

# Ngā Tikanga Whakahaere Hui - *Standing Orders*



ADOPTED BY  
COUNCIL ON  
8 DECEMBER 2022

# Kupu whakapuaki - *Preface*

Standing orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies, and local and community boards. 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 Hastings District Council. They reflect the most up to date guidance from Local Government New Zealand and fulfil the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 with regard to the conduct of meetings.

Please note Standing Orders do not apply to advisory groups, working groups or workshops unless incorporated in their specific terms of reference.

It is mandatory that councils adopt Standing Orders for the conduct of their meetings and the meetings of any subordinate bodies, such as committees and subcommittees (see cl. 27 Schedule 7, LGA 2002).

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 Chair of each meeting to make a ruling.

All members of a local authority must abide by Standing Orders.





# Hōtaka o Ngā Whakahounga - Schedule of Amendments

DATE	PAGE	AMENDMENT/ADDITION/DELETION	AUTHORISATION
26/10/2023	30	13.8 Te tūnga a te mema: kōrama – Member’s status: quorum - Members who attend meetings by electronic link <b>will be counted</b> as present for the purposes of a quorum. <i>Cl.25A (4) Schedule 7, LGA 2002.</i>	Louise Stettner - Manager, Democracy & Governance Services
26/10/2023	30	13.9 Te tūnga a te mema: te pōti - Member’s status: voting - Where a meeting has a quorum, the members attending by electronic link <b>can vote</b> on any matters raised at the meeting.	Louise Stettner - Manager, Democracy & Governance Services

# Ngā kai o roto - Contents

## Schedule of Amendments 1

## Introduction 6

<b>1. Introduction</b>	<b>6</b>
1.1 Principles	6
1.2 Statutory references	6
1.3 Acronyms	6
1.4 Application	6

## 2. Definitions 7

## General matters 10

<b>3. Standing orders</b>	<b>11</b>
3.1 Obligation to adopt Standing Orders	11
3.2 Process for adoption and alteration of Standing Orders	11
3.3 Members must obey Standing Orders	11
3.4 Application of Standing Orders	11
3.5 Temporary suspension of Standing Orders	11
3.6 Quasi-judicial proceedings	11
3.7 Physical address of members	11

## 4. Meetings 12

4.1 Legal requirement to hold meetings	12
4.2 Meeting duration	12
4.3 Language	12
4.4 Webcasting meetings	12
4.5 First meeting (inaugural)	12
4.6 Requirements for the first meeting	13

## 5. Appointments and elections 14

5.1 Mayoral appointment of Deputy Mayor, committee chairs and members	14
5.2 Council Discharge of a Mayoral Appointment	14
5.3 Establishment of committees by the Mayor	14
5.4 Elections of regional Chair, Deputy Mayor, and Chairs and Deputy Chairs of Committees	14
5.5 Removal of a Deputy Mayor	14
5.6 Voting system for Chairs, Deputy Mayors, and committee Chairs	15

## 6. Delegations 17

6.1 Limits on delegations	17
6.2 Committees may delegate	17
6.3 Use of delegated powers	17
6.4 Decisions made under delegated authority cannot be rescinded or amended	17
6.5 Committees and subcommittees subject to the direction of the local authority	17
6.6 Duty to consider delegations to community boards	17

## 7. Committees 18

7.1 Appointment of committees and subcommittees	18
7.2 Discharge or reconstitution of committees and subcommittees	18
7.3 Appointment or discharge of committee members and subcommittee members	18
7.4 Elected members on committees and subcommittees	18
7.5 Local authority may replace members if committee not discharged	18
7.6 Membership of Mayor	18
7.7 Decision not invalid despite irregularity in membership	19
7.8 Appointment of joint committees	19
7.9 Status of joint committees	19
7.10 Power to appoint or discharge individual members of a joint committee	19

## Pre-meeting 20

### 8. Giving notice 21

8.1 Public notice – ordinary meetings	21
8.2 Notice to members – ordinary meetings	21
8.3 Extraordinary meeting may be called	21
8.4 Notice to members – extraordinary meetings	21
8.5 Emergency meetings may be called	21
8.6 Process for calling an emergency meeting	21
8.7 Public notice – emergency and extraordinary meetings	22
8.8 Meetings not invalid	22
8.9 Resolutions passed at an extraordinary meeting	22
8.10 Meeting schedules	22
8.11 Non-receipt of notice to members	22
8.12 Meeting cancellations	22

### 9. Meeting agenda 24

9.1 Preparation of the agenda	24
9.2 Process for raising matters for a decision	24
9.3 Chief executive may delay or refuse request	24



9.4	Order of business	24
9.5	Chair’s recommendation	24
9.6	Chair’s report	24
9.7	Public availability of the agenda	24
9.8	Public inspection of agenda	25
9.9	Withdrawal of agenda items	25
9.10	Distribution of the agenda	25
9.11	Status of agenda	25
9.12	Items of business not on the agenda which cannot be delayed	25
9.13	Discussion of minor matters not on the agenda	25
9.14	Public excluded business on the agenda	25
9.15	Qualified privilege relating to agenda and minutes	25

## **Meeting Procedures 26**

### **10. Opening and closing 27**

#### **11. Quorum 28**

11.1	Council meetings	28
11.2	Committees and subcommittee meetings	28
11.3	Joint Committees	28
11.4	Requirement for a quorum	28
11.5	Meeting lapses where no quorum	28
11.6	Business from lapsed meetings	28

#### **12. Public access and recording 29**

12.1	Meetings open to the public	29
12.2	Grounds for removing the public	29
12.3	Local authority may record meetings	29
12.4	Public may record meetings	29

#### **13. Attendance 30**

13.1	Members’ right to attend meetings	30
13.2	Attendance when a committee is performing judicial or quasi-judicial functions	30
13.3	Leave of absence	30
13.4	Apologies	30
13.5	Recording apologies	30
13.6	Absent without leave	30
13.7	Right to attend by audio or audiovisual link	30
13.8	Member’s status: quorum	30
13.9	Member’s status: voting	31
13.10	Chair’s duties	31
13.11	Conditions for attending by audio or audiovisual link	31
13.12	Request to attend by audio or audiovisual link	31
13.13	Chair may terminate link	31
13.14	Giving or showing a document	31

13.15	Link failure	31
13.16	Confidentiality	31

#### **14. Chair’s role in meetings 32**

14.1	Council meetings	32
14.2	Other meetings	32
14.3	Addressing the Chair	32
14.4	Chair’s rulings	32
14.5	Chair standing	32
14.6	Member’s right to speak	32
14.7	Chair may prioritise speakers	32

#### **15. Public Forums 33**

15.1	Time limits	33
15.2	Restrictions	33
15.3	Questions at public forums	33
15.4	No resolutions	33

#### **16. Deputations 34**

16.1	Time limits	34
16.2	Restrictions	34
16.3	Questions of a deputation	34
16.4	Resolutions	34

#### **17. Petitions 35**

17.1	Form of petitions	35
17.2	Petition presented by petitioner	35
17.3	Petition presented by member	35

#### **18. Exclusion of public 36**

18.1	Motions and resolutions to exclude the public	36
18.2	Specified people may remain	36
18.3	Public excluded items	36
18.4	Non-disclosure of information	36
18.5	Release of information from public excluded session	36

#### **19. Voting 37**

19.1	Decisions by majority vote	37
19.2	Open voting	37
19.3	Chair has a casting vote	37
19.4	Method of voting	37
19.5	Calling for a division	37
19.6	Request to have votes recorded	37
19.7	Members may abstain	37

