that this is her last TTPP Committee meeting, as she has been offered a role at Greater Wellington Regional Council.

Mayor Cleine on behalf of the committee, thanked M. Conland as the Project Manager role and wished her all the best in her new job at Wellington.

Mayor Gibson thanked M. Conland for her work on the committee, and congratulated her on the new role.

#### **General Business**

Mayor Gibson said some people were finding it hard to navigate the LIDAR mapping. Mayor Gibson asked if it is on the website or is it just hard to find.

M. Conland answered that the information was on the website but that it had been taken down while the coastal hazard mapping variation is prepared, and that the website will be updated in the next week.



L. Easton noted that the mapping for the variation is being finalised and it will be updated to the website at the time of notification of the variation so that people can look at that.

However, regarding the Grey District hazard mapping, L. Easton was not sure whether the Grey Inundation Modelling had been peer reviewed yet. L. Easton said she will follow up with the natural resources analyst at WCRC after the meeting just to make sure that we have that mapping available for people to view on our website.

P. Madgwick noted to the Committee that a person had been emailing a large number of submitters and other parties using racist and unacceptable language in relation to the SASM hearing. He asked what the committee is doing to protect the staff and members of TTPP from this type of thing, and that blocking emails is not the answer.

D. Lew said he had briefed his staff that this person was potentially dangerous, had revisited our procedures around the staff in our organisation, and circulated his photo as there were two people with the same name. He also laid a complaint with the police, who are monitoring the situation and visited this person's property. P. Madgwick noted that they also took measures for the safety of their own staff.

Mayor Cleine moved that the TTPP committee notes, offensive and vitriolic emails and content have been in circulation and confirms this is unacceptable and condemns them in the strongest manner.

Moved (Mayor Cleine /Mayor Lash)

1. *The Committee notes that offensive and vitriolic emails and content from members of the public have been in circulation.*
2. *The Committee confirms that this is unacceptable and strongly condemns this practice.*

*Carried*

Chair Haddock and Mayor Gibson asked about the letter that had been sent on behalf of the Committee in relation to queries about the coastal hazard mapping.

M. Conland noted that to enable a timely response, prior to the variation being notified on 27 June, the letter was emailed out to all committee members prior to this meeting, rather than there being a specific report on this committee agenda. M. Conland noted the advice from Wynn Williams that the relevant coastal hazard provisions (rules) be heard with the coastal hazard mapping variation, rather than these being heard as originally proposed in October.

In terms of the notification of the variation, M. Conland noted that letters are being sent out to all of the submitters that have already submitted on the coastal hazard provisions as well as all of the submitters who are potentially affected by the variation. M. Conland noted that all of those property

owners will thus be given the opportunity to submit on the coastal hazard mapping, including those matters that were raised in the letter to the Committee.

L. Easton noted that other matters raised in the letter in relation to the validity of the mapping had been addressed at the two previous committee meetings and that this had not changed since those meetings.

Mayor Cleine summarized that all of the coastal hazard issues will be addressed together through hearings on the Variation and the plan provisions. He noted that the team will work with the Commissioners to achieve this, and that everything is in line with advice the Committee had already discussed when it decided to accept the report that informed the decision to notify the variation.

M. Conland noted that the variations are to be notified on the 27th of June, with the submissions for the coastal hazard mapping closing on the 16th of August 2024. She commented that is a 6 week submission period which is longer length of time than is normally provided under the RMA for those submissions to be received. This will assist with making sure that everybody has enough time to lodge a submission.

#### Closing comments

D. Lew, on behalf of the WCRC, thanked M. Conland for everything that she has done. He noted that the Committee certainly noticed the professionalism and the confidence that M. Conland has provided in the reports and finances and things that are coming to the table. He expressed his best wishes to M. Conland and for the next part of her career with Greater Wellington Regional Council.

Mayor Cleine thanked those in attendance and those online. The next meeting is on the 7<sup>th</sup> of August at Westland District Council at 10am.

Meeting ended at 11.22am.



**MINUTES OF EMERGENCY MEETING –OF TE TAI O POUTINI PLAN COMMITTEE HELD ONLINE AT 9.00AM ON 26 JULY 2024**

**Present**

Rex Williams (Chairman), Mayor J. Cleine (BDC), Cr G. Neylon (BDC), Cr B. Cummings (WCRC), Cr A. Cassin (WDC), Mayor H. Lash (WDC), Cr P. Haddock (WCRC), Mayor T. Gibson (GDC), Cr A. Gibson (GDC), Paul Madgwick (Makaawhio),

**In attendance**

D. Lew (WCRC), J. Allen (WCRC), Carissa du Plessis (BDC), Simon Pickford (BDC), P. Pretorius (GDC), J. Armstrong (WCRC), Chu Zhao (WCRC), Michael McEnaney (GDC), Laura Mills (Greymouth Star)

**Welcome**

**Approval to extend Variation 2 Coastal Natural Hazard Mapping submission period**

J. Armstrong asked for an extension to the submission period by a couple of weeks, from the 16<sup>th</sup> of August to the 30<sup>th</sup> of August. J. Armstrong noted that the request was made to the chair by Cr Neylon and lots of queries have been received from the public for further clarification about the variation.

**Moved** (Cr G. Neylon / Cr A. Cassin) That TTPP Committee

1. *Receives this report.*
2. *Approves the extension of the Proposed TTPP Variation2 - Coastal Natural Hazards Mapping submissions period from 16 August 2024 to 30 August 2024.*

*Carried*

Mayor J. Cleine acknowledged Jo and the team for facilitating a community meeting next week.

J. Armstrong highlighted the importance of community engagement throughout the whole TTPP process, and she is very pleased to be able to facilitate it.

Cr B. Cummings asked if the commissioners would be able to go down if there's a lot of interest from South Westland.

J. Armstrong answered that the commissioners are not involved in public information meetings, but TTPP and WCRC staff would be happy to run a session in South Westland. An in-person meeting could not however be arrange before October Cr B. Cummings added that holding the community meeting





in October is a good time because it is the whitebait season, and many people will be there, like the bach owners. It would be a very opportune time to meet most of them.

Cr Cassin suggested that an information session be held before submissions on Variation 2 close via Zoom.

J. Armstrong accepted this was a good solution and would welcome any of the councillors and staff from the Westland District Council attendance at the community meeting once organized.

Meeting ended at 9.22am.

Prepared for: Te Tai o Poutini Plan Committee  
Prepared by: Jo Armstrong, Project Manager  
Date: 7 August 2024  
Subject: **Te Tai o Poutini Plan – Amended Standing Orders**

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## **BACKGROUND**

1. At your 19 June 2024 meeting you agreed to tabled amendments being made to Te Tai o Poutini Plan Standing Orders.
2. You approved a recommendation that the amended Standing Orders would be presented at the 7 August 2024 for adoption, to take effect from 1 October 2024.
3. The final version of the Standing Orders are at Appendix 1 to this agenda.

## **DISCUSSION**

4. At your 19 June 2024 meeting a report recommending amendments to your TTPP Standing Orders was presented.
5. Amendments included updating provisions for attendance by electronic link and to Joint Committee quorum requirements.
6. It was also recommended the Committee adopt the revised wording of the updated Local Government New Zealand Standing Orders template, as per an attached document.
7. The following recommendation was moved and carried: *That a final version of the Te Tai o Poutini Committee Standing Orders be brought back to the next Committee meeting for adoption, with the changes to take effect from 1 October 2024.*

## **RECOMMENDATIONS**

1. That the Te Tai o Poutini Plan Standing Orders (attached) be adopted, to take effect from 1 October 2024.

Jo Armstrong  
**Project Manager**

Prepared for: Te Tai o Poutini Plan Committee

Prepared by: Jo Armstrong

Date: 7 August 2024

Subject: **Te Tai o Poutini Plan – Delegation to hear Variations 1 and 2**

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## **BACKGROUND**

1. TTPP Committee approved the notification of Variation 1 - Activities on the Surface of Water, and Variation 2 – Coastal Natural Hazard Mapping at its 29 April 2022 meeting.
2. Both variations were notified on 27 June 2024, and hearings for them have been scheduled for 26 November 2024 (Variation 1 alongside Outstanding Matter) and the week of 18 March 2025 (Variation 2 and Coastal Hazard Rule R38-R46).
3. Delegation for Commissioners to hear these variations is now sought.

## **DISCUSSION**

4. Variation 1 and Variation 2 will both be heard during the period when the Hearing Commissioners will be writing their recommendations, and before your decisions are made on pTTPP.
5. This timing provides an opportunity to have Variation 1 and 2 submissions heard by the current Commissioners who have a detailed understanding of the pTTPP provisions.
6. The Variation 1 hearing will require only one Commissioner, and between three and five Commissioners will be needed for the Variation 2 hearing.
7. All of the Commissioners have indicated that would be willing to hear the submissions for Variation 1 and 2, subject to their availability.
8. At your 29 April 2022 meeting you delegated your Resource Management Act and Order in Council functions for hearing submissions and making recommendations for the Committee to decide on, to the Commissioner. A delegation to hear Variations was not included in your original delegation, necessitating this additional request.
9. RMA section 34A and Clause 10 of the TTPP Order in Council enable you to delegate your power to hear submissions on the pTTPP.
10. The powers you delegate are listed in RMA section 41 and include powers to maintain order, gather evidence and summon witnesses, and also the power under RMA section 42A to request officer's 42A reports.
11. There is no requirement to amend the current Commissioner contracts, as the duration of their service extends from the commencement date until the Hearing's Panel recommendations report is received.

## **RECOMMENDATIONS**

1. That the Committee receives this report
2. Acting under section 34A of the Resource Management Act 1991, and clause 10 of the Local Government Reorganisation Scheme (West Coast Region) Order 2019 Te Tai o Poutini Plan Committee delegates to Dean Chrystal, Anton Becker, Paul Rogers, Sharon McGarry and Maria Bartlett, all functions powers and duties necessary to hear submissions and evidence on Variations 1 and 2 to the proposed Te Tai o Poutini Plan, including the exercise of any powers conferred by RMA sections 41 (a) and 42 (a).

Jo Armstrong

**Project Manager**

Prepared for: Te Tai o Poutini Plan Committee  
Prepared by: Jo Armstrong  
Date: 7 August 2024  
Subject: **Extension Request for Te Tai o Poutini Plan Decision**

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## BACKGROUND

1. Under RMA clause 10(4)(a) of Schedule 1, the Committee must give its decisions on Te Tai o Poutini Plan (TTPP) no later than **2 years after notifying** the TTPP.
2. If an extension is required, **before** this two-year period runs out, the TTPP Committee can apply to the Minister for the Environment for an extension of time for giving a decision under clause 10A of Schedule 1.
3. The TTPP was publicly notified on **14 July 2022**, and as such this request was required, but not sought, by **14 July 2024**.
4. As the deadline for compliance has been missed, if the Committee don't get an extension it will be acting unlawfully.
5. This paper seeks approval for staff to apply to the Minister for the Environment for a 12 month extension for giving your decision on the TTPP.

## DISCUSSION

6. RMA clause 10(4) of Schedule 1 states:  
The local authority must—
  - a. give its decision no later than 2 years after notifying the proposed policy statement or plan under clause 5; and
  - b. publicly notify the decision within the same time.
7. TTPP was publicly notified on **14 July 2022**, therefore, the two year period to give a decision ended on **14 July 2024**.
8. The process for an extension requires the TTPP Committee to make an application to the Minister for the Environment. The application must set out in writing, the reasons for the request for an extension, and the duration of the extension required.
9. Under clause 10A(3), before applying for an extension, the TTPP Committee must take into account:
  - a. The interest of any person who, in its opinion, may be directly affected by an extension; and
  - b. The interests of the community in achieving adequate assessment of the effects of the proposed policy statement or plan or change to a policy statement or plan; and
  - c. its duty under section 21 to avoid unreasonable delay.
10. To meet the clause 10A(3) requirements, reasons for an extension would include that:
  - a. The community is best served by undertaking a robust hearings and decision process;
  - b. The submissions period on the proposed Plan was extended twice, to correct mapping errors and enable further information to be made available to the community;
  - c. Hearings have been underway since late October 2023, and are scheduled to conclude in late March 2025.

11. It is standard practice that councils apply for a 12 month extension if they cannot meet the two year deadline after notification. Twelve months is considered sufficiently long enough to notify your decision, while still avoiding unreasonable delay.
12. This paper seeks approval for staff to apply to the Minister for the Environment for a 12 month extension for giving your decision on the TTPP.
13. Such an extension would expire on 14 July 2025.

## **RECOMMENDATIONS**

1. That the Committee receives this report
2. That the Committee direct and approve staff to prepare an application to the Minister for the Environment for a 12 month extension, to 14 July 2025, for giving a decision on the TTPP.

Jo Armstrong

**Project Manager**

Prepared for: Te Tai o Poutini Plan Committee

Prepared by: Jo Armstrong, Project Manager

Date: 7 August 2024

Subject: **June 2024 Financial Report**

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### *SUMMARY*

This report includes the statement of financial performance to 30 June 2024.

### *RECOMMENDATION*

1. That the Committee receive the report

### REPORT

1. Expenditure remains tracking well below the budget, although the favourable variance has reduced slightly from that reported in May, with a favourable variance to the end of the 2023/24 financial year of \$393,105.
2. As reported previously, the deficit in the budget line for Pokeka Poutini Ngāi Tahu Limited is offset against lower costs for other budget items. A higher allowance for their input is proposed for the 2024/25 year. The Pokeka Poutini Ngai Tahu contract is to secure the ongoing detailed and valuable input from them for the remaining hearing topics s42A reports. They will also prepare and provide more information on the SASM in Schedule 3 that were not submitted on and combine all SASM information into one report. This is crucial work for TTPP.
3. The savings under Employee Costs are because we held a Senior Planner vacancy for part of the year.
4. The Legal costs were not as high as anticipated this financial year, as the legal team only attended one hearing. The need for legal support is expected to increase during the appeals/mediation phase in 2025.
5. The underspend for Hearing Commissioners is largely due to some smaller hearings having fewer Commissioners serving on the panel.
6. One large and one small invoice have been accrued for payment next month against the Consultant Planners and Contractors item. The actual figure for the financial year for this item will still show a favourable variance of approximately \$75,000.
7. The full year forecast has been updated to reflect the full budget set for the 2023/24 financial year.
8. The accumulated deficit (or borrowing requirement) at the end of the period is \$1,783,330.



