



STANDING ORDERS

FOR MEETINGS OF THE TARARUA DISTRICT COUNCIL

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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 local authorities, their committees, subcommittees and subordinate decision-making bodies, and local and community boards. They 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 bodies 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 of the Local Government Act 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 Chairperson of each meeting to make a ruling.

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

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1 Introduction

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

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

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

The Appendix, which follows Part 3, provides templates and additional guidance for implementing provisions within the Standing Orders. Please note, the Appendix is an attachment to the Standing Orders and not part of the Standing Orders themselves, consequently amendments to the Appendix do not require the agreement of 75% of those present.

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 2002; 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” (LGA 2002, s 39).

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 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.

Acronyms

CCLA 2017	Contract and Commercial Law Act 2017
LAMIA	Local Authorities (Members' Interests) Act 1968
LGA 2002	Local Government Act 2002
LGOIMA	Local Government Official Information and Meetings Act 1987
PRA 2005	Public Records Act 2005
RMA	Resource Management Act 1991

Application

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

2 Definitions

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

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

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

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

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

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

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

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

Chief executive means the Chief Executive of a 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 of sch 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.

Conflict of Interest includes:

- (a) any pecuniary (financial) interest;
- (b) any interest arising because of that person's position as a trustee, director, officer, employee or member of another body;
- (c) any personal non-pecuniary interest, such as pre-determination or bias.

Contempt means being disobedient to, or disrespectful of, the chair of a meeting, or disrespectful to any members, officers or the public, or otherwise not complying these standing orders.

Council means, in the context of these Standing Orders, the governing body of a city or district Council.

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

Deliberative vote means the ordinary vote of a member (as compared to the casting vote of a Chairperson).

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

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

Electronic link means both an audio and audiovisual link.

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

Extraordinary meeting has the same meaning as defined in cl 22 of sch 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 Council, 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 Council in accordance with cl 30A of sch 7 of the LGA 2002.

Karakia timatanga means an opening prayer or blessing.

Karakia whakamutunga means a closing prayer or blessing.

Lawfully excluded means a member of a local authority who has been removed from a meeting due to behaviour that a Chairperson has ruled to be contempt. It also means when a member cannot participate in part of a meeting due to existence of pecuniary interests.

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 of the 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, extraordinary, or emergency 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.

Non-elected member see Appointed Member

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.

Original motion means the first motion moved in a debate, prior to amendment (if any).

Pecuniary Interest in relation to a member, means any activity of financial benefit to that member, including any interest described in s 3 and 6 of the Local Authorities (Members Interests) Act 1968 and also in s 5 of the Local Government Act 2002.

Petition means a request to a Council 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 either physically present in the room or attending the meeting by audio / visual link, if allowed by these standing orders.

Presiding member means the Chairperson.

Procedural motion means a motion that is used to control the way in which a motion or the meeting is managed as specified in Standing Orders 25.1 – 25.7.

Public excluded information refers to information which is currently before a public excluded session, is proposed to be considered at a public excluded session. It includes:

- (a) any minutes (or portions of minutes) of public excluded sessions which have not been subsequently released by the Council; and

- (b) any other information which has not been released by the Council 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 means a period set aside usually at the start of a meeting for the purpose of public input.

Public notice / publicly notified means a notice or notification to members of the public that is made publicly available until any opportunity for review or appeal in relation to the matter notified has lapsed, on the Council's website. The notice / notification must also be 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.

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

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

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

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

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

Second means the member who seconds a motion or amendment.

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

Subordinate decision-making body means a decision-making body appointed by a Council which is required by the Council to follow these standing orders. For clarity, local boards, community boards or joint committees are not subordinate decision-making bodies.

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.

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

Should a local authority wish to meet between the 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 party means a group set up by a Council to achieve a specific objective that is not a committee or subcommittee and to which these Standing Orders do not apply.

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

General matters

3 Standing orders

3.1 Obligation to adopt standing orders

Councils are required to adopt a set of standing orders.

Standing orders set out how meetings are conducted.

Standing orders must not contravene any Act.

If a standing order is inconsistent with a legal requirement, that requirement prevails over the standing order.

This obligation applies to city and district Councils, regional Councils, local boards and community boards.

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

3.2 Process for adoption and alteration of standing orders

Adopting new standing orders requires a vote of not less than 75 percent of the members present.

Amending the current standing orders also requires a vote of not less than 75 percent of the members present.

LGA 2002, sch 7, cl 27(3).

3.3 Members must obey standing orders

All members must comply with these standing orders. All external meeting participants, including appointed members, must comply with these standing orders.

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

3.4 Application of standing orders

These standing orders apply to all meetings. This includes meetings of committees, subcommittees and subordinate decision-making bodies.

Standing orders also apply to any meetings and parts of meetings where the public have been excluded.

3.5 Temporary suspension of standing orders

A meeting can temporarily suspend a standing order(s), provided the suspension does not contravene any legislative requirements.

The meeting must suspend a standing order(s) by resolution.

The meeting's motion to suspend a standing order(s) must include:

- (a) the reason for suspending the standing order(s); and
- (b) identification of the standing order(s) being suspended.

A motion to suspend standing order(s) can be taken before or during a debate.

Once seconded, the meeting Chairperson must put the motion without debate.

To be carried, at least 75 percent of members present and voting must support the motion.

LGA 2002, sch 7, cl 27(4).

3.6 Quasi-judicial proceedings

A meeting which is undertaking quasi-judicial proceedings may set their own meeting procedures.

Quasi-judicial proceedings are held for the purpose of conducting hearings and / or considering disputes.

Some committees may have additional powers under the Commissions of Inquiry Act 1908.

3.7 Physical address of members

Every member, whether elected or appointed, must provide the Chief Executive with an electronic address where meeting notices and information may be sent.

Where a member does not have an electronic address, they must provide the Chief Executive with a physical address within the district or region where material can be sent.

It is preferable for all members to provide both an electronic and physical address.

Members should also inform the Chief Executive which contact information can be made publicly available.

Personal information provided by a member is subject to the Privacy Act 2020.

4 Meetings

4.1 Legal requirement to hold meetings

The Council must hold the meetings that are necessary for the good government of its city or district. The same requirement applies to local boards and community boards in respect of their communities.

The calling of meetings, and their conduct must be in accordance with:

- (a) Schedule 7 of the LGA 2002;
- (b) Part 7 of LGOIMA; and

- (c) These standing orders.

Meetings must be held at the times and places that it appoints.

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

cl. 19(1) – (4), Schedule 7, LGA 2002

4.2 Meeting duration

Unless the meeting resolves to continue, a meeting cannot:

- (a) sit for more than two hours without a break of at least ten (10) minutes;
- (b) continue for more than six (6) hours (including adjournments) from when it convened; or
- (c) continue after 10:30pm.

If there is no resolution to continue, any business remaining must be:

- (a) adjourned;
- (b) transferred to the next meeting; or
- (c) transferred to an extraordinary meeting.

4.3 Language

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

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

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

Any written materials should be forwarded to the Chief Executive at least two working days before the meeting for translation.

4.4 Webcasting meetings

Webcast meetings should be provided in accordance with the protocols contained in Standing Orders 13.11 to 13.16 and Appendix 7: Webcasting protocols.

4.5 First meeting (inaugural)

The Chief Executive calls the first meeting following a triennial general election.

The meeting must be called as soon as practicable after the date by which a candidate may apply for a recount has passed and the results of the election are known; or if an application for a recount is filed by a candidate or the electoral officer, the recount has been completed and the candidates to be declared elected are known.

Unless an emergency exists, the Chief Executive must give elected members not less than seven days' notice of the first meeting.

In the case of an emergency, the Chief Executive may give notice of the meeting as soon as practicable.

LGA 2002, sch 7, cl 21(1) - (3).

4.6 Requirements for the first meeting

The Chief Executive (or their nominee) must chair the first meeting until the Mayor has made their oral and written declaration.

The Mayor will chair the meeting once they have made their oral and written declarations.

LGA 2002, sch 7, cl 21(4)

The business to be conducted at the first meeting must include:

- (a) The oral and written declaration of both the Mayor and members (*LGA 2002, sch 7, cl14*);
- (b) A general explanation 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.
- (c) Determining the date and time of the next meeting, or the adoption of a schedule of meetings; and
- (d) Where the Mayor has not appointed a Deputy Mayor (*s41A(3)(a) of the LGA 2002*) the election of the Deputy Mayor.

The general explanation of Acts can also include the LGA provisions relating of the Register of Members' Pecuniary Interests (ss54A – 54I).

If an urgent meeting has been held (*LGA 2002, sch 7, cl21A*), the business that must be conducted at the first meeting will not include any business dealt with at that Urgent Meeting.

LGA 2002, sch 7, cl 21(5), LGA 2002, sch 7, cl 20(6), LGA 2002, s41A(3).

5 Appointments and elections

5.1 Mayoral appointment of Deputy Mayor, committees and committee chairs

A Mayor has the following powers:

- (a) to appoint the Deputy Mayor:
- (b) to establish committees of the territorial authority:
- (c) to appoint the Chairperson of each committee established under paragraph (b), and, for that purpose, a Mayor—
 - (i) may make the appointment before the other members of the committee are determined; and
 - (ii) may appoint himself or herself.

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

If the Mayor declines to appoint a Deputy Mayor or committee Chairpersons, the council (or a committee, if directed by the council) must elect those positions in accordance with Standing Order 5.4.

5.2 Council discharge of a Mayoral appointment

Nothing limits or prevents a Council from discharging a Deputy Mayor or a Chairperson appointed by the Mayor. Any decision by the territorial authority to discharge a Deputy Mayor shall follow the procedure in Standing Order 5.5.

LGA 2002, sch 7, cl 31.

5.3 Establishment of committees by the Mayor

The Mayor may establish the Council's committees and appoint their Chairpersons. 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 for adoption.

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 limits or prevents a territorial authority from discharging or reconstituting, in accordance with cl 30 of sch 7, LGA 2002, a committee established by the Mayor, or appointing more committees in addition to any established by the Mayor.

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

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

5.4 Elections of Deputy Mayors and Deputy Chairpersons

When electing or appointing the following positions, the Council (or a committee responsible for making the appointment) must resolve to use one of two voting systems (see Standing Order 5.6):

- The Deputy Mayor;
- The Chairperson and Deputy Chairperson of a committee; and
- A representative of a Council.

Please note, this provision does not apply in situations where a Mayor has used their powers under LGA 2002, s 41A to appoint a Deputy Mayor, or committee chairs.

LGA 2002, sch 7, cl 25.

5.5 Removal of a Deputy Mayor

A Deputy Mayor, whether appointed by the Mayor under the Standing Order 5.1, or elected by the council, can only be removed in accordance with cl 18, sch 7, of the LGA 2002. See Standing Order 5.2.

LGA 2002, sch 7, cl 18.

