

Appendix 1



**Te Tai o Poutini**  
PLAN

*A combined district plan for the West Coast*

# **Te Tai o Poutini Plan Committee**

## **Standing Orders**

Effective 12 December 2025

## 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 Te Tai o Poutini Plan Committee. 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 Te Tai o Poutini Plan Committee 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 Te Tai o Poutini Plan Committee 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 Te Tai o Poutini Plan Committee (the Committee) 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 the Committee 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
OIC	Order in Council - Local Government Reorganisation Scheme (West Coast Region) Order 2019

## 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 the Committee 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 groups, 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 or proposed change to the original or substantive motion.

**Appointed member** means a member of the Committee, 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 the West Coast 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.

**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 Committee 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 the Committee, or a subcommittee meeting whereby the names of those members present, including the 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.

**four West Coast councils** mean the Buller, Grey and Westland district councils and the West Coast Regional Council

**Independent Chairperson** means an appointed chairperson of Te Tai o Poutini Plan Committee who is a permanent member of the Committee. cl.9(1) of the OIC

**Internet site** means, in relation to the Committee or other person or entity, an Internet site that is maintained by, or on behalf of, the Committee, 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 the Committee who has been removed from a meeting due to behaviour that a chairperson has ruled to be in contempt.

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

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

**Member** means any person elected or appointed to the Committee.

**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 Committee.

**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 a member organisation that forms part of the Committee 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 the Committee, publicly notified in accordance with sections 46(1) and (2) of LGOIMA.

**Petition** means a request to the Committee 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 either physically present or attending by electronic link.

**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 Committee; and
- Any other information which has not been released by the Committee 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 Committee 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 Committee's website. And in addition, is published in at least one daily newspaper circulating in the region or district of the Committee, 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 Committee, or where there is no such newspaper, by notice displayed in a public place. The notice may also be replicated on the Committee's website.

**Qualified privilege** means the privilege conferred on a 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.

**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).

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

**Steering Group** means the Chief Executive Officers of the four West Coast councils and the Kaiwhakahaere of Te Rūnanga o Ngati Waewae and Te Rūnanga o Makaawhio

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

**Subordinate decision-making body** means subcommittees, and any other bodies established by the Committee 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 the Committee.

**Te Tai o Poutini Plan Committee** means a permanent joint committee, created between the four West Coast councils and local iwi, which is not subject to the powers of discharge or reconstitution by the four West Coast Councils under the Act. Cl 8(2) of the OIC.

**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 the Committee 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 the Committee 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 the Committee members for the purpose of considering matters of importance to the Committee at which no decisions are made and to which these standing orders will not apply, unless required by the Committee. 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

Te Tai o Poutini Plan Committee (the Committee) is required to operate in accordance with standing orders for the conduct of its meetings and the meetings of its 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 Committee, 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 Committee 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 Committee, its 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 the Committee, a 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 Committee 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 the Committee must give the Chairperson an electronic or other address, to which notices and material relating to meetings and Committee business may be sent or delivered.

Members are to provide their address within 5 working days of their appointment. Public access to those addresses is subject to the Privacy Act.

## **4. Meetings**

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

The Committee must hold meetings which are 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 for 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 the Committee, following a local authority triennial general election, must be called by the Chairperson as soon as practicable after the results of the Committee appointments are known. The Chairperson must give members not less than 7 days' notice of the meeting. However, in the event of an emergency the Chairperson 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 Chairperson (or, in the absence of the Chairperson, their nominee) must chair the first meeting.

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

- (a) A general explanation, given or arranged by the Chairperson, of:
  - i. The Local Government Reorganisation Scheme (West Coast Region) Order 2019
  - ii. LGOIMA; and
  - iii. 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.
- (b) The fixing of the date and time of the first meeting of the Committee, or the adoption of a schedule of meetings.