## Te Tai o Poutini Plan

<b>Statement of Financial Performance to June 2024</b>						
	<b>Year to date</b>			<b>Full year</b>		
	<b>Actual</b>	<b>Budget</b>	<b>Variance</b>	<b>Forecast</b>	<b>Budget</b>	<b>Variance</b>
<b>INCOME</b>						
Targeted Rates	1,000,000	1,000,000	-	1,000,000	1,000,000	-
<b>Total Income</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>-</b>	<b>1,000,000</b>	<b>1,000,000</b>	<b>-</b>
<b>EXPENDITURE</b>						
Employee costs	203,673	283,957	80,284	283,957	283,957	-
Consultant Planners and Contractors	635,950	730,000	94,050	730,000	730,000	-
Chair and iwi representatives	60,000	65,000	5,000	65,000	65,000	-
Governance	845	1,610	765	1,610	1,610	-
Poutini Ngai Tahu	39,496	15,000	(24,496)	15,000	15,000	-
TTPP Website	5,354	8,000	2,646	8,000	8,000	-
Isovist e-plan Platform	7,463	20,001	12,539	20,001	20,001	-
Meals, Travel & Accom	80,906	85,251	4,345	85,251	85,251	-
Workshops & Events	10,099	15,000	4,901	15,000	15,000	-
Media Costs	6,494	40,000	33,506	40,000	40,000	-
Legal Advice	100,854	200,000	99,146	200,000	200,000	-
Hearings – commissioner fees	419,581	500,000	80,419	500,000	500,000	-
Overhead costs	150,000	150,000	-	150,000	150,000	-
<b>Total Cost</b>	<b>1,720,713</b>	<b>2,113,819</b>	<b>393,105</b>	<b>2,113,819</b>	<b>2,113,819</b>	<b>-</b>
<b>Net Surplus / (Deficit)</b>	<b>(720,713)</b>	<b>(1,113,819)</b>	<b>393,105</b>	<b>(1,113,819)</b>	<b>(1,113,819)</b>	<b>-</b>
<b>Accumulated deficit / borrowing requirement</b>						
Start of year	1,062,617			1,062,617		
During period	720,713			1,113,819		
<b>End of period</b>	<b>1,783,330</b>			<b>2,176,436</b>		





**Te Tai o Poutini**

**PLAN**

*A combined district plan for the West Coast*

# Project Manager Update

**1 July 2024 – 31 July 2024**

**Prepared By: Jo Armstrong**  
**Date Prepared: 31 July 2024**

## *Accomplishments this Period*

- The hydrodynamic modelling showing updated Greymouth coastal hazard mapping is available on the TTPP website under the Technical Reports Tab here: [WCRC TTPP Coastal Hazards Variation Map \(Greymouth Update 2024\) \(arcgis.com\)](#)
- Section 42a reports for Ecosystems and Biodiversity, Noise and Signs have been commented on by the TAT, finalised and sent to submitters six weeks ahead of the scheduled hearings in late August and early September.
- Zoning has been the focus of three weeks of hearings during July
  - Industrial and Commercial Zones on 1 and 2 July with five submitters speaking.
  - Open Space Zone on 3 and 4 July. Eight submitters spoke to this topic.
  - Residential and Special Purpose Zones 16 and 17 July. Fourteen submitters spoke either in person or remotely via electronic means.
  - Rural Zones on 29 and 30 July followed by two days in Hokitika on 1 and 2 August. Eleven submitters spoke at the Westport session of the hearing.
- The next hearing topics are as follows:
  - A continuation of the Rural zone hearings on 1 and 2 August 2024 at Greymouth, and
  - Ecosystems and indigenous Biodiversity on 26 and 27 August 2024 at Westport's NBS Theatre, continuing on 29 and 30 August 2024 at the RSA in Hokitika.
- The Commissioners continue to undertake site visits to inform their recommendations reports to the Committee. Sites in Buller were visited on 30 July and in Grey and Westland on 31 July.
- The Hearings Chair issued Minute 33 on 18 July 2024. The Minute explained that coastal hazard rules will no longer be heard with the other natural rules in October. These rules will now be held along with Variation 2 – Coastal Natural Hazard Mapping in the week of 18 March 2025. Other small changes were made to the timing of the Outstanding Matters, now scheduled for 26 November 2024. The TTPP website has been updated to reflect these changes and the full content of Minute 33 can be found here: [TTPP-Minute-33-Updated-hearing-timetable-August-November-2024.pdf](#)

- Further zoning information was sought from submitters in Minute 34 on 22 July 2024. [TTPP-Minute-34-Residential-21-July-2024.pdf](#)
- Proposed Variation 1 to the TTPP: Commercial Activities on the Surface of Water (the 'Ports Variation') was notified to affected parties only on 27 June with a standard 20 working day submission period which closed on 26 July 2024. Four submissions were received.
- Proposed Variation 2 to the TTPP: Coastal Natural Hazards Mapping was notified on 27 June 2024, with an extended submission period to 16 August 2024. An emergency meeting of the TTPP Committee was held on 26 July 2024 to consider extending the submission period by two weeks. A decision was made to extend the Submission period for Variation 2 to 5pm 30 August 2024.
- Queries about Variations 1 and 2 have been received at the TTPP info. email address and more detailed information provided to requesters.
- TTPP and WCRC staff held a public information session on Variation 2 in Westport on 30 July 2024, in response to public calls for further information.
- An update about the hearings has been provided for a report to the West Coast Regional Council Resource Management Committee.

#### Plans for Next Period

- Hold an Extraordinary Committee meeting in response to a Committee request
- Arrange a public information session on Variation 2 for South Westland
- Summarise Variation 1 – Activities on the Surface of Water submissions
- Complete technical contracts process
- Prepare for ongoing hearings
- Take submissions on Variation 2 – Coastal Natural Hazard Mapping
- Update WCRC Resource Management Committee

#### Key Issues, Risks & Concerns

Item	Action/Resolution	Responsible	Completion Date
Decision makers can't agree	Get agreement on pieces of work prior to plan completion	Chairman	Ongoing
Budget insufficient for timely plan delivery	Work with TTPPC to recommend budget, and with WCRC to raise rate to achieve deliverables	Project Manager TTPP Committee CE WCRC	Annually Jan/Feb
Changes to national legislation	Planning team keep selves, Committee and Community updated on changes to legislation and the implications for TTPP	Project Manager Planning Team	Ongoing
Staff safety at public consultation	Committee members to proactively address & redirect aggressive behavior towards staff	TTPP Committee	Ongoing
National emergencies such as Covid-19 lock down and weather events	Staff and Committee ensure personal safety and continue to work remotely as able. Work with contractors to expedite work.	Project Manager TTPP Committee	Ongoing



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Item	Action/Resolution	Responsible	Completion Date
Time and Cost of Appeals Process	A realistic budget was set for best case costs. Awareness that contentious issues such as SNAs, natural hazards, mineral extraction and landscape provisions could see an extended appeals process, increasing costs to reach operative plan status	TTPP Committee TTPP Steering Group Project Manager	Ongoing
Community concerns over proposed Plan content	Respond to queries by phone, email and public meetings. Update information.	TTPP Committee Project Manager	Ongoing

## Status

### Overall

Schedule	Some delays under discussion
Resources	Future budgets required to cover hearings and mediation
Scope	Schedule 1 processes leading to updates to Plan to achieve operative status

## Schedule

Stage	Target for Completion	Comments
Hearings for Te Tai o Poutini Plan	March 2025	Coastal hazard rules to be heard 18 March with Variation 2 Coastal Natural Hazard Mapping
Submissions close for Variation 2 Coastal Hazard Mapping	30 August 2024	Further submissions likely to be notified in September/October
Submissions close for Variation 1 Activities on the Surface of Water	26 July 2024	Further submissions likely to be notified in August/September
Decisions Te Tai o Poutini Plan	2025	Indicative time only
Ongoing Decision Making for TTPP	2025 onward	TTPPC is a permanent Committee. Once the Plan is adopted the ongoing Committee role includes monitoring implementation and the need for any amendments, undertaking amendments and reviews, or ensuring these are undertaken, as required.
Appeals and Mediation Te Tai o Poutini Plan	From mid-2025	Indicative time only. Any parts of the Plan not appealed are operative from the end of the Appeal Period.
Environment or High Court	2025 onward	Indicative time only.



# Te Tai o Poutini PLAN

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# Appendix 1

## Standing Orders

LGNZ Template

## **Preface**

Standing orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner.

In doing so the application of standing orders contributes to greater public confidence in the quality of local governance and democracy in general.

These standing orders have been designed specifically for local authorities, their committees, subcommittees and subordinate decision-making bodies. They fulfil, with regard to the conduct of meetings, the requirements of the Local Government Act 2002 (LGA 2002) and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Although it is mandatory that local authorities adopt standing order for the conduct of their meetings, it is not necessary that they are adopted every triennium. However, LGNZ recommends that every council, committee and subordinate body review their standing orders within at least their first six months following an election, to ensure that they fully meet the need for effective and inclusive meetings (see LGA 2002, cl. 27, Schedule 7).

For clarity's sake whenever a question about the interpretation or application of these standing orders is raised, particularly where a matter might not be directly provided for, it is the responsibility of the chairperson of each meeting to make a ruling.

All members of a local authority must abide by standing orders.



LGNZ has made every reasonable effort to provide accurate information in this document, however it is not advice and we do not accept any responsibility for actions taken that may be based on reading it.



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## 1. Introduction

These standing orders have been prepared to enable the orderly conduct of local authority meetings. They incorporate the legislative provisions relating to meetings, decision making and transparency. They also include practical guidance on how meetings should operate so that statutory provisions are complied with and the spirit of the legislation fulfilled.

To assist elected members and officials the document is structured in three parts:

- Part 1 deals with general matters.
- Part 2 deals with pre-meeting procedures.
- Part 3 deals with meeting procedures.

The Appendices, which follows Part 3, provides templates and additional guidance for implementing provisions within the standing orders. Please note, the Appendix is an attachment to the standing orders and not part of the standing orders themselves, consequently amendments to the Appendix do not require the agreement of 75% of those present. In addition, the 'Guide to Standing Orders' provides additional advice on the application of the standing orders and is not part of the standing orders.

### 1.1 Principles

Standing orders are part of the framework of processes and procedures designed to ensure that our system of local democracy and in particular decision-making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which include that a local authority should:

- Conduct its business in an open, transparent and democratically accountable manner;
- Give effect to its identified priorities and desired outcomes in an efficient and effective manner;
- Make itself aware of, and have regard to, the views of all of its communities;
- Take account, when making decisions, of the diversity of the community, its interests and the interests of future communities as well;
- Ensure that any decisions made under these standing orders comply with the decision-making provisions of Part 6 of the LGA; and
- Ensure that decision-making procedures and practices meet the standards of natural justice.

These principles are reinforced by the requirement that all local authorities act so that “governance structures and processes are effective, open and transparent” (s. 39 LGA 2002).

## 1.2 Statutory references

The Standing Orders consist of statutory provisions about meetings along with guidance on how those provisions should be applied in practice. Where a statutory provision has been augmented with advice on how it might be implemented the advice (so as not to confuse it with the statutory obligation) is placed below the relevant legislative reference. In some cases, the language in the statutory provision has been modernised for ease of interpretation or amended to ensure consistency with more recently enacted statutes.

It is important to note that statutory references in the standing orders apply throughout the period of a meeting, regardless of whether or not parts or all of the Standing Orders have been suspended. These provisions must also be carried through into any amendment of the standing orders that might be made. Please note, where it is employed the word 'must', unless otherwise stated, identifies a mandatory legislative requirement.

## 1.3 Acronyms

LGA 2002      Local Government Act 2002

LGOIMA      Local Government Official Information and Meetings Act 1987

LAMIA      Local Authorities (Members' Interests) Act 1968

## 1.4 Application

For the removal of any doubt these standing orders do not apply to workshops or meetings of working parties and advisory groups unless specifically included in their terms of reference.

## 2. **Definitions**

**Adjournment** means a break in the proceedings of a meeting. A meeting, or discussion on a particular business item, may be adjourned for a brief period, or to another date and time.

**Advisory group** means a group of people convened by a local authority for the purpose of providing advice or information that is not a committee or subcommittee. These standing orders do not apply to such groups. This definition also applies to workshops, working parties, working group, panels, forums, portfolio groups, briefings and other similar bodies.

**Agenda** means the list of items for consideration at a meeting together with reports and other attachments relating to those items in the order in which they will be considered. It is also referred to as an 'order paper'.

**Amendment** means any change of proposed change to the original or substantive motion.

**Appointed member** means a member of a committee, or subsidiary organisation of a council, who is not elected.

**Audio link** means facilities that enable audio communication between participants at a meeting where one or more of the participants is not physically present at the place of the meeting.

**Audiovisual link** means facilities that enable audiovisual communication between participants at a meeting when one or more of them is not physically present at the place of the meeting.

**Chairperson** means the person in a position of authority in a meeting or other gathering, also known as the presiding member.

**Chief executive** means the chief executive of a regional council appointed under section 42 of the LGA 2002, and includes, for the purposes of these standing orders, any other officer authorized by the chief executive.

**Clear working days** means the number of working days (business hours) prescribed in these standing orders for giving notice and excludes the date of the meeting and date on which the notice is served.

**Committee** includes, in relation to a local authority:

- (a) A committee comprising all the members of that authority;
- (b) A standing committee or special committee appointed by that authority;
- (c) A joint committee appointed under clause 30A of Schedule 7 of the LGA 2002; and
- (d) Any subcommittee of a committee described in (a), (b) and (c) of this definition.

**Conflict of Interest** means any pecuniary interest and any interest arising because of that person's position as a trustee, director, officer, employee or member of another body or because of any personal non-pecuniary interest, such as pre-determination or bias.

**Contempt** means being disobedient to, or disrespectful of, the chair of a meeting, or disrespectful to any members, officers or the public.

**Council** means, in the context of these standing orders, the governing body of a local authority.

**Debate** means discussion by members that occurs once a motion has been moved/seconded

**Deputation** means a request from any person or group to make a presentation to the local authority which is approved by the Chairperson and which may be made in English, te reo Māori or New Zealand Sign Language.

**Division** means a formal vote at a Council, committee or subcommittee meeting whereby the names of those members present, including the mayor/chair, are formally recorded as voting either for or against. This includes a vote where the names and votes are recorded electronically.