#### **20. Conduct 38**

20.1	Calling to order	38
20.2	Behaviour consistent with Code of Conduct	38

20.3 Retractions and apologies	38	<b>24. Revocation or alteration of resolutions</b>	<b>46</b>
20.4 Disorderly conduct	38	24.1 Member may move revocation of a decision	46
20.5 Contempt	38	24.2 Revocation must be made by the body responsible for the decision	46
20.6 Removal from meeting	38	24.3 Requirement to give notice	46
20.7 Financial conflicts of interests	38	24.4 Restrictions on actions under the affected resolution	47
20.8 Non-financial conflicts of interests	39	24.5 Revocation or alteration by resolution at same meeting	47
20.9 Qualified privilege for meeting proceedings	39	24.6 Revocation or alteration by recommendation in report	47
20.10 Qualified privilege additional to any other provisions	39		
20.11 Electronic devices at meetings	39		
<hr/>			
<b>21. General rules of debate</b>	<b>40</b>	<b>25. Procedural motions</b>	<b>48</b>
21.1 Chair may exercise discretion	40	25.1 Procedural motions must be taken immediately	48
21.2 Time limits on speakers	40	25.2 Procedural motions to close or adjourn a debate	48
21.3 Questions to staff	40	25.3 Voting on procedural motions	48
21.4 Questions of clarification	40	25.4 Debate on adjourned items	48
21.5 Members may speak only once	40	25.5 Remaining business at adjourned meetings	48
21.6 Limits on number of speakers	40	25.6 Business referred to the council, committee or local or community board	48
21.7 Seconder may reserve speech	40	25.7 Other types of procedural motions	48
21.8 Speaking only to relevant matters	40		
21.9 Restating motions	40		
21.10 Criticism of resolutions	40	<b>26. Points of order</b>	<b>49</b>
21.11 Objecting to words	41	26.1 Members may raise points of order	49
21.12 Right of reply	41	26.2 Subjects for points of order	49
21.13 No other member may speak	41	26.3 Contradictions	49
21.14 Adjournment motions	41	26.4 Point of order during division	49
21.15 Chair's acceptance of closure motions	41	26.5 Chair's decision on points of order	49
<hr/>			
<b>22. General procedures for speaking and moving motions</b>	<b>43</b>	<b>27. Notices of motion</b>	<b>50</b>
22.1 Options for speaking and moving	43	27.1 Notice of intended motion to be in writing	50
22.2 Option A	43	27.2 Refusal of notice of motion	50
22.3 Option B – (Default Provision)	43	27.3 Mover of notice of motion	50
22.4 Option C	43	27.4 Alteration of notice of motion	50
<hr/>			
<b>23. Motions and amendments</b>	<b>44</b>	27.5 When notices of motion lapse	50
23.1 Proposing and seconding motions	44	27.6 Referral of notices of motion	50
23.2 Motions in writing	44	27.7 Repeat notices of motion	50
23.3 Motions expressed in parts	44		
23.4 Substituted motion	44	<b>28. Minutes</b>	<b>51</b>
23.5 Amendments to be relevant and not direct negatives	45	28.1 Minutes to be evidence of proceedings	51
23.6 Foreshadowed amendments	45	28.2 Matters recorded in minutes	51
23.7 Lost amendments	45	28.3 No discussion on minutes	51
23.8 Carried amendments	45	28.4 Minutes of last meeting before election	51
23.9 Where a motion is lost	45		
23.10 Withdrawal of motions and amendments	45	<b>29. Keeping a record</b>	<b>52</b>
23.11 No speakers after reply or motion has been put	45	29.1 Maintaining accurate records	52
		29.2 Method for maintaining records	52
		29.3 Inspection	52
		29.4 Inspection of public excluded matters	52

<b>Appendix 1. Grounds to exclude the public</b>	<b>54</b>
////////////////////////////////////	
<b>Appendix 2. Sample resolution to exclude the public</b>	<b>56</b>
////////////////////////////////////	
<b>Appendix 3. Motions and amendments (Option A)</b>	<b>58</b>
////////////////////////////////////	
<b>Appendix 4. Motions and amendments (Option B)</b>	<b>59</b>
////////////////////////////////////	
<b>Appendix 5. Motions and amendments (Option C)</b>	<b>60</b>
////////////////////////////////////	
<b>Appendix 6. Table of procedural motions</b>	<b>61</b>
////////////////////////////////////	
<b>Appendix 7. Webcasting protocols</b>	<b>63</b>
////////////////////////////////////	
<b>Appendix 8. Powers of a Chair</b>	<b>64</b>
////////////////////////////////////	
<b>Appendix 9. Process for removing a Chair or deputy Mayor from office</b>	<b>66</b>
////////////////////////////////////	
<b>Appendix 10. Workshops</b>	<b>67</b>
////////////////////////////////////	
<b>Appendix 11. Sample order of business</b>	<b>68</b>
////////////////////////////////////	
<b>Appendix 12. Process for raising matters for a decision</b>	<b>69</b>
////////////////////////////////////	

# 1. Kupu Whakataki - Introduction

These Standing Orders have been prepared to enable the orderly conduct of Hastings District Council 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:

1. **Part 1** deals with general matters.

2. **Part 2** deals with pre-meeting procedures.

3. **Part 3** deals with meeting procedures.

Following Part 3, the Appendices provide 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 for Chairs and staff on implementation of the Standing Orders and are not part of the Standing Orders.

## 1.1 Ngā Mātāpono - Principles

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

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

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

## 1.2 Ngā tohutoro ā-ture - 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 Kupu rāpoto - Acronyms

LGA 2002 Local Government Act 2002

LGOIMA Local Government Official Information and Meetings Act 1987

LAMIA Local Authorities (Members' Interests) Act 1968

## 1.4 Te hāngaitanga - Application

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



## 2. Ngā whakamārama - Definitions

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

**Advisory group** means a group of people convened by a local authority for the purpose of providing advice or information that is not a committee or subcommittee. These Standing Orders do not apply to such groups. This definition also applies to workshops, working parties, working 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 a committee, or subsidiary organisation of a council, who is not elected.

**Audio link** means facilities that enable audio communication between participants at a meeting when 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.

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

**Chief executive** means the chief executive of a territorial authority or regional council appointed under

s.42 of the LGA 2002, and includes, for the purposes of these Standing Orders, any other officer authorized by the chief executive.

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

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

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

**Community board** means a community board established under s.49 of the LGA 2002.

**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.

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

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

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

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

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

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

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

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

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

**Karakia whakatūwheratanga** means an opening prayer.

**Karakia whakamutunga** means a closing prayer.

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

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

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

**Local authority** means in the context of these Standing Orders a regional council or territorial authority, as defined in s.5 LGA 2002, which is

named in these Standing Orders, and any subordinate decision-making bodies established by the local authority.

**Mayor** means the Mayor of a territorial authority elected under the Local Electoral Act 2001.

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

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

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

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

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

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

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

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

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

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

**Open voting** means voting that is conducted openly and in a transparent manner (i.e., enables an observer to identify how a member has voted on an issue) and may be conducted by electronic means. The

result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

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

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

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

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

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

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

**Presiding member** means the person chairing a meeting.

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

**Public excluded information** refers to information, which is currently before a public excluded session, is proposed to be considered at a public excluded session or had previously been considered at a public excluded session and not yet been released as publicly available information. It includes:

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

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

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

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

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

**Qualified privilege** means the privilege conferred on members by ss. 52 and 53 of LGOIMA.

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

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

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

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

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





**Seconder** means the member who seconds a motion.

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

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

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

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

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

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

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

Should a local authority wish to meet between the 20th of December and the 10th 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 group** means a group set up by a local authority to achieve a specific objective that is not a committee or subcommittee and to which these Standing Orders do not apply.

**Workshop** means in the context of these Standing Orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these Standing Orders do not apply. Workshops may include non-elected members. See definition of “advisory group”. Workshops are also described as briefings.



# Ngā take whānui - *General matters*

# 3. Ngā tikanga whakahaere hui - **Standing orders**

## 3.1 Te kawenga ki te whakatū tikanga whakahaere hui - **Obligation to adopt Standing Orders**

A council is required to operate in accordance with Standing Orders for the conduct of its meetings and the meetings of its committees and subcommittees. Local boards and community boards must also adopt Standing Orders. Standing Orders must not contravene any Act.

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

## 3.2 Te tukanga mō te whakatū me te whakahou i ngā tikanga whakahaere hui - **Process for adoption and alteration of Standing Orders**

The adoption of Standing Orders and any amendment to Standing Orders must be made by the Council and by a vote of not less than 75% of the members present. Similarly, in the case of a local and community board the adoption of Standing Orders and any amendments also requires a vote of not less than 75% of the members of the specific board.

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

## 3.3 Me whai ngā mema i ngā tikanga whakahaere hui - **Members must obey Standing Orders**

All members of the local authority, including members of committees and subcommittees, must obey these Standing Orders. Local boards and community boards which have adopted these Standing Orders must also comply with them.

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

## 3.4 Te whakahāngai i ngā tikanga whakahaere hui - **Application of Standing Orders**

These Standing Orders apply to all meetings of the local authority, its committees, subcommittees, and subordinate decision-making bodies. They will also apply to any local boards and community boards unless stated otherwise. This includes meetings and parts of meetings that the public are excluded from.

## 3.5 Te tārewa taupua i ngā tikanga whakahaere hui - **Temporary suspension of Standing Orders**

Any member of a council, committee, subcommittee and subordinate body, and local and community board, 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 Chair must put the motion without debate and at least 75% 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 must also identify the specific Standing Orders to be suspended. In the event of suspension those Standing Orders prescribed in statute will continue to apply, such as the quorum requirements.

## 3.6 Ngā whakawā a te Kaunihera - **Quasi-judicial proceedings**

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

## 3.7 Ngā wāhi noho o ngā mema - **Physical address of members**

Every member of a local authority, local board and community board must give to the chief executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or delivered. Members are to provide their address within 5 working days of the publication of the declaration of the election results. Public access to those addresses is subject to the Privacy Act 2020.

# 4. Ngā hui - Meetings

## 4.1 Te tikanga ā-ture ki te whakahaere hui - **Legal requirement to hold meetings**

The local authority must hold meetings for the good government of its city, district, or region. The same requirement applies to local boards and community boards in respect of their communities. Meetings must be called and conducted in accordance with:

- a Schedule 7 of the LGA 2002;
- b Part 7 of LGOIMA; and
- c These Standing Orders.