5.6 Voting system for Deputy Mayors and committee chairs

When electing a Deputy Mayor or a committee chair the council 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.

LGA 2002, sch 7, cl 25.

6 Delegations

6.1 Only the holder of a delegated authority can rescind or amend a previous decision

Where a Council or a Committee has delegated authority to another body, member, or officer, they cannot rescind or amend a decision made under that delegated authority.

LGA 2002, Sch 7, cl 30(6)

6.2 Duty to consider delegations to Community Boards

A Council which has community boards must consider whether or not to delegate to a community board if the delegation will enable the community board to best achieve its role.

LGA 2002, Sch 7, cl 32(6)

6.3 Limits on delegations

Unless clearly stated in the LGA 2002 or any other Act, a Council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, 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;*
- (h) the power to adopt a remuneration and employment policy.

LGA 2002, sch 7, cl 32 (1).

6.4 Committees may delegate

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

LGA 2002, sch 7, cl (2) & (3).

6.5 Use of delegated powers

The body, member or officer of the Council who has been delegated authority to act may exercise those responsibilities, powers or duties:

- (a) without confirmation by the body that delegated the authority; and
- (b) in a like manner and with the same effect as the Council or Committee could have exercised or performed them.

LGA 2002, sch 7, cl 32(2),(3), and (4).

6.6 Bodies are subject to the direction of the Council

A committee, subcommittee or other subordinate decision-making body is subject in all things to the control of the local authority, or committee that appointed the subcommittee.

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

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

7 Committees

7.1 Appointment of committees and subcommittees

A Council may appoint the decision-making bodies that it considers appropriate. This includes committees, subcommittees and any other subordinate decision-making body.

Unless the Council prohibits it, a committee can appoint subcommittees.

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

7.2 Discharge or reconstitution of committees and subcommittees

Unless legislation or regulation prevents it:

- (a) A Council may discharge or reconstitute a subordinate decision-making body; and
- (b) A committee may discharge or reconstitute a subcommittee it has established;

- (c) Every subordinate decision-making body is discharged following a triennial general election.

LGA 2002, sch 7, cl 30 (5) & (7).

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. The same is true for District Licensing Committees.

7.3 Appointment or discharge of committee members and subcommittee members

A Council may appoint or discharge any member of a committee and, if established by the council, a subcommittee.

A committee may appoint or discharge any member of a subcommittee appointed by the committee unless the Council directs otherwise.

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

7.4 Membership of committees and subcommittees

A Council or committee may appoint non-elected members (appointed members) to a committee or subcommittee.

At least one member of a committee must be an elected member.

An appointed member on a committee or subcommittee must, in the opinion of the Council or committee, have the skills, attributes or knowledge to assist the committee or subcommittee.

A staff member of the committee, in the course of their employment, can be a subcommittee member, but not a committee member.

The minimum number of members is three for a committee and two for a subcommittee.

LGA 2002, sch 7, cl 31(3), (4) & (6).

7.5 Local authority may replace members if committee not discharged

A Council may resolve that a committee or subcommittee is not to be discharged following a triennial general election.

Where a committee has not been disestablished at a triennial general election, the Council may replace the members after that election.

LGA 2002, sch 7, cl 31(5) and (7).

7.6 Membership of Mayor

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

LGA 2002, s 41A(5).

7.7 Decision not invalid despite irregularity in membership

A decision of a Council or committee is not invalidated if:

- (a) there is a vacancy in the membership of the Council or committee at the time of the decision;
- (b) 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.

LGA 2002, sch 7, cl 29.

7.8 Appointment of joint committees

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

- (a) The number of members each party may appoint;
- (b) How the Chairperson and Deputy Chairperson are to be appointed;
- (c) The committee's terms of reference;
- (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.

LGA 2002, sch 7, cl 30A(1) - (3).

NB – a Mayor who is a member of a joint committee by virtue of s41A(5), is not counted as part of the quorum of that joint committee.

LGA 2002, sch , cl30A(6A)

7.9 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.

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

7.10 Power to appoint or discharge individual members of a joint committee

Individual members of a joint committee may only be discharged or appointed by the Council or public body that made the original appointment.

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

Pre-meeting

8 Giving notice

8.1 Public notice – ordinary meetings

The Council must publicly notify all upcoming meetings:

- a) Every month:
 - i) by publishing a list of meetings scheduled for the following month;
 - ii) the list must be publicly notified not more than 14 and not less than 5 days before the end of the preceding month; and
 - iii) the public notice must include the dates, times and places of each meeting.
- b) Alternatively, where a meeting is scheduled to be held after the 21st day of any month:
 - i) the Council can publicly notify the meeting(s) no more than 10 (and not less than 5) **working** days before the day on which the meeting is to be held.

LGA 2002, s. 5, LGOIMA, s. 2 & s 46(1) & (2)

8.2 Public notice / publicly notified means:

- a) publicly available on the Council's internet site; and
- b) published in at least:
 - i) one daily newspaper which circulates in the region or district of the Council; or
 - ii) one or more other newspapers that have a combined circulation equivalent to the newspaper in (i) above.

LGA 2002 s. 5, LGOIMA s.2 & s. 46(1) & (2)

8.3 Notice to members - ordinary meetings

- The Chief Executive must advise every member of the time and place of every meeting.
- That advice must be given in writing.
- If the Council has adopted a schedule of meetings, the advice must be given not less than 14 days before the first meeting of the schedule.
- If the Council has not adopted a schedule of meetings, the advice must be given not less than 14 days before the meeting.

LGA 2002, sch 7, cl 19(5).

8.4 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

- (a) Council resolution; or
- (b) A written requisition delivered to the Chief Executive. The requisition must be signed by:
 - i) The Mayor; or
 - ii) Not less than one third of the total membership of the council (including vacancies).

LGA 2002, sch 7, cl 22(1).

8.5 Notice to members - extraordinary meetings

The Chief Executive must give written notice to members advising them of the time and place of an extraordinary meeting (called under the Standing Order 8.4).

The notice must:

- a) include the general nature of the business to be considered; and
- b) be provided to each member of the Council at least three working days before the meeting day.

If the meeting is called by a resolution, the Chief Executive can provide the notice in a lesser period (as specified in the resolution) provided it is not less than 24 hours.

LGA 2002, sch 7, cl 22(2).

8.6 Emergency meetings may be called

In some instances, the Council must deal with business urgently.

An Emergency Meeting may be called:

- a) when the notice requirements for an extraordinary meeting cannot be met; and
- b) it is not practicable to call the meeting by resolution.

An Emergency Meeting may be called by:

- a) the Mayor; or
- b) the Chief Executive (if the Mayor is unavailable).

LGA 2002, sch 7, cl 22A(1).

8.7 Process for calling an emergency meeting

Given the need for an emergency meeting, the person calling the meeting (or another person on their behalf) must give notice of the time and place of the meeting by whatever means is reasonable in the circumstances, at least 24 hours before the meeting.

Notice must be given to each member of the Council and the Chief Executive.

LGA 2002, sch 7, cl 22A(2).

8.8 Public notice – emergency and extraordinary meeting

Where an emergency or extraordinary meeting of a local authority is called and the public notice requirements of LGOIMA and/or the Standing Orders cannot be met, the Council must still publicly notify the meeting.

The public notice must also include the general nature of the items being discussed at the meeting.

The public notice must:

- (a) 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, it must be notified:
 - i) as soon as practicable on the Council's website; and
 - ii) in any other manner that is reasonable in the circumstances.

LGOIMA, s 46(3).

8.9 An urgent meeting may be called

The Chief Executive may call an urgent meeting of the Council before candidates to be declared elected after a recount are known if:

- a) an application for a recount has been made following a triennial general election; and
- b) an event occurs that, in the Chief Executive's opinion, requires the Council to deal with a matter urgently; and
- c) the first meeting of the Council has not yet been called.

LGA 2002, sch 7, cl 21A (1 & 2)

8.10 Process for calling an urgent meeting

If the Chief Executive calls an urgent meeting, the Chief Executive must give notice of that meeting as soon as practicable to every person who:

- a) is not an affected candidate; and
- b) has been declared to be elected to the Council.

Notice must be given to each of those persons:

- a) by whatever means is reasonable in the circumstances; and
- b) at least 24 hours before the meeting commences.

The notice must specify:

- a) the time and place of the urgent meeting; and
- b) the matter for determination at urgent meeting.

LGA 2002, sch 7, cl21A 3(a), 3(b) & 5

8.11 Public notice – urgent meetings

Where an urgent meeting is called and the public notice requirements of LGOIMA and/or these Standing Orders cannot be met, the Council must still publicly notify the meeting.

The public notice must include the general nature of the matter being discussed at the meeting and must:

- a) be publicly notified as soon as practicable before the meeting; or
- b) if not practicable to publish in newspapers before the meeting, it must be notified:
 - i) as soon as practicable on the Council's website; and
 - ii) in any other manner which is reasonable in the circumstances.

LGA 2002, sch 7, cl21A (4) & LGOIMA, s 46(3)

8.12 Conduct of urgent meetings

The Council may only conduct the following business at an urgent meeting:

- a) in respect of the persons described in LGA 2002 sch 7, cl21A(3)(a), the oral and written declarations of the Mayor (if any) and members (under clause 14);
- b) a general explanation of LGOIMA and other laws affecting members, including the appropriate provisions of LAMIA; ss99, 105, and 105A of the Crimes Act 1961; the Secret Commissions Act 1910; the Financial Markets Conduct Act 2013, and the LGA 2002 provisions relating to the register of members' pecuniary interests (ss54A – 54I);
- c) the matter in respect of which the urgent meeting has been called;
- d) the election of a member to preside at the urgent meeting (if required).

Councils cannot consider any items other than those specified above.

If multiple urgent meetings are required, the items outlined in (a) and (b) above may be omitted from the business to be conducted if they have previously been dealt with.

The Chief Executive (or their nominee in the Chief Executive's absence) must chair the urgent meeting until:

- a) the Mayor (if any) has made their oral and written declarations; or
- b) the members that are present have:
 - i) made their oral and written declarations; and
 - ii) elected one of their number to preside at the urgent meeting.

An affected candidate cannot participate in the meeting but may attend the meeting if it is open to the public.

LGA 2002, sch 7 cl 21B

8.13 Meetings not invalid

Failing to publicly notify a meeting does not, of itself, invalidate a meeting.

Where a Council becomes aware that a meeting has not been properly notified, it must, as soon as possible, give public notice that the meeting has been held.

The public notice must state:

- a) the meeting has occurred without proper notice;
- b) the general nature of the items discussed; and
- c) the reasons why the meeting was not notified.

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

8.14 Resolutions passed at an extraordinary meeting

A Council 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 five working days before the day on which the meeting was held.

LGOIMA, s 51A.