**Electronic link** means both an audio and audiovisual link.

**Emergency meeting** has the same meaning as defined in cl. 22A of Schedule 7 of the LGA 2002.

**Extraordinary meeting** has the same meaning as defined in cl. 22 of Schedule 7 of the LGA 2002.

**Foreshadowed motion** means a motion that a member indicates their intention to move once the debate on a current motion or amendment is concluded.

**Internet site** means, in relation to a local authority or other person or entity, an Internet site that is maintained by, or on behalf of, the local authority, person, or entity and to which the public has free access.

**Item** means a substantive matter for discussion at a meeting.

**Leave of the meeting** means agreement without a single member present dissenting.

**Joint committee** means a committee in which the members are appointed by more than one local authority in accordance with clause 30A of Schedule 7 of the LGA 2002.

**Karakia timatanga** means an opening prayer.

**Karakia whakamutunga** means a closing prayer.

**Lawfully excluded** means a member of a local authority who has been removed from a meeting due to behaviour that a Chairperson has ruled to be contempt.

**Leave of absence** means a pre-approved absence for a specified period of time consistent with the council policy should one be in place.

**Local authority** means in the context of these standing orders a regional council, as defined in s. 5 of the LGA 2002, which is named in these standing orders, and any subordinate decision-making bodies established by the local authority.

**Meeting** means any first, inaugural, ordinary, extraordinary, or emergency meeting of a local authority, subordinate decision-making bodies of the local authority convened under the provisions of LGOIMA.

**Member** means any person elected or appointed to the local authority.

**Member of the Police** means a Constable of the New Zealand Police within the definition of s.4 of the Policing Act 2008.

**Mihi whakatau** means a brief welcome typically delivered by one person without any further formalities.

**Minutes** means the record of the proceedings of any meeting of the local authority.

**Motion** means a formal proposal to a meeting.

**Mover** means the member who initiates a motion.

**Newspaper** means a periodical publication published (whether in New Zealand or elsewhere) at intervals not exceeding 40 days, or any copy of, or part of any copy of, any such publications; and this includes every publication that at any time accompanies and is distributed along with any newspaper.

**Notice of motion** means a motion given in writing by a member in advance of a meeting in accordance with, and as provided for, in these standing orders.

**Officer** means any person employed by the council either full or part time, on a permanent or casual or contract basis.

**Pecuniary Interest** includes any interest described in sections 3 and 6 of the Local Authorities (Members Interests) Act 1968.

**Open voting** means voting that is conducted openly and in a transparent manner (i.e. enables an observer to identify how a member has voted on an issue) and may be conducted by electronic means. The result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

**Order paper** means the list of items for consideration at a meeting together with reports and other attachments relating to those items set out in the order in which they will be considered. An order paper is also referred to as an agenda.

**Ordinary meeting** means any meeting, other than the first meeting, of a local authority publicly notified in accordance with sections 46(1) and (2) of LGOIMA.

**Petition** means a request to a local authority which contains at least 20 signatures.

**Powhiri** means a formal welcome involving a Karanga from the Tangata Whenua (the home people) followed by formal speech making. A Powhiri is generally used for formal occasions of the highest significance.

**Present at the meeting to constitute quorum** means the member is to be physically present in the room.

**Presiding member** means the chairperson.

**Procedural motion** means a motion that is used to control the way in which a motion or the meeting is managed as specified in standing orders 24.1 – 24.7.

**Public excluded information** refers to information which is currently before a public excluded session, is proposed to be considered at a public excluded session, or had previously been

considered at a public excluded session and not yet been released as publicly available information. It includes:

- Any minutes (or portions of minutes) of public excluded sessions which have not been subsequently released by the local authority; and
- Any other information which has not been released by the local authority as publicly available information.

**Public excluded session**, also referred to as confidential or in-committee session, refers to those meetings or parts of meetings from which the public is excluded by the local authority as provided for in LGOIMA.

**Public forum** refers to a period set aside usually at the start of a meeting for the purpose of public input.

**Public notice** means one that is made publicly available, until any opportunity for review or appeal in relation to the matter notified has lapsed, on the local authority's website. And in addition, is published in at least one daily newspaper circulating in the region or district of the local authority, or one or more other newspapers that have a combined circulation in that region or district which is at least equivalent to that of a daily newspaper circulating in that region or district.

**Publicly notified** means notified to members of the public by a notice contained in a newspaper circulating in the district of the local authority, or where there is no such newspaper, by notice displayed in a public place. The notice may also be replicated on a council's website.

**Qualified privilege** means the privilege conferred on member by s. 52 and s. 53 of LGOIMA.

**Quasi-judicial** means a meeting involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and/or the application of legal principles.

**Quorum** means the minimum number of members required to be present in order to constitute a valid meeting.

**Regional council chairperson** means the member of the governing body of a regional council elected as chairperson of that regional council under cl.25 Schedule 7 LGA 2002.

**Resolution** means a motion that has been adopted by the meeting.

**Right of reply** means the right of the mover of a motion to reply to those who have spoken to the motion. (The right does not apply to an amendment).

**Secunder** means the member who seconds a motion or amendment.

**Sub judice** means under judicial consideration and therefore prohibited from public discussion elsewhere.

**Subordinate decision-making body** means committees, subcommittees, and any other bodies established by a local authority that have decision-making authority, but not joint committees.

**Substantive motion** means the original motion. In the case of a motion that is subject to an amendment, the substantive motion is the original motion incorporating any amendments adopted by the meeting.

**Substantive resolution** means the substantive motion that has been adopted by the meeting or a restatement of a resolution that has been voted on in parts.

**Subcommittee means** a subordinate decision-making body established by a council, or a committee of a council. See definition of “Committee”.

**Working day** means a day of the week other than:

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign’s birthday, Matariki, and Waitangi Day. If Waitangi Day or Anzac Day falls on a Saturday or a Sunday, then the following Monday;
- (b) The day observed in the appropriate area as the anniversary of the province of which the area forms a part; and
- (c) A day in the period commencing with 20 December in any year and ending with 10 January in the following year.

Should a local authority wish to meet between the 20<sup>th</sup> of December and the 10<sup>th</sup> of January of the following year any meeting must be notified as an extraordinary meeting, unless there is sufficient time to notify an ordinary meeting before the commencement of the period.

**Working party** means a group set up by a local authority to achieve a specific objective that is not a committee or subcommittee and to which these standing orders do not apply.

**Workshop** means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these standing orders will not apply, unless required by the local authority. Workshops may include non-elected members. Workshops may also be described as briefings.



## General matters

### 3. Standing orders

#### 3.1 Obligation to adopt standing orders

A council is required to operate in accordance with standing orders for the conduct of its meetings and the meetings of its committees and subcommittees. Standing orders must not contravene any Act.

*cl. 27(1) & (2), Schedule 7, LGA 2002.*

#### 3.2 Process for adoption and alteration of standing orders

The adoption of standing orders and any amendment to standing orders must be made by the Council and by a vote of not less than 75% of the members present.

*cl. 27(3) Schedule 7, LGA 2002.*

#### 3.3 Members must obey standing orders

All members of the local authority, including members of committees and subcommittees, must obey these standing orders.

*cl. 16(1) Schedule 7, LGA 2002.*

#### 3.4 Application of standing orders

These standing orders apply to all meetings of the local authority, its committees, subcommittees and subordinate decision-making bodies. This includes meetings and parts of meetings that the public are excluded from.

#### 3.5 Temporary suspension of standing orders

Any member of a council, committee, subcommittee, and subordinate body may move a motion to suspend specified standing orders at a meeting of which they are a member. Any such motion must also include the reason for the suspension. If seconded, the chairperson must put the motion without debate and at least 75 per cent of the members present and voting must support the motion for it to be carried.

*cl. 27(4), Schedule 7, LGA 2002.*

A motion to suspend Standing Orders may be taken before or during a debate. The motion to suspend Standing Orders must also identify the specific Standing Orders to be suspended. Please Note: in the event of suspension, those Standing Orders prescribed in statute will continue to apply, such as the quorum requirements.



### **3.6**     Quasi-judicial proceedings

For quasi-judicial proceedings the local authority may amend meeting procedures. For example, committees hearing applications under the RMA 1991 have additional powers under the Commissions of Inquiry Act 1908.

### **3.7**     Physical address of members

Every member of a local authority must give to the chief executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or delivered. Members are to provide their address within 5 working days of the publication of the declaration of the election results. Public access to those addresses is subject to the Privacy Act.

## **4.       Meetings**

### **4.1**     Legal requirement to hold meetings

The local authority must hold meetings for the good government of its city, district or region. Meetings must be called and conducted in accordance with:

- (a)   Schedule 7 of the LGA 2002;
- (b)   Part 7 of LGOIMA; and
- (c)   These standing orders.

A meeting can be adjourned to a specified time and day if required by resolution of the meeting.

### **4.2**     Meeting duration

A meeting cannot continue more than six hours from when it starts (including any adjournments) or after 10.30pm, unless the meeting resolves to continue. If there is no such resolution, then any business on the agenda that has not been dealt with must be adjourned, transferred to the next meeting, or transferred to an extraordinary meeting.

No meeting can sit for more than two hours continuously without a break of at least ten minutes unless the meeting resolves to extend the time before a break.

### **4.3**     Language

A member may address a meeting in English, te reo Māori or New Zealand Sign Language. A chairperson may require that a speech is translated and printed in English or te reo Māori.

If a member intends to address the meeting in New Zealand Sign Language, or in te reo Māori, when the normal business of the meeting is conducted in English, they must give prior notice to the chairperson not less than 2 working days before the meeting.

Where the normal business of the meeting is conducted in te reo Māori then prior notice of the intention to address the meeting in English must also be given to the chairperson not less than 2 working days before the meeting.

#### **4.4**     Webcasting meetings

Webcast meetings should be provided in accordance with the protocols contained in Appendix 7.

#### **4.5**     First meeting (inaugural)

The first meeting of a local authority, following a local authority triennial general election, must be called by the chief executive as soon as practicable after the results of the election are known. The chief executive must give elected members not less than 7 days' notice of the meeting. However in the event of an emergency the chief executive may give notice of the meeting as soon as practicable.

*cl. 21(1) - (4), Schedule 7, LGA 2002.*

#### **4.6**     Requirements for the first meeting

The chief executive (or, in the absence of the chief executive, their nominee) must chair the first meeting until the chairperson has made an oral declaration and attested the declaration (see cl. 21(4), Schedule 7 (LGA 2002)).

The business to be conducted at the first meeting following a general election must include the following:

- (a) The making and attesting of the declarations required of members under cl.14, Schedule7, (LGA 2002);
- (b) The election of the chairperson (if any) and the making and attesting of the declaration required of the chairperson under cl. 14 Schedule7, (LGA 2002);
- (c) A general explanation, given or arranged by the chief executive, of:
  - i. LGOIMA; and
  - ii. Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
- (d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- (e) The election of the deputy chairperson in accordance with cl.17 Schedule7, (LGA 2002).

*cl. 21(5), Schedule 7, LGA 2002.*

Note: Councils must adopt standing orders, however they do not need to be adopted every three years. Councils are encouraged to review their existing standing orders early in their term to ensure that the settings are appropriate for their needs.

## 5. **Appointments and elections**

### 5.1 Voting system for chairs, deputies, and committee chairs

When electing a regional council chair, a deputy chair or a committee chair, the local authority must resolve to use one of the following two voting systems.

#### **System A**

The candidate will be elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee who are present and voting. This system has the following characteristics:

- (a) There is a first round of voting for all candidates;
- (b) If no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (c) If no candidate is successful in the second round, there is a third round, and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.

In any round of voting, if two or more candidates tie for the lowest number of votes, the person to be excluded from the next round is resolved by lot.

#### **System B**

The candidate will be elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:

- (a) There is only one round of voting; and
- (b) If two or more candidates tie for the most votes, the tie is resolved by lot.

*cl. 25 Schedule 7, LGA 2002.*

## 6. **Delegations**

**Please note:** Councils are advised to ensure that their chief executive is given sufficient delegated decision-making powers to cover the period from the day following the Electoral Office's declaration



after an election until the new council is sworn in. See the LGNZ Guide to Standing Orders for further information.

### **6.1** Limits on delegations

Unless clearly stated in the LGA 2002 or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, member, or officer of the local authority, any of its responsibilities, duties, or powers except:

- (a) The power to make a rate;
- (b) The power to make a bylaw;
- (c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
- (d) The power to adopt a long-term plan, annual plan, or annual report;
- (e) The power to appoint a chief executive;
- (f) The power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement;
- (g) *Repealed*; and
- (h) The power to adopt a remuneration and employment policy.

*cl. 32 (1) Schedule 7, LGA 2002.*

### **6.2** Committees may delegate

A committee, subcommittee, subordinate decision-making body, member, or officer of the local authority, may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the body that made the original delegation.

*cl. (2) & (3), Schedule 7, LGA 2002.*

### **6.3** Use of delegated powers

The committee, subcommittee, other subordinate decision-making body, member, or officer of the local authority to which or to whom any responsibilities, powers, duties are delegated may, without confirmation by the council, committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.

*cl. 32(2) & (3)(4) Schedule 7, LGA 2002.*

#### **6.4** Decisions made under delegated authority cannot be rescinded or amended

Nothing in these standing orders allows a council, committee and subcommittee to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation authorising the making of that decision.

*cl. 30 (6), Schedule 7, LGA 2002.*

#### **6.5** Committees and sub committees subject to the direction of the local authority

A committee, subcommittee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given to them.

*cl. 30 (3) & (4), Schedule 7, LGA 2002.*

### **7. Committees**

#### **7.1** Appointment of committees and subcommittees

A council may appoint the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate. A committee may appoint the subcommittees that it considers appropriate, unless it is prohibited from doing so by the council.

*cl. 30(1) & (2), Schedule 7, LGA 2002.*

#### **7.2** Discharge or reconstitution of committees and subcommittees

Unless expressly provided otherwise in legislation or regulation:

- (a) A local authority may discharge or reconstitute a committee or subcommittee, or other subordinate decision-making body; and
- (b) A committee may discharge or reconstitute a subcommittee.

A committee, subcommittee, or other subordinate decision-making body is, unless a council resolves otherwise, discharged when members elected at a subsequent triennial general election come into office.

*cl. 30 (5) & (7), Schedule 7, LGA 2002.*

**Please note:** s.12 (2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election. The same is true for District Licensing Committees (see the LGNZ Guide to Standing Orders).

