

I hereby give notice that a meeting of Horizons Regional Council will be held on:

Date: Tuesday, 22 October 2019
Time: 10.00am
Venue: Tararua Room Horizons Regional Council
11-15 Victoria Avenue
Palmerston North

INAUGURAL REGIONAL COUNCIL AGENDA

MEMBERSHIP

Cr AL Benbow
Cr EM Clarke
Cr DB Cotton
Cr SD Ferguson
Cr EB Gordon JP
Cr FJT Gordon
Cr RJ Keedwell
Cr WM Kirton
Cr JM Naylor
Cr NJ Patrick
Cr WK Te Awe Awe
Cr GJ Turkington

Michael McCartney
Chief Executive

Contact Telephone: 0508 800 800
Email: help@horizons.govt.nz
Postal Address: Private Bag 11025,
Palmerston North 4442

**Full Agendas are available on Horizons Regional Council website
www.horizons.govt.nz**

for further information regarding this agenda, please contact:
Julie Kennedy, 06 9522 800

CONTACTS	24 hr Freephone : 0508 800 800	help@horizons.govt.nz	www.horizons.govt.nz	
SERVICE CENTRES	Kairanga Cnr Rongotea & Kairanga-Bunnythorpe Rds, Palmerston North	Marton 19-21 Hammond Street	Taumarunui 34 Maata Street	Woodville Cnr Vogel (SH2) & Tay Sts
REGIONAL HOUSES	Palmerston North 11-15 Victoria Avenue	Whanganui 181 Guyton Street		
DEPOTS	Levin 120-122 Hokio Beach Rd	Taihape 243 Wairanu Rd		
POSTAL ADDRESS	Horizons Regional Council, Private Bag 11025, Manawatu Mail Centre, Palmerston North 4442			
FAX	06 9522 929			

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Report No.	19-152
Information Only - No Decision Required	

ELECTORAL OFFICER'S DECLARATIONS

1. PURPOSE

- 1.1. The purpose of this report is to inform Members of the results of the local government elections of 12 October 2019. The Declaration of Results will be tabled at the Council Meeting.

2. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 19-152.

3. FINANCIAL IMPACT

- 3.1. There is no financial impact associated with this item.

4. COMMUNITY ENGAGEMENT

- 4.1. There has been wide media coverage about local body elections in the months leading up to the day of election, 12 October 2019.

5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is no significant business risk associated with this item.

6. COMMENT

- 6.1. The final results of this election were not known at the time of writing this report. Accordingly, the results will be tabled at the Council Meeting.
- 6.2. There was no election in the Whanganui constituency as Crs Cotton and Patrick were elected unopposed.

7. SIGNIFICANCE

- 7.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Craig Grant
GROUP MANAGER CORPORATE & GOVERNANCE

ANNEXES

There are no attachments to this report.

Report No.	19-153
Information Only - No Decision Required	

DECLARATION BY A MEMBER

1. PURPOSE

- 1.1. This report provides information to Members in regard to their declarations as outlined in the Local Government Act 2002, Schedule 7, Clause 14 (1), (2), (3).

2. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 19-153 and Annex.

3. FINANCIAL IMPACT

- 3.1. There is no financial impact.

4. COMMUNITY ENGAGEMENT

- 4.1. There is no requirement for community engagement.

5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is no significant business risk associated with this item.

6. BACKGROUND

- 6.1. As a requirement of the Local Government Act 2002, Schedule 7, Clause 14 (1), (2), (3), the making and attesting of a declaration is required before a person may act as a member of a local authority following the election of that person. These declarations will be provided at the meeting.

7. SIGNIFICANCE

- 7.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Craig Grant
GROUP MANAGER CORPORATE & GOVERNANCE

ANNEXES

- A Sample Declaration by a Member



**DECLARATION BY A MEMBER OF THE
MANAWATŪ-WHANGANUI REGIONAL COUNCIL
(Horizons Regional Council)**

I,

declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Manawatū-Whanganui Region, the powers, authorities, and duties vested in or imposed upon me as a member of the Manawatū-Whanganui Regional Council (trading as Horizons Regional Council) by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Dated at Palmerston North this 22nd day of October 2019.

Signed _____

Signed in the presence of

M J McCartney
CHIEF EXECUTIVE

Report No.	19-154
Decision Required	

ELECTION OF CHAIRPERSON - PROCEDURES AND ELECTION

1. PURPOSE

- 1.1. The purpose of this report is to recommend the procedures as outlined in the Local Government Act 2002 (the Act) to be adopted for the election of the Chairperson, Manawatū-Whanganui Regional Council (trading as Horizons Regional Council) at the first meeting of the eleventh triennium of the Council on Tuesday, 22 October 2019. It is suggested that the same procedure be used for the election of the Deputy Chairperson of Council.

2. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 19-154 and Annexes;
- b. resolves that either System A or System B of the procedures as set out in Schedule 7, clauses 25(3) and 25(4), of the Local Government Act 2002 (at Annex A), be adopted for the election of the Chairperson;
- c. resolves that Councillor/s (to be named) be nominated for the position of Chairperson of Council;
- d. declares that Councillor (to be named) be elected as Chairperson of Council.

3. FINANCIAL IMPACT

- 3.1. There is no financial impact.

4. COMMUNITY ENGAGEMENT

- 4.1. The community was fully involved in the elections process.

5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is no significant business risk associated with this item

6. BACKGROUND

- 6.1. In accordance with Schedule 7, clause 21(4) of the Act, the Chief Executive as principal administrative officer, shall preside over the meeting while the Chairperson is being elected. Under Schedule 7, clause 21(5)(b) of the Act, the chairperson shall be elected by Council from among its Members at the first meeting following the election.
- 6.2. The procedures for the election of the Chairperson of a Regional Council are set down in Schedule 7, clause 25 of the Act, which is attached at Annex A. Councillors must first determine by resolution, which system of voting they will use.

7. DISCUSSION

- 7.1. **Under System A** for the election of the Chairperson of a Regional Council, Councillors may determine that the person be elected by a system of voting that requires that the person to be elected receives the votes of a majority of the membership of the Council present and voting. Where more than one round of voting is required, the least successful candidate in a round of voting shall not be a candidate in the next round of voting. This system ensures that the successful candidate has the support of a majority of Councillors.
- 7.2. Where there is an equality of votes in any round for the lowest number of votes, the person excluded from the next round is resolved by lot.
- 7.3. **Under System B**, there is only one round of voting and the person is appointed if he or she has more votes than any other candidate.
- 7.4. When there is an equality of votes for the most votes, the tie is resolved by lot.

8. COMMENT

- 8.1. Under System B, where there is a tie which must be resolved by lot, the most common procedure is for the names of the candidates receiving an equal number of votes to be placed in a container, and the name of the person drawn out by an independent person, is deemed to be elected.
- 8.2. Once the procedural questions have been decided, nominations for Council Chairperson will be called.
- 8.3. It is also suggested that the procedures adopted for the election of the Chairperson of Council, also be adopted for the election of the Deputy Chairperson.
- 8.4. Upon appointment of the Chairperson, he/she will sign the declaration (attached at Annex B).

9. SIGNIFICANCE

- 9.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Michael McCartney
CHIEF EXECUTIVE

ANNEXES

- A Schedule 7, Clause 25, LGA
- B Sample Declaration - Chairperson

25 Voting systems for certain appointments

- (1) This clause applies to—
 - (a) the election or appointment of the chairperson and deputy chairperson of a regional council; and
 - (b) the election or appointment of the deputy mayor; and
 - (c) the election or appointment of the chairperson and deputy chairperson of a committee; and
 - (d) the election or appointment of a representative of a local authority.
- (2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:
 - (a) the voting system in subclause (3) (system A);
 - (b) the voting system in subclause (4) (system B).
- (3) **System A—**
 - (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
 - (b) has the following characteristics:
 - (i) there is a first round of voting for all candidates; and
 - (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
 - (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
 - (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.
- (4) **System B—**
 - (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
 - (b) has the following characteristics:
 - (i) there is only 1 round of voting; and
 - (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

(Local Government Act 2002 No. 84 (Schedule 7 Sec 25))



**DECLARATION BY THE CHAIRPERSON OF THE
MANAWATŪ-WHANGANUI REGIONAL COUNCIL
(Horizons Regional Council)**

I,

declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Manawatū-Whanganui Region, the powers, authorities, and duties vested in or imposed upon me as the Chairperson of the Manawatū-Whanganui Regional Council (trading as Horizons Regional Council) by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Dated at Palmerston North this 22nd day of October 2019.