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

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

## **5. Delegations**

The West Coast Regional Council must delegate to Te Tai o Poutini Plan Committee its combined district plan obligations under clause 6(1) of the Local Government Reorganisation (West Coast Region) Final Proposal Order 2018, and cl. 6 of the OIC.

## **5.1 Delegated Statutory Obligations**

Under clause 6 of the OIC The Committee is delegated:

- a) The obligations of each of Buller, Grey and Westland district councils under section 73 and Schedule 1 of the RMA for there to be a district plan at all times for each district and for the preparation, notification, adoption, periodic amendment and review of the district plan and;
- b) The transferred obligations under subclause 6(a) for the preparation, notification, adoption, periodic amendment and review of new district plans will be met by the preparation, notification, adoption, periodic amendment and review of a combined district plan for the Buller, Grey and Westland districts under section 80 of the RMA.

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

Nothing in these standing orders allows a council, the Committee or 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. Committees**

### **6.1 Appointment of committees and subcommittees**

The Committee may appoint subcommittees that it considers appropriate.

- (a) The Committee may appoint subcommittees, including to hear and consider submissions received on the draft combined district plan.
- (b) Any such subcommittee is appointed for the purpose and for the period identified by the Committee and is then discharged.
- (c) The Committee may appoint to any subcommittee a person who is not a member of a local authority if, in the opinion of the Committee, that person has the skills, attributes or knowledge that will assist the work of the subcommittee

cl. 10 of the OIC

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

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

Unless expressly provided otherwise in legislation or regulation:

- (a) The Committee may discharge or reconstitute a subcommittee, or other subordinate decision-making body.

A subcommittee, or other subordinate decision-making body is, unless the Committee resolves otherwise, discharged when members elected at a subsequent triennial general election are appointed.

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

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

The partner organisations comprising Committee membership may appoint or discharge any of their own appointed members of the Committee.

### **6.4 Elected members on subcommittees**

The members of a subcommittee may be, but are not required to be, appointed members of the Committee. The Committee may appoint a person who is not a member of the Committee to a subcommittee if, in the opinion of the Committee, the person has the skills, attributes or knowledge to assist the Committee or subcommittee. Cl 10(3) of the OIC.

At least one member of a subcommittee must be an appointed member of the Committee. A staff member of the Committee, in the course of their employment, can be a member of a subcommittee but not the Committee.

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

### **6.5 The Committee may replace members if committee not discharged**

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

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

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

For the purpose of these standing orders, a decision of the Committee is not invalidated if:

1. There is a vacancy in the membership of the Committee at the time of the decision; or
2. Following the decision some defect in the 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.*

## **6.7 Appointment of the joint committee**

Under cl 8 of the OIC;

The joint committee is created between the four West councils and local iwi known as Te Tai o Poutini Plan Committee.

The initial membership of the Committee, until at least such time as the combined district plan becomes fully operative, comprises:

- a. an independent chairperson;
- b. the chairperson of West Coast Regional Council and one other elected member from and appointed by West Coast Regional Council;
- c. the mayor of Buller District and one other elected member from and appointed by Buller District Council;
- d. the mayor of Grey District and one other elected member from and appointed by Grey District Council;
- e. the mayor of Westland District and one other elected member from and appointed by Westland District Council;
- f. one representative appointed by Te Rūnanga o Ngati Waewae; and
- g. one representative appointed by Te Rūnanga o Makaawhio.

## **6.8 Status of joint committees**

Te Tai o Poutini Plan Committee is a permanent joint committee and is not subject to powers of discharge or reconstitution by the four West Coast councils under the Act. Cl 8(2) of the OIC.

A signed Deed of Agreement between the six parties constituting the Committee contains procedural matters on how the Committee will operate.