### **7.3** Appointment or discharge of committee members and subcommittee members

A council may appoint or discharge any member of a committee and, if established by the council, a subcommittee. A committee may appoint or discharge any member of a subcommittee appointed by the committee unless directed otherwise by the council.

*cl. 31 (1) & (2), Schedule 7, LGA 2002.*

### **7.4** Elected members on committees and subcommittees

The members of a committee or subcommittee may be, but are not required to be, elected members of a local authority. A council or committee may appoint a person who is not a member of the local authority to a committee or subcommittee if, in the opinion of the council or committee, the person has the skills, attributes or knowledge to assist the committee or subcommittee.

At least one member of a committee must be an elected member of the council. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

*cl. 31(4) Schedule 7, LGA 2002.*

### **7.5** Local authority may replace members if committee not discharged

If a local authority resolves that a committee, subcommittee or other subordinate decision-making body is not to be discharged under cl. 30 (7) Schedule 7, LGA 2002, the local authority may replace the members of that committee, subcommittee or subordinate decision-making body after the next triennial general election of members.

*cl. 31(5) Schedule 7, LGA 2002.*

### **7.6** Decision not invalid despite irregularity in membership

For the purpose of these standing orders, a decision of a local authority or committee is not invalidated if:

1. There is a vacancy in the membership of the local authority or committee at the time of the decision; or
2. Following the decision some defect in the election or appointment process is discovered and/or that the membership of a person on the committee at the time is found to have been ineligible.

*cl. 29, Schedule 7, LGA 2002.*

### **7.7** Appointment of joint committees

A local authority may appoint a joint committee with another local authority or other public body if it has reached agreement with each local authority or public body. The agreement must specify:



- (a) The number of members each party may appoint;
- (b) How the chairperson and deputy chairperson are to be appointed;
- (c) The terms of reference of the committee;
- (d) What responsibilities, if any, are to be delegated to the committee by each party; and
- (e) How the agreement may be varied.

The agreement may also specify any other matter relating to the appointment, operation, or responsibilities of the committee agreed by the parties.

*cl. 30A (1) & (2), Schedule 7, LGA 2002.*

#### **7.8**     Status of joint committees

A joint committee is deemed to be both a committee of a council and a committee of each other participating local authority or public body.

*cl. 30A (5), Schedule 7, LGA 2002.*

#### **7.9**     Power to appoint or discharge individual members of a joint committee

The power to discharge any individual member of a joint committee and appoint another member in their stead must be exercised by the council or public body that made the appointment.

*cl. 30A (6)(a), Schedule 7, LGA 2002.*



## Pre-meeting

### 8. Giving notice

#### 8.1 Public notice – ordinary meetings

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of the current month, together with the dates, the times and places on and at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification may be given not more than 10 nor less than 5 working days before the day on which the meeting is to be held. (See the LGNZ Guide to Standing Orders for more information).

*s. 46, LGOIMA.*

#### 8.2 Notice to members - ordinary meetings

The chief executive must give notice in writing to each member of the local authority of the date, time and place of any meeting. Notice must be given at least 14 days before the meeting unless the council has adopted a schedule of meetings, in which case notice must be given at least 14 days before the first meeting on the schedule.

*cl. 19 (5), Schedule 7, LGA 2002.*

#### 8.3 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

- (a) Resolution of the council, or
- (b) A requisition in writing delivered to the chief executive which is signed by:
  - i. The Chairperson; or
  - ii. Not less than one third of the total membership of the council (including vacancies).

*cl. 22 (1) Schedule 7, LGA 2002.*

#### 8.4 Notice to members - extraordinary meetings

The chief executive must give notice, in writing, of the time and place of an extraordinary meeting called under the standing order 8.3, as well as the general nature of business to be considered, to each member of the council at least 3 working days before the day appointed for the meeting. If the meeting is called by a resolution then notice must be provided within such lesser period as is specified in the resolution, as long as it is not less than 24 hours.

*cl. 22 (3), Schedule 7, LGA 2002.*



#### 8.5 Emergency meetings may be called

If the business a council needs to deal with requires a meeting to be held at a time earlier than is allowed by the notice requirements for holding an extraordinary meeting and it is not practicable to call the meeting by resolution, an emergency meeting may be called by:

- (a) The Chairperson; or
- (b) If the Chairperson is unavailable, the chief executive.

*cl. 22A(1), Schedule 7 LGA 2002.*

#### 8.6 Process for calling an emergency meeting

The notice of the time and place of an emergency meeting, and of the matters in respect of which the emergency meeting is being called, must be given by the person calling the meeting or by another person on that person's behalf.

The notice must be given, by whatever means is reasonable in the circumstances, to each member of the local authority, and to the chief executive, at least 24 hours before the time appointed for the meeting.

*cl. 22A (2), Schedule 7 LGA 2002.*

#### 8.7 Public notice – emergency and extraordinary meetings

Where an emergency or extraordinary meeting of a local authority is called but the notice of the meeting is inconsistent with these standing orders, due to the manner in which it was called, the local authority must cause that meeting and the general nature of business to be transacted at that meeting:

- (a) To be publicly notified as soon as practicable before the meeting is to be held; or
- (b) If it is not practicable to publish a notice in newspapers before the meeting, to be notified as soon as practicable on the local authority's website and in any other manner that is reasonable in the circumstances.

*s. 46 (3) LGOIMA.*

#### 8.8 Meetings not invalid

The failure to notify a public meeting under these standing orders does not of itself make that meeting invalid. However, where a local authority becomes aware that a meeting has been incorrectly notified it must, as soon as practicable, give public notice stating:

- That the meeting occurred without proper notification;
- The general nature of the business transacted; and
- The reasons why the meeting was not properly notified.

*s. 46 (6), LGOIMA.*

#### 8.9 Resolutions passed at an extraordinary meeting

A local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the local authority unless:

- (a) The resolution was passed at a meeting or part of a meeting from which the public was excluded; or
- (b) The extraordinary meeting was publicly notified at least 5 working days before the day on which the meeting was held.

*s. 51A, LGOIMA.*

#### 8.10 Meeting schedules

Where the local authority adopts a meeting schedule it may cover any period that the council considers appropriate and may be amended. Notification of the schedule, or an amendment, will constitute notification to members of every meeting on the schedule or the amendment. This does not replace the requirements under LGOIMA to also publicly notify each meeting.

*cl. 19 (6) Schedule 7, LGA 2002.*

#### 8.11 Non-receipt of notice to members

A meeting of a local authority is not invalid if notice of that meeting was not received, or not received in due time, by a member of the local authority unless:

- (a) It is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and
- (b) The member concerned did not attend the meeting.

A member of a local authority may waive the need to be given notice of a meeting.

*cl. 20 (1) & (2) Schedule 7, LGA 2002.*

#### 8.12 Meeting cancellations

The chairperson of a scheduled meeting may cancel the meeting if, in consultation with the chief executive, they consider this is necessary for reasons that include lack of business, lack of quorum or clash with another event.

The chief executive must make a reasonable effort to notify members and the public as soon as practicable of the cancellation and the reasons behind it.



**Te Tai o Poutini**  
**PLAN**  
*A combined district plan for the West Coast*





## **9. Meeting agenda**

### **9.1 Preparation of the agenda**

It is the chief executive's responsibility, on behalf of the chairperson, to prepare an agenda for each meeting listing and attaching information on the items of business to be brought before the meeting so far as is known, including the names of the relevant members.

When preparing business items for an agenda the chief executive must consult, unless impracticable, such as in the case of the inaugural meeting, the chairperson, or the person acting as chairperson for the coming meeting.

### **9.2 Process for raising matters for a decision**

Requests for reports may be made by a resolution of the council, committee, subcommittee or subordinate decision-making body, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations.

### **9.3 Chief executive may delay or refuse request**

The chief executive may delay commissioning any reports that involve significant cost or are beyond the scope of the committee that made the request. In such cases the chief executive will discuss options for meeting the request with the respective chairperson and report back to a subsequent meeting with an estimate of the cost involved and seek direction on whether the report should still be prepared.

Where a chief executive refuses a member's request to prepare a report, an explanation for that refusal should be provided to the member.

### **9.4 Order of business**

At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the chairperson, or the meeting, decides otherwise. An example of a default order of business is set out in Appendix 10.

The order of business for an extraordinary meeting must be limited to items that are relevant to the purpose for which the meeting has been called.

### **9.5 Chairperson's recommendation**

A chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a chairperson's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained. A recommendation that differs significantly from the officer's recommendation must comply with the decision-making requirements of Part 6, LGA 2002.



9.6 Chairperson may prepare report

The chairperson of a meeting has the right to prepare a report to be included in the agenda on any matter which falls within the responsibilities of that meeting, as described in its terms of reference.

For clarity, any recommendation must comply with the decision-making requirements of Part 6, LGA 2002.

9.7 Public availability of the agenda

All information provided to members at a local authority meeting must be publicly available, except where an item included in the agenda refers to a matter reasonably expected to be discussed with the public excluded.

*s. 5 & 46A, LGOIMA.*

9.8 Public inspection of agenda

Any member of the public may, without payment of a fee, inspect, during normal office hours and within a period of at least 2 working days before a meeting, all agendas and associated reports circulated to members of the local authority relating to that meeting. The agenda:

- (a) Must be available for inspection at the public offices of the local authority (including service centres), at public libraries under the authority's control and on the council's website, and:
- (b) Must be accompanied by either:
  - i. The associated reports; or
  - ii. A notice specifying the places at which the associated reports may be inspected.

*s. 46A (1), LGOIMA.*

9.9 Withdrawal of agenda items

If justified by circumstances, an agenda item may be withdrawn by the chief executive. In the event of an item being withdrawn the chief executive should inform the chairperson.

9.10 Distribution of the agenda

The chief executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting or an emergency meeting (see Standing Orders 8.4 and 8.10).

The chief executive may send the agenda, and other materials relating to the meeting or other council business, to members by electronic means.

9.11 Status of agenda

No matter on a meeting agenda, including recommendations, may be considered final until determined by a formal resolution of that meeting.

9.12 Items of business not on the agenda which cannot be delayed

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the chairperson provides the following information during the public part of the meeting:

- (a) The reason the item is not on the agenda; and
- (b) The reason why the discussion of the item cannot be delayed until a subsequent meeting.

*s. 46A (7), LGOIMA.*

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the chairperson.

**Please note**, that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.

9.13 Discussion of minor matters not on the agenda

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision, or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

*s. 46A (7A), LGOIMA.*

9.14 Public excluded business on the agenda

Items that are likely to be discussed under public-excluded must be indicated on each agenda, including the general subject of the item. The chief executive, however, may exclude public access to any reports, or parts of reports, which are reasonably expected to be discussed with the public excluded.

*s. 46A (9), LGOIMA.*

9.15 Qualified privilege relating to agenda and minutes

Where any meeting is open to the public and a member of the public is supplied with a copy of the agenda, or the minutes of that meeting, the publication of any defamatory matter included in the



agenda or in the minutes is privileged. This does not apply if the publication is proved to have been made with ill will, or improper advantage has been taken of the publication.

*s. 52, LGOIMA.*



## Meeting Procedures

### 10. Opening and closing

Local authorities may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau.

Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

### 11. Quorum

#### 11.1 Council meetings

The quorum for a meeting of the council is:

- (a) Half of the members present (whether in person or via electronic link), where the number of members (including vacancies) is even; and
- (b) A majority of the members present (whether in person or via electronic link), where the number of members (including vacancies) is odd.

*cl. 23 (3)(a) Schedule 7, LGA 2002.*

#### 11.2 Committees and subcommittee meetings

A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums for their subcommittees by resolution, provided that it is not less than two members. (See also 7.4).

In the case of subcommittees the quorum will be two members unless otherwise stated. In the case of committees at least one member of the quorum must be a member of the council.

*cl. 23 (3)(b) Schedule 7, LGA 2002.*

#### 11.3 Joint Committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 11.1. The quorum will consist of at least one member of four of the six parties to the Tai Poutini Plan Committee.

*cl. 30A (6)(c) Schedule 7, LGA 2002.*

#### 11.4 Requirement for a quorum

A meeting is constituted where a quorum of members is present, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.

*cl. 23(1) & (2) Schedule 7, LGA 2002.*

#### 11.5 Meeting lapses where no quorum

A meeting must lapse and the chairperson vacate the chair, if a quorum is not present within 30 minutes of the advertised start of the meeting. Where members are known to be travelling to the meeting, but are delayed due to extraordinary circumstance, the chairperson has discretion to wait for a longer period.

No business may be conducted while waiting for the quorum to be reached. Minutes will record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended.

Should a quorum be lost the meeting will lapse if the quorum is not present within 15 minutes.

#### 11.6 Business from lapsed meetings

Where meetings lapse the remaining business will be adjourned and be placed at the beginning of the agenda of the next ordinary meeting, unless the chairperson sets an earlier meeting and this is notified by the chief executive.

## **12. Public access and recording**

#### 12.1 Meetings open to the public

Except as otherwise provided by Part 7 of LGOIMA, every meeting of the local authority, its committees and subcommittees, must be open to the public.

*s.47 & 49(a), LGOIMA.*

#### 12.2 Grounds for removing the public

The chairperson may require any member of the public to be removed from the meeting if they believe that person's behaviour is likely to prejudice the orderly conduct of the meeting.

*s.50(1), LGOIMA*

### 12.3 Local authority may record meetings

Meeting venues should contain clear signage indicating and informing members, officers and the public that proceedings may be recorded by the local authority and may be subject to direction by the chairperson.

### 12.4 Public may record meetings

Members of the public may make electronic or digital recordings of meetings which are open to the public. Any recording of meetings should be notified to the chairperson at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business.

Where circumstances require, the chairperson may direct the recording to stop for a period of time.

## **13. Attendance**

### 13.1 Members right to attend meetings

A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee.

*cl. 19(2), Schedule 7, LGA 2002.*

If a member of the local authority is not an appointed member of the meeting which they are attending, they may not vote on any matter at that meeting. However, they may, with the leave of the chair, take part in the meeting's discussions.

A member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of s.48 LGOIMA. Consequently, if the meeting resolves to exclude the public then any members of the local authority who are present may remain, unless they are lawfully excluded.

**Please note:** this section does not confer any rights to non-elected members appointed to committees of a local authority.

### 13.2 Attendance when a committee is performing judicial or quasi-judicial functions

When a committee is performing judicial or quasi-judicial functions, members of the local authority who are not members of that committee are not entitled to take part in the proceedings.