Signed _____

Signed in the presence of

M J McCartney
CHIEF EXECUTIVE

Report No.	19-155
Decision Required	

ELECTION OF DEPUTY CHAIRPERSON

1. PURPOSE

- 1.1. The purpose of this item is to elect a Deputy Chairperson of Council.

2. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 19-155;
- b. resolves that either System A or System B of the procedures as set out in Schedule 7, clauses 25(3) and 25(4) of the Local Government Act 2002, be adopted for the election of the Deputy Chairperson;
- c. that Councillor/s (to be named) be nominated for the position of Deputy Chairperson of Council;
- d. declares Councillor (to be named) to be elected as Deputy Chairperson of Council.

3. FINANCIAL IMPACT

- 3.1. There is no financial impact.

4. COMMUNITY ENGAGEMENT

- 4.1. The community was fully involved in the elections process.

5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is no significant business risk associated with this item.

6. BACKGROUND

- 6.1. In accordance with Schedule 7, clause 21(5)(e), of the Local Government Act 2002, the Deputy Chairperson of Council must be elected by Council from among its Members at the first meeting following the triennial election.
- 6.2. The procedures for the election of the Deputy Chairperson will have been determined by Council's decision for the election of the Chairperson of Council (whether System A or System B).
- 6.3. Nominations for the Council Deputy Chairperson will be called and the election process carried out.

7. SIGNIFICANCE

- 7.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Michael McCartney
CHIEF EXECUTIVE

ANNEXES

There are no attachments for this report.

Report No.	19-156
Decision Required	

REGIONAL COUNCIL COMMITTEE STRUCTURE

1. PURPOSE

- 1.1. The purpose of this report is to propose a structure and means of operation for Council Committees.

2. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 19-156;
- b. approves, with or without amendment, the recommended Committee structure as follows:
 - Strategy & Policy Committee (committee of the whole)
 - Audit, Risk & Investment Committee
 - Catchment Operations Committee
 - Environment Committee
 - Regional Transport Committee
 - Passenger Transport Committee
 - Manawatu River Users' Advisory Group
 - Linklater Bursary Subcommittee
- c. approves, with or without amendments, the recommended Committee Terms of Reference at Annex A;
- d. approves, with or without amendments, the recommended generic meeting schedule as follows:

<i>First Tuesday of the month</i>	<ul style="list-style-type: none"> • <i>Regional Transport Committee 4 times per year</i>
<i>Second Tuesday</i>	<ul style="list-style-type: none"> • <i>Strategy & Policy Committee, can be followed by a Workshop</i>
<i>Wednesday following second Tuesday</i>	<p><i>Alternate</i></p> <ul style="list-style-type: none"> • <i>Environment Committee</i> • <i>Catchment Operations Committee</i>
<i>Third Tuesday</i>	<ul style="list-style-type: none"> • <i>Passenger Transport Committee 3 times per year</i>
<i>Fourth (or last) Tuesday</i>	<ul style="list-style-type: none"> • <i>Council meeting, followed by</i> • <i>Audit Risk & Investment financial briefings or meetings</i>
<i>Fourth (or last) Wednesday</i>	<ul style="list-style-type: none"> • <i>Potential Workshops</i>

- e. notes that membership nominations for the 2019-2022 triennium will be presented at the Council meeting on 5 November 2019;
- f. notes that Committee Chairs and Deputy Chairs will be confirmed at the Council meeting on 5 November 2019;
- g. notes that remuneration for Committee Membership, Chairs and Deputy Chairs will be workshopped prior to 5 November and confirmed at the Council meeting on 5 November.

3. FINANCIAL IMPACT

3.1. There is no financial impact.

4. COMMUNITY ENGAGEMENT

4.1. There is no requirement for community engagement.

5. SIGNIFICANT BUSINESS RISK IMPACT

5.1. There is no significant business risk associated with this item.

6. BACKGROUND

6.1. Council may choose to change its committee structure now or at any other time throughout the triennium. While the committee structure does not need Remuneration Authority (RA) approval, any remuneration associated with that structure will need to be submitted to the RA for approval and will be dealt with by way of amending determinations through the year (remuneration will be dealt with in a separate paper to Council).

6.2. In the triennium just concluded, the Committee structure was as follows:

- Strategy & Policy Committee (committee of the whole)
- Audit, Risk & Investment Committee
- Catchment Operations Committee
- Environment Committee
- Regional Transport Committee
- Passenger Transport Committee
- Manawatu River Users' Advisory Group
- Linklater Bursary Subcommittee

6.3. Generally all committees and subcommittees cease to exist at election date and the structure for the new triennium is confirmed by the new Council. The following generic schedule of meetings and workshops is proposed.

<i>First Tuesday of the month</i>	<ul style="list-style-type: none"> • <i>Regional Transport Committee 4 times per year</i>
<i>Second Tuesday</i>	<ul style="list-style-type: none"> • <i>Strategy & Policy Committee, can be followed by a Workshop</i>
<i>Wednesday following second Tuesday</i>	<p><i>Alternate</i></p> <ul style="list-style-type: none"> • <i>Environment Committee</i> • <i>Catchment Operations Committee</i>
<i>Third Tuesday</i>	<ul style="list-style-type: none"> • <i>Passenger Transport Committee 3 times per year</i>
<i>Fourth (or last) Tuesday</i>	<ul style="list-style-type: none"> • <i>Council meeting, followed by</i> • <i>Audit Risk & Investment financial briefings or meetings</i>
<i>Fourth (or last) Wednesday</i>	<ul style="list-style-type: none"> • <i>Potential Workshops</i>

7. COMMENT

- 7.1. The 2018-2028 Long-term Plan sets out the Council's vision, mission and goals, the operating principles, key issues and strategies. It is essential that the committee structure of Council reflects the need to meet the requirements set out in this document.
- 7.2. Council committees should focus on:
- planning for the future;
 - policy formulation;
 - reviewing / monitoring of policy implementation; and
 - continued development, where appropriate, of service delivery, regulatory and trading activities.
- 7.3. To meet these requirements, some amendments to the recommended committee structure may be necessary as the eleventh triennium progresses.

Committees, Subcommittees, advisory Committees, and working groups

- 7.4. The Council, the Strategy & Policy Committee, and the Regional Transport Committee are the main decision-making bodies of the Council. The Environment Committee, Catchment Operations Committee and Audit, Risk & Investment Committee are the main performance monitoring/reporting committees.
- 7.5. The **Catchment Operations Committee** includes all functions relating to catchment management, which includes activities under the Sustainable Land Use Initiative.
- 7.6. The **Environment Committee** receives reports relating to environmental management, regulatory management, biosecurity, biodiversity, freshwater and science activities.
- 7.7. The **Audit, Risk & Investment Committee** provides assurance to the Council that the organisation is meeting its financial, statutory compliance, and risk assessment responsibilities.
- 7.8. The Land Transport Management Act 2003 (LTMA) requires regional councils to establish a **Regional Transport Committee** which has the following statutory functions:
- Prepare a regional land transport plan, or any variation to the plan, for the approval of the relevant regional council;
 - Provide the regional council with any advice and assistance the regional council may request in relation to its transport responsibilities.
- 7.9. The membership of the Regional Transport Committee is prescribed by the LTMA and is outlined in its terms of reference (at Annex A).
- 7.10. The **Passenger Transport Committee** oversees Horizons' role in public transport, which is to plan, fund and implement services (including bus services, the Total Mobility taxi scheme and community van and health shuttle services) throughout the Region. Under section 119 of the Land Transport Management Act 2003, regional councils must prepare a regional public transport plan and this task is undertaken by the Committee for the Council's approval.
- 7.11. The purpose of a regional public transport plan is to provide:
- a means for encouraging regional councils and public transport operators to work together in developing public transport services and infrastructure; and
 - an instrument for engaging with the public in the Region on the design and operation of the public transport network; and

- c. a statement of:
- i. the public transport services that are integral to the public transport network; and
 - ii. the policies and procedures that apply to those services; and
 - iii. the information and infrastructure that support those services.
- 7.12. The membership of the **Passenger Transport Committee** is set out in its terms of reference (at Annex A).
- 7.13. The **Manawatu River Users' Advisory Group** has responsibilities to ensure the facilitation of a better understanding among the competing river interest groups and users of the Manawatu River, coordination of the many recreational users on the River, provision of input into the River Management Plan, and facilitation with public consultation on resource management issues.
- 7.14. The **Linklater Bursary Subcommittee** which was established in August 2001, has met over the last triennium on an informal basis, as required, to consider applications and select annual recipient/s for the Don Linklater Memorial Bursary.
- 7.15. The relevant Terms of Reference are at Annex A. When considering Committee membership, careful consideration needs to be given to whether Council wants a representative committee, or a committee of the whole. Members should note that the Terms of Reference at Annex A are the same as those adopted by the previous Council with the exception of:
- the inclusion of a quorum requirement under Committee Membership for Council, Catchment Operations Committee, Environment Committee, Regional Transport Committee, Passenger Transport Committee;
 - clarification of voting rights for deputy members of the Regional Transport Committee;
 - the provision to rollover advisory membership at a new triennium;
 - amendments to Objectives (bullet point 2), and Delegations for the Linklater Bursary Subcommittee.