## **6.9 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

### 7. Giving notice

#### 7.1 Public notice – ordinary meetings

All meetings must be publicly notified together with the dates, the times and places on and at which those meetings are to be held, not more than 10 working days and not 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.*

#### 7.2 Notice to members - ordinary meetings

The Chairperson must give notice in writing to each member of the Committee of the date, time and place of any meeting. Notice must be given at least 14 days before the meeting unless the Committee 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.*

#### 7.3 Extraordinary meeting may be called

An extraordinary Committee meeting may be called by:

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

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

#### 7.4 Notice to members - extraordinary meetings

The Chairperson must give notice, in writing, of the time and place of an extraordinary meeting called under Standing order 8.3, as well as the general nature of business to be considered, to each member of the Committee 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.*

#### 7.5 Emergency meetings may be called

If the business the Committee 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

If the Chairperson is unavailable to attend a meeting or meetings, the Committee may, for the specified meeting or meetings, appoint one of the members present to preside at that meeting who may perform all the functions, responsibilities, duties, and powers of the independent chairperson for that meeting.

*cl. 22A(1), Schedule 7 LGA 2002. cl 11(2)d of the OIC.*

## **7.6 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 Committee, and to the Steering Group, at least 24 hours before the time appointed for the meeting.

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

## **7.7 Public notice – emergency and extraordinary meetings**

Where an emergency or extraordinary meeting of the Committee is called but the notice of the meeting is inconsistent with these standing orders, due to the manner in which it was called, the Committee 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 TTPP website and in any other manner that is reasonable in the circumstances.

*s. 46 (3) LGOIMA.*

## **7.8 Meetings not invalid**

The failure to notify a public meeting under these standing orders does not of itself make that meeting invalid. However, where the Committee 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.*

## **7.9 Resolutions passed at an extraordinary meeting**

The Committee must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the Committee 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.*

## **7.10 Meeting schedules**

Where the Committee adopts a meeting schedule it may cover any period that the Committee 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.*

## **7.11 Non-receipt of notice to members**

A meeting of the Committee is not invalid if notice of that meeting was not received, or not received in due time, by a member of the Committee 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 the Committee may waive the need to be given notice of a meeting.

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

## **7.12 Meeting cancellations**

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

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

## **8. Meeting agenda**

### **8.1 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.

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

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

### **8.3 Chairperson may delay or refuse request**

The Chairperson 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 Chairperson will discuss options for meeting the request with the Steering Group 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 the Chairperson refuses a member's request to prepare a report, an explanation for that refusal should be provided to the member.

### **8.4 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.

### **8.5 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.

## **8.6 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.

## **8.7 Public availability of the agenda**

All information provided to members at the Committee 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.*

## **8.8 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 Committee relating to that meeting. The agenda:

- (a) Must be available for inspection at the public offices of the member bodies, at public libraries under an authority's control and on the Committee'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.*

## **8.9 Withdrawal of agenda items**

If justified by circumstances, an agenda item may be withdrawn by the Chairperson.

## **8.10 Distribution of the agenda**

The Chairperson 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 Chairperson may send the agenda, and other materials relating to the meeting or other Committee business, to members by electronic means.

## **8.11 Status of agenda**

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

## **8.12 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 TTPP staff 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.

## **8.13 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.*

## **8.14 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 Chairperson, 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.*

## **8.15 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

### 9. Opening and closing

The Committee 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.

### 10. Quorum

#### 10.1 Committee meetings

The quorum for a meeting of the Committee is:

- (a) At least one member of four of the six parties to Te Tai o Poutini Plan Committee (whether in person or via electronic link),
- (b) each party to Te Tai o Poutini Plan Committee may, for a specified meeting or meetings, appoint a deputy member in place of (as appropriate) that district's mayor, the chairperson of West Coast Regional Council or a member they have otherwise appointed who may perform all the functions, responsibilities, duties, and powers of the member for that meeting or meetings. The party must give notice to the other members (or the chairperson) of the appointment of a deputy for a specified member prior to the meeting or meetings concerned.

Cl.11(2) of the OIC.

#### 10.2 Committees and subcommittee meetings

The Committee sets the quorum for its 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.