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

## 4.2 Te roa o ngā hui - **Meeting duration**

A meeting cannot continue more than six hours from when it starts (including any adjournments) or after 10.30pm unless the meeting resolves to continue. If there is no such resolution, 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 Te reo - **Language**

A member may address a meeting in English, Te Reo Māori, or New Zealand Sign Language. A Chair 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 Chair 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 Chair not less than 2 working days before the meeting.

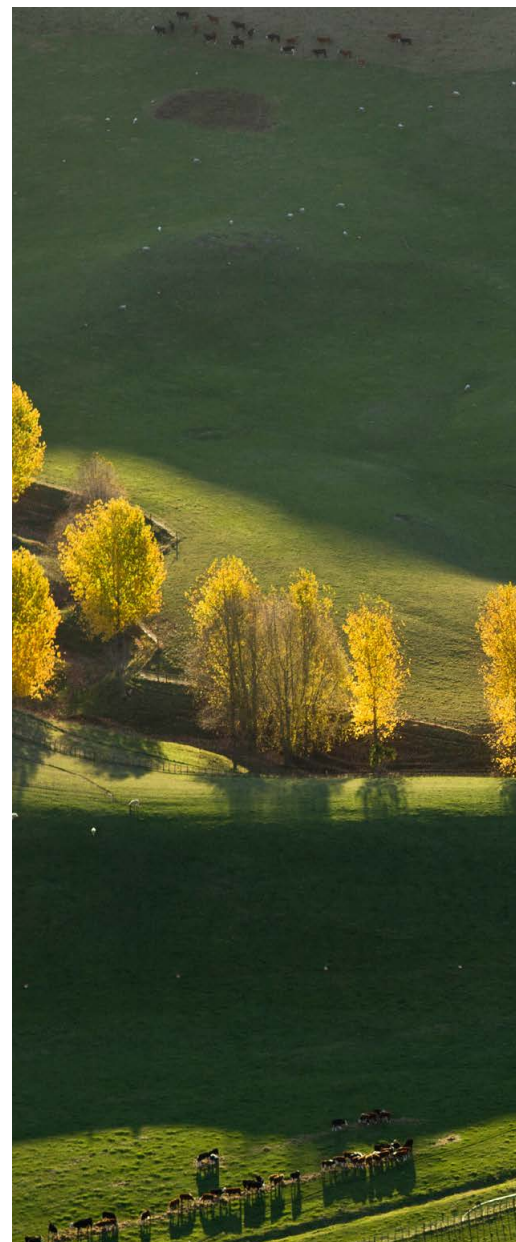
## 4.4 Te pāho mataora i ngā hui - **Webcasting meetings**

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

## 4.5 Te hui tuatahi - **First meeting (inaugural)**

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

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







#### 4.6 Ngā tikanga mō te hui tuatahi - **Requirements for the first meeting**

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

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

- a The making and attesting of the declarations required of the mayor (if any) and members under cl.14 Schedule 7, LGA 2002;
- b The election of the Chair (if any) and the making and attesting of the declaration required of the Chair under cl. 14 Schedule 7, (LGA 2002);
- c A general explanation, given or arranged by the chief executive, of:
  - i LGOIMA; and
  - ii Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and ss. 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
- d The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- e The election of the Deputy Mayor or Deputy Chair in accordance with cl.17 Schedule 7, (LGA 2002).

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

Please note that the election of a Deputy Mayor is not required if the Mayor has already made the appointment under s. 41A(3)(a) LGA 2002 prior to the meeting. Nothing limits a territorial authority from removing a Deputy Mayor from office in accordance with cl.18 Schedule 7, LGA 2002.

# 5. Ngā kopounga me ngā pōtitanga - *Appointments and elections*

## 5.1 Te kopounga a te Koromatua i te Koromatua tuarua, ngā ūpoko o ngā komiti me ngā mema - *Mayoral appointment of Deputy Mayor, committee Chairs and members*

A Mayor may appoint the Deputy Mayor, the Chair, and the members of each committee of the territorial authority. The names of any appointments made by the Mayor must be tabled at the first meeting of the council after the appointments are made. The Mayor may also appoint themselves.

s. 41A(3) LGA w2002.

## 5.2 Te whakakore a te Kaunihera i tētahi tūranga i kopoua e te Koromatua - *Council Discharge of a Mayoral Appointment*

Nothing, however, limits or prevents a territorial authority from discharging Deputy Mayor, a Chair or a member of a committee appointed by the Mayor. Any decision by the territorial authority to discharge a Deputy Mayor shall follow the procedure in Standing Order 5.5.

If the Mayor declines to appoint a Deputy Mayor or committee Chairs in accordance with s. 41A LGA 2002, the council (or a committee, if so, directed by the council) must elect those positions in accordance with Standing Order 5.4.

cl. 31 Schedule 7 LGA 2002.

## 5.3 Te whakatū a te koromatua i ngā komiti - *Establishment of committees by the Mayor*

The Mayor may establish committees of the territorial authority. Where a Mayor exercises this right a list of the committees and their terms of reference must be tabled at the next following meeting of the Council. Should the Mayor decline to establish committees under s. 41A, then any decision to establish committees must follow the processes set out in these Standing Orders.

Nothing, however, limits or prevents a territorial authority from discharging or reconstituting, in accordance with cl. 30 Schedule 7, LGA 2002, a committee established by the Mayor or appointing more committees in addition to any established by the Mayor.

Please note that a Mayor is a member of every committee unless specific legislation provides otherwise, for example a committee established under s. 189 of the Sale and Supply of Alcohol Act 2012.

s. 41A(3) and (4) LGA 2002.

## 5.4 Te pōti i ngā ūpoko ā-rohe, ngā Koromatua tuarua me ngā ūpoko tuarua - *Elections of regional Chair, Deputy Mayor, and Chairs and Deputy Chairs of Committees*

The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.6) when electing people to the following positions:

- The Chair and Deputy Chair of a regional council;
- The Deputy Mayor;
- The Chair and Deputy Chair of a committee; and
- A representative of a local authority.

Please note, this provision does not apply in situations where a Mayor has used their appointment powers under s.41A to appoint a Deputy Mayor or committee Chairs.

cl. 25 Schedule 7, LGA 2002.



## 5.5 Te whakakore i te tūranga a tētahi Koromatua tuarua - *Removal of a Deputy Mayor*

A deputy Mayor, whether appointed by the Mayor under Standing Order 5.1 or elected by the Council, can only be removed in accordance with cl. 18 Schedule 7, LGA 2002. See Appendix 9.

*cl. 18 Schedule 7, LGA 2002.*

## 5.6 Te pūnaha pōti mō ngā ūpoko, ngā Koromatua tuarua me ngā ūpoko komiti - *Voting system for Chairs, Deputy Mayors, and committee Chairs*

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

### SYSTEM A

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

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

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

### SYSTEM B

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

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

*cl. 25 Schedule 7, LGA 2002.*







# 6. Te tuku mana - *Delegations*

## 6.1 Ngā tepenga o te tuku mana - *Limits on delegations*

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

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

Please note: A council is advised to delegate a range of decision-making responsibilities to its chief executive to cover the period from the day following the Electoral Officer's declaration until the new council is sworn in. See the 2022 Guide to Standing Orders for further information.

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

## 6.2 Ka taea e ngā komiti te tuku mana - *Committees may delegate*

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

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

## 6.3 Te whakamahi i ngā mana tuku - *Use of delegated powers*

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

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

## 6.4 E kore e taea te whakakore, te whakahou rānei i ngā whakatau i raro i te mana tuku - *Decisions made under delegated authority cannot be rescinded or amended*

Nothing in these Standing Orders allows a council, committee, and subcommittee to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation authorising the making of that decision. The same requirement applies to a local board and community board in relation to any committees or subcommittees with delegated authority.

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

## 6.5 Kei raro ngā komiti me ngā komiti āpiti i te mana a te mana ā-rohe - *Committees and subcommittees subject to the direction of the local authority*

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

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

## 6.6 Te haepapa ki te whakaaroaro ki te tukunga mana ki ngā poari hapori - *Duty to consider delegations to community boards*

The council of a territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.

*cl. 32(6) Schedule 7, LGA 2002.*



# 7. Ngā komiti - Committees

## 7.1 Te kopounga o ngā komiti me ngā komiti āpiti - **Appointment of committees and subcommittees**

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

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

## 7.2 e whakakore, te whakahou rānei i ngā komiti me ngā komiti āpiti - **Discharge or reconstitution of committees and subcommittees**

Unless expressly provided otherwise in legislation or regulation:

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

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

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

Please note: Section 12(2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election. This also applies to District Licensing Committees.

## 7.3 Te kōpounga, te whakakore rānei i ngā mema komiti me ngā mema komiti āpiti - **Appointment or discharge of committee members and subcommittee members**

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

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

## 7.4 Te tū a ngā mema pōti ki ngā komiti me ngā komiti āpiti - **Elected members on committees and subcommittees**

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

At least one member of a committee must be an elected member of the council. In the case of a committee established by a local board or community board at least one member must be a member of that board. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

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

## 7.5 Ka āhei te mana ā-rohe ki te whakakapi i ngā mema mēnā kāore i whakakorehia te komiti - **Local authority may replace members if committee not discharged**

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

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

## 7.6 Te mematanga a te Koromatua - **Membership of Mayor**

The Mayor is a member of every committee of the local authority unless specific legislation provides otherwise, such as a committee established under s. 189 of the Sale and Supply of Alcohol Act 2012.