Delegation of Authority

- 7.16. The Council has adopted the following principles:
- a. The primary role of Council and its Committees is that of policy formulation with the Chief Executive being responsible for day-to-day operations within limits of prescribed policy.
 - b. Committees, when established, should to the greatest extent practicable and subject to legislative constraints, be delegated power to act, to avoid the need for business to be debated a second time before the full Council.
 - c. The Chief Executive, in undertaking his responsibilities, needs to delegate substantial authority.
 - d. In terms of reporting, 'exception reporting' should be the normal practice – this means that when Council makes a decision it should expect that decision to be implemented without further reporting. Only if the target is not met, ie an exception occurs, should further reporting be necessary.

8. SIGNIFICANCE

- 8.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Craig Grant

GROUP MANAGER CORPORATE & GOVERNANCE

ANNEXES

- A Terms of Reference



COUNCIL AND COMMITTEE TERMS OF REFERENCE

22 October 2019

COUNCIL & COMMITTEE TERMS OF REFERENCE

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Passenger Transport Committee	13
Linklater Bursary Subcommittee	15
Manawatu River Users' Advisory Group	16

Council Terms of Reference

Statutory References

The more important legislation affecting Horizons Regional Council is:

- Biosecurity Act 1993
- Civil Defence and Emergency Management Act 2002
- Land Transport Act 1998
- Local Authorities (Members Interests) Act 1968
- Local Electoral Act 2001
- Local Government Act 1974
- Local Government Act 2002
- Local Government (Rating) Act 2002
- Local Government Official Information and Meetings Act 1987
- Maritime Transport Act 1994
- Resource Management Act 1991
- Soil Conservation and Rivers Control Act 1941
- Transit New Zealand Act 1989
- Transport Services Licensing Act 1989

The Council also administers the Manawatu River and Tributaries Navigation and Safety Bylaws 2004.

The Mission Statement of the Council is:

“To create opportunities for the Region to grow economically and socially in a way that preserves or enhances agreed environmental and cultural values.”

Statement of Purpose

The role of the Council is to make policy, authorise and monitor the overall allocation of resources and set priorities. It determines and monitors the levels of services to be provided and monitors the decisions of its Committees.

The overall priorities are set out in the Council's Strategic and Financial Management documents. A statutory Long-term Plan (LTP) detailing significant activities, objectives, policies, outputs and performance measures, as well as budgeted input requirements, will be approved before the end of June every three years; an Annual Plan will be produced in years two and three to provide financial updates to the LTP. An Annual Report on the Council's performance over the past 1 July to 30 June year is produced around September each year.

The Council also undertakes the functions, duties and powers of a territorial authority under Part XXIX of the Local Government Act 1974 for those areas of the former drainage districts deemed drainage areas constituted under section 504 of the Local Government Act 1974 (ie. the former Moutoa, Makerua, Manawatu, Oroua, and Sluggish River Drainage Districts).

Quorum Requirements

The quorum for a meeting of the Council is:

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

Objectives

- Employ a Chief Executive.
- Take the necessary initiatives to develop and adopt regional strategic objectives and policies.
- Determine council policy on its activities.
- Formulate the Council's activities through the LTP.
- Establish priorities for resource allocation within the Manawatu-Wanganui Region, including the allocation of government grants, environmental grants and regional rating policies.
- Provide the means for regional issues that are the responsibility of the Council to be assessed, addressed and determined.
- Ensure Council's shareholding interests in CentrePort Limited are effectively managed.
- Ensure the formulation of public relations objectives for the Council.
- Act quickly and positively in response to events and circumstances that could affect the Region.
- Ensure a timely and positive response in regard to civil emergencies in the Region.
- Encourage, establish and maintain effective cooperation and coordination with territorial and special purpose authorities, government departments and other public and private organisations.
- Delegate to its committees and the Chief Executive such powers and responsibilities as are appropriate for the maximum efficiency of operation.
- Monitor the implementation of Council policy.
- Monitor and appraise the performance of the Chief Executive.
- Consider and decide on contracts over \$1 million (gst included).

Strategy and Policy Committee

Statement of Purpose

The purpose of the Strategy and Policy Committee is to:

- Develop policy and plans as directed by Council, through the Committee itself or through ad hoc subcommittees or working parties.
- Consider any issues allocated by Council for consideration; generally these would be issues that do not come within the scope of other committees or are issues that warrant consideration of the whole council. Issues would be dealt with either by the Committee or by specific subcommittees established for the purpose. The subcommittees would be disestablished when the issues are resolved.
- Enhance awareness and understanding of issues and trends relating to Council's goal: "Promote the social, economic and cultural well-being of the people in the Region," both in general, and in relation to this Council's resource management policies and activities.
- Consider and evaluate miscellaneous issues that have a regional, social, or economic focus and/or those issues that Council, by virtue of its being a regional organisation, can play a role in facilitation, coordination, or promotion.

Committee Membership

The Committee is a committee of the whole Council and its permanent chair is the Council Chairperson or the Chairperson's nominee.

Membership of subcommittees and working parties will be determined at the time of their establishment.

A quorum will consist of:

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

Objectives

The operating objectives are:

- Develop strategy, policy and plans as directed by Council, including the following:
 - a. Contribution to community outcomes
 - b. Strategic Plan
 - c. Long-term Plan/Annual Plan
 - d. Triennial agreements
 - e. Governance statements and codes
 - f. Regional Plans
 - g. Water policy
 - h. Catchment strategies
 - i. Other strategies and plans

- j. Scheme reviews
 - k. Regional development issues
 - l. Legislative reviews
- Recommend to Council (or other Committees) actions arising out of the Strategy and Policy Committee (or subcommittee/working party) deliberations and discussions.
 - Conduct and/or facilitate fora to:
 - a. Monitor the social and economic impact of the Council's policies and activities;
 - b. Play a broad role in meeting the current and future needs of Council's communities for good-quality local infrastructure, local public services, and performance of regulatory functions; and
 - c. Investigate, monitor, and analyse specific issues as directed by Council.
 - Provide a catalyst and/or facilitate a proposal when required or a need is identified, and where required.
 - Encourage or facilitate initiatives that foster economic development in the Region.

Delegations

While the Committee has no general decision-making or financial delegations, it may be given such delegations by Council for specific matters.

Any issues accorded urgency may be considered by the Committee for recommendation to a special Council meeting to be convened immediately following.

Catchment Operations Committee

Statement of Purpose

The purpose of the Catchment Operations Committee is as follows:

- To ensure, through appropriate performance monitoring and information receipt, the effective provision of river and drainage engineering services to the Region.
- To ensure through appropriate performance monitoring and information receipt, the effective provision of sustainable land use services to the Region.
- To ensure effective liaison with territorial authorities, scheme/catchment liaison committees and scheme ratepayers.
- Where delegated by Council, recommend to Council for its adoption, finalised draft river and drainage scheme reviews and rating proposals, after taking due account of public submissions.
- To formulate recommendations to Council in relation to sustainable land management investments.

Committee Membership

The Committee consists of five to twelve elected members and sits two-monthly.

A quorum will consist of:

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

Objectives

The operating objectives are:

- Monitor the implementation and progress of river control, erosion control and drainage schemes administered by the Council.
- Monitor the development of asset management plans to ensure service levels are consistent with stakeholder expectations
- Monitor the implementation of investigations and works on non-scheme rivers.
- As delegated by Council, develop policy and plans (including scheme reviews, rating systems, scheme upgrades and new schemes).
- Approve annual sustainable land use programmes and monitor their implementation.
- Encourage establishment of Scheme and/or Catchment Liaison committees, monitor their operation and participate as appropriate.