8.15 Meeting schedules

A Council may adopt a schedule of meetings. The schedule may cover any period that the council considers appropriate. The Council may amend the schedule at any time.

Notifying the schedule to members is considered to be notification of every meeting on the schedule.

Notifying members of an amendment to the schedule is notification of the amended meeting.

Nothing in this clause replaces the Council's obligations under the LGOIMA for public notification of meetings.

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

8.16 Non-receipt of notice to members

A meeting is not invalid if an elected member does not receive (or does not receive in time) notice of the meeting 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 may waive the need to be given notice of a meeting.

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

8.17 Meeting cancellations

- The Chairperson of a scheduled meeting may cancel the meeting if, in consultation with the Chief Executive, they consider this is necessary.
- Reasons for cancellation may 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.

9 Meeting agenda

9.1 Preparation of the agenda – for members

At least two working days prior to a meeting the Chief Executive must prepare an agenda for the meeting, to be circulated to all members attending the meeting.

Even though the agenda is the Chief Executive's responsibility, where practicable, the Chief Executive should consult the Chairperson for the meeting about the agenda.

The agenda must:

- a) list the items to be brought before the meeting;
- b) include the reports and other attachments associated with the list of items in the agenda; and
- c) indicate which items are expected to be discussed with the public excluded (see also standing order 9.14).

9.2 Process for raising matters for a decision

Council, committees, Community Boards and subordinate decision-making bodies may, by resolution request reports on matters they determine.

For all decision-making bodies other than the Council, requests for reports must fall within the scope of their terms of reference.

9.3 Chief executive may delay or refuse request

The Chief Executive may delay commissioning, or not produce, reports that involve significant cost, unless agreed by the Council, or are beyond the scope of the body that made the request.

Where the Chief Executive refuses a request to prepare a report, they will:

- a) discuss options for meeting the request with the respective Chairperson;
- b) report back to a subsequent meeting:
 - i) with an estimate of the resourcing and / or cost involved; and
 - ii) seek direction on whether the report should still be prepared.

A Chief Executive may refuse a direct report request from an individual member. In this instance, an explanation should be provided to the member.

9.4 Order of business

At the meeting, the items are to be dealt with in the order in which they are listed on the agenda unless the Chairperson, or the meeting (by resolution), decides otherwise.

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

9.5 Chairperson's recommendation

A Chairperson may provide a recommendation on an agenda item.

- The Chairperson's recommendation can be provided before or during the meeting.

- Where a Chairperson's recommendation varies significantly from an officer's recommendation, the Chairperson must provide the reasons for the recommendation.
- The recommendation, and reasons, must comply with the decision-making requirements of Part 6 of the LGA 2002.

9.6 Chairperson may prepare report

The Chairperson of a meeting has the right to prepare a report to be included in the agenda provided the matter falls within the terms of reference for the meeting.

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

9.7 Public availability of the agenda

The meeting information provided to members must be publicly available unless the information relates to a matter reasonably expected to be discussed with the public excluded.

LGOIMA s. 5 & 46A.

9.8 Public inspection of agenda

A member of the public is entitled to inspect, during normal office hours, the agendas including associated reports provided to members.

The agendas must be available for viewing at the public offices of the Council (including service delivery centres) and the public libraries under the Council's control.

Agendas must be accompanied by:

- a) the associated reports; or
- b) a notice advising where the reports can be inspected.

While the documents must be available for viewing at least two working days before a meeting, they should be made available with as much notice as possible before the meeting date.

It is sufficient for the documents to be available for electronic inspection.

No charge can be imposed for the inspection of the agendas (including reports).

LGOIMA s. 46A (1) – (3).

9.9 Withdrawal of agenda items

The Chief Executive may withdraw an item from an agenda.

The Chief Executive should inform the Chairperson of the reason(s) for the withdrawal.

9.10 Distribution of the agenda

The Chief Executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting.

In the case of extraordinary, emergency or urgent meeting, the agenda must be made available as soon as is reasonable in the circumstances.

The Chief Executive may send the agenda, and other materials relating to the meeting or other Council business, to members by electronic means (see Standing Orders 8.5 to 8.15).

9.11 Status of agenda

No matter included on a meeting agenda, including any recommendations in associated reports, may be considered as final until determined by a formal resolution of that meeting.

9.12 Items not on the agenda – decision cannot be delayed

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

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

LGOIMA, s 46A(7).

Items not included on the agenda may be considered at a meeting if included in a report from either the Chief Executive or the Chairperson.

Please note, that nothing in this standing order removes the requirement to meet the provisions of Part 6 of the LGA 2002.

9.13 Items not on the agenda – minor issues for discussion only

A meeting can discuss minor items which are not on an agenda if:

- a) the matter relates to Council business; and
- b) at the start of the public part of the meeting, the Chairperson explains that the matter will be discussed.

The meeting cannot make a resolution, decision or recommendation on any minor matter that was not on the agenda for that meeting.

The meeting can, however, refer the matter to a subsequent meeting for further discussion.

LGOIMA, s 46A(7A).

9.14 Public excluded business on the agenda

The Chief Executive may exclude a report, or part of a report, from an agenda where they expect it to be discussed once the public has been excluded (by resolution) from the meeting.

Where reports, or parts of reports, are withheld, the agenda and proposed recommendation must clearly indicate:

- a) the matter is expected to be discussed with the public excluded;
- b) the general subject of any items to be discussed with the public excluded;
- c) the reasons for passing a resolution (with reference to the particular provision relied on for each matter); and
- d) the actual ground in section 48(1) relied on to exclude the public.

LGOIMA, s 46A(8) - (9) and 48(3).

9.15 Qualified privilege relating to agenda and minutes

Where a meeting is open to the public and:

- a) a member of the public is given a copy of the agenda or further statements; or
- b) a member of the public is given a copy of the minutes;

The publication of any defamatory matter included in the agenda or in the minutes is privileged, unless it is proved (through defamation proceedings) that the defendant:

- a) was motivated by ill will toward the plaintiff; or
- b) took improper advantage of the publication.

LGOIMA, s 52.

Meeting Procedures

10 Opening and closing

The Chairperson, or any person authorised by the Chairperson, may make a statement or prayer, or similar, to open / close a meeting.

Appropriate karakia timatanga and mihi whakatau, or pōwhiri, may also be considered to open, and karakia whakamutunga to close, a meeting where appropriate.

11 Quorum

Note: a meeting is constituted if a quorum is present, regardless of whether all of the members are voting or entitled to vote (LGA 2002, sch 7, cl 23(1)).

No business may be conducted if a quorum of members is not present for the whole time the business is being considered.

LGA 2002, sch 7, cl 23(1) & (2)

11.1 Council meetings

The quorum for a meeting of the council is:

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

LGA 2002, sch 7, cl 23(3)(a)

11.2 Committees and subcommittee meetings

- A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference.
- A committee may set the quorums for any subcommittees it establishes.
- The minimum quorum for a committee or subcommittee is two members.
- In the case of committees at least one member of the quorum must be a member of the council, or if established by a community board, the relevant board.

LGA 2002, sch 7, cl 23(3)(b).

11.3 Joint Committees

The quorum at a meeting of a joint committee is:

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

A Joint Committee Agreement may vary the quorum requirement above to provide that a quorum must include one or more members appointed by each party.

LGA 2002, sch 7, cl 30A(6)(b) & (c).

11.4 Mayor as member of a joint committee

A Mayor is a member of all Joint Committees.

If the Mayor is a member solely due to s41A(5), the Mayor is not counted as a member of the committee for determining:

- a) the number of members required to constitute a quorum; or
- b) whether a quorum exists at a meeting.

LGA 2002, s 41A(5), sch 7 cl30A(6A)

11.5 Meeting lapses where no quorum

A meeting lapses, and the Chairperson must vacate the chair, if a quorum is not present within 30 minutes of the advertised start of the meeting.

- The Chairperson has the discretion to wait for a longer period if members are known to be travelling to the meeting but have been delayed.
- If a quorum is lost during a meeting, the meeting lapses if the quorum is not present within 15 minutes.
- No business may be conducted while waiting for the quorum to be reached.

Minutes must record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended and left, causing the quorum to lapse.

11.6 Business from lapsed meetings

Where meetings lapse the remaining business will be adjourned and be placed at the beginning of the agenda of the next ordinary meeting, unless the Chairperson sets an earlier meeting, or refers the matter to another body with appropriate decision-making authority, and this is notified by the Chief Executive.

12 Public access and recording

12.1 Meetings open to the public

Every meeting of the Council, including its committees and subcommittees, must be open to the public unless the public has been excluded.

Members of the news media are considered to be members of the public.

LGOIMA, s 47 & 49(a).

12.2 Grounds for removing the public

The Chairperson may require a 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.

LGOIMA, s 50(1).

12.3 Council may record meetings

Where the Council intends to record a meeting(s), the venue should contain clear signage indicating that proceedings may be recorded.

12.4 Public may record meetings

- Members of the public may make electronic or digital recordings of meetings which are open to the public.
- Any recording of meetings should be notified to the Chairperson at the commencement of the meeting.
- The process of recording must not distract the meeting from fulfilling its business.
- Where circumstances require, the Chairperson may direct the recording to stop for a period of time.

13 Attendance

13.1 Members right to attend meetings

A member of a Council, or of a Council committee, has the right to attend any meeting of the Council or committee, unless they have been lawfully excluded.

LGA 2002, sch 7, cl 19(2).

If a member of the Council is not an appointed member of the meeting at which they are attending, they:

- a) may not vote on any matter at that meeting; but

- b) may, with the permission of the Chairperson, take part in the meeting's discussions (subject to standing order 13.2).

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 Council 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 Council committees.

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

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

13.3 Leave of absence

A council may grant a member leave of absence following an application from that member (including the Mayor).

To protect members' privacy, the Council may delegate authority to the Mayor to grant a leave of absence to a member. In the absence of the Mayor, the Deputy Mayor may exercise that authority.

The Mayor, or Deputy Mayor, will inform all members of the Council whenever a member has been granted leave of absence under delegated authority.

Meeting minutes will record that a member has leave of absence as an apology for that meeting.

13.4 Apologies

A member who does not have leave of absence may tender an apology if they intend being absent from all or part of a meeting.

The Chairperson must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies.

Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council.

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

13.5 Recording apologies

The minutes must record:

- a) any apologies tendered before or during the meeting, including whether they were accepted or declined; and

- b) the time of arrival and departure of all members

13.6 Absent without leave

Members who miss four consecutive meetings of the Council (the governing body) without a leave of absence or apology having been accepted, will create an extraordinary vacancy.

This standing order does not apply to extraordinary meetings.

LGA 2002, sch 7, cl 5(d).