*s. 41A(5) LGA 2002.*



## 7.7 Kāore e noho manakore tētahi whakatau ahakoa i rangirua te mema tangā - **Decision not invalid despite irregularity in membership**

For the purpose of these Standing Orders a decision of a local authority, committee, local board, and community board is not invalidated if:

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

cl. 29 Schedule 7, LGA 2002.

## 7.8 Te kopounga o ngā komiti hono - **Appointment of joint committees**

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

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

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

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

## 7.9 Te tūnga o ngā komiti hono - **Status of joint committees**

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

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

## 7.10 Te mana ki te kopou me te whakakore i ngā mema takitahi o tētahi komiti hono - **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.



# I mua i te hui - *Pre-meeting*

# 8. Te tuku pānui - **Giving notice**

Please note; the processes described in this section (Standing Orders 8.1 – 8.13) apply as appropriate to local boards and community boards.

## 8.1 Te pānui tūmatanui – ngā hui noa - **Public notice – ordinary meetings**

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

*s. 46 LGOIMA 1987.*

## 8.2 Te pānui ki ngā mema – ngā hui noa - **Notice to members – ordinary meetings**

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

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

## 8.3 Ka āhei ki te karanga hui Motuhake - **Extraordinary meeting may be called**

An extraordinary council meeting may be called by:

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

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

## 8.4 Te pānui ki ngā mema – ngā hui Motuhake - **Notice to members – extraordinary meetings**

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

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

## 8.5 Ka āhei ki te karanga hui ohotata - **Emergency meetings may be called**

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

- a The Mayor; or
- b If the Mayor is unavailable, the chief executive.

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

## 8.6 Te pūnaha mō te karanga hui ohotata - **Process for calling an emergency meeting**

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

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

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

## **8.7 Te pānui tūmatanui – ngā hui ohotata me te Motuhake - *Public notice – emergency and extraordinary meetings***

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

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

s. 46(3) LGOIMA 1987.

## **8.8 Kāore e manakore ngā hui - *Meetings not invalid***

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

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

s. 46(5) & (6) LGOIMA 1987.

## **8.9 Ngā tatūnga i whakamanahia i te hui Motuhake - *Resolutions passed at an extraordinary meeting***

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

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

s. 51A LGOIMA 1987.

## **8.10 Ngā hōtaka hui - *Meeting schedules***

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

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

## **8.11 Te kore e whiwhi pānui a ngā mema - *Non-receipt of notice to members***

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

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

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

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

## **8.12 Te whakakore hui - *Meeting cancellations***

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

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





TAMA  
TŪRANGA  
HUATA

CRAFT & SOCIAL



# 9. Te rārangi take o ngā hui - *Meeting agenda*

## 9.1 Te whakarite i te rārangi take - *Preparation of the agenda*

It is the chief executive's responsibility 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 Chair, or the person acting as Chair for the coming meeting.

## 9.2 Te pūnaha mō te whakatakoto take hei whakatau - *Process for raising matters for a decision*

Requests for reports may be made by a resolution of the council, committee, subcommittee, subordinate decision-making body, local boards, or community board and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 12.

## 9.3 Ka āhei te tumu whakarae ki te whakaroa, whakakore rānei i tētahi tono - *Chief executive may delay or refuse request*

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

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

## 9.4 Te raupapatanga o ngā mahi - *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 Chair, or the meeting, decides otherwise. An example of a default order of business is set out in Appendix 11.

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

## 9.5 Te marohi a te ūpoko - *Chair's recommendation*

A Chair, 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 Chair'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 of the LGA 2002.

## 9.6 Te pūrongo a te ūpoko - *Chair's report*

The Chair of a meeting has the right, through a report, to direct the attention of a meeting to any matter which is on the agenda, or 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 of the LGA 2002.

## 9.7 Te wātea o te rārangi take ki te marea - *Public availability of the agenda*

All information provided to members at a local authority, or local or community board, 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.

ss. 5 & 46A LGOIMA 1987.

## 9.8 Te tiroiro a te marea i te rārangi take - *Public inspection of agenda*

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

- a Shall be available for inspection at the public offices of the local authority (including service centres), at public libraries under the authority's control and on the council's website, and:
- b Shall 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 1987.

### **9.9 Te tango take i te rārangī take - *Withdrawal of agenda items***

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

### **9.10 Te tuari i te rārangī take - *Distribution of the agenda***

The chief executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting or an emergency meeting (see Standing Orders 8.4 and 8.6).

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

### **9.11 Te tūnga o te rārangī take - *Status of agenda***

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

### **9.12 Ngā take kāore i runga i te rārangī take e kore e taea te whakaroa - *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 Chair 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 1987.

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

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

### **9.13 Te kōrerorero i ngā take iti kāore i runga i te rārangī take - *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 Chair 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 1987.

### **9.14 Ngā take o te rārangī take kāore e whārikihia ki te marea - *Public excluded business on the agenda***

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

s. 46A(9) LGOIMA 1987.

### **9.15 Te maru whāiti e pā ana ki te rārangī take me ngā meneti - *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 1987.



# Ngā Tikanga Hui - *Meeting Procedures*

# 10. Te whakatuwhera me te whakakapi - *Opening and closing*

## 10 Te whakatuwhera me te whakakapi - *Opening and closing*

Local authorities, local boards and community boards 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 timatanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.



# 11. Kōrama - Quorum

## 11.1 Ngā hui Kaunihera - Council meetings

The quorum for a meeting of the council is:

- a Half of the members physically present, where the number of members (including vacancies) is even; and
- b A majority of the members physically present, where the number of members (including vacancies) is odd.

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

## 11.2 Ngā hui komiti me te komiti āpiti - Committees and subcommittee meetings

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

In the case of subcommittees, the quorum will be two members unless otherwise stated. In the case of committees at least one member of the quorum must be a member of the council, or if established by a local board or community board, the relevant board.

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

## 11.3 Ngā komiti hono - Joint Committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 11.1. Local authorities participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each local authority or any party.

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

## 11.4 Te herenga mō te kōrama - Requirement for a quorum

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

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

## 11.5 Ka tārewa te hui mēnā karekau he kōrama - Meeting lapses where no quorum

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

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

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

## 11.6 Ngā take mai i ngā hui tārewa - 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 Chair sets an earlier meeting, and this is notified by the chief executive.







## 12. Te urunga a te marea me te hopunga - **Public access and recording**

### 12.1 E tuwhera ana ngā hui ki te marea - **Meetings open to the public**

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

s.47 & 49(a) LGOIMA 1987.

### 12.2 Ngā take e panaia ai te marea - **Grounds for removing the public**

The Chair 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 1987.

### 12.3 Ka āhei te mana ā-rohe ki te hopu i ngā hui - **Local authority may record meetings**

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

### 12.4 Ka āhei te marea ki te hopu i ngā hui - **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 must be notified to the Chair at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business.

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

# 13. Te taenga - **Attendance**

## 13.1 Te mōtika a ngā mema ki te tae ki ngā hui - **Members' right to attend meetings**

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

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

If the member of the local authority is not an appointed member of the meeting at which they are in attendance, 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 any members of the local authority who are present may remain unless they are lawfully excluded.

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

## 13.2 Te tae ki ngā hui ina whakahaere whakawā te komiti - **Attendance when a committee is performing judicial or quasi-judicial functions**

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

## 13.3 Te tuku tamōtanga - **Leave of absence**

A council may grant a member leave of absence following an application from that member. The council may delegate the power to grant a leave of absence to the Mayor in order to protect a members' privacy and the Council may approve an application from the Mayor. The Mayor will advise all members of the council whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

## 13.4 Ngā whakapāhi - **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 Mayor (or Chair) must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council.

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

## 13.5 Te hopu whakapāha - **Recording apologies**

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

## 13.6 Te tamōtanga kāore i whakaaetia - **Absent without leave**

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

*cl. 5(1)(d) Schedule 7, LGA 2002.*

## 13.7 Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei - **Right to attend by audio or audiovisual link**

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

## 13.8 Te tūnga a te mema: kōrama - **Member's status: quorum**

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

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

## 13.9 Te tūnga a te mema: te pōti - **Member's status: voting**

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

### **13.10 Ngā mahi a te ūpoko - Chair's duties**

Where the technology is available and a member is attending a meeting by audio or audiovisual link, the Chair 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.

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

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

### **13.11 Ngā tikanga mō te taenga mā te hononga ā-oro, ataata-rongo rānei - Conditions for attending by audio or audiovisual link**

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

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

### **13.12 Te tono kia tae mā te hononga ā-oro, ataata-rongo rānei - Request to attend by audio or audiovisual link**

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

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

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

### **13.13 Ka āhei te ūpoko ki te whakakore i te hononga - Chair may terminate link**

The Chair 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; and
- e Information classified as confidential may be compromised (see also SO 13.16).

### **13.14 Te tuku, te whakaatu rānei i tētahi tuhinga - 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 Chair thinks fit.