Delegations

The Committee has no general decision-making or financial delegations, but from time to time may be given such delegations by Council for specific matters.

Environment Committee

Statement of Purpose

The purpose of the Environment Committee is as follows:

- To ensure, through appropriate performance monitoring and information receipt, the effective promotion of sustainable management of natural and physical resources of the Region (including science, education and regulatory matters).
- To ensure that, in the management of natural and physical resources account is taken of the principles of the Treaty of Waitangi (Te Tiriti O Waitangi).
- To monitor the implementation and progress of Biosecurity activities within the Region.
- Where delegated by Council, to develop draft Regional plans and strategies, after taking due account of public submissions, for adoption by Council.

Committee Membership

Membership of the Environment Committee consists of five to twelve elected members and sits two-monthly.

This Committee may invite advisers (eg from the rural community and/or Regional Animal Health Committee) to attend relevant portions of the Committee's business.

A quorum will consist of:

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

Objectives

The operating objectives are:

- Monitor the implementation and progress of integrated management of the natural and physical resources of the Region.
- Oversee (usually through various reporting mechanisms) the implementation of the Resource Management Act by:
 - monitoring the granting of resource consents, with individuals acting as Hearing Commissioners when required;
 - maintaining oversight of compliance by resource consent holders with conditions on their resource consents;
 - promoting non-regulatory methods of implementing resource management policy;
 - monitoring the state of the environment in the Region; and
 - undertaking or supporting investigations necessary to promote sustainable management in the Region.

- Investigate opportunities to promote effective implementation of the Resource Management Act, including delegations and, where appropriate, transfer of functions.
- Monitor the implementation and progress of Biosecurity activities within the Region.
- Monitor the effectiveness of the Council's environmental plans and strategies, and recommend these for review as appropriate.
- Develop policy and plans as delegated by Council (including Regional Plans).

Delegations

The Committee has no general decision-making or financial delegations but from time to time may be given such delegations by Council for specific matters.

Audit, Risk & Investment Committee

Statement of Purpose

The objective of the Audit Risk and Investment Committee is to provide assurance to the Council that the organisation is meeting its responsibilities with respect to:

- Financial accounting and reporting
- Internal and external audit
- Management and internal controls
- Statutory compliance
- Risk Assessment
- Contract processing outside delegation of Chief Executive
- Monitoring and reporting function to Council on Port investments

Membership

- The Audit Risk and Investment Committee shall be a committee of the Council.
- The Audit Risk and Investment Committee shall be appointed by the Council from among Council members and shall consist of three members, plus the chairperson and deputy chairperson of the Council.
- A quorum shall be three members, one of whom shall be the Committee Chairperson or Deputy Chairperson.
- The Council shall appoint the Chairperson of the Audit Risk and Investment Committee who should normally not be the Council Chairperson.
- The Group Manager Corporate and Governance Support will be the reporting officer, but the Chief Executive will remain ultimately responsible for executing instructions of the Committee, acting on the authority of Council.
- The majority of Committee members should have strong financial and business skills.

Operating Principles

- The Committee shall have the right to go in committee when necessary.
- The Committee chairperson shall call a meeting of the Audit Risk and Investment Committee if so requested by any Audit Risk and Investment Committee member, the Council, or the external auditors.
- Meetings will be held no less than three times per year.
- The Committee shall meet at least once per year with both the internal and the external auditors. For at least a part of each meeting of the Committee at which internal and/or external auditors are present, the Committee shall meet with the auditors with no employees of the Council present.
- The Committee shall report to the Council in the normal manner of committee reports or as specified or requested by the Council.
- The committee has the authority to seek any information it requires from any officer or employee of the Council and is authorised to take such independent professional advice, as it considers necessary, for the account of the Council.

- While the Council does not, at present have the power to select its external auditors, the Committee shall nevertheless monitor the performance of, and ensure the independence and objectivity of, the external and internal auditors. Council, on the recommendation of the Committee, is to agree to any proposed change in internal auditors, and the internal auditors may not be removed from their position without the express consent of the Committee.
- The internal and external auditors shall be permitted to contact the Chairman of the Committee at any time, and no factors are to exist that would inhibit or deter internal or external auditors from communicating directly with the Chairman of the Committee or with each other if, in their opinion, this became necessary or desirable.
- The Committee chairperson shall call a meeting when there are Port investment issues to consider.

Responsibilities

The duties of the Audit Risk and Investment Committee are as follows:

- Periodical review of the accuracy of the Chief Executive's operational and financial reporting to the Council.
- Liaison with external and internal auditors.
- Review of the annual audit plan with the auditors.
- Review of audit findings and the annual financial statements.
- Oversight of compliance with statutory responsibilities relating to accounting policies, financial reporting, and other disclosure.
- Monitor the Council's compliance with other relevant legislation.
- Ensuring that Council's policy on contracts, tenders, and significant expenditure complies with relevant legislative and procedural requirements.
- Consideration of any special contractual purchases as delegated by the Council or Council committees.
- Review and assess the Council's risk management programme and framework.
- Confirm that the Council has policies and systems in place to govern, monitor and control adequately the Council's material risks (financial, business, and operational) and ensure that those systems are applied.
- Periodic monitoring of corporate risk assessment, particularly financial risk, and the internal controls instituted in response to such risks.
- Conducting or managing the carrying out of audits in other areas of organisational activity against Council stated criteria as requested by Council.
- Consideration of any contracts submitted by the Chief Executive.
- Consideration of any special contractual purchases as delegated by the Council.
- Act as the Regional Passenger Transport Tendering Authority (for contracts above \$400,000 [GST exclusive]).
- Meet with the Greater Wellington subcommittee (Port Investments Limited), as required, to oversee the investments of both Councils in CentrePort Limited to ensure a consistent governing arrangement by both shareholders.

Delegations

- The Committee has decision-making and financial delegations for contracts of up to \$1,000,000 (GST exclusive) but may, where considered appropriate, refer any such contracts to Council for final approval.
- Except as implied by the operating principles and responsibilities, and the delegation relating to contracts outlined above, the Committee has no general decision-making or financial delegations, but from time to time may be given such delegations by Council for specific matters.

Regional Transport Committee

Statement of Purpose

To plan and promote the establishment of an affordable, integrated, safe, responsive and sustainable land transport system for the Manawatu-Wanganui Region.

To undertake Horizons Regional Council's various responsibilities under the Land Transport Management Act 2003 and any other Act.

Committee Membership

Requirements for membership and voting rights for committee members are specified under Section 105(2) of the Land Transport Management Act 2003.

The Committee consists of the following members appointed by Horizons Regional Council:

- Two Regional Councillors, one of whom is Chairperson of Council who will be Chairperson of Committee, and a Councillor. The Substitute Chairperson will be the Deputy Chairperson of Council (with voting rights) but will not be a member of the Committee.
- Seven members representing Territorial Authorities (one from each Territorial Authority in the Region). Deputy members attending a meeting will have voting rights.
- One member representing the New Zealand Transport Agency.
- A quorum will consist of: (Advisory Membership is not included as part of the quorum).
 - half of the members physically present, where the number of members (including vacancies) is even; and
 - a majority of the members physically present, where the number of members (including vacancies) is odd.

Advisory Members and Bodies

- The Regional Advisory Group¹
- Advisory members representing land transport user groups appointed formally to the committee, but attending on an 'as required' basis.
- With endorsement from the Chair, advisory memberships may have the provision of rollover at the new triennium.

Functions of the Committee

1. As defined in the Land Transport Management Act 2003, the statutory functions of the Regional Transport Committee are to:
 - i Prepare a regional land transport plan, or any variation to the plan, for the approval of the relevant regional council;
 - ii Provide the regional council with any advice and assistance the regional council may request in relation to its transport responsibilities.

¹ Comprised of the technical transport officers from Horizons Regional Council, the seven district/city councils and New Zealand Transport Agency and is administered by Horizons Regional Council.

Other operating objectives:

2. To provide a forum for the discussion of land transport issues of regional significance, and promote comprehensive and region-wide involvement.
3. To provide regional advocacy on transport issues to central government, funding agencies and other transport stakeholders.
4. To prepare regional submissions and make recommendations on transport matters to central government and other agencies, as required.
5. To actively liaise and consult with territorial authorities and other stakeholders to ensure efficient and effective land transport planning.
6. To promote the implementation of the Regional Land Transport Plan and oversee the development and implementation of any special projects or investigations set out within it.
7. To promote road safety in the region.
8. To promote a regional approach to transport planning.