### 13.3 Leave of absence

A council may grant a member leave of absence following an application from that member. The council may delegate the power to grant a leave of absence to the Chairperson in order to protect a members' privacy and the Council may approve an application from the Chairperson. The

Chairperson will advise all members of the council whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

#### 13.4 Apologies

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Chairperson (or acting chair) must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council.

For clarification, the acceptance of a member's apology constitutes a grant of 'leave of absence' for that meeting.

#### 13.5 Recording apologies

The minutes will record any apologies tendered before or during the meeting, including whether they were accepted or declined and the time of arrival and departure of all members.

#### 13.6 Absent without leave

Where a member is absent from four consecutive meetings of the council without leave of absence, or an apology being accepted (not including extraordinary or emergency meetings), then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

*cl. 5 (d) Schedule 7, LGA 2002.*

#### 13.7 Right to attend by audio or audiovisual link

Provided the conditions in standing orders 13.11 and 13.12 are met, members of the local authority and its committees (and members of the public for the purpose of a deputation approved by the chairperson), have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

#### 13.8 Member's status: quorum

Members who attend meetings by electronic link will be counted as present for the purposes of a quorum.

*cl. 25A (4), Schedule 7, LGA 2002.*





### 13.9 Member's status: voting

Where a meeting has a quorum, determined by the number present (either in person or by electronic link), the members attending by electronic link can vote on any matters raised at the meeting.

### 13.10 Chairperson's duties

Where the technology is available and a member is attending a meeting by audio or audiovisual link, the chairperson must ensure that:

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
  - i. Everyone participating in the meeting can hear each other;
  - ii. The member's attendance by audio or audio visual link does not reduce their accountability or accessibility of that person in relation to the meeting;
  - iii. The requirements of Part 7 of LGOIMA are met; and
  - iv. The requirements in these standing orders are met.

*cl. 25A (3) schedule 7, LGA 2002.*

If the chairperson is attending by audio or audio visual link, then chairing duties will be undertaken by the deputy chair, or a member who is physically present.

### 13.11 Conditions for attending by audio or audiovisual link

Noting standing order 13.7, the chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Examples of situations where approval can be given include:

- (a) Where the member is at a place that makes their physical presence at the meeting impracticable or impossible;
- (b) Where a member is unwell; and
- (c) Where a member is unable to attend due to an emergency.

### 13.12 Request to attend by audio or audiovisual link

Where possible, a member will give the chairperson and the chief executive at least 2 working days' notice when they want to attend a meeting by audio or audiovisual link. Should, due to illness or emergency, this is not possible the member may give less notice.

Where such a request is made and the technology is available, the chief executive must take reasonable steps to enable the member to attend by audio or audiovisual link. However, the council has no obligation to make the technology for an audio or audio-visual link available.

If the member's request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the local authority or its committees.

#### 13.13 Chairperson may terminate link

The chairperson may direct that an electronic link should be terminated where:

- (a) Use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) The behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) It is distracting to the members who are physically present at the meeting;
- (d) The quality of the link is no longer suitable;
- (e) Information classified as confidential may be compromised (see also SO 13.16).

#### 13.14 Giving or showing a document

A person attending a meeting by audio or audio visual link may give or show a document by:

- (a) Transmitting it electronically;
- (b) Using the audio visual link; or
- (c) Any other manner that the chairperson thinks fit.

*cl. 25(A) (6) schedule 7, LGA 2002.*

#### 13.15 Link failure

Where an audio or audiovisual link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.

#### 13.16 Confidentiality

A member who is attending a meeting by audio or audio visual link must ensure that the meeting's proceedings remain confidential during any time that the public is excluded. At such a time, the chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings. If the chairperson is not satisfied by the explanation they may terminate the link.

## **14. Chairperson's role in meetings**

### 14.1 Council meetings

The Chairperson must preside at meetings of the council unless they vacate the chair for a part or all of a meeting. If the Chairperson is absent from a meeting or vacates the chair, the deputy

Chairperson must act as chairperson. If the deputy Chairperson is also absent the local authority members who are present must elect a member to be the chairperson at that meeting. This person may exercise the meeting responsibilities, duties, and powers of the Chairperson for that meeting.

*cl. 26(1), (5) & (6) Schedule 7, LGA 2002.*

#### 14.2 Other meetings

In the case of committees, subcommittees and subordinate decision-making bodies, the appointed chairperson must preside at each meeting unless they vacate the chair for all or part of a meeting. If the chairperson is absent from a meeting or vacates the chair, the deputy chairperson (if any) will act as chairperson. If the deputy chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as chairperson. This person may exercise the meeting responsibilities, duties and powers of the chairperson.

*cl. 26(2), (5) & (6), schedule 7 LGA 2002.*

#### 14.3 Addressing the chairperson

Members will address the Chairperson in a manner that the Chairperson has determined.

#### 14.4 Chairperson's rulings

The chairperson will decide all procedural questions, including points of order, where insufficient provision is made by these standing orders (except in cases where appoint of order questions the chairperson's ruling). Any refusal to obey a Chairperson's ruling or direction constitutes contempt (see SO 20.5).

#### 14.5 Chairperson standing

Whenever the chairperson stands during a debate members are required to sit down (if required to stand to address the meeting) and be silent so that they can hear the chairperson without interruption.

#### 14.6 Member's right to speak

Members are entitled to speak in accordance with these standing orders. Members should address the chairperson when speaking. They may not leave their place while speaking, unless they have the leave of the chairperson.

#### 14.7 Chairperson may prioritise speakers

When two or more members want to speak the chairperson will name the member who may speak first. Other members who wish to speak have precedence where they intend to:

- (a) Raise a point of order, including a request to obtain a time extension for the previous speaker; and/or

- (b) Move a motion to terminate or adjourn the debate; and/or
- (c) Make a point of explanation; and/or
- (d) Request the chair to permit the member a special request.

## **15. Public Forums**

Public forums are a defined period of time, usually at the start of an ordinary meeting, which, at the discretion of a meeting, is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters of their choice, not necessarily on the meeting's agenda, to the attention of the local authority.

In the case of a committee and subcommittee, any issue, idea, or matter raised in a public forum, must fall within the terms of reference of that body.

### **15.1 Time limits**

A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled local authority meeting. Requests must be made to the chief executive (or their delegate) at least one clear day before the meeting; however this requirement may be waived by the chairperson. Requests should also outline the matters that will be addressed by the speaker(s).

Speakers can speak for up to 5 minutes. Where the number of speakers presenting in the public forum exceeds 6 in total, the chairperson has discretion to restrict the speaking time permitted for all presenters.

### **15.2 Restrictions**

The chairperson has the discretion to decline to hear a speaker or to terminate a presentation at any time where:

- A speaker is repeating views presented by an earlier speaker at the same public forum;
- The speaker is criticising elected members and/or staff;
- The speaker is being repetitious, disrespectful or offensive;
- The speaker has previously spoken on the same issue;
- The matter is subject to legal proceedings; and
- The matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity.



### 15.3 Questions at public forums

At the conclusion of the presentation, with the permission of the chairperson, elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by a speaker.

### 15.4 No resolutions

Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda. (See the LGNZ Guide to Standing Orders for suggestions of good practice in dealing with issues raised during a forum).

## **16. Deputations**

The purpose of a deputation is to enable a person, group, or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's terms of reference. Deputations should be approved by the chairperson, or an official with delegated authority, five working days before the meeting; however this requirement may be waived by the chairperson. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered.

### 16.1 Time limits

Speakers can speak for up to 5 minutes, or longer at the discretion of the chairperson. No more than two speakers can speak on behalf of an organisation's deputation.

### 16.2 Restrictions

The chairperson has the discretion to decline to hear or terminate a deputation at any time where:

- A speaker is repeating views presented by an earlier speaker at the meeting;
- The speaker is criticising elected members and/or staff;
- The speaker is being repetitious, disrespectful or offensive;
- The speaker has previously spoken on the same issue;
- The matter is subject to legal proceedings; and
- The matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity.

### 16.3 Questions of a deputation

At the conclusion of the deputation members may, with the permission of the chairperson, ask questions of any speakers. Questions are to be confined to obtaining information or clarification on matters raised by the deputation.



#### 16.4 Resolutions

Any debate on a matter raised in a deputation must occur at the time at which the matter is scheduled to be discussed on the meeting agenda and once a motion has been moved and seconded.

### **17. Petitions**

#### 17.1 Form of petitions

Petitions may be presented to the local authority or any of its committees, as long as the subject matter falls within the terms of reference of the intended meeting.

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least five working days before the meeting at which they will be presented; however this requirement may be waived by the chairperson.

Petitions must not be disrespectful, use offensive language or include malicious, inaccurate, or misleading statements (see standing order 20.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to present their petition in te reo or sign language should advise the chief executive in time to allow translation services to be arranged.

#### 17.2 Petition presented by petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, may speak for 5 minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

Where a petition is presented as part of a deputation or public forum the speaking time limits relating to deputations or public forums shall apply. The petition must be received by the chief executive at least 5 working days before the date of the meeting concerned.

#### 17.3 Petition presented by member

Members may present petitions on behalf of petitioners. In doing so, members must confine themselves to presenting:

- (a) The petition;
- (b) The petitioners' statement; and
- (c) The number of signatures.



## **18. Exclusion of public**

### **18.1 Motions and resolutions to exclude the public**

Members of a meeting may resolve to exclude the public from a meeting. The grounds for exclusion are those specified in section 48 of LGOIMA (see Appendix 1).

Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be available to any member of the public who is present. If the motion is passed the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The resolution must state:

- (a) The general subject of each matter to be excluded;
- (b) The reason for passing the resolution in relation to that matter; and
- (c) The grounds on which the resolution is based.

The resolution will form part of the meeting's minutes.

*s. 48 LGOIMA.*

### **18.2 Specified people may remain**

Where a meeting resolves to exclude the public, the resolution may provide for specified persons to remain if, in the opinion of the meeting, they will assist the meeting to achieve its purpose. Any such resolution must state, in relation to the matter to be discussed, how the knowledge held by the specified people is relevant and be of assistance.

No such resolution is needed for people who are entitled to be at the meeting, such as relevant staff and officials contracted to the council for advice on the matter under consideration.

*s.48 (6) LGOIMA.*

### **18.3 Public excluded items**

The chief executive must place in the public-excluded section of the agenda any items that he or she reasonably expects the meeting to consider with the public excluded. The public excluded section of the agenda must indicate the subject matter of the item and the reason the public are excluded.

*s.46A (8) LGOIMA.*

### **18.4 Non-disclosure of information**

No member or officer may disclose to any person, other than another member, officer or person authorised by the chief executive, any information that has been, or will be, presented to any meeting from which the public is excluded, or proposed to be excluded.

This restriction does not apply where a meeting has resolved to make the information publicly available or where the chief executive has advised, in writing, that one or both of the following apply:

- (a) There are no grounds under LGOIMA for withholding the information; and
- (b) The information is no longer confidential.

**18.5** Release of information from public excluded session

A local authority may provide for the release to the public of information which has been considered during the public excluded part of a meeting.

Each public excluded meeting must consider and agree by resolution, what, if any, information will be released to the public. In addition the chief executive may release information which has been considered at a meeting from which the public has been excluded where it is determined the grounds to withhold the information no longer exist.

**19. Voting**

**19.1** Decisions by majority vote

Unless otherwise provided for in the LGA 2002, other legislation, or standing orders, the acts of, and questions before, a local authority must be decided at a meeting through a vote exercised by the majority of the members that are present and voting.

*cl. 24 (1), Schedule 7, LGA 2002.*

**19.2** Open voting

An act or question coming before the local authority must be done or decided by open voting.

*cl. 24 (3) Schedule 7, LGA 2002.*

**19.3** Chairperson has a casting vote

The chairperson, or any other person presiding at a meeting, has a deliberative vote and, in the case of an equality of votes, has a casting vote.

*cl. 24 (2) Schedule 7, LGA 2002.*

**19.4** Method of voting

The method of voting must be as follows:

- (a) The chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the





chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the chairperson will call a division;

- (b) The chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and
- (c) Where a suitable electronic voting system is available that system may be used instead of a show of hands, vote by voices, or division, and the result publicly displayed and notified to the chairperson who must declare the result.

### **19.5** Calling for a division

When a division is called, the chief executive must record the names of the members voting for and against the motion, and abstentions, and provide the names to the chairperson to declare the result. The result of the division must be entered into the minutes and include members' names and the way in which they voted.

The Chairperson may call a second division where there is confusion or error in the original division.

### **19.6** Request to have votes recorded

If requested by a member, immediately after a vote the minutes must record the member's vote or abstention. Recording any other matters, such as a members' reason for their vote or abstention, is not permitted.

### **19.7** Members may abstain

Any member may abstain from voting.

## **20. Conduct**

### **20.1** Calling to order

When the chairperson calls members to order they must be seated and stop speaking. If the members fail to do so, the chairperson may direct that they should immediately leave the meeting for a specified time.

### **20.2** Behaviour consistent with Code of Conduct

At a meeting no member may act inconsistently with their Code of Conduct, or speak or act in a manner which is disrespectful of other members, staff or the public.

### **20.3** Retractions and apologies

In the event of a member, or speaker, who has been disrespectful of another member or contravened the council's Code of Conduct, the chairperson may call upon that member, or speaker,



to withdraw the offending comments, and may require them to apologise. If the member refuses to do so the chairperson may direct that they should leave the meeting immediately for a specified time and/or make a complaint under the Code of Conduct.

#### **20.4** Disorderly conduct

Where the conduct of a member is disorderly or is creating a disturbance the chairperson may require that member to leave the meeting immediately for a specified time.

If the disorder continues the chairperson may adjourn the meeting for a specified time. At the end of this time the meeting must resume and decide, without debate, whether the meeting should proceed or be adjourned.

The chairperson may also adjourn the meeting if other people cause disorder or in the event of an emergency.

#### **20.5** Contempt

Where a member is subject to repeated cautions by the chairperson for disorderly conduct the meeting may, should it so decide, resolve that the member is in contempt. Any such resolution must be recorded in the meeting's minutes.

A member who has been found to be in contempt, and continues to be cautioned by the Chairperson for disorderly conduct, may be subject to standing order 20.6.

#### **20.6** Removal from meeting

A member of the police or authorised security personnel may, at the chairperson's request, remove or exclude a member from a meeting.