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

### **13.15 Ina mūhore te hononga - Link failure**

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

### **13.16 Te matatapu - Confidentiality**

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



# 14. Te mahi a te ūpoko i roto i ngā hui - **Chair's role in meetings**

## 14.1 Ngā hui kaunihera - **Council meetings**

The Mayor must preside at meetings of the Council unless they vacate the chair for a part or all of a meeting. If the Mayor is absent from a meeting or vacates the chair, the Deputy Mayor must act as Chair. If the Deputy Mayor is also absent the local authority members who are present must elect a member to be the Chair at that meeting. This person may exercise the meeting responsibilities, duties, and powers of the Mayor for that meeting.

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

## 14.2 Ētahi atu hui - **Other meetings**

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

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

## 14.3 Me pēhea te whakaingoa i te ūpoko - **Addressing the Chair**

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

## 14.4 Ngā whakataunga a te ūpoko - **Chair's rulings**

The Chair 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 Chair's ruling). Any refusal to obey a Chair's ruling or direction constitutes contempt (see SO 20.5).

## 14.5 Ina tū te ūpoko - **Chair standing**

Whenever the Chair 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 Chair without interruption.

## 14.6 Te mōtika a te mema ki te korero - **Member's right to speak**

Members are entitled to speak in accordance with these Standing Orders. Members should address the Chair when speaking. Members are required to stand when speaking. They may not leave their place while speaking unless they have the leave of the Chair.

## 14.7 Ka āhei te ūpoko ki te whakaraupapa i ngā kaikōrero - **Chair may prioritise speakers**

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

- a Raise a point of order, including a request to obtain a time extension for the previous speaker; and/or
- b Move a motion to terminate or adjourn the debate; and/or
- c Make a point of explanation; and/or
- d Request the Chair to permit the member a special request.

# 15. Ngā Matapakinga a te Marea - *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, not necessarily on the meeting's agenda, to the attention of the local authority.

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

## 15.1 Ngā tepenga wā - *Time limits*

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

Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation during a public forum. Where the number of speakers presenting in the public forum exceeds 6 in total, the Chair has discretion to restrict the speaking time permitted for all presenters.

## 15.2 Ngā Herenga - *Restrictions*

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

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

## 15.3 Ngā pātai i ngā matapakinga a te marea - *Questions at public forums*

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

## 15.4 Kāore he tatūnga - *No resolutions*

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

# 16. Ngā Teputeihana - *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 Chair, or an official with delegated authority, five working days before the meeting; however, this requirement may be waived by the Chair. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered.

## 16.1 Ngā tepenga wā - *Time limits*

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

## 16.2 Ngā Herenga - *Restrictions*

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

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

## 16.3 Te pātai i ngā teputeihana - *Questions of a deputation*

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

## 16.4 Ngā tatūnga - *Resolutions*

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





# 17. Ngā Petihana - *Petitions*

## 17.1 Te āhua o ngā petihana - *Form of petitions*

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

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented, however this requirement may be waived by the Chair.

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 Māori or sign language should advise the chief executive in time to allow translation services to be arranged.

## 17.2 Te petihana ka whakatakotohia e te kaipetihana - *Petition presented by petitioner*

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

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

## 17.3 Te petihana ka whakatakotohia e tētahi mema - *Petition presented by member*

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

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



# 18. Te aukati i te marea - *Exclusion of public*

## 18.1 Ngā mōtini me ngā tatūnga ki te aukati i te marea - *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 s. 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 1987.

## 18.2 Ka āhei ngā tāngata ka tohua ki te noho mai - *Specified people may remain*

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

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

s.48(6) LGOIMA 1987.

## 18.3 Ngā take e aukatihia ana ki te marea - *Public excluded items*

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

s.46A(8) LGOIMA 1987.

## 18.4 Te kore e whāki i ngā mōhiohio - *Non-disclosure of information*

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

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

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

## 18.5 Te tuku i ngā mōhiohio nō te nohoanga aukati ki te marea - *Release of information from public excluded session*

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

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

# 19. Te pōti - Voting

## 19.1 Mā te nuinga e whakatau - *Decisions by majority vote*

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

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

## 19.2 Te pōti tuwhera - *Open voting*

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

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

## 19.3 Kei te ūpoko te pōti whakatau - *Chair has a casting vote*

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

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

## 19.4 Te tikanga pōti - *Method of voting*

The method of voting must be as follows:

- a The Chair 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 Chair, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chair will call a division;
- b The Chair 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 Chair who must declare the result.

## 19.5 Te tono i te wehenga - *Calling for a division*

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

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

## 19.6 Te tono kia tuhi i ngā pōti - *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 e.g., reason for the vote or abstention is not permitted.

## 19.7 Ka āhei ngā mema ki te noho puku - *Members may abstain*

Any member may abstain from voting.



# 20. Ngā whanonga - **Conduct**

## 20.1 Te tono kia tau ngā mema - **Calling to order**

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

## 20.2 Ngā whanonga e hāngai ana ki te Tikanga Whakahaere - **Behaviour consistent with Code of Conduct**

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

## 20.3 Te tango kōrero me te whakapāha - **Retractions and apologies**

In the event of a member or speaker who has been disrespectful of another member or contravened the council's Code of Conduct, the Chair 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 Chair may direct that they should leave the meeting immediately for a specified time and/or make a complaint under the Code of Conduct.

## 20.4 Ngā whanonga kino - **Disorderly conduct**

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

If the disorder continues the Chair 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 Chair may also adjourn the meeting if other people cause disorder or in the event of an emergency.

## 20.5 Te whakahāwea - **Contempt**

Where a member is subject to repeated cautions by the Chair 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 Chair for disorderly conduct, may be subject to Standing Order 20.6.

## 20.6 Te pana i te tangata i te hui - **Removal from meeting**

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

This Standing Order will apply where the Chair 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 Chair's permission.

## 20.7 Ngā take taharua ahumoni - **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 Chair 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.

ss. 6 & 7 LAMIA 1968.

## 20.8 Ngā take taharua ahumoni-kore - *Non-financial conflicts of interests*

Non-financial interests always involve questions of judgement and degree about whether the responsibility of a member of a local authority (or local or community board) could be affected by some other separate interest or duty of that member 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 Chair nor the meeting may rule on whether a member has a non-financial interest in the matter being discussed.

## 20.9 Te maru whāiti mō ngā whakaritenga hui - *Qualified privilege for meeting proceedings*

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

s. 53 LGOIMA 1987.

## 20.10 He āpitianga te maru whāiti ki ētahi atu whakaritenga - *Qualified privilege additional to any other provisions*

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

s. 53 LGOIMA 1987.

## 20.11 Ngā pūrere hiko i ngā hui - *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 Chair may require that an electronic device is switched off if its use is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of the proceedings.



# 21. Ngā tikanga whānui mō te tautohetohe - **General rules of debate**

## 21.1 Kei te ūpoko te tikanga - **Chair 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 Chair.

## 21.2 Te tepenga wā mā ngā kaikōrero - **Time limits on speakers**

The following time limits apply to members speaking at meetings:

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

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

## 21.3 Ngā pātai ki ngā kaimahi - **Questions to staff**

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

## 21.4 Ngā pātai whakamārama - **Questions of clarification**

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

## 21.5 Kotahi noa iho te wā e āhei ai te mema ki te korero - **Members may speak only once**

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

## 21.6 Ngā tepenga mō te maha o ngā kaikōrero - **Limits on number of speakers**

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

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

## 21.7 Ka āhei te kaitautoko ki te whakatārewa i tana korero - **Seconder may reserve speech**

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

## 21.8 Me hāngai ngā kōrero ki ngā take whai panga - **Speaking only to relevant matters**

Members may only speak to;

- a any matter before the meeting
- b a motion or amendment which they propose, and
- c 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 Chair's rulings on any matters arising under this standing order are final and not open to challenge.



## **21.9 Te whakahua anō i te mōtini - *Restating motions***

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

## **21.10 Te whakahē i ngā tatūnga - *Criticism of resolutions***

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

## **21.11 Te whakahē kupu - *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 Chair must order the minutes to record the objection.

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

## **21.12 Te mōtika ki te whakautu - *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 of reply until the closure motion.

## **21.13 E kore e āhei tētahi atu mema ki te korero - *No other member may speak***

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

- a After the mover has started their reply;
- b After the mover has indicated that they want to forego this right; and
- c Where the mover has spoken to an amendment to the original motion and the Chair has indicated that he or she intends to put the motion.

## **21.14 Ngā mōtini hei hiki i te hui - *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 or local or community board, is to be considered at the next ordinary meeting of that committee or board, unless otherwise specified.

## **21.15 Te whakaae a te ūpoko ki ngā mōtini whakakapi - *Chair's acceptance of closure motions***

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

However, the Chair 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 Chair puts the motion or amendment to the vote.



## 22. Ngā tikanga whānui mō te kōrero me te mōtini - **General procedures for speaking and moving motions**

### 22.1 Ngā kōwhiringa mō te kōrero me te mōtini - **Options for speaking and moving**

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

Option B applies unless, on the recommendation of the Chair at the beginning of a meeting, the meeting resolves [by simple majority] to adopt either Option A or Option C for the meeting generally, or for any specified items on the agenda.