13.7 Right to attend by audio or audiovisual link

Provided the conditions in Standing Orders 13.11 and 13.12 are met:

- a) members of the Council and its committees (and members of the public for the purpose of a deputation approved by the Chairperson), have the right to attend meetings by electronic link, unless they have been lawfully excluded.
- b) members of the public, for the purpose of a deputation or public forum, approved by the Chairperson, have the right to attend meetings by electronic link, unless they have been lawfully excluded.

13.8 Member's status: quorum

Where these standing orders provide for members attendance by electronic link, members who attend meetings by electronic link are counted as present for the purposes of a quorum.

LGA 2002, sch 7, cl 25A(4).

13.9 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 Chairperson's duties

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

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

- iv) The requirements in these Standing Orders are met.

LGA 2002, sch 7, cl 25A(3).

13.11 Conditions for attending by audio or audiovisual link

Noting Standing Order 13.7, the Chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting.

Examples of situations where approval can be given include:

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

13.12 Request to attend by audio or audio visual link

Where possible, a member will give the Chairperson and the Chief Executive at least two working days' notice when they want to attend a meeting by audio or audio visual link. If, due to illness or emergency, this is not possible the member may give less notice.

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

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

13.13 Chairperson may terminate link

The Chairperson may direct that an electronic link be terminated where:

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

13.14 Giving or showing a document

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

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

LGA 2002, sch 7, cl 25(A)(6).

13.15 Link failure

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

13.16 Confidentiality

A member who is attending a meeting by audio or audio-visual link must ensure that the meeting's proceedings remain confidential during any time that the public is excluded.

The Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings. If the Chairperson is not satisfied by the explanation, they may terminate the link.

14 Chairperson's role in meetings

14.1 Council meetings

- The Mayor must chair all Council meetings unless they vacate the chair. The Mayor may vacate the chair for an entire meeting or part of a meeting.
- The Deputy Mayor must chair the Council meeting if the Mayor is absent from a meeting or vacates the chair.
- The members present must elect an acting Chairperson if the Mayor and Deputy Mayor are not present and/or have vacated the chair.
- The Deputy Mayor or the acting Chairperson has all the responsibilities, duties and powers of the Chairperson for the duration of the meeting.

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

14.2 Other meetings

The Chairperson of a committee or subcommittee must chair each meeting unless they vacate the chair for all or part of a meeting.

The Deputy Chairperson (if any) must chair the meeting if the Chairperson is absent or has vacated the chair.

The committee members present must elect an acting Chairperson if the Deputy Chairperson is absent or has not been appointed.

The Deputy Chairperson or acting Chairperson has all the responsibilities, duties and powers of the Chairperson for the meeting.

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

14.3 Addressing the Chairperson

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

14.4 Chairperson's rulings

The Chairperson will decide all procedural questions, including those where insufficient provision is made by the Standing Orders.

Where a point of order questions the Chairperson's ruling, the Deputy Chairperson will decide.

Refusal to obey a Chairperson's ruling or direction constitutes contempt (see Standing Order 20.5).

14.5 Chairperson standing

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

14.6 Member's right to speak

Members are entitled to speak in accordance with these Standing Orders.

Members should address the Chairperson when speaking.

Members may not leave their place while speaking unless they have the leave of the Chairperson.

14.7 Chairperson may prioritise speakers

When two or more members want to speak the Chairperson will determine the speaking order and name the member who may speak first.

Other members who wish to speak have precedence where they intend to:

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

15 Public Forums

Public forums are a defined period of time, usually at the start of a meeting, which, at the discretion of a meeting, is put aside for the purpose of public input.

Public forums enable members of the public to items of their choice, not on the meeting's agenda, to the attention of the Council.

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

15.1 Time limits

A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled Council meeting.

Speakers can speak for up to five minutes (excluding questions).

Requests to speak at a public forum must be:

- a) made to the Chief Executive (or their delegate);
- b) be made at least one clear day before the meeting; and
- c) must outline the items that will be addressed by the speaker(s).

The Chairperson has the discretion to:

- a) extend a speaker's allocated speaking time;
- b) where there are more than six speakers presenting in the public forum, restrict one or more speakers allocated speaking time; or
- c) waive the time requirement for requesting permission to speak in the public forum.

15.2 Restrictions

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

- a speaker is repeating views presented by an earlier speaker at the same public forum;
- more than two speakers have requested to speak on the same matter at the same 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 speaker has caused disruption at multiple previous committee and / or council meetings;
- the matter is subject to legal proceedings;
- the matter is subject to a hearing, including the hearing of submissions where the Council or committee sits in a quasi-judicial capacity; and / or

- decision-making authority on the matter rests with another body or individual.

15.3 Questions at public forums

With the Chairperson's permission, members may ask questions of speakers at the conclusion of their presentation.

Questions are to be confined to obtaining information or clarification on matters raised by a speaker.

The speaker may not ask questions of either members or staff.

15.4 No resolutions

No debate or decisions will be made at the meeting on issues raised during the public forum.

16 Deputations

The purpose of a deputation is to enable a person, group, or organisation to make a presentation about an item(s) on a meeting agenda.

Deputations may be heard at the commencement of the meeting, or at the time that the relevant agenda item is being considered.

Requests to make a deputation must be:

- a) made to the Chief Executive (or their delegate);
- b) made at least five clear days before the meeting; and
- c) must outline the items that will be addressed by the speaker(s).

Any documents to be included in the deputation must be received at least two days in advance to allow time for translation.

The Chairperson has the discretion to waive the time requirement for requesting permission to make a deputation.

Members of the public may not question either members or staff.

16.1 Time limits

Unless the Chairperson has restricted the speaking time under Standing Order 16.2:

- a) speakers can speak for up to 5 minutes; and
- b) no more than two speakers can speak on behalf of a deputation.

The Chairperson has discretion to extend a speaker's speaking time.

16.2 Restrictions

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

- A speaker is repeating views presented by an earlier speaker at the meeting;
- The speaker is criticising elected members and/or staff;
- The speaker is being repetitious, disrespectful or offensive;
- The speaker has previously spoken on the same issue;
- The matter is subject to legal proceedings; and
- The matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity; and / or
- Where a member of the public has previously caused a disruption at multiple meetings, the Chairperson may decline a deputation request and require the individual to provide their views in writing.

16.3 Questions of a deputation

With the permission of the Chairperson, members may ask questions of any speakers at the conclusion of the deputation.

Questions are to be confined to obtaining information or clarification on matters raised by the deputation.

Those making the deputation may not ask questions of either members or staff.

16.4 Resolutions

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

17. Petitions

17.1 Form of petitions

Petitions may be presented to the Council or any of its committees, provided the subject matter falls within the terms of reference of the intended meeting.

Petitions must:

- a) contain at least 20 signatures and consist of fewer than 150 words (not including signatories);
- b) be received by the Chief Executive at least five working days before the meeting at which they will be presented; and
- c) must not be disrespectful, use offensive language or include malicious, inaccurate, or misleading statements (see Standing Order 20.9 on qualified privilege); and

- d) may be written in English or te reo Māori, or given in sign language. Petitioners should inform the Chief Executive in sufficient time to allow translation services to be arranged.

The Chairperson may waive the requirement that petitions are required five working days before the meeting.

17.2 Petition presented by petitioner

A petitioner who presents a petition to the Council or a committee or community board, may speak for five minutes (excluding questions) about the petition, unless the meeting resolves otherwise.

The Chairperson must terminate the presentation of the petition if they believe the petitioner is being disrespectful, offensive or making malicious statements.

The petition must be received by the Chief Executive at least five working days before the date of the meeting concerned.

17.3 Petition presented by member

A member may present a petition on behalf of petitioners. In doing so, members must confine themselves to presenting:

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

18. Exclusion of public

18.1 Motions and resolutions to exclude the public

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

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: Sample resolution to exclude the public). 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 forms part of the meeting's minutes.

Note: Section 7(2)(f)(i) (free and frank expression) cannot be used as a ground to exclude the public from meetings.

LGOIMA s. 48.

18.2 Specified individuals may remain

A resolution to exclude the public may provide for specified individuals to remain if the meeting believes they have knowledge that will assist the meeting.

If it is proposed that specified individuals should stay, the resolution must state how their knowledge is relevant and will be of assistance.

No resolution is needed for people entitled to be at the meeting (such as relevant staff and officials contracted to the council for advice on the matter).

LGOIMA, s 48(6).

18.3 Public excluded items

The Chief Executive must indicate, on the agenda, any matter they expect the meeting to consider with the public excluded.

The Chief Executive may exclude reports, the content or items from reports, expected to be discussed with the public excluded.

LGOIMA, s 46A(8) & (9).

18.4 Non-disclosure of information

Members and officers may only discuss the information relating to public excluded agenda items and reports with another member, an officer, or a person authorised by the Chief Executive.

This restriction does not apply where a meeting has resolved, or the Chief Executive has decided, to make the information publicly available because:

- a) there are no longer grounds under LGOIMA for withholding the information;
- b) the information is no longer confidential.

18.5 Release of information from public excluded session

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

The Chief Executive may release information which has been considered at a public excluded session when it is determined that the grounds to withhold the information no longer exist.

19. Voting

19.1 Decisions by majority vote

Unless the LGA 2002, or these Standing Orders provide otherwise, Council and committees must decide all items before a meeting by:

- a) a vote; and
- b) the majority of members that are present and voting.

LGA 2002, sch 7, cl 24(1).

19.2 Open voting

All items must be determined by open voting.

Everyone present at a meeting must be able to see (or hear) how each individual member votes.

LGA 2002, sch 7, cl 24(3).

19.3 Chairperson has a casting vote

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

LGA 2002, sch 7, cl 24(2).

19.4 Method of voting

The method of voting must be as follows:

- a) the Chairperson in putting the motion, must:
 - i. call for an expression of opinion on the voices; or
 - ii. take a show of hands; and
 - iii. announce the result.
- b) the Chairperson's announcement is conclusive unless it is questioned immediately by a member, in which event the Chairperson will call a division.
- c) The Chairperson, or a member, may call for a division instead of, or immediately after voting by voice and/or taking a show of hands.

Where a suitable electronic voting system is available that system may be used instead of a show of hands, vote by voices or division, and the result publicly displayed and notified to the Chairperson who must declare the result.

19.5 Calling for a division

When a division is called, the Chief Executive must:

- a) record the names of the members voting for and against the motion;
- b) record the names of the members abstaining;
- c) provide the outcome to the Chairperson to declare the result.

The result of the division including members' names and the way in which they voted must be entered into the minutes.

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

19.6 Request to have votes recorded

- A member may request their vote, or abstention, is recorded in the minutes.
- The request must be received immediately after the vote is taken.
- The minutes must record the member's vote or abstention.
- Recording any other items, such as a member's reason for their vote or abstention, is not permitted.

19.7 Members may abstain

- A member may abstain from voting.
- A member does not need to provide a reason for their abstention.

20. Conduct

20.1 Calling to order

When the Chairperson calls members to order they must be seated and stop speaking.