This Committee meets as required, but not less than every three months.

Delegations

The Committee has delegated authority as follows:

- i. to appoint subcommittees or working groups if required; and
- ii. to undertake all statutory functions and operating objectives listed above.

Passenger Transport Committee

Statement Of Purpose

The purpose of the Passenger Transport Committee of Horizons Regional Council is to plan, implement, monitor and review the region's passenger transport services.

Committee Membership

The Committee consists of:

- a minimum of five regional councilors (with at least one member being from the Palmerston North and Whanganui constituencies);
- a quorum will consist of: (Advisory Membership is not included as part of the quorum).
 - half of the members physically present, where the number of members (including vacancies) is even; and
 - a majority of the members physically present, where the number of members (including vacancies) is odd.

Advisory Membership

Advisory members represent the region's territorial authorities, appointed formally to the Committee, but attending on an 'as required' basis. Advisory members do not have voting rights.

- one member appointed by the council to represent Horowhenua District Council
- one member appointed by the council to represent Manawatu District Council
- one member appointed by the council to represent Palmerston North City Council
- one member appointed by the council to represent Rangitikei District Council
- one member appointed by the council to represent Ruapehu District Council
- one member appointed by the council to represent Tararua District Council
- one member appointed by the council to represent Whanganui District Council

The Committee meets as required, but generally three times a year.

Objectives

The operating objectives are:

1. To investigate passenger transport needs as requested by the Regional Council and other parties.
2. To prepare the regional public transport plan (as required by the Land Transport Management Act 2003) for approval by the Regional Council.
3. To provide advice to the Regional Council on funding policy for passenger transport services in the region.
4. To manage the provision of passenger transport services and undertake a programme of service monitoring, promotion and review.

5. To report to the Regional Council on the passenger transport activities contained in the Council's Long-term Plan.
6. To maintain a register of exempt passenger transport services (as required by the Land Transport Management Act 2003).

Delegations

The Committee has delegated authority as follows:

- i. To alter, introduce or cancel passenger transport services where increased financial implications can be met from existing budgets.

Transport staff have delegated authority as follows:

- i. To register exempt passenger transport services as required by the Land Transport Management Act 2003;
- ii. To make minor alterations to passenger transport services, where these alterations will have little implication for current passengers.

Linklater Bursary Subcommittee

Statement of Purpose

The purpose of the Linklater Bursary Subcommittee is as follows:

- To consider applications and select an annual recipient for the Don Linklater Memorial Bursary.
- To monitor progress of students to ensure compliance with bursary award conditions.

Subcommittee Membership

The Subcommittee consists of three Councillors, and one staff member nominated by the Chief Executive.

The Subcommittee meets as required.

Objectives

The operating objectives are:

- To approve applications as meeting the bursary criteria.
- ~~To select one new recipient each year and confirm or otherwise continuation of previous recipients for their second or third year of award.~~
- To select up to two new recipients each year, dependent upon whether the previous recipients continue for a second or third year.
- To monitor the progress of students to ensure compliance with bursary award conditions.
- To ensure Bursary conditions and criteria are meeting the objectives for the award: to honour the memory and work of Don Linklater by encouraging courses of study in fields relevant to the work of Horizons Regional Council.

Delegations

- ~~The Subcommittee is delegated to spend \$4,000 per award; per recipient, in any one year and up to three awards may be in progress with a total commitment of \$12,000.~~
- The Subcommittee is delegated to spend \$3,000 per recipient, in any one year and up to two awards may be in progress with a total commitment of \$6,000 per year.

Manawatu River Users' Advisory Group

Statement of Purpose

The purpose of the Manawatu River Users' Advisory Group is to:

- Facilitate a better understanding among competing river interest groups and users of the Manawatu River and its tributaries.
- Coordinate, on behalf of the Council, the many varied recreational users on the Manawatu River and its tributaries.
- Provide a forum for public consultation on policy and planning issues on the Manawatu River and its tributaries being considered by the Council.

Committee Membership

The Advisory Group consists of one councillor, appointed by the Council from among Council members, and a number of appointed members representing the various parties interested in the Manawatu River.

Objectives

The operating objectives are:

- Promote the effective and efficient allocation of space and time for competing recreational users of the Manawatu River and its tributaries.
- Promote liaison and understanding of the River dynamics between the Council and other stakeholders.
- Monitor the effectiveness of any bylaws affecting the use of the Manawatu River and tributaries, navigation and safety, and promote their application.

Report No.	19-157
Decision Required	

HORIZONS REGIONAL COUNCIL STANDING ORDERS

1. PURPOSE

- 1.1. This report introduces for adoption, the new Local Government New Zealand (LGNZ) version of Standing Orders.

2. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 19-157 and Annex.
- b. notes the requirement for Local Authorities to adopt Standing Orders for the orderly conduct of its meetings;
- c. notes the requirement to achieve the agreement of at least 75% of members present at a meeting to adopt (and amend) the Standing Orders;
- d. approves the adoption of Horizons Regional Council Standing Orders, 22 October 2019 (at Annex A), with or without the following amendments:
 - i. approves the amendment to Horizons Regional Council's Standing Orders with updates to Section 2, Definitions;
 - ii. approves the amendment to Horizon's Regional Council's Standing Orders, Section 4.2 Meeting duration, that no meeting can sit for more than two hours continuously without a break;
 - iii. approves the amendment to Horizons Regional Council's Standing Orders to include additional wording of clarification to Sections 3.5 Temporary suspension of standing orders; 9.6 Chair's report, 12.7 Right to attend by audio or audio visual link, 18.6 Request to have votes recorded, 19.2 Behaviour consistent with Code of Conduct, 20.5 Members may speak only once, 24.1 Procedural motions must be taken immediately, 24.2 Procedural motions to close or adjourn a debate (d), 27.1 Minutes to be evidence of proceedings;
 - iv. approves the amendment to Horizons Regional Council's Standing Orders to include new Sections 8.3 Emergency meetings may be called, 8.7 Process for calling an emergency meeting, 8.8 Public notice – emergency and extraordinary meetings, 28 Keeping a record (28.1 to 28.3);
 - v. approves the amendment to Horizons Regional Council's Standing Orders, to delete the following Sections: Emergency meetings may be called, Public notice – extraordinary meetings, Chief Executive may make other arrangements, Minute books – Inspection;
 - vi. approves the amendment to Horizons Regional Council's Standing Orders to include a new section, Section 22.6 Chair may recommend amendment.

3. FINANCIAL IMPACT

- 3.1. There is no financial impact as this is an administrative function.

4. COMMUNITY ENGAGEMENT

- 4.1. There is no requirement for community engagement as this is in response to a change in legislation.

5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is no significant business risk associated with this item.

6. BACKGROUND

- 6.1. Local Authorities must adopt Standing Orders for the orderly conduct of their meetings. Standing Orders reflect the requirements of the Local Government Act, the Local Government Official Information and Meetings Act and other legislation concerning the conduct of meetings. Standing Orders require the agreement of at least 75% of members present at a meeting to adopt (and amend) the Standing Orders. They can be amended at any time by Council.
- 6.2. At the 2016 Inaugural Council meeting, Council resolved to adopt a revised version of standing orders, as released by Local Government New Zealand (LGNZ) in August 2016.
- 6.3. In June 2017, Council amended the August 2016 version of standing orders to strengthen the understanding of Sections 14 Public Forums, 15 Deputations, 15A Public Speaking Rights, 16.1 Form of Petitions, and 22.5 Amendments to be relevant and not direct negatives.