### 22.2 Kōwhiringa A - **Option A**

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

### 22.3 Kōwhiringa B - **Option B – (Default Provision)**

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

### 22.4 Kōwhiringa C - **Option C**

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



# 23. Ngā mōtini me ngā - *Motions and amendments*

## 23.1 Te whakatakoto me te tautoko mōtini - *Proposing and seconding motions*

All motions and amendments moved during a debate must be seconded (including notices of motion). The Chair 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 are not entered in the minutes.

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

## 23.2 Te tuhi i ngā mōtini - *Motions in writing*

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

## 23.3 Ngā mōtini i whakawehea - *Motions expressed in parts*

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

## 23.4 Te whakakapi mōtini - *Substituted motion*

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



### **23.5 Me hāngai ngā whakahoutanga me kaua e whakahē i te mōtini - *Amendments to be relevant and not direct negatives***

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

Reasons for not accepting an amendment can include:

- a Not directly relevant
- b In conflict with a carried amendment
- c Similar to a lost amendment
- d Would negate a committee decision if made under delegated authority
- e In conflict with a motion referred to the governing body by that meeting
- f Direct negative.

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

### **23.6 Ngā whakahoutanga ua kōrerotia kētia - *Foreshadowed amendments***

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

### **23.7 Ngā whakahoutanga i whakahēngia - *Lost 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 Standing Orders 22.2 – 22.4, speak to it, and may move or second a further amendment.

### **23.8 Ngā whakahoutanga i whakaaetia - *Carried 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 Standing Orders 22.2 – 22.4, speak to the substantive motion, and may move or second a further amendment to it.

### **23.9 Ina whakahēngia tētahi mōtini - *Where a motion is lost***

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

### **23.10 Te tango i ngā mōtini me ngā whakahoutanga - *Withdrawal of motions and amendments***

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

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

### **23.11 Kāore e āhei he kaikōrero i muri i te whakautu a te kaimōtini, i te tono rānei i te pōti - *No speakers after reply or motion has been put***

A member may not speak to any motion once:

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

## 24. Te whakakore, te whakahou rānei i ngā tatūnga - *Revocation or alteration of resolutions*

### 24.1 Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga - *Member may move revocation of a decision*

A member may give the chief executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, subordinate body, local or community board. 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 ss. 77-82 of the LGA 2002.

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

### 24.2 Mā te rōpū nāna te whakatau e whakakore - *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, or a local or community board, 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 or local board or community board.

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

### 24.3 Te herenga ki te tuku pānui - *Requirement to give notice*

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

### 24.4 Ngā herenga mō ngā mahi i raro i te tatūnga whai pānga - *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 Chair:

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

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



## 24.5 Te whakakore, te whakahou rānei mā te tatūnga i taua hui tonu - **Revocation or alteration by resolution at same meeting**

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

## 24.6 Te whakakore, te whakahou rānei mā te marohi ki rō Pūrongo - **Revocation or alteration by recommendation in report**

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

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





# 25. Ngā mōtini whakahaere - *Procedural motions*

## 25.1 Me pōti ngā mōtini whakahaere i taua wā tonu - *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 Chair 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/or two against or, in the Chair's opinion, it is reasonable to accept the closure motion.

## 25.2 Ngā mōtini whakahaere ki te whakakapi, whakatārewa rānei i tētahi tautohetohe - *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 or local or community board.

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

## 25.3 Te pōti mō ngā mōtini whakahaere - *Voting on procedural motions*

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

## 25.4 Te tautohetohe i ngā take i whakatārewatia - *Debate on adjourned items*

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

## 25.5 Ngā take e toe ana i ngā hui i whakatārewatia - *Remaining business at adjourned meetings*

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

## 25.6 Ngā take e tukuna ana ki te kaunihera, komiti, poari hapori rānei - *Business referred to the council, committee or local or community board*

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

## 25.7 Ērā atu o ngā tukanga Mōtini - *Other types of procedural motions*

The Chair has discretion about whether to allow any other procedural motion that is not contained in these Standing Orders.

# 26. Etahi atu momo mōtini whakahaere - *Points of order*

## 26.1 Ka āhei ngā mema ki te tono ki te whakatika hapa - *Members may raise points of order*

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

## 26.2 Ngā kaupapa mō te whakatika hapa - *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 Chair;
- b Language** – to highlight use of disrespectful, offensive, or malicious language;
- c Irrelevance** – to inform the Chair that the topic being discussed is not the matter currently before the meeting;
- d Misrepresentation** – to alert the Chair of a misrepresentation in a statement made by a member, an officer, or a council employee;
- e Breach of standing order** – to highlight a possible breach of a standing order while also specifying which standing order is subject to the breach; and
- f Recording of words** – to request that the minutes record any words that have been the subject of an objection.

## 26.3 Ngā whakahē - *Contradictions*

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

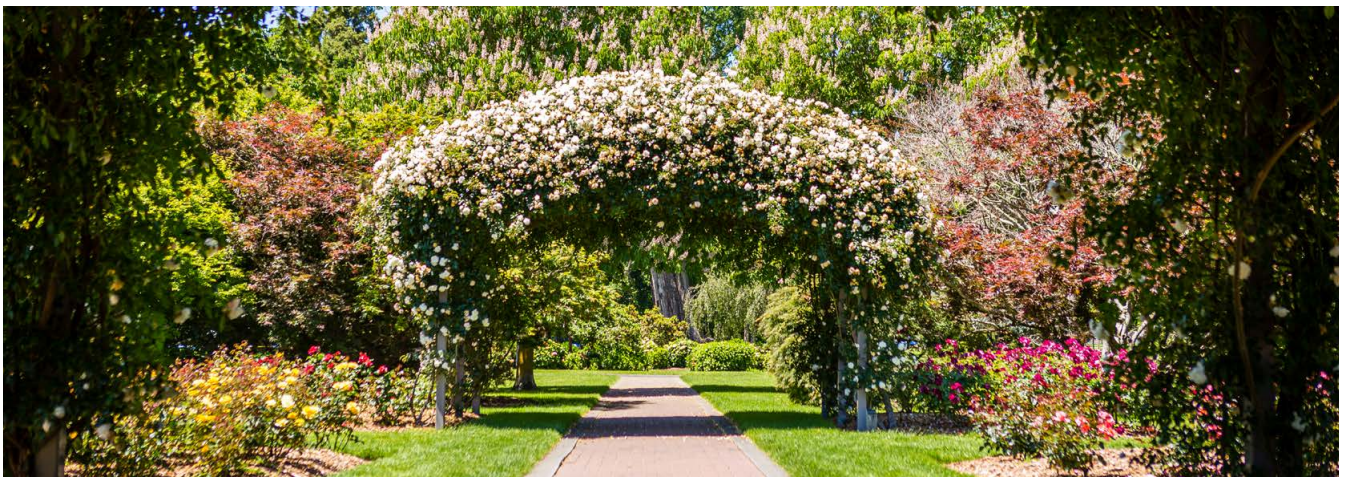
## 26.4 Te tono whakatika hapa i te wā o te wehenga - *Point of order during division*

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

## 26.5 Te whakatau a te ūpoko mō ngā tono whakatika hapa - *Chair's decision on points of order*

The Chair 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 Chair's ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

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





# 27. Te pānui i ngā - *Notices of motion*

## 27.1 Me tuhi te pānui mō te mōtini e takune ana - *Notice of intended motion to be in writing*

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

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

## 27.2 Te whakahē i te pānui mōtini - *Refusal of notice of motion*

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

- a Is disrespectful or which contains offensive language or statements made with malice; or
- b Is not related to the role or functions of the local authority or meeting concerned; or
- c Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- d Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- e Fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or
- f Concerns a matter where decision-making authority has been delegated to a subordinate body or a local or community board.

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 or board.

## 27.3 Te kaimōtini o te pānui mōtini - *Mover of notice of motion*

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

## 27.4 Te whakarerekē i te pānui mōtini - *Alteration of notice of motion*

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

## 27.5 Ka tārewa te pānui mōtini - *When notices of motion lapse*

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

## 27.6 Te tuku i ngā pānui mōtini - *Referral of notices of motion*

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

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

## 27.7 Ngā pānui mōtini tārua - *Repeat notices of motion*

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

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

# 28. Ngā meneti - *Minutes*

## 28.1 Ka noho ngā meneti hei taunakitanga mō te hui - *Minutes to be evidence of proceedings*

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

*cl. 28 Schedule 7, LGA 2002.*

## 28.2 Ngā take ka tuhi ki ngā meneti - *Matters recorded in minutes*

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

- a The date, time and venue of the meeting;
- b The names of the members present;
- c The Chair;
- d Any apologies or leaves of absences;
- e Members absent without apology or leave of absence;
- f Members absent on council business;
- g The arrival and departure times of members;
- h Any failure of a quorum;
- i A list of any external speakers and the topics they addressed;
- j A list of the items considered;
- k Items tabled at the meeting;
- l The resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these Standing Orders;
- m The names of all movers, and seconders;
- n Any objections made to words used;
- o All divisions taken and, if taken, a record of each members' vote;
- p The names of any members requesting that their vote or abstention be recorded;
- q Any declarations of financial or non-financial conflicts of interest;
- r The contempt, censure, and removal of any members;
- s Any resolutions to exclude members of the public;
- t The time at which the meeting concludes or adjourns; and
- u The names of people permitted to stay in public excluded.