This standing order will apply where the chairperson has ruled that the member should leave the meeting and the member has refused or failed to do so; or has left the meeting and attempted to re-enter it without the chairperson's permission.

#### **20.7** Financial conflicts of interests

Every member present at a meeting must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.

No member may vote on, or take part in, a discussion about any matter in which they have a direct or indirect financial interest unless an exception set out in s.6 LAMIA applies to them, or the Auditor-General has granted them an exemption or declaration under s.6.

Members with a financial interest should physically withdraw themselves from the table unless the meeting is in public excluded in which case they should leave the room.

Neither the chairperson, nor the meeting, may rule on whether a member has a financial interest in the matter being discussed. The minutes must record any declarations of financial interests and the member's abstention from any discussion and voting on the matter.

*s. 6 & 7 LAMIA.*

**20.8** Non-financial conflicts of interests

Non-financial interests involve questions about whether the judgement of a member of a local authority could be affected by a separate interest, or duty, which that member may have in relation to a particular matter. If a member considers that they have a non-financial conflict of interest in a matter they must not take part in the discussions about that matter, or any subsequent vote.

The member must leave the table when the matter is considered, but does not need to leave the room. The minutes must record the declaration and member's subsequent abstention from discussion and voting.

Neither the chairperson, nor the meeting, may rule on whether a member has a non-financial interest in the matter being discussed.

**20.9** Qualified privilege for meeting proceedings

Any oral statement made at any meeting of the local authority in accordance with the rules adopted by the local authority for guiding its proceedings is privileged, unless the statement is proved to have been made with ill will, or took improper advantage of the occasion of publication.

*s. 53, LGOIMA.*

**20.10** Qualified privilege additional to any other provisions

The privilege referred to above is in addition to any other privilege, whether absolute or qualified, that applies as a result of any other enactment or rule of law applying to any meeting of the local authority.

*s. 53, LGOIMA.*

**20.11** Electronic devices at meetings

Electronic devices and phones can only be used to advance the business of a meeting. Personal use may only occur at the discretion of the chair. A chairperson may require that an electronic device is switched off if:

- I. its use is likely to distract a meeting from achieving its business, or,
- II. a member is found to be receiving information or advice from sources not present at the meeting that may affect the integrity of the proceedings.



## **21. General rules of debate**

### **21.1** Chairperson may exercise discretion

The application of any procedural matters in this section of the standing orders, such as the number of times a member may speak or when a chair can accept a procedural motion to close or adjourn a debate, is subject to the discretion of the chairperson.

### **21.2** Time limits on speakers

The following time limits apply to members speaking at meetings:

- (a) Movers of motions when speaking to the motion – not more than 5 minutes;
- (b) Movers of motions when exercising their right of reply – not more than 5 minutes; and
- (c) Other members – not more than 5 minutes.

Time limits can be extended if a motion to that effect is moved, seconded and supported by a majority of members present.

### **21.3** Questions to staff

During a debate members can ask staff questions about the matters being discussed. Questions must be asked through the chairperson, and how the question is to be dealt with is at the chairperson's discretion.

### **21.4** Questions of clarification

At any point in a debate a member may ask the chairperson for clarification about the nature and content of the motion which is the subject of the debate and/or the particular stage the debate has reached.

### **21.5** Members may speak only once

A member, depending on the choice of options for speaking and moving set out in Cl. 22.2 -22.4, may not speak more than once to a motion at a meeting of the council, except with permission of the chairperson. Members can speak more than once to a motion at a committee or subcommittee meeting with the chairperson's permission.

### **21.6** Limits on number of speakers

If three speakers have spoken consecutively in support of, or in opposition to, a motion, the Chairperson may call for a speaker to the contrary. If there is no speaker to the contrary, the Chairperson must put the motion after the mover's right of reply.



Members speaking must, if requested by the chairperson, announce whether they are speaking in support of, or opposition to, a motion.

**21.7** Secunder may reserve speech

A member may second a motion or amendment without speaking to it, reserving the right to speak until later in the debate.

**21.8** Speaking only to relevant matters

Members may only speak to;

- I. any matter before the meeting
- II. a motion or amendment which they propose, and
- III. to raise a point of order arising out of debate,

Members must confine their remarks strictly to the motion or amendment they are speaking to.

The chairperson's rulings on any matters arising under this standing order are final and not open to challenge.

**21.9** Restating motions

At any time during a debate a member may ask, for their information, that the chairperson restate a motion and any amendments; but not in a manner that interrupts a speaker.

**21.10** Criticism of resolutions

A member speaking in a debate may not unduly criticise the validity of any resolution, except by a notice of motion to amend or revoke the resolution.

**21.11** Objecting to words

When a member objects to any words used by another member in a speech and wants the minutes to record their objection, they must object at the time when the words are used and before any other member has spoken. The chairperson must order the minutes to record the objection.

**Note:** This provision does not preclude a member from making a complaint at any time during, or after, a meeting about the use of inappropriate or offensive language.

**21.12** Right of reply

The mover of an original motion has a right of reply. A mover of an amendment to the original motion does not. In their reply, the mover must confine themselves to answering previous speakers and not introduce any new matters.



A mover's right of reply can only be used once. It can be exercised either at the end of the debate on the original, substantive or substituted motion or at the end of the debate on a proposed amendment.

The original mover may speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried, the mover of the motion may use their right of reply before the motion or amendment is put to the vote. The mover of the original motion may choose to indicate that they wish to reserve their right or reply until the closure motion.

### **21.13** No other member may speak

In exercising a right of reply, no other member may speak:

- I. After the mover has started their reply;
- II. After the mover has indicated that they want to forego this right; and
- III. Where the mover has spoken to an amendment to the original motion and the chairperson has indicated that he or she intends to put the motion.

### **21.14** Adjournment motions

The carrying of any motion to adjourn a meeting must supersede other business still remaining to be disposed of. Any such business must be considered at the next meeting. Business referred to, or referred back to, a specified committee, is to be considered at the next ordinary meeting of that committee, unless otherwise specified.

### **21.15** Chairperson's acceptance of closure motions

The Chairperson may only accept a closure motion where there have been at least two speakers for and two speakers against the motion that is proposed to be closed, or the chairperson considers it reasonable to do so.

However, the chairperson must put a closure motion if there are no further speakers in the debate. When the meeting is debating an amendment, the closure motion relates to the amendment. If a closure motion is carried, the mover of the motion under debate has the right of reply after which the chairperson puts the motion or amendment to the vote.

## **22. General procedures for speaking and moving motions**

### **22.1** Options for speaking and moving

This subsection provides three options for speaking and moving motions and amendments at a meeting of a local authority, its committees and subcommittees.

Option A applies unless, on the recommendation of the chairperson at the beginning of a meeting, the meeting resolves [*by simple majority*] to adopt either of the other two options for the meeting generally, or for any specified items on the agenda.

## **22.2** Option A

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).
- Only members who have not spoken to the original, or substituted, motion may move or second an amendment to it.
- The mover or seconder of an amendment, whether it is carried (in which case it becomes the substantive motion) or lost, cannot move or second a subsequent amendment.
- Members can speak to any amendment and, provided they have not spoken to the motion or moved or seconded an amendment, they can move or second further amendments.
- The meeting, by agreement of the majority of members present, may amend a motion with the agreement of the mover and seconder.

## **22.3** Option B

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment that is carried can move or second a subsequent amendment. A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

## **22.4** Option C

- The mover and seconder of a motion can move or second an amendment.
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.



- The mover or seconder of an amendment whether it is carried or lost can move or second further amendments.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

## **23. Motions and amendments**

### **23.1 Proposing and seconding motions**

All motions, and amendments moved during a debate, must be seconded (including notices of motion). The chairperson may then state the motion and propose it for discussion. A motion should be moved and seconded before debate but after questions.

Amendments and motions that are not seconded are not valid and should not be entered in the minutes.

Note: Members who move or second a motion are not required to be present for the entirety of the debate.

### **23.2 Motions in writing**

The chairperson may require movers of motions and amendments to provide them in writing, signed by the mover.

### **23.3 Motions expressed in parts**

The chairperson, or any member, can require a motion that has been expressed in parts to be decided part by part.

### **23.4 Substituted motion**

Where a motion is subject to an amendment the meeting may substitute the motion with the amendment, provided the mover and seconder of the original motion agree to its withdrawal. All members may speak to the substituted motion.

### **23.5 Amendments to be relevant and not direct negatives**

Every proposed amendment must be relevant to the motion under discussion. Proposed amendments cannot be similar to an amendment that has already been lost. An amendment cannot be a direct negative to the motion or the amended motion. Reasons for not accepting an amendment can include:

- a) Not directly relevant





- b) In conflict with a carried amendment
- c) Similar to a lost amendment
- d) Would negate a committee decision if made under delegated authority
- e) In conflict with a motion referred to the governing body by that meeting
- f) Direct negative.

Please note that amendments that are significantly different must comply with the decision-making provisions of the Part 6, LGA 2002.

### **23.6** Foreshadowed amendments

The meeting must dispose of an existing amendment before a new amendment can be moved. However, members may foreshadow to the chairperson that they intend to move further amendments as well as the nature of the content of those amendments.

### **23.7** Carried amendments

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may, depending on the choice of options for speaking and moving set out in clauses 22.2 – 22.4, speak to it, and may move or second a further amendment.

### **23.8** Lost amendments

Where an amendment is carried, the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may, depending on the choice of options for speaking and moving set out in clauses 22.2 – 22.4, speak to the substantive motion, and may move or second a further amendment to it.

### **23.9** Where a motion is lost

In a situation where a substantive motion that recommends a course of action is lost a new motion, with the consent of the Chairperson, may be proposed to provide direction.

### **23.10** Withdrawal of motions and amendments

Once a motion or amendment has been seconded the mover cannot withdraw it without the agreement of the majority of the members who are present and voting.

The mover of an original motion, which has been subject to an amendment that has been moved and seconded, cannot withdraw the original motion until the amendment has either been lost or withdrawn by agreement, as above.



**23.11** No speakers after reply or motion has been put

A member may not speak to any motion once:

- (a) The mover has started their right of reply in relation to the motion; and
- (b) The chair has started putting the motion.

**24. Revocation or alteration of resolutions**

**24.1** Member may move revocation of a decision

A member may give the chief executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, subordinate body. The notice must set out:

- (a) The resolution or part of the resolution which the member proposes to revoke or alter;
- (b) The meeting date when the resolution was passed;
- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information to satisfy the decision-making provisions of sections 77-82 of Part 6, LGA 2002.

If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the chief executive for consideration and report.

**24.2** Revocation must be made by the body responsible for the decision

If a resolution is made under delegated authority by a committee, subcommittee or subordinate decision-making body, only that body may revoke or amend the resolution, assuming the resolution is legally made.

This provision does not prevent the body that made the delegation from removing or amending a delegation given to a subordinate body.

*cl. 30 (6) Schedule 7, LGA 2002.*

**24.3** Requirement to give notice

A member must give notice to the chief executive at least 5 working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next twelve months.



#### **24.4** Restrictions on actions under the affected resolution

Once a notice of motion to revoke or alter a previous resolution has been received no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with.

Exceptions apply where, in the opinion of the chairperson:

- (a) The practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked;
- (b) By reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the local authority or the committee that made the previous resolution.

In either of these situations, action may be taken under the resolution as though no notice of motion had been given to the chief executive.

#### **24.5** Revocation or alteration by resolution at same meeting

A meeting may revoke or alter a previous resolution made at the same meeting where, during the course of the meeting, it receives fresh facts or information concerning the resolution. In this situation 75 per cent of the members present and voting must agree to the revocation or alteration.

#### **24.6** Revocation or alteration by recommendation in report

The local authority, on a recommendation in a report by the chairperson, chief executive, or any committee, may revoke or alter all or part of a resolution passed by a previous meeting. The chief executive must give at least two clear working days' notice of any meeting that will consider a revocation or alteration recommendation.

*cl. 30 (6) Schedule 7, LGA 2002.*

### **25. Procedural motions**

#### **25.1** Procedural motions must be taken immediately

A procedural motion to close or adjourn a debate will take precedence over other business, except points of order and rights of reply. If the procedural motion is seconded the chairperson must put it to the vote immediately, without discussion or debate. A procedural motion to close or adjourn debate can be taken after two speakers have spoken for the motion and two against or, in the chairperson's opinion, it is reasonable to accept the closure motion.

#### **25.2** Procedural motions to close or adjourn a debate

Any member who has not spoken on the matter under debate may move any one of the following procedural motions to close or adjourn a debate:



- (a) That the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- (b) that the motion under debate should now be put (a closure motion);
- (c) That the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
- (d) That the item of business being discussed should lie on the table and not be further discussed at this meeting; (items lying on the table at the end of the triennium will be deemed to have expired); and
- (e) That the item being discussed should be referred (or referred back) to the relevant committee.

A member seeking to move a procedural motion must not interrupt another member who is already speaking.

### **25.3** Voting on procedural motions

Procedural motions to close or adjourn a debate must be decided by a majority of all members who are present and voting. If the motion is lost no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

### **25.4** Debate on adjourned items

When debate resumes on items of business that have been previously adjourned all members are entitled to speak on the items.

### **25.5** Remaining business at adjourned meetings

Where a resolution is made to adjourn a meeting, the remaining business will be considered at the next meeting.

### **25.6** Business referred to the council or committee

Where an item of business is referred (or referred back) to a committee, the committee will consider the item at its next meeting unless the meeting resolves otherwise.

### **25.7** Other types of procedural motions

The chairperson has discretion about whether to allow any other procedural motion that is not contained in these standing orders.

## **26. Points of order**



### **26.1** Members may raise points of order

Any member may raise a point of order when they believe these standing orders have been breached. When a point of order is raised, the member who was previously speaking must stop speaking and sit down (if standing).

### **26.2** Subjects for points of order

A member who is raising a point of order must state precisely what its subject is. Points of order may be raised for the following subjects:

- (a) Disorder – to bring disorder to the attention of the chairperson;
- (b) Language – to highlight use of disrespectful, offensive or malicious language;
- (c) Irrelevance – to inform the chair that the topic being discussed is not the matter currently before the meeting;
- (d) Misrepresentation – to alert the chair of a misrepresentation in a statement made by a member, an officer or a council employee;
- (e) Breach of standing order – to highlight a possible breach of a standing order while also specifying which standing order is subject to the breach; and
- (f) Recording of words – to request that the minutes record any words that have been the subject of an objection.