7. CHANGES INTRODUCED BY LOCAL GOVERNMENT NEW ZEALAND

New Features

- 7.1. The new features introduced into the Horizons Regional Council's Standing Orders, 22 October 2019, are as follows:
- The following additions/amendments have been added to Section 2, Definitions to explain the terminology used in the document:
 - Emergency meeting... (page 13)
 - Internet site... (page 13)
 - Meeting... (page 13)
 - Open Voting... (page 13)
 - Present at the meeting... (page 14)
 - Public notice... (page 14)
 - To reflect changes to employment law, no meeting can sit for more than two hours continuously without a break (Section 4.2 Meeting duration) (page 18).
 - The following sections contain various wording amendments to strengthen their intent and understanding:
 - 3.5 Temporary suspension of standing orders (page 16)
 - 9.6 Chair's report (page 29)
 - 12.7 Right to attend by audio or audio visual link (page 36)
 - 18.6 Request to have votes recorded (page 45)
 - 19.2 Behaviour consistent with Code of Conduct (page 47)

- 20.5 Members may speak only once (page 50)
- 24.1 Procedural motions must be taken immediately (page 58)
- 24.2 Procedural motions to close or adjourn a debate (d) (page 58)
- 27.1 Minutes to be evidence of proceedings (page 63)
- The following sections have been reworded and strengthened to provide clarity around interpretation and supersede previous sections:
 - 8.3 Emergency meetings may be called (page 25)
 - 8.7 Process for calling an emergency meeting (page 27)
 - 8.8 Public notice – emergency and extraordinary meetings (page 27)
 - 22.6 Chair may recommend amendment (page 55)
 - 28 Keeping a record (28.1 - 28.3) (page 65)
- The following sections have been superseded and can therefore be deleted:
 - Emergency meetings may be called (page 25)
 - Public notice – extraordinary meetings (page 26)
 - Chief Executive may make other arrangements (page 26)
 - Minute books – Inspection (page 65)

8. SIGNIFICANCE

- 8.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Craig Grant

GROUP MANAGER CORPORATE & GOVERNANCE

ANNEXES

- A Draft Standing Orders



HORIZONS REGIONAL COUNCIL

DRAFT Standing Orders

22 October 2019



Preface

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

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

These standing orders have been designed specifically for local authorities, their committees, subcommittees and subordinate decision-making bodies. They fulfil 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 order 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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Equip has made every reasonable effort to provide accurate information in this document, however it is not advice and we do not accept any responsibility for actions taken that may be based on reading it.

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1. Introduction

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

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

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

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

1.1 Principles

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

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

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

1.2 Statutory references

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

1.3 Acronyms

LGA 2002	Local Government Act 2002
LGOIMA	Local Government Official Information Meeting Act 1987
LAMIA	Local Authority Members' Interests Act 1968

1.4 Application

For the removal of any doubt these standing orders do not apply to workshops or meetings of working parties and advisory groups.

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.

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

Audio visual 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.

Chairpersonperson means the person presiding at a meeting – the presiding member.

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

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

Committee includes, in relation to a local authority:

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

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

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

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

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

Electronic link means both an audio and audio visual link.

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

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

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

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

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

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

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

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

Meeting means any first, inaugural, ordinary, or extraordinary meeting of a regional council, committee, subcommittee or subordinate decision making bodies of the regional council convened under the provisions of LGOIMA.

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

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

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

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

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

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

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

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

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

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

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

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

Presiding member means the person chairpersoning a meeting.

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

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

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

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

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

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

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

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

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

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

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

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

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

Seconder means the member who seconds a motion.

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

Subordinate decision-making body means committees, subcommittees, and any other bodies established by a regional council that have decision-making authority, excluding joint committees.

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

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

Subcommittee means a subordinate decision-making body established by a regional council, or a committee of a regional council.

Working day means any day of the week other than:

- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, and Labour Day and, if Waitangi Day or Anzac Day falls on a weekend, the following Monday.
- (b) A day in the period commencing with the 25th day of December in any year and ending with the 15th day of January in the following year.

Should a local authority wish to meet between the 25th of December and the 15th day of January in the following year any meeting must be notified as an extraordinary meeting unless there is sufficient time to notify an ordinary meeting before the commencement of the period.

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

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

General matters

3. Standing orders

3.1 Obligation to adopt standing orders

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

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

3.2 Process for adoption and alteration of standing orders

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

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

3.3 Members must obey standing orders

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

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

3.4 Application of standing orders

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

3.5 Temporary suspension of standing orders

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

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

A motion to suspend standing orders may also identify the specific standing orders to be suspended. In the event of suspension those standing orders prescribed in statute will continue to apply, such as the quorum requirements.

3.6 Quasi-judicial proceedings

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

3.7 Physical address of members

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

4. Meetings

4.1 Legal requirement to hold meetings

The regional council must hold meetings for the good government of its region. Meetings must be called and conducted in accordance with:

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

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

4.2 Meeting duration

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

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

4.3 Language

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

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

4.4 Webcasting meetings

Webcast meetings should be provided in accordance with the protocols contained in Appendix 5.

4.5 First meeting (inaugural)

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

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

4.6 Requirements for the first meeting

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

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

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

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

It is common for councils to adopt standing orders at the first meeting; however this is not always required as, if not amended, standing orders will remain in force after each triennial election.

5. Appointments and elections

5.1 Elections of a Chairperson and deputy Chairperson

The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.2) when electing people to the following positions:

- the Chairperson and deputy Chairperson;
- the Chairperson and deputy Chairperson of a committee; and
- a representative of the regional council.

cl. 25 Schedule 7, LGA 2002.

5.2 Voting system for Chairpersons and committee chairpersons

When electing a Chairperson and committee chairperson the regional 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.

cl. 25 Schedule 7, LGA 2002.

6. Delegations

6.1 Limits on delegations

Unless clearly stated in the LGA or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, 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.

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

6.2 Committees may delegate

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

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

6.3 Use of delegated powers

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

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

6.4 Decisions made under delegated authority cannot be rescinded or amended

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

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

6.5 Committees and sub committees subject to the direction of the council

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

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

7. Committees

7.1 Appointment of committees and subcommittees

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

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

7.2 Discharge or reconstitution of committees and subcommittees

Unless expressly provided otherwise in legislation or regulation:

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

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

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

Please note: s.12 (2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election.

7.3 Appointment or discharge of committee members and subcommittee members

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

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

7.4 Elected members on committees and subcommittees

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

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

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

7.5 Local authority may replace members if committee not discharged

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

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

7.6 Decision not invalid despite irregularity in membership

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

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

cl. 29, Schedule 7, LGA 2002.

7.7 Appointment of joint committees

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

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

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

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

7.8 Status of joint committees

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

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

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

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

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

Pre-meeting

8. Giving notice

8.1 Public notice – ordinary meetings

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

s. 46, LGOIMA.

8.2 Notice to members - ordinary meetings

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

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

Extraordinary meeting may be called

An extraordinary council meeting may be called by:

- (a) — resolution of the council, or
- (b) — a requisition in writing delivered to the chief executive which is signed by:
 - i. — the Chairperson, or
 - ii. — no less than one third of the total membership of the council (including vacancies).

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

8.3 Emergency meetings may be called

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

- (a) The Chairperson; or
- (b) If the Chairperson is unavailable, the Chief Executive.

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

8.4 Notice to members - extraordinary meetings

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

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

~~Public notice – extraordinary meetings~~

~~Where an extraordinary meeting of a local authority was called and notice of that meeting was inconsistent with these standing orders the local authority must, as soon as practicable following the meeting, give public notice stating that:~~

- ~~(a) — the meeting has occurred;~~
- ~~(b) — the general nature of business transacted; and~~
- ~~(c) — the reasons why it was not correctly notified.~~

~~s. 46(3) & (4), LGOIMA.~~

8.5 Process for calling an extraordinary meeting at an earlier time

If the nature of business requires a meeting to be held at an earlier time than is allowed by the notice requirements specified in standing order 8.4, a meeting may be called by the Chairperson, or if the Chairperson is not available, the chief executive.

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

8.6 Notification of extraordinary meetings held at an earlier time

Notice of the time, place and matters to be considered of a meeting called under Standing Order 8.6, must be given by the person calling the meeting or by another person on that person's behalf. Notice must be given to each member of the council and the chief executive by whatever means is reasonable in the circumstances and at least 24 hours before the time appointed for the meeting.

cl. 22 (4), Schedule 7 LGA 2002.

~~Chief executive may make other arrangements~~

~~The chief executive is to make any other arrangement for the notification of meetings, including extraordinary meetings, as the local authority may, from time to time, determine.~~

~~s. 46(5) LGOIMA.~~

8.7 Process for calling an emergency meeting

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

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

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

8.8 Public notice – emergency and extraordinary meetings

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

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

s. 46 (3) LGOIMA.

8.9 Meetings not invalid

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

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

s. 46 (6), LGOIMA.

8.10 Resolutions passed at an extraordinary meeting

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

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

s. 51A, LGOIMA.

8.11 Meeting schedules

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

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

8.12 Non-receipt of notice to members

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

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

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

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

8.13 Meeting cancellations

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

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

9. Meeting agenda

9.1 Preparation of the agenda

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

When preparing business items for an agenda the chief executive should consult the Chairperson.

9.2 Process for raising matters for a decision

Requests for reports may be made by a resolution of the council, committee, subcommittee or subordinate decision-making body and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 10.