If a member fails to stop speaking and take their seat, the Chairperson may direct the person to leave the meeting immediately for a specified time.

The Chairperson may also adjourn the meeting:

- a) if other people cause disorder; or
- b) in the event of an emergency.

20.2 Behaviour consistent with Code of Conduct

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

20.3 Retractions and apologies

The Chairperson may require a member, or speaker, to apologise and / or withdraw offending comments where the individual:

- a) has been disrespectful of another member, staff or the public; or
- b) contravened the Council's Code of Conduct.

If the member refuses to comply with the Chairperson's instruction, the Chairperson may:

- a) direct that the individual leave the meeting for a specified time; and / or
- b) make a complaint under the Code of Conduct.

20.4 Disorderly conduct

A member whose behaviour is disorderly or is creating a disturbance, may be asked by the Chairperson to leave the room immediately.

The Chairperson must specify whether the member is required to leave for:

- a) the remainder of the meeting; or
- b) a lesser period.

The Chairperson may also adjourn the meeting:

- a) if other people cause disorder; or
- b) in the event of an emergency.

If the disorder continues, the Chairperson may adjourn the meeting for a specified time.

20.5 Contempt

Where the Chairperson has repeatedly cautioned a member for disorderly conduct the meeting may resolve that the member is in contempt.

The resolution must be recorded in the meeting's minutes.

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

20.6 Removal from meeting

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

This Standing Order will apply where the Chairperson has ruled that the member should leave the meeting and:

- a) the member has refused or failed to do so; or
- b) has left the meeting and attempted to re-enter it without the Chairperson's permission.

20.7 Financial conflicts of interests

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

The nature of the interest does not need to be disclosed.

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:

- a) an exception set out in s 6 LAMIA applies to them; or
- b) the Auditor-General has granted them an exemption or declaration under s 6(4), 3(a) or 3(aa) of LAMIA.

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

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

LAMIA, ss 3, 6 & 7.

20.8 Non-financial conflicts of interests

- Non-financial interests involve questions about whether the judgement of a member of a Council (or community board) could be affected by a separate interest, or duty, which that member may have in relation to a particular matter.
- If a member considers that they have a non-financial conflict of interest in a matter that may influence their judgement, 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.
- The Chairperson, Chief Executive and / or the meeting, cannot rule on whether a member has a non-financial interest in the matter being discussed.

20.9 Qualified privilege for meeting proceedings

Any oral statement made at any meeting of the local authority in accordance with the rules adopted by the Council 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.

LGOIMA, s 53.

20.10 Qualified privilege additional to any other provisions

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

LGOIMA, s 53.

20.11 Electronic devices at meetings

Electronic devices and phones should only be used to advance the business of a meeting.

21. General rules of debate

21.1 Chairperson may exercise discretion

The Chairperson has discretion to apply any procedural items in this section of Standing Orders as they see fit.

21.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

- Movers of motions when speaking to the motion – five minutes;
- Movers of motions when exercising their right of reply – five minutes; and
- Other members – five minutes.

Time limits can be extended by:

- resolution; or
- at the Chairperson's discretion.

21.3 Questions to staff

The Chairperson has discretion to decide whether questions can be put to staff once the debate has begun.

The Chairperson has discretion to determine:

- a) how the question is to be dealt with; or
- b) whether the question needs to be answered or not.

21.4 Questions of clarification

At any point in a debate a member may ask the Chairperson:

- a) for clarification about the nature and content of the motion; and / or
- b) the particular stage the debate has reached.

21.5 Members may speak only once

A member, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 - 22.4, may not speak more than once to a motion at a meeting of the Council, except with permission of the Chairperson.

Members can speak more than once to a motion at a Committee or Subcommittee meeting with the Chairperson's permission.

21.6 Limits on number of speakers

If three speakers have spoken in support of, or in opposition to, a motion, the Chairperson may call for a speaker to the contrary.

If there is no speaker to the contrary, the Chairperson must put the motion after the mover's right of reply.

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

21.7 Secunder may reserve speech

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

21.8 Speaking only to relevant matters

Members may only speak to:

- a) a matter on the meeting agenda;

- b) a motion or amendment which they propose; or
- c) to raise a point of order.

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

The Chairperson's rulings on these items are final and not open to challenge.

21.9 Restating motions

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

21.10 Criticism of resolutions

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

21.11 Objecting to words

A member may object to words used in debate by another member and ask that the objection be recorded in the minutes.

The objection must be lodged at the time the words are used, and before any other member has spoken.

The Chairperson must order the minutes to record the objection.

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

21.12 Right of reply

The mover of a motion has a right of reply.

The mover of an amendment to the motion does not.

In their reply, the mover must confine themselves to answering previous speakers and not introduce any new items.

A mover has only one right of reply. The mover can exercise their right of reply either at the end of the debate on the motion (whether original, substituted or substantive) 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 their 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.

21.13 No other member may speak

No member may speak:

- a) after the mover has started their reply;
- b) after the mover has indicated that they want to forego their reply; or
- c) where the mover has spoken to an amendment to the original motion and the Chairperson has indicated that he or she intends to put the motion.

21.14 Adjournment motions

The carrying of any motion to adjourn a meeting supersedes other business, including business yet to be resolved.

Any adjourned business must be considered at the next meeting.

Business referred to, or referred back to, another decision-making body must be considered at the next ordinary meeting of that body, unless otherwise specified.

21.15 Chairperson's acceptance of closure motions

The Chairperson may only accept a closure motion where:

- a) there have been at least two speakers for and two speakers against the motion proposed to be closed; or
- b) the Chairperson considers it reasonable to do so.

However, the Chairperson must put a closure motion if there are no further speakers in the debate.

When the meeting is debating an amendment, the closure motion relates to the amendment.

If a closure motion is carried, the mover of the motion under debate has the right of reply (unless the mover has already exercised that right) after which the Chairperson puts the motion or amendment to the vote.

22. General procedures for speaking and moving motions

There are two types of motions – “substantive motions” which deal with the actual business of the meeting, and “procedural motions” which deal with the way in which the business of the meeting is carried out.

A motion is a statement that has been moved and seconded. The motion should start with the word “That” and be in a form that can be voted for or against. If the motion is in order, the Chairperson accepts the motion and puts it to the meeting for debate. The following overview applies to substantive motions:

22.1 Options for speaking and moving

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

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

22.2 Option A

- 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 a matter in the report. In this case the original mover or seconder may also move or second the amendment).
- b) Only members who have not spoken to the motion (whether original, substituted or substantive) motion may move or second an amendment to it.
- c) A member may only move or second one amendment in a debate. It does not matter whether the amendment is carried (and becomes the substantive motion) or lost.
- d) Members can speak to any amendment. The meeting may reword a motion provided that:
 - i. the mover and seconder agree to the rewording; and
 - ii. the majority of members agree to the rewording.

22.3 Option B

- 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 move or second the amendment).
- b) Any members, regardless of whether they have spoken to the motion (whether original, substituted or substantive), may move or second an amendment to it.
- c) The mover or seconder of an amendment that is carried can move or second a subsequent amendment.
- d) A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- e) Members can speak to any amendment.
- f) The meeting may reword a motion provided that:
 - i. the mover and seconder agree to the rewording; and
 - ii. the majority of members agree to the rewording.

22.4 Option C

- a) The mover and seconder of a motion can move or second an amendment.

- b) Any members, regardless of whether they have spoken to the motion (whether original, substituted or substantive), may move or second an amendment to it.
- c) The mover or seconder of an amendment (whether it is carried or lost) can move or second further amendments.
- d) Members can speak to any amendment.
- e) The meeting may reword a motion provided that:
 - i. the mover and seconder agree to the rewording; and
 - ii. the majority of members agree to the rewording.

23. Motions and amendments

23.1 Proposing and seconding motions

- All motions, and amendments to motions moved during a debate, must be seconded (including notices of motion).
- The Chairperson may then state the motion and propose it for discussion.
- A motion should be moved and seconded before debate but after questions.
- Any motion, including substituted motions and amendments, that are not seconded are not valid and should not be entered in the minutes.
- Members who move or second a motion are not required to be present for the entirety of the debate.

23.2 Motions in writing

The Chairperson may require movers of motions, including substituted motions and amendments, to provide them in writing.

23.3 Motions expressed in parts

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

23.4 Substituted motion

The meeting may replace a motion with a substitute provided that:

- a) the substituted motion has been moved and seconded; and
- b) the mover and seconder of the original motion agree to its replacement.

All members may speak to the substituted motion.

23.5 Amendments to motions

Subject to standing order 23.6, the meeting may amend a motion provided that:

- a) the motion has been moved and seconded; and
- b) the mover and seconder of the original motion agree to its amendment.

All members may speak to the amendment.

23.6 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.

Amendments must comply with the decision-making provisions of Part 6 of the LGA 2002.

Reasons for not accepting an amendment 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) being in conflict with a motion referred to the governing body by that meeting; or
- f) direct negative.

23.7 Foreshadowed amendments

Only one amendment can be debated at a time.

The meeting must dispose of a proposed or existing amendment before a new amendment can be moved.

Members may foreshadow, to the Chairperson, an intention to move further amendments and may advise the nature of those amendments.

23.8 Lost amendments

Where a proposed amendment is lost, the meeting will resume the debate on the motion (whether original, substituted or substantive).

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.

23.9 Carried amendments

Where an amendment is carried:

- a) The motion, incorporating the amendment, becomes the substantive motion.
- b) the meeting will resume the debate on 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 further amendment to it.

23.10 Lost amendments

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

23.11 Where a motion is lost

Where a motion that recommends a course of action is lost, a new motion, with the consent of the Chairperson, may be proposed to provide an alternative course of action.

23.12 Withdrawal of motions and amendments

The meeting owns a motion or amendment once it has been moved, seconded and put to the meeting for discussion.

The mover cannot withdraw a motion or amendment without the agreement of the majority of members who are present and voting.

The mover of an original motion cannot withdraw the motion if an amendment has been moved, seconded and put to the meeting for discussion unless the amendment has been lost, or withdrawn .by agreement

Refer to Standing Order 23.4.

23.13 No speakers after reply or motion has been put

No member may speak to a motion once:

- a) the mover has started their right of reply; or
- b) the Chairperson has started putting the motion.

24. Revocation or alteration of resolutions

24.1 Member may move revocation of a decision

A member of a decision-making body may give the Chief Executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the same decision-making body.

The notice of motion must set out:

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

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

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

Where a committee, subcommittee, joint committee, other subordinate decision-making body has made a resolution under delegated authority, only that body may revoke or amend the resolution (assuming the resolution has been legally made).

This provision does not prevent the body that delegated authority from removing or amending a delegation.

LGA 2002, sch 7, cl 30(6).