### **26.3** Contradictions

Expressing a difference of opinion or contradicting a statement by a previous speaker does not constitute a point of order.

### **26.4** Point of order during division

A member may not raise a point of order during a division, except with the permission of the chairperson.

### **26.5** Chairperson's decision on points of order

The chairperson may decide a point of order immediately after it has been raised, or may choose to hear further argument about the point before deciding. The chairperson's ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

Should a point of order concern the performance of the chair, then the chair will refer the point of order to the deputy chair or, if there is no deputy, another member to hear arguments and make a ruling.

## **27. Notices of motion**



**27.1** Notice of intended motion to be in writing

Notice of intended motions must be in writing signed by the mover, stating the meeting at which it is proposed that the intended motion be considered, and must be delivered to the chief executive at least 5 clear working days before such meeting. [Notice of an intended motion can be sent via email and include the scanned electronic signature of the mover].

Once the motion is received the chief executive must give members notice in writing of the intended motion at least 2 clear working days' notice of the date of the meeting at which it will be considered.

**27.2** Refusal of notice of motion

The chairperson may direct the chief executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the local authority or meeting concerned; or
- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- (e) Fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002. If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the chief executive for consideration and report; or
- (f) Concerns a matter where decision-making authority has been delegated to a committee or subordinate body.

Note: Reasons for refusing a notice of motion should be provided to the mover. Where the refusal is due to (f) the notice of motion may be referred to the appropriate committee.

**27.3** Mover of notice of motion

Notices of motion may not proceed in the absence of the mover unless moved by another member authorised to do so, in writing, by the mover.

**27.4** Alteration of notice of motion

Only the mover, at the time the notice of motion is moved and with the agreement of a majority of those present at the meeting, may alter a proposed notice of motion. Once moved and seconded no amendments may be made to a notice of motion.

**27.5** When notices of motion lapse

Notices of motion that are not moved when called for by the chairperson must lapse.



**27.6** Referral of notices of motion

Any notice of motion received that refers to a matter ordinarily dealt with by a committee of the local authority must be referred to that committee by the chief executive.

Where notices are referred the proposer of the intended motion, if not a member of that committee, must have the right to move that motion and have the right of reply, as if a committee member.

**27.7** Repeat notices of motion

When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.

Where a notice of motion has been adopted by the local authority no other notice of motion which, in the opinion of the chairperson has the same effect, may be put while the original motion stands.

**28. Minutes**

**28.1** Minutes to be evidence of proceedings

The local authority, its committees and subcommittees must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a chairperson's manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the *prima facie* evidence of the proceedings they relate to.

*cl. 28 Schedule 7, LGA 2002.*

**28.2** Matters recorded in minutes

The chief executive must keep the minutes of meetings. The minutes must record:

- (a) The date, time and venue of the meeting;
- (b) The names of the members present;
- (c) The chairperson;
- (d) Any apologies or leaves of absences;
- (e) Member absent without apology or leave of absence;
- (f) Member absent on council business;
- (g) arrival and departure times of members;
- (h) Any failure of a quorum;
- (i) A list of any external speakers and the topics they addressed;



- (j) A list of the items considered;
- (k) Items tabled at the meeting;
- (l) The resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders;
- (m) The names of all movers, and seconders;
- (n) Any objections made to words used;
- (o) All divisions taken and, if taken, a record of each members' vote;
- (p) the names of any members requesting that their vote or abstention be recorded;
- (q) Any declarations of financial or non-financial conflicts of interest;
- (r) The contempt, censure and removal of any members;
- (s) Any resolutions to exclude members of the public;
- (t) The time at which the meeting concludes or adjourns; and
- (u) The names of people permitted to stay in public excluded.

**Please Note:** hearings under the RMA, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.

### **28.3** No discussion on minutes

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

### **28.4** Minutes of last meeting before election

The chief executive and the relevant chairpersons must sign, or agree to have their digital signature inserted, the minutes of the last meeting of the local authority before the next election of members.

## **29. Keeping a record**

### **29.1** Maintaining accurate records

A local authority must create and maintain full and accurate records of its affairs, in accordance with normal, prudent business practice, including the records of any matter that is contracted out to an independent contractor.

All public records that are in its control must be maintained in an accessible form, so as to be able to be used for subsequent reference.

*s. 17 Public Records Act 2005.*



**29.2** Method for maintaining records

Records of minutes may be kept in hard copy (Minute Books) and/or in electronic form. If minutes are stored electronically the repository in which they are kept must meet the following requirements:

- (a) The provision of a reliable means of assuring the integrity of the information is maintained; and
- (b) The information is readily accessible so as to be usable for subsequent reference.

*s. 229(1) of the Contract and Commercial Law Act 2017.*

**29.3** Inspection

Whether held in hard copy or in electronic form minutes must be available for inspection by the public.

*s. 51 LGOIMA.*

**29.4** Inspection of public excluded matters

The chief executive must consider any request for the minutes of a meeting, or part of a meeting, from which the public was excluded as if it is a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

### **Referenced documents**

- Commissions of Inquiry Act 1908
- Crimes Act 1961
- Contract and Law Act 2017
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971
- Public Records Act 2005
- Resource Management Act 1991 (RMA)
- Sale and Supply of Alcohol Act 2012
- Secret Commissions Act 1910
- Securities Act 1978

### **Appendix 1: Grounds to exclude the public**

A local authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- (a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
  - (b) To endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
  - (b) Protect information where the making available of the information would:
    - i. Disclose a trade secret; or
    - ii. Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
  - (ba) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or
  - (c) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:
    - i. Be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
    - ii. Be likely otherwise to damage the public interest.
  - (d) Avoid prejudice to measures protecting the health or safety of members of the public; or
  - (e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
  - (f) Maintain the effective conduct of public affairs through the protection of such members, officers, employees, and persons from improper pressure or harassment; or
  - (g) Maintain legal professional privilege; or
  - (h) Enable any council holding the information to carry out, without prejudice or disadvantage, commercial activities; or



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- (i) Enable any council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (j) Prevent the disclosure or use of official information for improper gain or improper advantage.

s.7 LGOIMA 1987.

*Under A2 (above) the public may be excluded unless, in the circumstances of a particular case, the exclusion of the public is outweighed by other considerations which render it desirable and in the public interest that the public not be excluded.*

- A3** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
  - (a) Be contrary to the provisions of a specified enactment; or
  - (b) Constitute contempt of Court or of the House of Representatives.
- A4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).
- A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
  - (a) Any proceedings before a Council where:
    - i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings;
    - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
    - iii. Proceedings of a local authority exist in relation to any application or objection under the Marine Farming Act 1971.

s. 48 LGOIMA.

### Appendix 2: Sample resolution to exclude the public

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), it is **moved**:

**1** that the public is excluded from:

- The whole of the proceedings of this meeting; *(deleted if not applicable)*
- The following parts of the proceedings of this meeting, namely; *(delete if not applicable)*

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified by s 48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To prevent the disclosure of information which would— <ul style="list-style-type: none"> <li>i. be contrary to the provisions of a specified enactment; or</li> <li>ii. constitute contempt of court or of the House of Representatives (s.48(1)(b)).</li> </ul>
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where: <ul style="list-style-type: none"> <li>i. a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or</li> <li>ii. the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).</li> </ul>
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).



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Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).
		To protect information which if public would; <ol style="list-style-type: none"> <li>i. disclose a trade secret; or</li> <li>ii. unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (s 7(2)(b)).</li> </ol>
		To avoid serious offence to Tikanga Māori, or the disclosure of the location of waahi tapu in relation to an application under the RMA 1991 for; <ul style="list-style-type: none"> <li>• a resource consent, or</li> <li>• a water conservation order, or</li> <li>• a requirement for a designation or</li> <li>• an heritage order,</li> </ul> (s 7(2)(ba)).
		To protect information which is subject to an obligation of confidence where the making available of the information would be likely to: <ol style="list-style-type: none"> <li>i. prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or</li> <li>ii. would be likely otherwise to damage the public interest (s 7(2)(c)).</li> </ol>



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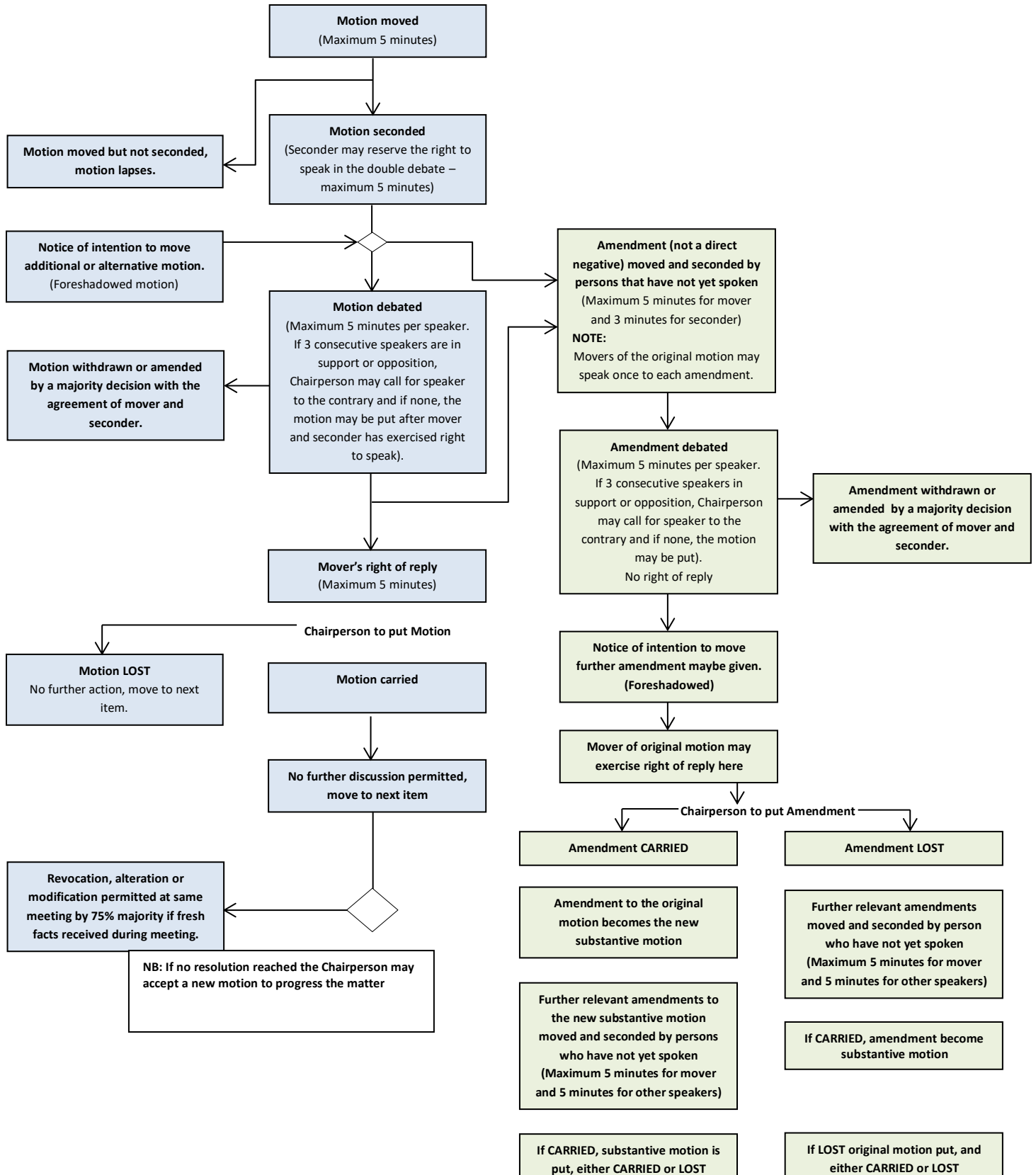
Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

2. That *(name of person(s))* is permitted to remain at this meeting after the public has been excluded because of their knowledge of *(specify topic under discussion)*. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because *(specify)*. *(Delete if inapplicable.)*