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

## 28.3 Kāore e āhei te whakawhiti kōrero mō ngā meneti - *No discussion on minutes*

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

## 28.4 Ngā meneti o te hui whakamutunga i mua i te pōtitanga - *Minutes of last meeting before election*

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

# 29. Te whakarite mauhanga - *Keeping a record*

## 29.1 Te whakarite i ngā mauhanga tika - *Maintaining accurate records*

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

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

*s. 17 Public Records Act 2005.*

## 29.2 Te tikanga mō te tiaki i ngā mauhanga - *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) Contract and Commercial Law Act 2017.*

## 29.3 Te tiroiro - *Inspection*

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

*s. 51 LGOIMA 1987.*

## 29.4 Te tiroiro i ngā take aukati marea - *Inspection of public excluded matters*

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



## Ngā Tuhinga Tohutoro - *Referenced documents*

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

# ĀPITI HANGA 1

## APPENDIX 1

### Ngā take e aukatihia ai te marea - **Grounds to exclude the public**

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

- //////
- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- a To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
  - b To endanger the safety of any person.

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

See s.7 LGOIMA 1987.

*Where A2 of this Appendix applies 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 is not excluded.*

//////

//////  
**A3** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:  
a Be contrary to the provisions of a specified enactment; or  
b Constitute contempt of Court or of the House of Representatives.

//////  
**A4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).

//////  
**A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:  
a Any proceedings before a Council where:  
i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings;  
ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and  
iii. Proceedings of a local authority exist in relation to any application or objection under the Marine Farming Act 1971.

See s. 48 LGOIMA 1987.

//////



# ĀPITIHANGA 2

## APPENDIX 2

### He tauira mō te tatūnga ki te aukati i te marea - **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)*

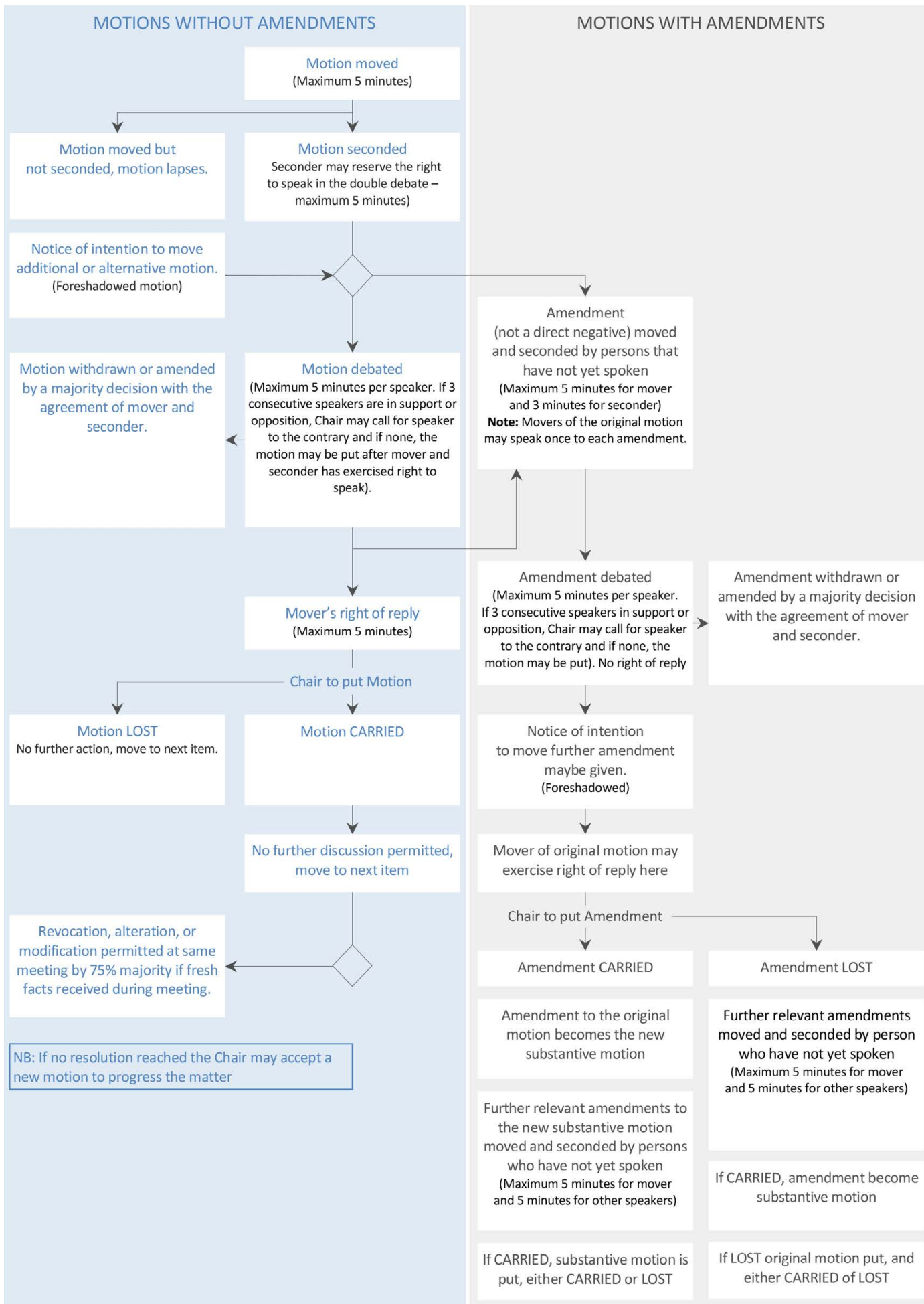
The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified by s 48(1) of the Local Government Official Information and Meetings Act 1987, are set out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

MEETING ITEM NO. AND SUBJECT	REASON FOR EXCLUDING THE PUBLIC	GROUNDINGS FOR EXCLUDING THE PUBLIC
		To prevent the disclosure of information which would: <ul style="list-style-type: none"> <li>i be contrary to the provisions of a specified enactment; or</li> <li>ii constitute contempt of court or of the House of Representatives (s.48(1)(b)).</li> </ul>
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where: <ul style="list-style-type: none"> <li>i a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or</li> <li>ii the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).</li> </ul>
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).

MEETING ITEM NO. AND SUBJECT	REASON FOR EXCLUDING THE PUBLIC	GROUNDS FOR EXCLUDING THE PUBLIC
		To protect information which if public would; i disclose a trade secret; or ii unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (s 7(2)(b)).
		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; • a resource consent, or • a water conservation order, or • a requirement for a designation or • a heritage order, (s 7(2)(ba)).
		To protect information which is subject to an obligation of confidence where the making available of the information would be likely to: 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 ii would be likely otherwise to damage the public interest (s 7(2)(c)).
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