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

#### 10.3 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 Te Tai o Poutini Plan Committee.

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

## **10.4 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.*

## **10.5 Meeting lapses where no quorum**

A meeting must lapse, and the chairperson must 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 circumstances 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.

## **10.6 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 Chairperson.

# **11. Public access and recording**

## **11.1 Meetings open to the public**

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

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

## **11.2 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*

### **11.3 The Committee may record meetings**

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

### **11.4 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.

## **12 Attendance**

### **12.1 Member's right to attend meetings**

A member of the four West Coast councils has, unless lawfully excluded, the right to attend any meeting of the 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 four West Coast councils 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.

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

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

### **12.3 Leave of absence**

The Committee may grant a member a leave of absence following an application from that member. The Committee may delegate the power to grant leave of absence to the Chairperson in order to protect a member's privacy, and the Committee may approve an application from the Chairperson.

The Chairperson will advise all members of the Committee 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.

## **12.4 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.

## **12.5 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.

## **12.6 Absent without leave**

Where a member is absent from four consecutive meetings of the Committee without leave of absence, or an apology being accepted (not including extraordinary or emergency meetings), then the party to which the member belongs must appoint a deputy member in place of the absent member, who may perform all the functions, responsibilities, duties and powers of the member for that meeting or meetings. The party must give notice to the other members (or the chairperson) of the appointment of a deputy for a specified member prior to the meeting or meetings concerned.

*Cl 11.2 of the OIC*

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

## **12.7 Right to attend by audio or audiovisual link**

Provided the conditions in standing orders 13.11 and 13.12 are met members of the Committee have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

## **12.8 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.*

## **12.9 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.

## **12.10 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 audiovisual 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.*

## **12.11 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.

## **12.12 Request to attend by audio or audiovisual link**

Where possible, a member will give the Chairperson 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 Chairperson must take reasonable steps to enable the member to attend by audio or audiovisual link. However, the Committee 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 Committee.

## **12.13 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).

### **12.14 Giving or showing a document**

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

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

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

### **12.15 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.

### **12.16 Confidentiality**

A member who is attending a meeting by audio or audiovisual 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.

## **13 Chairperson's role in meetings**

### **13.1 Committee meetings**

The Chairperson must preside at meetings of the Committee 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 Mayor or Chair of the party hosting the meeting will preside at that meeting and perform all the functions, responsibilities, duties, and powers of the independent chairperson for that meeting.

If the Mayor or Chair of the host party is also absent the Committee 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.

In the case of a prolonged absence of the independent Chairperson, the Committee will agree whether to deputise one of its members into the role temporarily, or to continue to share the responsibilities, duties and powers of the independent chairperson among its membership.

*cl. 26(1), (5) & (6) Schedule 7, LGA 2002. cl. 11(2)d of the OIC.*

### **13.2 Other meetings**

In the case of 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.*

### **13.3 Addressing the chairperson**

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

### **13.4 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 a point of order questions the chairperson's ruling). Any refusal to obey a chairperson's ruling or direction constitutes contempt (see SO 20.5).

### **13.5 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.

### **13.6 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.

### **13.7 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.

## **14 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 Committee.

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.

### **14.1 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 Committee meeting. Requests must be made to the Chairperson (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.

### **14.2 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 Committee or subcommittee sits in a quasi-judicial capacity.

### **14.3 Questions at public forums**

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

## **14.4 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).

## **15 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.

### **15.1 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.

### **15.2 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 Committee or subcommittee sits in a quasi-judicial capacity.

### **15.3 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.

### **15.4 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.

## **16 Petitions**

### **16.1 Form of petitions**

Petitions may be presented to the Committee, 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 Chairperson 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 Chairperson in time to allow translation services to be arranged.

### **16.2 Petition presented by petitioner**

A petitioner who presents a petition to the Committee 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 they believe 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 Chairperson at least 5 working days before the date of the meeting concerned.

### **16.3 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.

## **17 Exclusion of public**

### **17.1 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.*

## **17.2 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 will 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 Committee for advice on the matter under consideration.