24.3 Requirement to give notice

A notice of motion to revoke, or alter, a previous resolution must:

- a) be in writing;
- b) be signed by not less than one third of the members of the council or body that made the resolution (including vacancies); and
- c) be delivered to the Chief Executive at least five clear working days before the proposed meeting.

The mover can send the notice of intended motion via email including the scanned electronic signatures of members.

If the notice of motion is lost, the Chief Executive cannot accept a similar notice of motion which is substantially the same in purpose and effect within the next twelve months.

24.4 Restrictions on actions under the affected resolution

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

Exceptions apply if, in the opinion of the Chairperson:

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

In both situations, action may be taken under the resolution as though no notice of motion had been given to the Chief Executive.

24.5 Revocation or alteration by resolution at same meeting

A meeting may revoke or alter a previous resolution made at the same meeting where:

- a) the meeting has received fresh facts or information concerning the resolution during the course of the meeting; and
- b) 75 per cent of the members present and voting have agreed, by resolution, to the revocation or alteration.

24.6 Revocation or alteration by recommendation in report

The council, on a recommendation in a report by the Chairperson, Chief Executive, a committee or subcommittee, a subordinate decision-making body or a 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.

LGA 2002, sch 7, cl 30(6).

25. Procedural motions

25.1 Procedural motions must be taken immediately

A procedural motion to close or adjourn a debate takes precedence over other business, except points of order and rights of reply.

If a procedural motion is seconded the Chairperson must put it to the vote immediately, without discussion or debate.

The Chairperson must accept a procedural motion to close or adjourn debate:

- a) after two speakers have spoken for the motion and two have spoken against the motion;
or
- b) in the Chairperson's opinion it is reasonable to accept the closure.

25.2 Procedural motions to close or adjourn a debate

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

- a) that the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- b) that the motion under debate now be put (a closure motion);
- c) that the matter being discussed be adjourned to a specified time and place and not be further discussed at the meeting;
- d) that the matter of business being discussed 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 matter being discussed 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 Voting on procedural motions

A majority of members present, and voting, must decide any procedural motion to close or adjourn a debate.

If a procedural motion is lost, no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

25.4 Debate on adjourned items

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

25.5 Remaining business at adjourned meetings

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

25.6 Business referred to the council, committee or community board

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

25.7 Other types of procedural motions

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

26. Points of order

26.1 Members may raise points of order

Any member may raise a point of order when they believe these Standing Orders have been breached.

When a point of order is raised, the member who was speaking must stop speaking and sit down (if standing).

26.2 Subjects for points of order

A member raising a point of order must state precisely what its subject is.

Points of order may be raised for the following subjects:

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

26.3 Contradictions

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

26.4 Point of order during division

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

26.5 Chairperson's decision on points of order

The Chairperson may decide a point of order immediately after it has been raised or may choose to hear further argument about the point before deciding.

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

Where a point of order concerns the performance of the Chairperson, the Chairperson will:

- a) refer the point of order to the Deputy Chairperson; or
- b) if there is no Deputy Chairperson, another member to hear arguments and make a ruling.

27. Notices of motion

27.1 Notice of intended motion to be in writing

A notice of intended motion must:

- a) be in writing;
- b) be signed by the mover;
- c) state the meeting at which it is proposed the motion be considered; and
- d) be delivered to the Chief Executive at least five clear working days before the proposed meeting.

The mover can send the notice of an intended motion via email and include a scanned electronic signature of the mover.

The Chief Executive must give members notice in writing of the intended motion at least two clear working days' notice of the date of the meeting at which it will be considered.

27.2 Refusal of notice of motion

The Chairperson may direct the Chief Executive to refuse to accept any notice of motion which:

- a) is disrespectful or which contains offensive language or statements made with malice;
- b) is not related to the role or functions of the council or the meeting concerned;

- 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;
- d) is concerned with matters which are already the subject of reports or recommendations to the meeting concerned;
- e) fails to include sufficient information as to satisfy the decision-making provisions of the LGA 2002, ss 77-82. 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 recommend that the proposal is referred to the Chief Executive for consideration and report; or
- f) concerns a matter where council has delegated decision-making authority to a subordinate body or a local or community board.

Where the refusal is due to f), the Chief Executive must refer the notice of motion to the appropriate body or board.

The Chief Executive should provide reasons for refusing a notice of motion to the mover.

27.3 Mover of notice of motion

A meeting may not consider a notice of motion in the absence of the mover unless the mover has provided written authorisation for another member to move the motion.

27.4 Alteration of notice of motion

Only the mover may alter a proposed notice of motion.

Any alteration requires the agreement of a majority of those present at the meeting and must be made at the time the motion is moved.

Once moved and seconded no amendments may be made to a notice of motion.

27.5 When notices of motion lapse

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

27.6 Referral of notices of motion

Where a notice of motion refers to a matter ordinarily dealt with by a committee of the council or a community board, the Chief Executive must refer the notice of motion to that committee or board.

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

27.7 Repeat notices of motion

When a motion has been considered and rejected by the council or a committee:

- a) No similar notice of motion may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.
- b) No other notice which, in the Chairperson's opinion, has the same effect, may be put while the original motion stands.

28. Minutes

28.1 Minutes to be evidence of proceedings

The Council, its committees, and subcommittees must keep minutes of their proceedings.

These minutes will be kept in electronic copy as authorized by the Chief Archivist under section 229(2) of the Contract and Commercial Law Act 2017 and in accordance with section 40 of the Public Records Act 2005, and, when confirmed by resolution at a subsequent meeting and made the authoritative version within the Council's electronic document and records management system, will be prima facie evidence of the proceedings they relate to.

cl. 28 Schedule 7, LGA 2002, s 229(2) CCLA 2017 and s 40 PRA 2005.

28.2 Matters recorded in minutes

The Chief Executive must keep the minutes of meetings. The minutes must record:

- a) the date, time and venue of the meeting;
- b) the names of the members present;
- c) the Chairperson;
- d) any apologies or leaves of absences;
- e) 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 matter considered;
- k) matter 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.

Note: hearings under the RMA 1991, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking

28.3 No discussion on minutes

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

28.4 Minutes of last meeting before election

The Chief Executive and the relevant Chairpersons must confirm as a true and correct record the minutes of the last meeting of the Council and its committees before the next election of members.

29. Keeping a record

29.1 Maintaining accurate records

A Council 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.

Public Records Act 2002, s 17

29.2 Method for maintaining records

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

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

Contract and Commercial Law Act 2017, s 229(1).

29.3 Inspection

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

LGOIMA, s 51.

29.4 Inspection of public excluded matters

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

References and Appendices

Referenced documents

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

Appendix 1: Grounds to exclude the public

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

A1 That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:

- (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
- (b) to endanger the safety of any person.

A2 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
- (b) Protect information where the making available of the information would:
 - i) disclose a trade secret; or
 - ii) be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
- (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; or
- (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.

LGOIMA, s 7.

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

A3 That the public conduct of the relevant part of the proceedings would be likely to result in a disclosure of information for which good reason for withholding that information would exist, under Section 6 or 7 of the Local Government Official Information and Meetings Act 1987 (except section 7(2)(f)(i)).

A4 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.

A5 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).

A6 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; or
 - 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

- (b) Any proceedings of a Council in relation to any application or objection under the Marine Farming Act 1971.

LGOIMA s. 48 LGOIMA

Appendix 2: Sample resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

- Name of report(s)

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1 <i>Put in name of report</i>	Section 6 or 7 reason	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
2		
3		

4	<i>Hearings Committee</i>	To enable the Committee to consider the application and submissions. OR To enable the Committee to consider the objection to fees and charges. OR To enable the Committee to.	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/Committee to deliberate in private on its decision or recommendation in any proceedings where: i) a right of appeal lies to any Court or tribunal against the final decision of the Council/Committee in those proceedings; or ii) the local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. Use (i) for the RMA hearings and (ii) for hearings under LGA such as objections to Development Contributions or hearings under the Dog Control Act s. 48(1)(d).
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This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

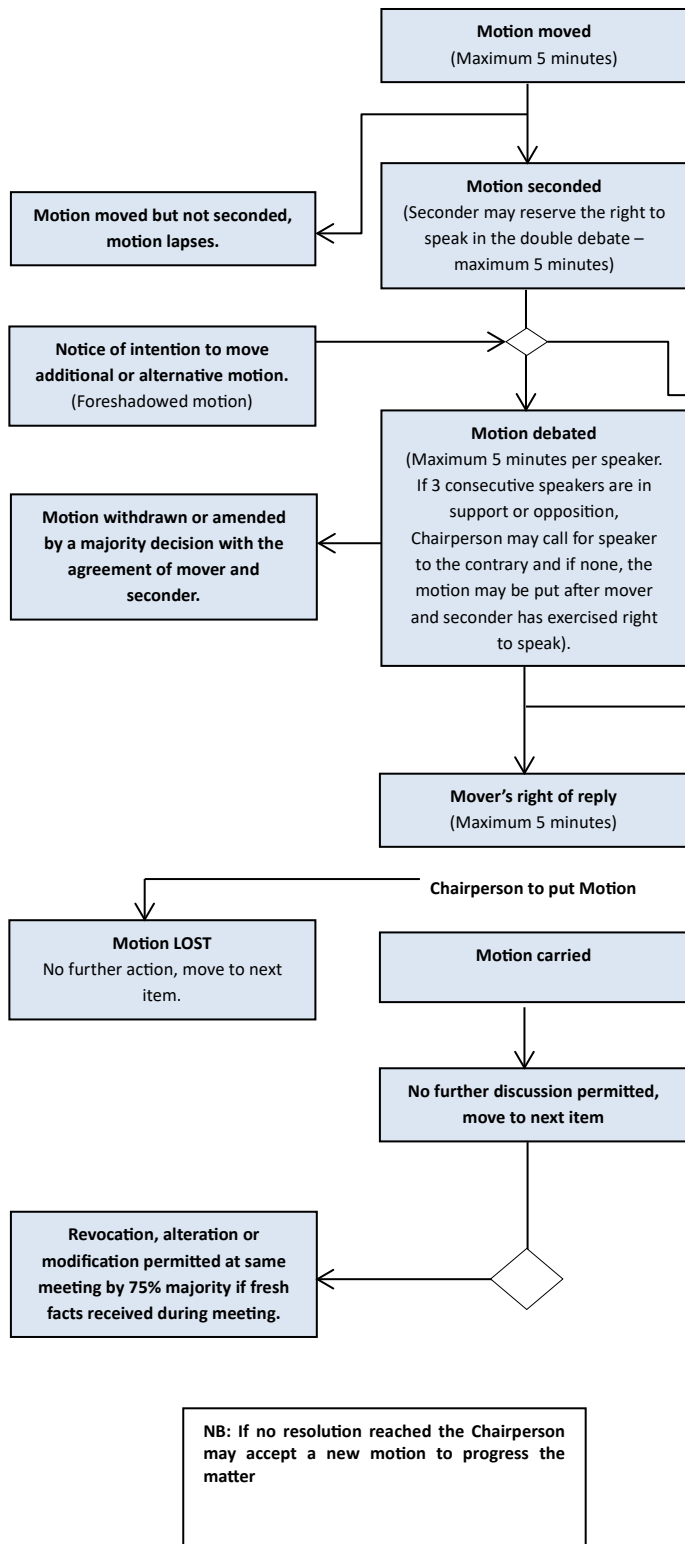
Item No	Interest
	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))
	Maintain legal professional privilege (Schedule 7(2)(g))
	Prevent the disclosure or use of official information for improper gain or improper advantage (Schedule 7(2)(j))