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

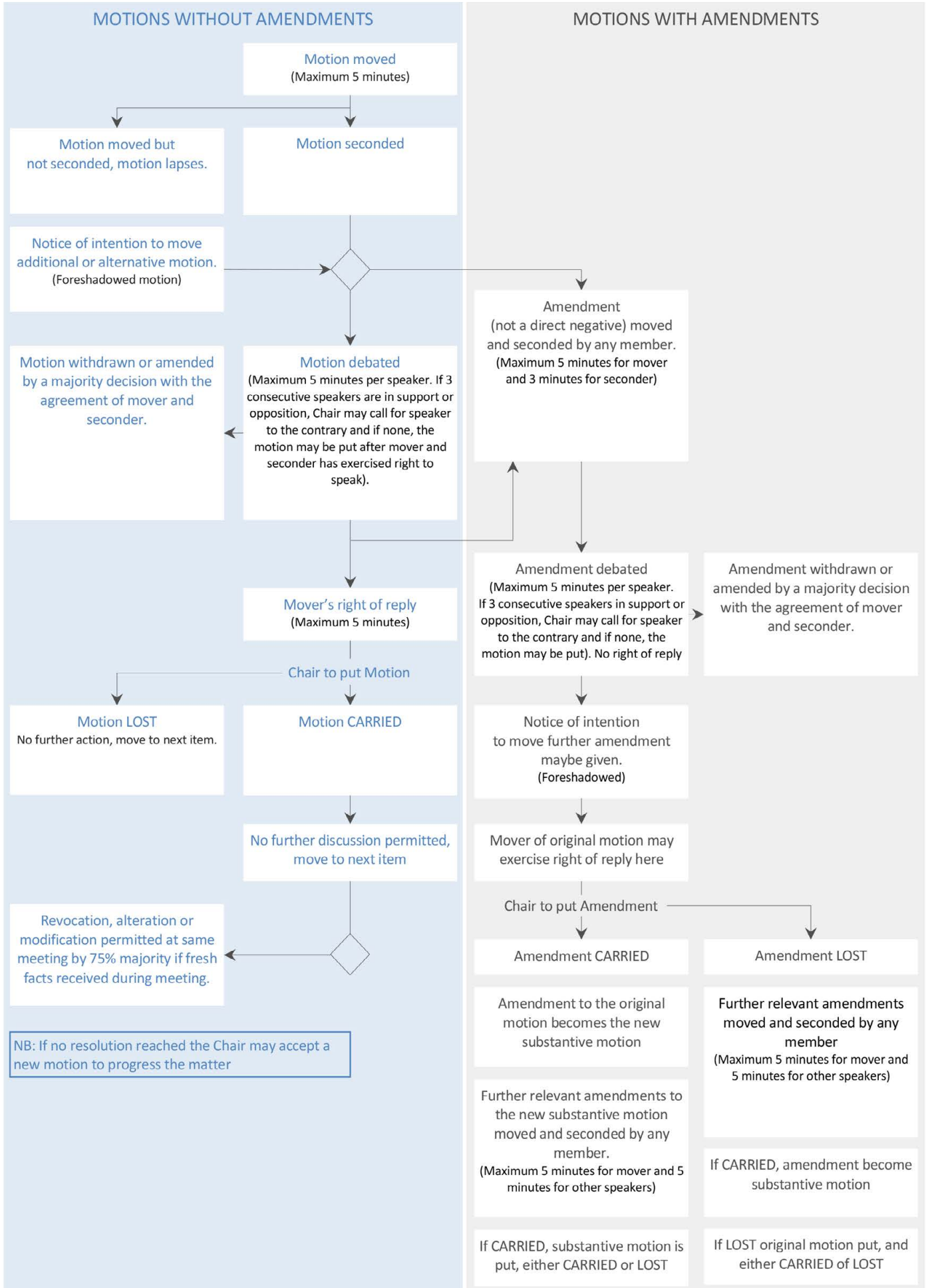
# Ngā mōtini me ngā whakahoutanga (Kōwhiringa A) - Motions and amendments (Option A)







# Ngā mōtini me ngā whakahoutanga (Kōwhiringa C) - *Motions and amendments (Option C)*



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

# ĀPITIHANGA 6

## APPENDIX 6

### Tūtohi mō ngā mōtini whakahaere - *Table of procedural motions*

MOTION	HAS THE CHAIR DISCRETION TO REFUSE THIS MOTION?	IS SECONDER REQUIRED?	IS DISCUSSION IN ORDER?	ARE AMENDMENTS IN ORDER?	IS MOVER OF PROCEDURAL MOTION ENTITLED TO REPLY?	ARE PREVIOUS PARTICIPANTS IN DEBATE ENTITLED TO MOVE THIS MOTION?	CAN A SPEAKER BE INTERRUPTED BY THE MOVER OF THIS MOTION?	IF LOST, CAN MOTION BE MOVED AFTER AN INTERVAL?	POSITION IF AN AMENDMENT IS ALREADY BEFORE THE CHAIR	POSITION IF A PROCEDURAL MOTION IS ALREADY BEFORE THE CHAIR	REMARKS
a “That the meeting be adjourned to the next ordinary meeting, or to a stated time and place’	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again.
b “That the motion under debate be now put (closure motion)”	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, only the amendment is put.	If carried, only the procedural motion is put.	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put.
c “That the item of business being discussed be adjourned to a stated time and place”	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	
d “That the item of business being discussed does lie on the table and not be discussed at this meeting”	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table.	Motion not in order.	
e “That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee”	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee.	If carried, the procedural motion is deemed disposed of.	
f “Points of order”	No – but may rule against	No	Yes – at discretion of Chair	No	No	Yes	Yes	No	Point of order takes precedence.	Point of order takes precedence.	See standing order 3.14.





MUNICIPAL BUILDINGS.

Hastings St  
Heretape St

TONG ISLAND  
Delicacies

495

ring in  
ember  
and 26th  
com  
p



## Ngā tikanga mō te pāhotanga mataora - *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 Chair 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 Chair 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 Chair.
- 7 Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being webcast.

## Ngā Mana Whakahaere a te Ūpoko - *Powers of a Chair*

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

### Chair to decide all questions

The Chair is to decide all questions where these Standing Orders make no provision or insufficient provision. The Chair's ruling is final and not open to debate.

### Chair to decide points of order (SO 26.5)

The Chair 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 Chair 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 Chair.

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

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

Minor matters not on the agenda relating to the general business of the local authority may be discussed if the Chair 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.

### Chair's report (SO 9.6)

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

### Chair's recommendation (SO 9.5)

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

### Chair's voting (SO 19.3)

The Chair at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where Standing Orders make such provision.

### Motion in writing (SO 23.2)

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

### Motion in parts (SO 23.3)

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

### Notice of motion (SO 27.2)

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

- Is disrespectful or which contains

offensive language or statements made with malice; or

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

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

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

### Action on previous resolutions (SO 27.2)

If, in the opinion of the Chair the practical effect of a delay in acting 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 Chair to be an attempt by a minority to frustrate the will of the meeting, action may be taken as though no such notice of motion had been given.

### Repeat notice of motion (SO 27.7)

If in the opinion of the Chair, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the local authority, no such notice of motion may be accepted within twelve months of consideration of the first notice of motion unless signed by not



less than one third of the members of the local authority, including vacancies.

## Revocation or alteration of previous resolution

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

## Chair may call a meeting

The Chair:

- 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 meeting; and
- b May requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

## Irrelevant matter and needless repetition (SO 21.8)

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

## Taking down words (SO 21.11)

The Chair 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 Chair 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.

## Chair rising (SO 14.5)

Whenever the Chair 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 Chair may be heard without interruption.

## Members may leave places (SO 14.6)

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

## Priority of speakers (SO 14.7)

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

## Minutes (SO 28.1)

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

## Questions of speakers (SO 16.3)

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

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

The Chair 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 Chair, can be directed to withdraw from the meeting for a time specified by the Chair.

## Chair's rulings (SO 14.4)

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

## Disorderly behaviour (SO 20.4)

The Chair 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 Chair.
- b Ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.

## Failure to leave meeting (SO 20.6)

If a member or member of the public who is required, in accordance with a Chair'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 Chair, any member of the police or officer or employee of the local authority may, at the Chair's request, remove or exclude that person from the meeting.

## Audio or audio visual attendance (SO 13.10)

Where the technology is available and a member is attending a meeting by audio or audio-visual link, the Chair 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;
  - i 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 Chair is attending by audio or audio visual link, then chairing duties will be undertaken by the deputy Chair or a member who is physically present.

## Te pūnaha mō te whakakore i te tūranga a te ūpoko, te Koromatua tuarua rānei - *Process for removing a Chair or deputy Mayor from office*

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

*cl. 18 Schedule 7, LGA 2002.*

## Awheawhe - *Workshops*

### Definition of workshop

Workshops, however described, provide opportunities for members to discuss particular matters, receive briefings and provide guidance for officials. Workshops are not meetings and cannot be used to either make decisions or come to agreements that are then confirmed without the opportunity for meaningful debate at a formal meeting.

### Application of Standing Orders to workshops

Standing orders do not apply to workshops and briefings. The Chair or workshop organisers will decide how the workshop, briefing or working party should be conducted.

### Calling a workshop

Workshops, briefings and working parties may be called by:

- a A resolution of the local authority or its committees
- b The Mayor,
- c A committee Chair or
- d The chief executive.

### Process for calling workshops

The chief executive will give at least 24 hours' notice of the time and place of the workshop and the matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances. Any notice given must expressly:

- a State that the meeting is a workshop;
- b Advise the date, time, and place; and
- c Confirm that the meeting is primarily for the provision of information and discussion and will not make any decisions or pass any resolutions.

Public notice of a workshop is not required, and workshops can be either open to the public or public excluded.

### Record of workshop

A written record of the workshop should be kept and include:

- Time, date, location, and duration of workshop;
- Person present; and
- General subject matter covered.



# ĀPITIHANGA 11

## APPENDIX 11

### He tauira mō te whakaraupapatanga o ngā take - *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 Local and/or community board input
- i Extraordinary business
- j Notices of motion
- k Reports of committees
- l Reports of local and/or community boards
- m Reports of the chief executive and staff
- n Mayor, deputy Mayor and elected members' reports (information)

#### Public excluded section

- o Reports of committees
- p Reports of the chief executive and staff
- q Mayor, deputy Mayor and elected members' reports (information)

## Te pūnaha mō te whakatakoto take hei whakatau - *Process for raising matters for a decision*

Matters requiring a decision may be placed on an agenda of a meeting by a:

- Report of chief executive;
- Report of a Chair;
- Report of a committee;
- Report of a community and/or local board; 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 chief executive; or
- Report of Chair.

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

**HASTINGS DISTRICT COUNCIL**

207 Lyndon Road East, Hastings 4122

Private Bag 9002, Hastings 4156

Phone 06 871 5000 | [www.hastingsdc.govt.nz](http://www.hastingsdc.govt.nz)

**TE KAUNIHERA Ā-ROHE O HERETAUNGA**