*s.48 (6) LGOIMA.*

## **17.3 Public excluded items**

The Chairperson must place in the public-excluded section of the agenda any items that they reasonably expect 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.*

## **17.4 Non-disclosure of information**

No member or officer may disclose to any person, other than another member, officer or person authorised by the Chairperson, 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 Chairperson 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.

## **17.5 Release of information from public excluded session**

The Committee 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 Chairperson 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.

## **18 Voting**

### **18.1 Decisions by majority vote**

Unless otherwise provided for in the LGA 2002, other legislation, or standing orders, the acts of, and questions before, the Committee 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.*

### **18.2 Open voting**

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

- a. voting is to be by majority of the members in attendance (whether in person or by audio link or audiovisual link);
- b. The independent chairperson does not have a casting vote.

*cl. 24 (3) Schedule 7, LGA 2002. cl.11(2)b and e.*

### **18.3 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.

### **18.4 Calling for a division**

When a division is called, the Chairperson must record the names of the members voting for and against the motion, and abstentions, and 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.

## **18.5 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 member's reason for their vote or abstention, is not permitted.

## **18.6 Members may abstain**

Any member may abstain from voting.

# **19 Conduct**

## **19.1 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.

## **19.2 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.

## **19.3 Retractions and apologies**

In the event of a member, or speaker, who has been disrespectful of another member or contravened the Committee'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.

## **19.4 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.

## **19.5 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.

## **19.6 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.

## **19.7 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.*

## **19.8 Non-financial conflicts of interests**

Non-financial interests involve questions about whether the judgement of a member of the Committee 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.

## **19.9 Qualified privilege for meeting proceedings**

Any oral statement made at any meeting of the Committee in accordance with the rules adopted by the Committee 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.*

## **19.10 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 Committee.

*s. 53, LGOIMA.*

## **19.11 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.

# **20 General rules of debate**

## **20.1 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.

## **20.2 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.

### **20.3 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.

### **20.4 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.

### **20.5 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 Committee, 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.

### **20.6 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.

### **20.7 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.

### **20.8 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.

## **20.9 Restating motions**

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

## **20.10 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.

## **20.11 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.

## **20.12 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.

## **20.13 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 they intend to put the motion.

## **20.14 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.

## **20.15 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.

## **21 General procedures for speaking and moving motions**

- 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.

## **22 Motions and amendments**

### **22.1 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.

### **22.2 Motions in writing**

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

### **22.3 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.

### **22.4 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.

### **22.5 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 Part 6, LGA 2002.

### **22.6 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.

### **22.7 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.

### **22.8 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.

## **22.9 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.

## **22.10 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.

## **22.11 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.

## **23 Revocation or alteration of resolutions**

### **23.1 Member may move revocation of a decision**

A member may give the Chairperson a notice of motion for the revocation or alteration of all or part of a previous resolution of the Committee. 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 Chairperson for consideration and report.

## **23.2 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.*

## **23.3 Requirement to give notice**

A member must give notice to the Chairperson 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 Committee, 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.

## **23.4 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 Committee 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 Chairperson.

## **23.5 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.

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

The Committee, on a recommendation in a report by the chairperson, a chief executive of one of the four West Coast councils, or any subcommittee, may revoke or alter all or part of a resolution passed by a previous meeting. The Chairperson must give at least two clear working days' notice of any meeting that will consider a revocation or alteration recommendation.

## **24 Procedural motions**

### **24.1 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.

### **24.2 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.

### **24.3 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.

### **24.4 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.

## **24.5 Remaining business at adjourned meetings**

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

## **24.6 Business referred to the Committee**

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

## **24.7 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.

# **25 Points of order**

## **25.1 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).

## **25.2 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.

## **25.3 Contradictions**

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

## **25.4 Point of order during division**

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

## **25.5 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.

## **26 Notices of motion**

### **26.1 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 Chairperson 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 Chairperson 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.