Item No	Interest
	Protect information where the making available of the information (i) would disclose a trade secret; or (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b))
	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 (Schedule 7(2)(ba))
	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 - (i) would 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) would be likely otherwise to damage the public interest (Schedule 7(2)(c))
	Avoid prejudice to measures protecting the health or safety of members of the public (Schedule 7(2)(d))
	Avoid prejudice to measures that prevent or mitigate material loss to members of the public (Schedule 7(2)(e))
	Maintain the effective conduct of public affairs through the protection of members or officers or employees of the Council, and persons to whom Section 2(5) of the Local Government Official Information and Meetings Act 1987 applies in the course of their duty, from improper pressure or harassment (Schedule 7(2)(f)(ii)).
	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (Schedule 7(2)(h))

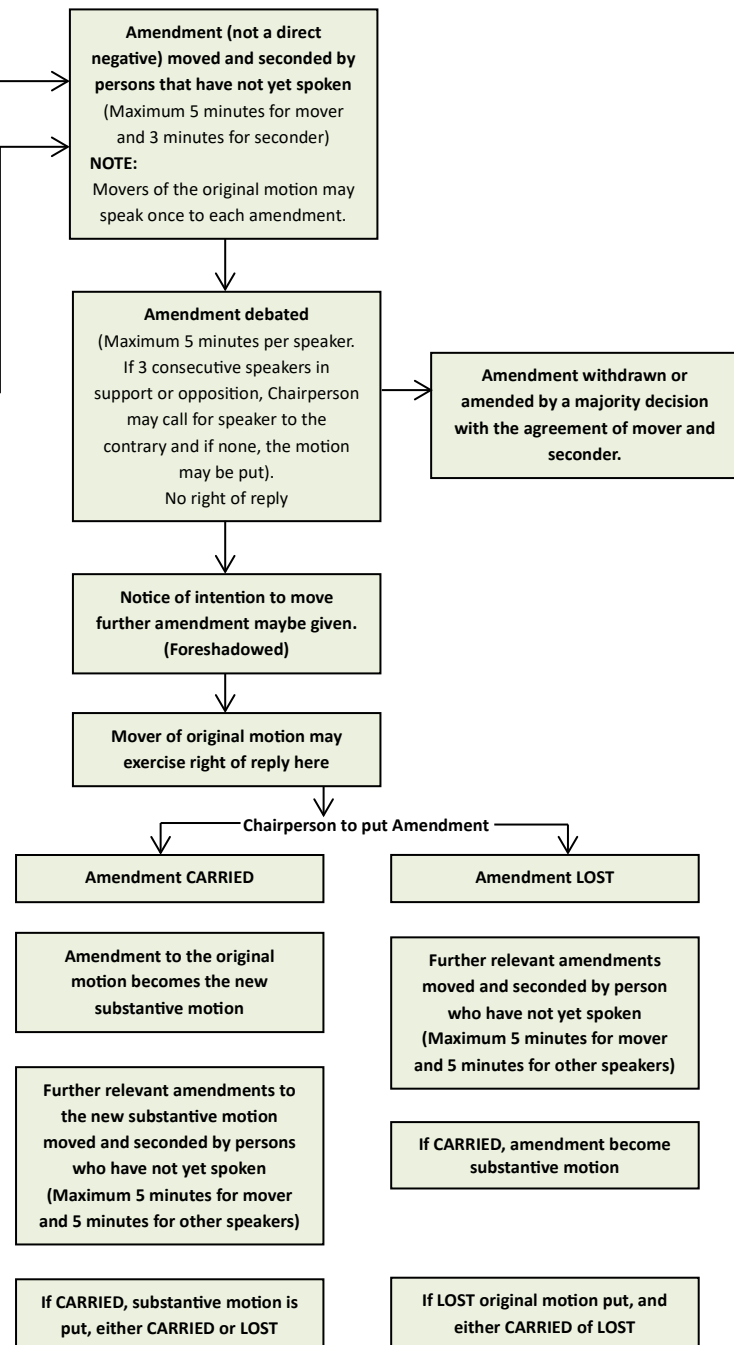
THAT XXXX be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of XXXX. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because XXXX.

Appendix 3: Motions and amendments (Option A)

Motions without amendments

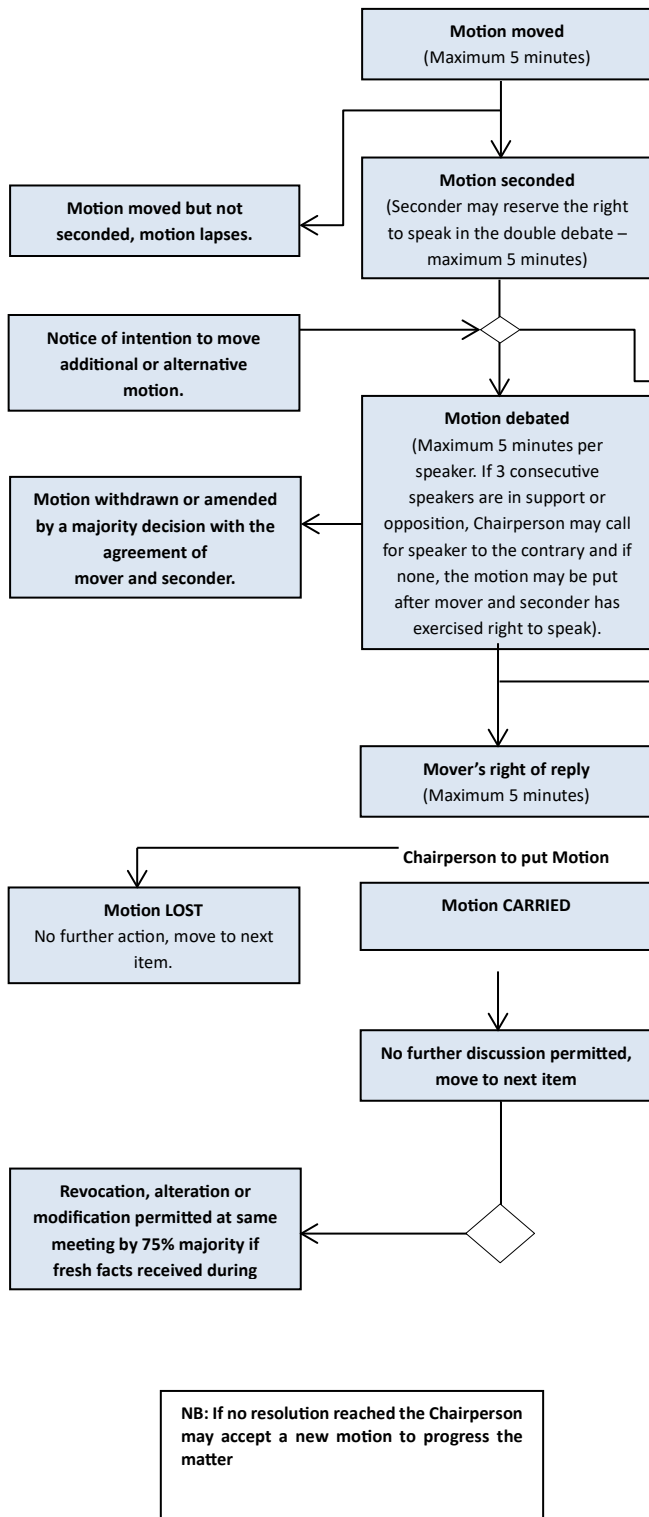


Motions with amendments

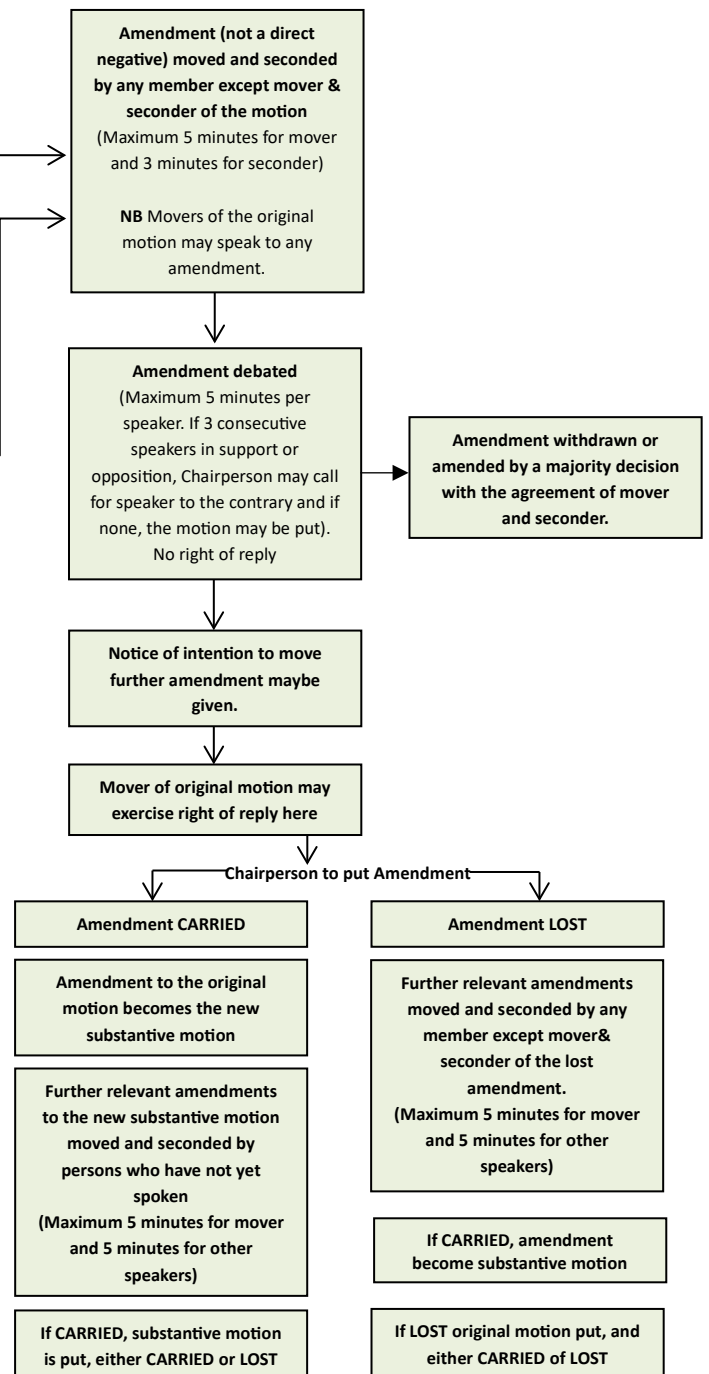


Appendix 4: Motions and amendments (Option B)