9.3 Chief executive may delay or refuse request

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

If a member makes a direct request to a chief executive asking that a report is prepared the chief executive may refuse. In such cases an explanation should be provided to the member.

9.4 Order of business

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

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

9.5 Chairperson's recommendation

A Chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a Chairperson's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained.

9.6 Chairperson's report

The Chairperson of a meeting has the right, through a report, to direct the attention of a meeting to any matter which is on the agenda or which falls within the responsibilities of that meeting, **as described in its terms of reference.**

9.7 Public availability of the agenda

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

s. 5 & 46A, LGOIMA.

9.8 Public inspection of agenda

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

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

s. 46A (1), LGOIMA.

9.9 Withdrawal of agenda items

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

9.10 Distribution of the agenda

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

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

9.11 Status of agenda

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

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

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

- (a) the reason the item is not on the agenda; and

- (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA

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

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

9.13 Discussion of minor matters not on the agenda

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

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda

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

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

Where any meeting is open to the public and a member of the public is supplied with a copy of the agenda, or the minutes of that meeting, the publication of any defamatory matter included in the agenda or in the minutes is privileged. This does not apply if the publication is proved to have been made with ill will or improper advantage has been taken of the publication.

s. 52, LGOIMA.

Meeting Procedures

Opening and closing

Local authorities may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau. Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

10. Quorum

10.1 Councils

The quorum for a meeting of the council is:

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

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

10.2 Committees and subcommittees

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

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

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

10.3 Joint Committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 10.1. Local authorities participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each local authority or any party.

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

10.4 Requirement for a quorum

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

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

10.5 Meeting lapses where no quorum

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

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

10.6 Business from lapsed meetings

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

11. Public access and recording

11.1 Meetings open to the public

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

s.47 & 49(a), LGOIMA.

11.2 Grounds for removing the public

The Chairperson may require any member of the public whose conduct is disorderly, or who is creating a disturbance, to be removed from the meeting.

11.3 Local authority may record meetings

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

11.4 Public may record meetings

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

Where circumstances require the Chairperson may stop the recording for a period of time.

12. Attendance

12.1 Members right to attend meetings

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

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

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

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

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

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

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

12.3 Leave of Absence

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

The Chairperson may approve a members' application, and the Council may approve an application from the Chairperson. The Chairperson will advise all members of the council whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record a leave of absence for a member as an apology for that meeting

12.4 Apologies

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Chairperson must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies.

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

12.5 Recording apologies

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

12.6 Absent without leave

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

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

12.7 Right to attend by audio or audio visual link

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

12.8 Member's status: quorum

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

12.9 Member's status: voting

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

12.10 Chairperson's duties

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;
- (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.

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

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

12.11 Conditions for attending by audio or audio visual link

The Chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Examples of situations where approval can be given include:

- (a) where the member is at a place that makes their physical presence at the meeting impracticable or impossible;
- (b) where a member is unwell; and

- (c) where a member is unable to attend due to an emergency.

12.12 Request to attend by audio or audio visual link

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

Where such a request is made and the technology is available, the chief executive must take reasonable steps to enable the member to attend by audio or 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 local authority or its committees.

12.13 Chairperson may terminate link

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

- (a) use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) the behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) it is distracting to the members who are physically present at the meeting; and
- (d) the quality of the link is no longer suitable.

12.14 Giving or showing a document

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

- (a) transmitting it electronically;
- (b) using the audio visual link; or
- (c) any other manner that the Chairperson thinks fit.

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

12.15 Link failure

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

12.16 Confidentiality

A member who is attending a meeting by audio or audio visual link must ensure that the meeting's proceedings remain confidential during any times that the public are excluded. At such times, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

13. Chairperson's role in meetings

13.1 Council meetings

The Chairperson of the council must preside at meetings of the council unless they vacate the chairperson for a part or all of a meeting. If the Chairperson is absent from a meeting or vacates the chairperson, the deputy Chairperson must act as Chairperson. If the deputy Chairperson is also absent the local authority members who are present must elect a member to be Chairperson at that meeting. This person may exercise the meeting responsibilities, duties and powers of the Chairperson for that meeting. This provision also applies to committees and subcommittees.

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

13.2 Committee meetings

The appointed Chairperson of a committee must preside at all committee meetings, unless they vacate the chairperson for a particular meeting or part of a meeting. If the Chairperson is absent from a meeting or vacates the chairperson, the deputy Chairperson (if any) will act as Chairperson. If the deputy Chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as Chairperson at that meeting who may exercise the meeting responsibilities, duties and powers of the Chairperson.

This standing order also applies to subcommittees and subordinate decision-making bodies.

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

13.3 Addressing the Chairperson

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

13.4 Chairperson's rulings

The Chairperson will decide all procedural questions where insufficient provision is made by these standing orders and with regard to all points of order. Any refusal to obey a Chairperson's ruling or direction constitutes contempt.

13.5 Chairperson standing

Whenever the Chairperson stands during a debate members are required to sit down and be silent so that they can hear the Chairperson without interruption.

13.6 Member's right to speak

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

13.7 Chairperson may prioritise speakers

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

- (a) raise a point of order, including a request to obtain a time extension for the previous speaker; and/or
- (b) move a motion to terminate or adjourn the debate; and/or
- (c) make a point of explanation; and/or
- (d) request the chairperson to permit the member a special request.

14. 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 are designed to enable members of the public to bring matters, not on that meeting's agenda, to the attention of the local authority. Public forums will be addressed through any of council's committees.

14.1 Time limits

A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled local authority meeting. Requests must be made to the meeting secretary by 12 noon on the working day before the meeting; however this requirement may be waived by the Chairperson. The person applying to speak at the public forum must provide a clear explanation of the topic to be presented.

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

14.2 Restrictions

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

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

14.3 Questions at public forums

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

14.4 No resolutions

Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum; however this requirement may be waived by the Chairperson (Refer Appendix 6 for Powers of a Chairperson, Questions of speakers).

15. Deputations

The purpose of a deputation is to enable a person, group or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's agenda. Deputations can occur at any time during the meeting at the discretion of the Chairperson (they usually occur at the start of a meeting or at the commencement of the time at which the matter is scheduled to be discussed on the meeting agenda). Deputations are approved by the Chairperson or an official with delegated authority.

15.1 Time limits

Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation's deputation. Requests must be made to the meeting secretary by 12 noon on the working day before the meeting; however this requirement may be waived by the Chairperson.

15.2 Restrictions

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

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

15.3 Questions of a deputation

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

15.4 Resolutions

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

16. Petitions

16.1 Form of petitions

Petitions may be presented to the local authority or any of its committees, so long as the subject matter falls within the terms of reference of the council or committee meeting being presented to. Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to make a petition in te reo Māori or sign language should advise the relevant Chairperson at least two working days before the meeting to enable the petition be translated and reprinted, if necessary.

16.2 Petition presented by petitioner

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

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

16.3 Petition presented by member

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

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

17. Exclusion of public

17.1 Motions and resolutions to exclude the public

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

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

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

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

s. 48 LGOIMA.

17.2 Specified people may remain

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

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

s.48 (6) LGOIMA.

17.3 Public excluded items

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

s.46A (8) LGOIMA.

17.4 Non-disclosure of information

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

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

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

17.5 Release of information from public excluded session

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

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

18. Voting

18.1 Decisions by majority vote

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

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

18.2 Open voting

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

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

18.3 Chairperson has a casting vote

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

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

18.4 Method of voting

The method of voting must be as follows:

- (a) the Chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the Chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chairperson will call a division;
- (b) the Chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and
- (c) where a suitable electronic voting system is available that system may be used instead of a show of hands, vote by voices or division, and the result displayed notified to the Chairperson who must declare the result.

18.5 Calling for a division

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

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

18.6 Request to have votes recorded

If requested by a member immediately after a vote the minutes must record the member's vote or abstention. **Recording any other matters e.g. reason for the vote or abstention is not permitted.**

18.7 Members may abstain

Any member may abstain from voting.

19. Conduct

19.1 Calling to order

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

19.2 Behaviour consistent with Code of Conduct

No member may speak or act in a manner which is disrespectful of other members, staff or the public, or inconsistent with the local authority's Code of Conduct at any meeting.

19.3 Retractions and apologies

In the event of a member or speaker who has been disrespectful of another member or contravened the council's Code of Conduct, the Chairperson may call upon that member or speaker to withdraw the offending comments, and may require them to apologise. If the member refuses to do so the Chairperson may direct that they should leave the meeting immediately for a specified time and/or make a complaint under the Code of Conduct.