### Appendix 3: Motions and amendments (Option A)

#### Motions without amendments

#### Motions with amendments

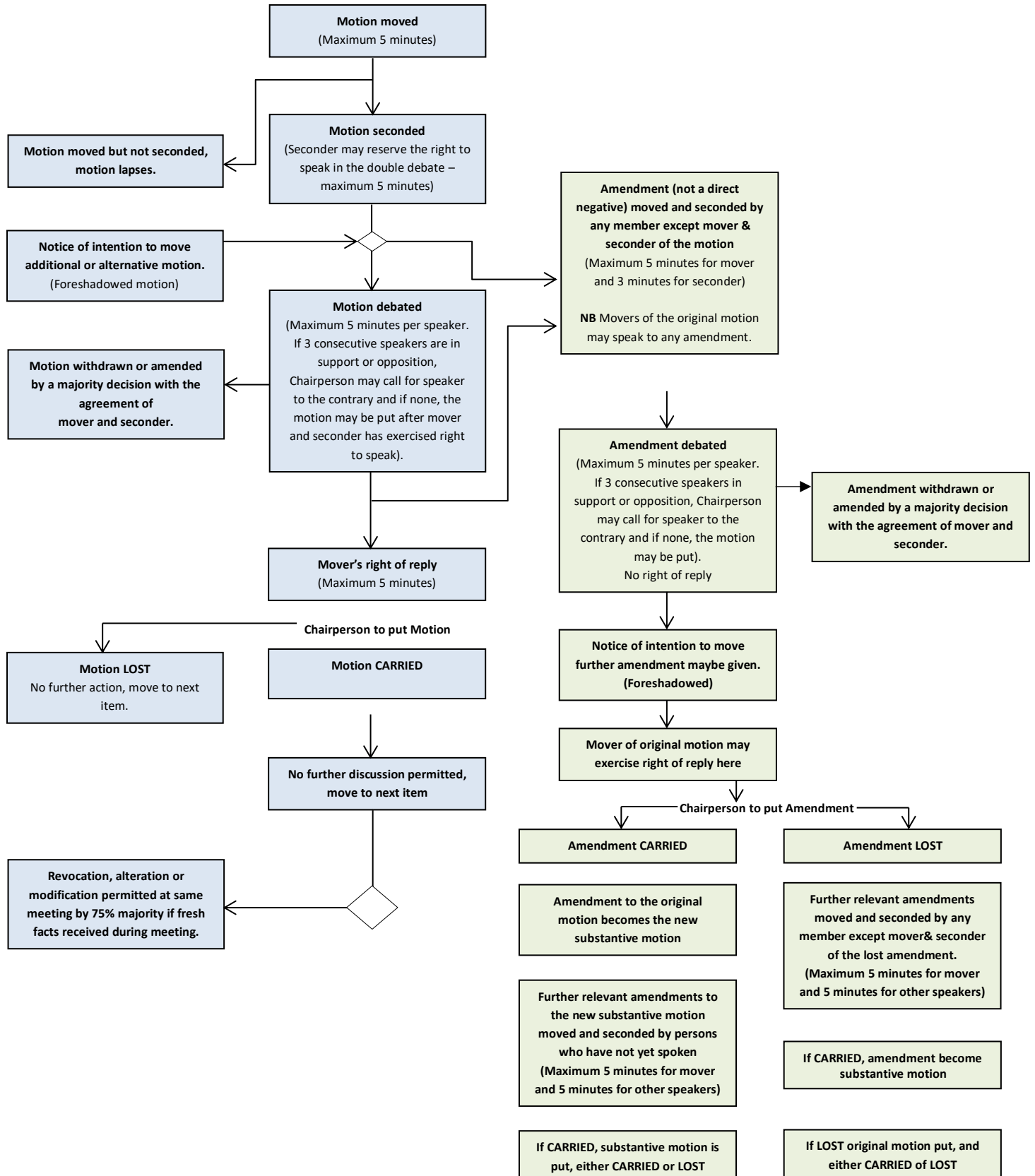




### Appendix 4: Motions and amendments (Option B)

#### Motions without amendments

#### Motions with amendments



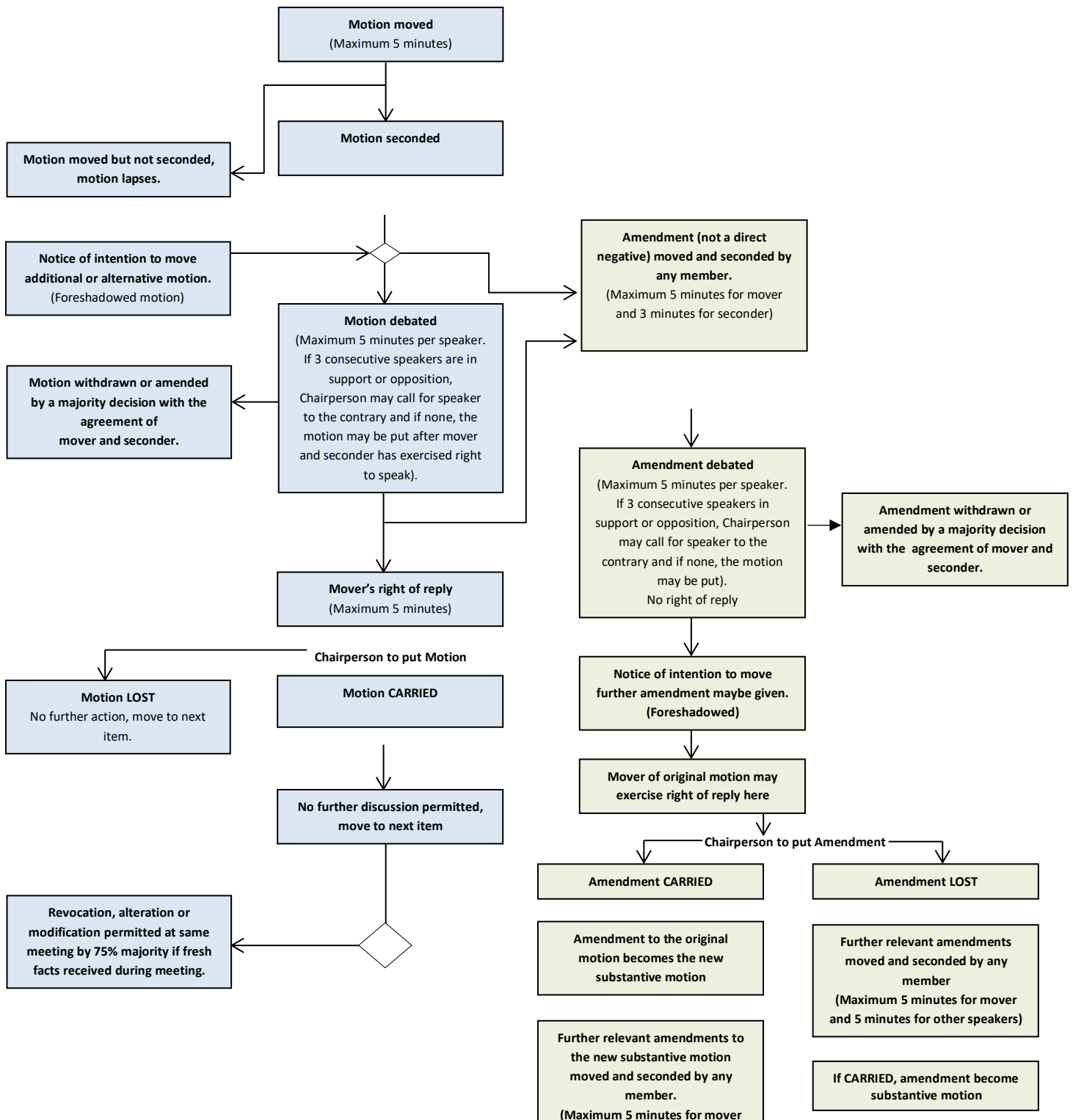


NB: If no resolution reached the Chairperson may accept a new motion to progress the matter

**Appendix 5: Motions and amendments (Option C)**

**Motions without amendments**

**Motions with amendments**





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**NB: If no resolution reached the Chairperson  
may accept a new motion to progress the  
matter**



**Appendix 6: Table of procedural motions**

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	On resumption of debate, the mover of the adjournment speaks first.  Members who have spoken in the debate may not speak again
(b) "That the motion under debate be now put (closure motion)"	No	Yes	No	No	No	No	No	Yes – 15 Minutes	If carried, only the amendment is put	If carried, only the procedural motion is put	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put
(c) "That the item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No	NO	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	



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Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(d) "That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table	Motion not in order	
(e) "That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee	If carried, the procedural motion is deemed disposed of	
(f) "Points of order"	No – but may rule against	No	Yes – at discretion of chairperson	No	No	Yes	Yes	No	Point of order takes precedence 67	Point of order takes precedence	See standing order 3.14



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## **Appendix 7: Webcasting protocols**

The provisions are intended as a good practice guide to local authorities that are webcasting meetings or planning to do so.

1. The default shot will be on the chairperson or a wide-angle shot of the meeting room.
2. Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.
3. Generally interjections from other members or the public are not covered. However if the chairperson engages with the interjector, the interjector's reaction can be filmed.
4. PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
5. Shots unrelated to the proceedings, or not in the public interest, are not permitted.
6. If there is general disorder or a disturbance from the public gallery, coverage will revert to the chairperson.
7. Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being web cast.



## **Appendix 8: Powers of a Chairperson**

This Appendix sets out the specific powers given to the chairperson contained in various parts of these Standing Orders.

### **Chairperson to decide all questions**

The Chairperson is to decide all questions where these standing orders make no provision or insufficient provision. The chairperson's ruling is final and not open to debate.

### **Chairperson to decide points of order (SO. 26.5)**

The chairperson is to decide any point of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the chairperson upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the chairperson.

### **Items not on the agenda (SO.9.12)**

Major items not on the agenda may be dealt with at that meeting if so resolved by the local authority and the chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters not on the agenda relating to the general business of the local authority may be discussed if the chairperson explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at that meeting, but no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting.

### **Chairperson's report (SO.9.6)**

The chairperson, by report, has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

### **Chairperson's recommendation (SO.9.5)**

The chairperson of any meeting may include on the agenda for that meeting a chairperson's recommendation regarding any item brought before the meeting. The purpose of such a recommendation is to focus debate on a suggested motion.

### **Chairperson's voting (SO19.3)**

The chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where standing orders make such provision.

### **Motion in writing (SO.23.2)**

The chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.

### **Motion in parts (SO.23.3)**

The chairperson may require any motion expressed in parts to be decided part by part.

#### **Notice of motion (SO.27.2)**

The chairperson may direct the chief executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not within the scope of the role or functions of the local authority; or
- (c) Contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution, and the mover has declined to comply with such requirements as the chief executive may have made; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

Reasons for refusing a notice of motion should be provided to the proposer.

Where a notice of motion has been considered and agreed by the local authority, no notice of any other motion which is, in the opinion of the chairperson, to the same effect may be put again whilst such original motion stands.

#### **Action on previous resolutions (SO.**

If, in the opinion of the chairperson the practical effect of a delay in taking action on a resolution which is subject to a notice of motion, would be equivalent to revocation of the resolution; or if repetitive notices of motion are considered by the chairperson to be an attempt by a minority to frustrate the will of the meeting, action may be taken as though no such notice of motion had been given.

#### **Repeat notice of motion (SO.27.7)**

If in the opinion of the chairperson, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the local authority, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the local authority, including vacancies.

#### **Revocation or alteration of previous resolution**

A chairperson may recommend in a report to the local authority the revocation or alteration of all or part of any resolution previously passed, and the local authority meeting may act on such a recommendation in accordance with the provisions in these standing orders.

### **Chairperson may call a meeting**

The chairperson:

- (a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum, if such business cannot be delayed until the next scheduled meeting; and
- (b) May requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

### **Irrelevant matter and needless repetition (SO.21.8)**

The chairperson's ruling preventing members when speaking to any motion or amendment from introducing irrelevant matters or indulging in needless repetition is final and not open to challenge.

### **Taking down words (SO.21.11)**

The chairperson may order words used and objected to by any member, to be recorded in the minutes, provided such objection is made at the time the words are used and not after any other members have spoken.

### **Explanations**

The chairperson may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken, to explain some material part of a previous speech in the same debate.

### **Chairperson rising (SO.14.5)**

Whenever the chairperson rises during a debate any member then speaking or offering to speak is to be seated and members are to be silent so that the chairperson may be heard without interruption.

### **Members may leave places (SO.14.6)**

The chairperson may permit members to leave their place while speaking.

### **Priority of speakers (SO.14.7)**

The chairperson must determine the order in which members may speak when two or more members indicate their wish to speak.

### **Minutes (SO.28.1)**

The chairperson is to sign the minutes and proceedings of every meeting once confirmed. The chairperson and chief executive are responsible for confirming the correctness of the minutes of the last meeting of a local authority prior to the next election of members.

### **Questions of speakers (SO.16.3)**

The chairperson may permit members to ask questions of speakers under public forum or deputations/presentations by appointment, for the purpose of obtaining information or clarification on matters raised by the speaker.

### **Withdrawal of offensive or malicious expressions (SO.20.3)**

The chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

Any member who refuses to withdraw the expression or apologise, if required by the chairperson, can be directed to withdraw from the meeting for a time specified by the chairperson.

### **Chairperson's rulings (SO.14.4)**

Any member who refuses to accept a ruling of the chairperson, may be required by the chairperson to withdraw from the meeting for a specified time.

### **Disorderly behaviour (SO.20.4)**

The chairperson may:

- (a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the chairperson.
- (b) Ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.

### **Failure to leave meeting (SO.20.6)**

If a member or member of the public who is required, in accordance with a chairperson's ruling, to leave the meeting, refuses or fails to do so, or having left the meeting, attempts to re-enter without the permission of the chairperson, any member of the police or officer or employee of the local authority may, at the chairperson's request, remove or exclude that person from the meeting.

### **Audio or audio visual attendance (SO.13.10)**

Where the technology is available and a member is attending a meeting by audio or audio-visual link, the chairperson must ensure that:

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
  - i. Everyone participating in the meeting can hear each other;
  - ii. The member's attendance by audio or audio-visual link does not reduce their accountability or accessibility in relation to the meeting;
  - iii. The requirements of Part 7 of LGOIMA are met; and
  - iv. The requirements in these standing orders are met.

If the chairperson is attending by audio or audio visual link then chairing duties will be undertaken by the deputy chair or a member who is physically present.

### **Appendix 9: Process for removing a regional chairperson from office**

1. At a meeting that is in accordance with this clause, a regional council may remove its chairperson or deputy chairperson from office.
2. If a chairperson or deputy chairperson is removed from office at that meeting, the regional council may elect a new chairperson or deputy chairperson, at that meeting.
3. A meeting to remove a chairperson or deputy chairperson, may be called by:
  - (a) A resolution of the regional council; or
  - (b) A requisition in writing signed by the majority of the total membership of the regional council (excluding vacancies).
4. A resolution or requisition must:
  - (a) Specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
  - (b) Indicate whether or not, if the chairperson or deputy chairperson, is removed from office, a new chairperson or deputy chairperson is to be elected at the meeting if a majority of the total membership of the regional council (excluding vacancies) so resolves.
5. A resolution may not be made and a requisition may not be delivered less than 21 days before the day specified in the resolution or requisition for the meeting.
6. The chief executive must give each member notice in writing of the day, time, place, and business of any meeting called under this clause not less than 14 days before the day specified in the resolution or requisition for the meeting.
7. A resolution removing a chairperson or deputy chairperson carries if a majority of the total membership of the regional council (excluding vacancies) votes in favour of the resolution.

*cl. 18 Schedule 7, LGA 2002.*

## Appendix 10: **Sample order of business**

### **Open section**

- (a) Apologies
- (b) Declarations of interest
- (c) Confirmation of minutes
- (d) Leave of absence
- (e) Acknowledgements and tributes
- (f) Petitions
- (g) Public input
- (h) Extraordinary business
- (i) Notices of motion
- (j) Reports of committees
- (k) Reports of the chief executive and staff
- (l) Chairperson, deputy Chairperson and elected members' reports (information)

### **Public excluded section**

- (m) Reports of committees
- (n) Reports of the chief executive and staff
- (o) Chairperson, deputy Chairperson and elected members' reports (information)

### **Appendix 11: Process for raising matters for a decision**

Matters requiring a decision at a meeting, may be placed on the meeting's agenda by a:

- Report of the chief executive;
- Report of the chairperson;
- Report of a committee; or
- Notice of motion from a member.

Where a matter is urgent and has not been placed on an agenda, it may be brought before a meeting as extraordinary business by a:

- Report of the chief executive; or
- Report of the chairperson.

Although out of time for a notice of motion, a member may bring an urgent matter to the attention of the meeting through the chairperson.