Motions without amendments

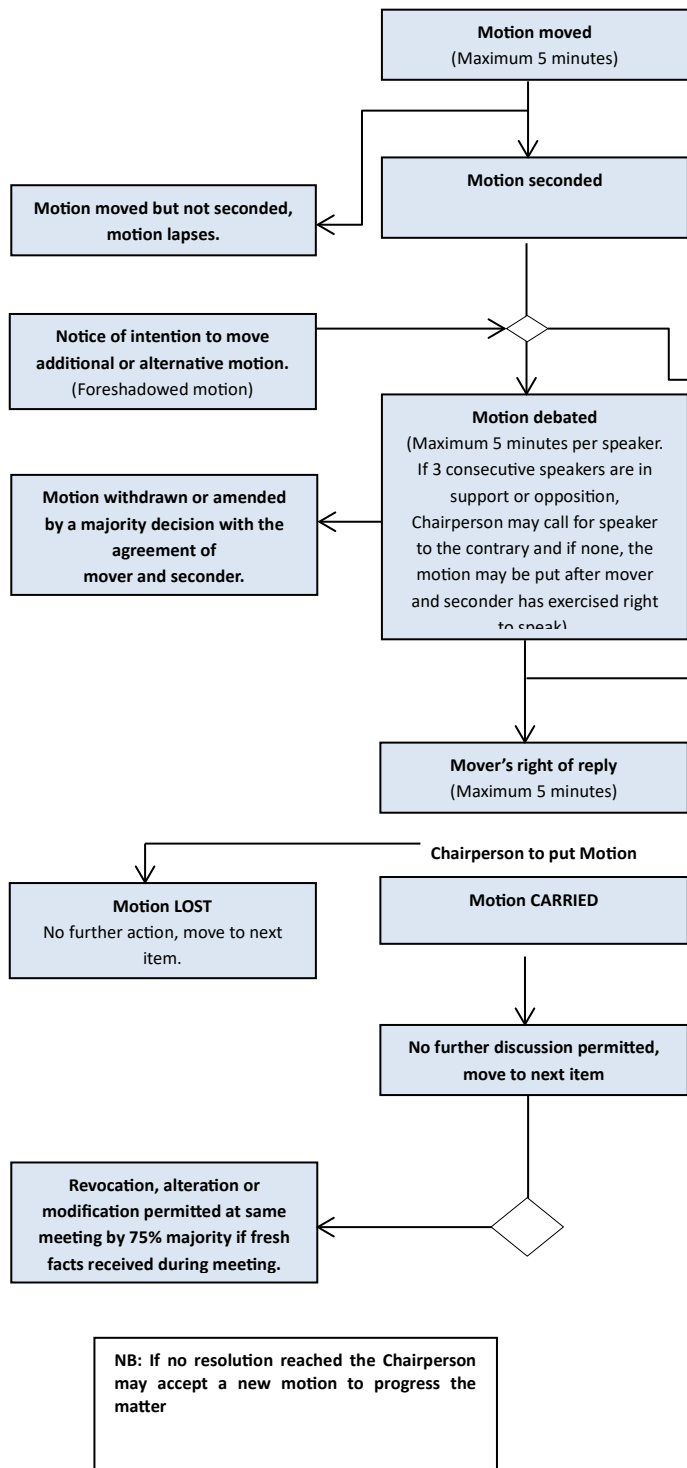


Motions with amendments

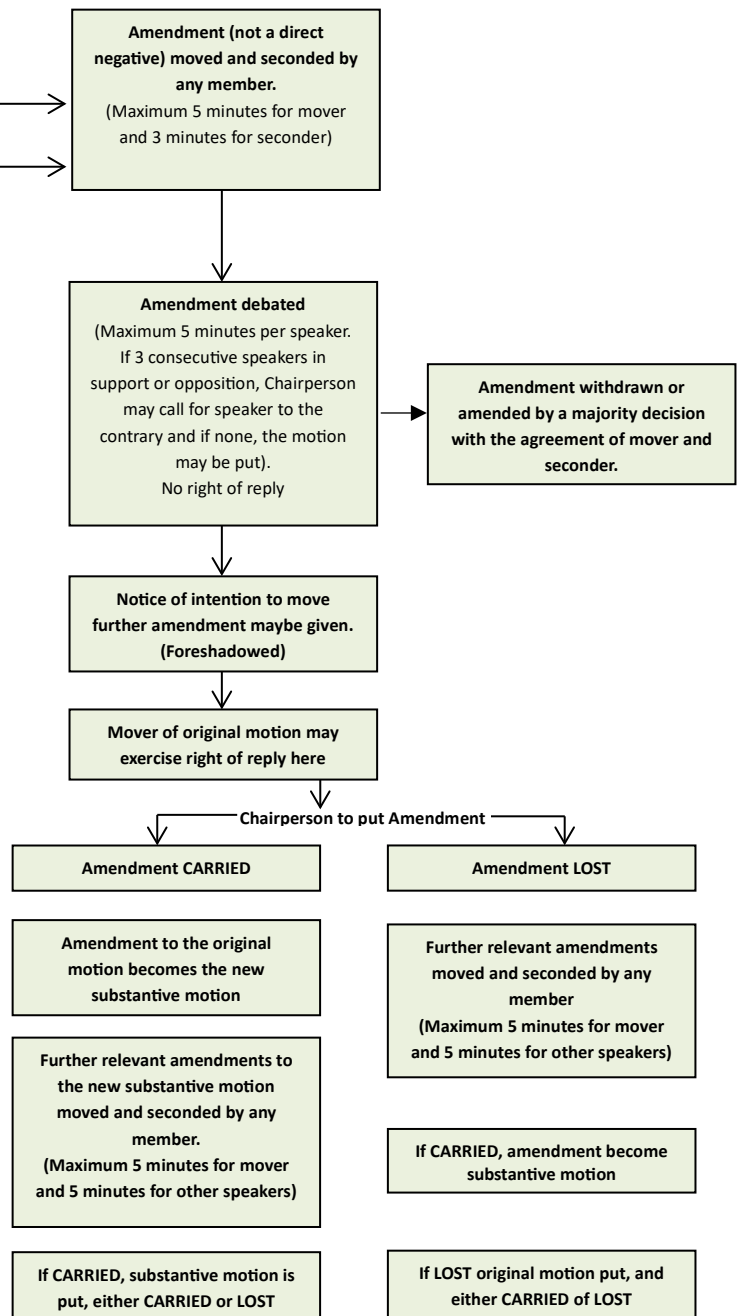


Appendix 5: Motions and amendments (Option C)

Motions without amendments



Motions with amendments



Appendix 6: Table of procedural motions

Motion	Chair discretion to refuse?	Second order required?	Discussion allowed?	Amendments allowed?	Mover entitled to right of reply?	Previous participants in debate able to move?	Mover able to interrupt a speaker to this motion?	If lost, can motion be moved after an interval?	Position of an amendment already before the Chair	Position of procedural motion 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 speakers 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, 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 chairperson	No	No	Yes	Yes	No	Point of order takes precedence	Point of order takes precedence	Refer standing order

Appendix 7: Webcasting protocols

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

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

Appendix 8: Powers of a Chairperson

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

Chairperson may call a meeting (SO.8.4 and 11.6)

The Chairperson:

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

Chairperson's recommendation (SO.9.5)

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

Chairperson's report (SO.9.6)

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

Items not on the agenda (SO.9.12)

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

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

Audio or audio visual attendance (SO.13.10)

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

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
 - i) Everyone participating in the meeting can hear each other;

- ii) The member's attendance by audio or audio-visual link does not reduce their accountability or accessibility in relation to the meeting;
- iii) The requirements of Part 7 of LGOIMA are met; and
- iv) The requirements in these Standing Orders are met.

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

Chairperson to decide all questions (SO.14.4)

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

Chairperson's rulings (SO.14.4)

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

Chairperson rising (SO.14.5)

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

Members may leave places (SO.14.6)

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

Priority of speakers (SO.14.7)

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

Explanations (SO.14.7)

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

Questions of speakers (SO16.3)

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

Chairperson's voting (SO.19.3)

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

Withdrawal of offensive or malicious expressions (SO.20.3)

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

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

Disorderly behaviour (SO.20.4)

The Chairperson may:

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

Failure to leave meeting (SO.20.6)

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

Irrelevant matter and needless repetition (SO.21.8)

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

Taking down words (SO.21.11)

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

Motion in writing (SO.23.2)

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

Motion in parts (SO.23.3)

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

Action on previous resolutions (SO.24.4)

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

Revocation or alteration of previous resolution (SO.24.6)

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

Chairperson to decide points of order (SO. 26.5)

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

Notice of motion (SO.27.2)

The Chairperson 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 Chairperson, to the same effect may be put again whilst such original motion stands.

Repeat notice of motion (SO.27.7)

If in the opinion of the Chairperson, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the local

authority, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the local authority, including vacancies.

Minutes (SO.28.1)

The Chairperson and Chief Executive are responsible for confirming the correctness of the minutes of the last meeting of a local authority prior to the next election of members.

Appendix 9: Process for raising matters for a decision

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

- Report of the Chief Executive;
- Report of the Chairperson;
- Report of a committee;
- Report of a community 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 the Chief Executive; or
- Report of the Chairperson.

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



TARARUA
DISTRICT COUNCIL



PONO



WHANAUNGATANGA



WHANAKE



TARARUA
DISTRICT COUNCIL

Dannevirke Service Centre

26 Gordon Street, Dannevirke
PO Box 115, Dannevirke 4942
Monday - Friday
8:00am - 5:00pm
Phone: 06 374 4080 (24 hours)
Email: info@tararuadc.govt.nz

Eketāhuna Service Centre & Library

31 Main Street, Eketāhuna
Monday - Friday
10:30am - 12:30pm & 1:00pm - 4:30pm
Phone: 06 376 0110 (24 hours)
Email: info@tararuadc.govt.nz

Pahiatua Service Centre

136 Main Street, Pahiatua
Monday - Friday
8:00am - 4:30pm
Phone: 06 376 0110 (24 hours)
Email: info@tararuadc.govt.nz

Woodville Service Centre, Library & isite

45 Vogel Street, Woodville
Monday - Friday
9:00am - 5:00pm
Phone: 06 376 0200 (24 hours)
Email: info@tararuadc.govt.nz