### **26.2 Refusal of notice of motion**

The chairperson may 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 Committee 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 Chairperson 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 Chairperson 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.

### **26.3 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.

### **26.4 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.

### **26.5 When notices of motion lapse**

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

### **26.6 Referral of notices of motion**

Any notice of motion received that refers to a matter ordinarily dealt with by a subcommittee of the Committee must be referred to that subcommittee by the Chairperson.

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

### **26.7 Repeat notices of motion**

When a motion has been considered and rejected by the 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 Committee no other notice of motion which, in the opinion of the chairperson has the same effect, may be put while the original motion stands.

## **27 Minutes**

### **27.1 Minutes to be evidence of proceedings**

The Committee and its 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.*

## **27.2 Matters recorded in minutes**

The Chairperson 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 Committee 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, may have special requirements for minute taking.

## **27.3 No discussion on minutes**

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

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

The Chairperson must sign or agree to have their digital signature inserted in the minutes of the last meeting of the Committee before the next election of member parties.

## **28 Keeping a record**

### **28.1 Maintaining accurate records**

The Committee 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 under the Committee's 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.*

### **28.2 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.*

### **28.3 Inspection**

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

*s. 51 LGOIMA.*

### **28.4 Inspection of public excluded matters**

The Chairperson 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
- Local Government Reorganisation Scheme (West Coast Region) Order 2019 (OIC)
- 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

The Committee 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 the Committee holding the information to carry out, without prejudice or disadvantage, commercial activities; or
  - (i) Enable the Committee 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 the Committee by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of the Committee 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 Committee to deliberate in private on its decision or recommendation in:
  - (a) Any proceedings before the Committee where:
    - i. A right of appeal lies to any Court or tribunal against the final decision of the Committee in those proceedings;
    - ii. The Committee 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 the Committee 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 Committee in those proceedings; or</li> <li>ii. the Committee 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)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		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)).
		<p>To protect information which if public would;</p> <ul 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> </ul>
		<p>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;</p> <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> <p>(s 7(2)(ba)).</p>
		<p>To protect information which is subject to an obligation of confidence where the making available of the information would be likely to:</p> <ul 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> </ul>
		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)).

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To maintain the effective conduct of public affairs by protecting members or employees of the Committee in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the Committee 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: 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 4: 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. 25.5)**

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.8.12)**

Major items not on the agenda may be dealt with at that meeting if so resolved by the Committee 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 Committee 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.8.6)**

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

### **Chairperson's recommendation (SO.8.5)**

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 (SO18.2)**

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.22.2)**

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

### **Motion in parts (SO.22.3)**

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

### **Notice of motion (SO.26.2)**

The Chairperson may refuse or 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 Committee; 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 Chairperson 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 Committee, 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.23.4)**

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.26.7)**

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 Committee, 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 Committee, including vacancies.

### **Revocation or alteration of previous resolution (23.5)**

A chairperson may recommend in a report to the Committee the revocation or alteration of all or part of any resolution previously passed, and the Committee 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.20.8)**

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.20.11)**

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.13.5)**

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.13.6)**

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

### **Priority of speakers (SO.13.7)**

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

### **Minutes (SO.27.1)**

The chairperson is to sign the minutes and proceedings of every meeting once confirmed. The Chairperson is responsible for confirming the correctness of the minutes of the last meeting of the Committee prior to the next election of members.

### **Questions of speakers (SO.15.3)**

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.19.3)**

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.13.4)**

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.19.4)**

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.219.6)**

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 Committee may, at the chairperson's request, remove or exclude that person from the meeting.

### **Audio or audiovisual attendance (SO.12.10)**

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 audiovisual link then chairing duties may be undertaken by the deputy chair or a member who is physically present.

## **Appendix 5: 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 Chairperson and staff
- (l) Chairperson, and appointed members' reports (information)

### **Public excluded section**

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

## **Appendix 6: 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 chairperson;
- Report of a subcommittee; 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 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.