19.4 Disorderly conduct

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

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

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

19.5 Contempt

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

19.6 Removal from meeting

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

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

19.7 Financial conflicts of interests

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

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

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

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

s. 6 & 7 LAMIA.

19.8 Non-financial conflicts of interests

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

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

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

19.9 Qualified privilege for meeting proceedings

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

s. 53, LGOIMA.

19.10 Qualified privilege additional to any other provisions

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

s. 53, LGOIMA.

19.11 Electronic devices at meetings

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

Personal use may only occur at the discretion of the chairperson. A Chairperson may require that an electronic device is switched off if its use is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of the proceedings.

20. General rules of debate

20.1 Chairperson may exercise discretion

The application of any procedural matters in this section of the standing orders, such as the number of times a member may speak, is subject to the discretion of the Chairperson.

20.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

- (a) movers of motions when speaking to the motion – not more than 10 minutes;
- (b) movers of motions when exercising their right of reply – not more than 5 minutes;
- (c) other members – not more than 5 minutes.

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

20.3 Questions to staff

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

20.4 Questions of clarification

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

20.5 Members may speak only once

A member may not speak more than once to a motion at a meeting of a local authority except with permission of the Chairperson. **Members can speak more than once to a motion at a committee or subcommittee meeting with the Chairperson's permission.**

20.6 Limits on number of speakers

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

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

20.7 Secunder may reserve speech

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

20.8 Speaking only to relevant matters

Members may speak to any matter before the meeting; a motion or amendment which they propose; and to raise a point of order arising out of debate, but not otherwise. Members must confine their remarks strictly to the motion or amendment they are speaking to.

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

20.9 Restating motions

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

20.10 Criticism of resolutions

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

20.11 Objecting to words

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

20.12 Right of reply

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

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

However, the original mover may reserve their right of reply and speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried the mover of the motion has the right of reply before the motion or amendment is put to the vote.

20.13 No other member may speak

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

- (a) after the mover has started their reply;
- (b) after the mover has indicated that they want to forego this right;
- (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.

20.14 Adjournment motions

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

20.15 Chairperson's acceptance of closure motions

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

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

21. General procedures for speaking and moving motions

21.1 Options for speaking and moving

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

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

21.2 Option A

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

21.3 Option B

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

21.4 Option C

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

21.5 Procedure if no resolution reached

If no resolution is reached the Chairperson may accept a new motion to progress the matter under discussion.

22. Motions and amendments

22.1 Proposing and seconding motions

All motions and amendments moved during a debate must be seconded (including notices of motion). The Chairperson may then state the motion and propose it for discussion.

Amendments and motions that are not seconded are not in order and are not entered in the minutes.

22.2 Motions in writing

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

22.3 Motions expressed in parts

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

22.4 Substituted motion

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

22.5 Amendments to be relevant and not direct negatives

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

22.6 Chairperson may recommend amendment

A Chairperson, when moving the adoption of a recommendation from a committee or sub-committee to the council can include in the motion an amendment to the committee or sub-committee's recommendation.

22.7 Foreshadowed amendments

The meeting must dispose of an existing amendment before a new amendment can be foreshadowed. However, members may notify the Chairperson that they intend to move further amendments and the nature of their content.

22.8 Lost amendments

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may speak to it, and may move or second a further amendment.

22.9 Carried amendments

Where an amendment is carried the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may speak to the substantive motion, and may move or second a further amendment to it.

22.10 Where a motion is lost

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

22.11 Withdrawal of motions and amendments

Once a motion or amendment which has been seconded has been put to the meeting by the Chairperson the mover cannot withdraw it without the consent of the majority of the members who are present and voting.

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

22.12 No speakers after reply or motion has been put

A member may not speak to any motion once:

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

23. Revocation or alteration of resolutions

23.1 Member may move revocation of a decision

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

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

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

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

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

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

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

23.3 Requirement to give notice

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

23.4 Restrictions on actions under the affected resolution

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

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

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

23.5 Revocation or alteration by resolution at same meeting

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

23.6 Revocation or alteration by recommendation in report

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

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

24. Procedural motions

24.1 Procedural motions must be taken immediately

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

24.2 Procedural motions to close or adjourn a debate

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

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

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

24.3 Voting on procedural motions

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

24.4 Debate on adjourned items

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

24.5 Remaining business at adjourned meetings

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

24.6 Business referred to the relevant committee

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

24.7 Other types of procedural motions

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

25. Points of order

25.1 Members may raise points of order

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

25.2 Subjects for points of order

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

- (a) disorder – bringing disorder to the attention of the Chairperson;
- (b) language – use of disrespectful, offensive or malicious language;
- (c) irrelevance – the topic being discussed is not the matter currently before the meeting;
- (d) misrepresentation – misrepresentation of any statement made by a member or by an officer or council employee;
- (e) breach of standing order – the breach of any standing order while also specifying which standing order is subject to the breach;
- (f) request the recording of words, such as a request that the minutes record words that have been the subject of an objection.

25.3 Contradictions

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

25.4 Point of order during division

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

25.5 Chairperson's decision on points of order

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

26. Notices of motion

26.1 Notice of intended motion to be in writing

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

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

26.2 Refusal of notice of motion

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

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

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

26.3 Mover of notice of motion

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

26.4 Alteration of notice of motion

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

26.5 When notices of motion lapse

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

26.6 Referral of notices of motion

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

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

26.7 Repeat notices of motion

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

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

27. Minutes

27.1 Minutes to be evidence of proceedings

The local authority, committees, subcommittees and subordinate decision-making bodies must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson's manual or electronic signature once signed and included in the council's minute book and, when confirmed by resolution at a subsequent meeting, and signed by the Chairperson, will be Once authorised the minutes are the prima facie evidence of the proceedings they relate to.

cl. 28, Schedule 7, LGA 2002.

27.2 Matters recorded in minutes

The 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) the arrival and departure times of members;
- (f) any failure of a quorum;
- (g) a list of any external speakers and the topics they addressed;
- (h) a list of the items considered;
- (i) 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;
- (j) the names of all movers, and seconders;
- (k) any objections made to words used;
- (l) all divisions taken and, if taken, a record of each members' vote;
- (m) the names of any members requesting that votes or abstentions be recorded;
- (n) any declarations of financial or non-financial conflicts of interest;
- (o) the contempt, censure and removal of any members;
- (p) any resolutions to exclude members of the public;
- (q) the time at which the meeting concludes or adjourns;
- (r) the names of people permitted to stay in public excluded.

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

27.3 No discussion on minutes

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

27.4 Minutes of last meeting before election

The chief executive and the relevant Chairpersons must sign the minutes of the last meeting of the local authority before the next election of members.

Minute books

Inspection

A hard copy of the local authority's minute books must be kept by the chief executive and be open for inspection by the public. This does not preclude the complementary use of electronic minutes in accordance with the Electronics Transactions Act.

~~s. 51 LGOIMA.~~

28. Keeping a record

28.1 Maintaining accurate records

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

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

s. 17 Public Records Act 2005

28.2 Method for maintaining records

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

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

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

28.3 Inspection

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

s. 51 LGOIMA

28.4 Inspection of public excluded matters

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

Referenced documents

- Commissions of Inquiry Act 1908
- Crimes Act 1961
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Public Records Act 2005
- Marine Farming Act 1971
- Resource Management Act 1991 (RMA)
- Secret Commissions Act 1910

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,
 - (c) 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
 - (d) 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
 - (e) Avoid prejudice to measures protecting the health or safety of members of the public; or
 - (f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
 - (g) Maintain the effective conduct of public affairs through –the protection of such members, officers, employees, and persons from improper pressure or harassment; or
 - (h) Maintain legal professional privilege; or
 - (i) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities; or
 - (j) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
 - (k) Prevent the disclosure or use of official information for improper gain or improper advantage.

Provided that where A2 of this Appendix applies the public may be excluded unless, in the circumstances of the particular case, the exclusion of the public is outweighed by other considerations which render it desirable, in the public interest, that the public not be excluded.

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

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>	Good reason to withhold exists under Section 7.	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		Good reason to withhold exists under Section 7.	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)
3		Good reason to withhold exists under Section 7.	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)

4	<i>Hearings Committee</i>	<p>To enable the Committee to consider the application and submissions.</p> <p style="text-align: center;">OR</p> <p>To enable the Committee to consider the objection to fees and charges.</p> <p style="text-align: center;">OR</p> <p>To enable the Committee to.</p>	<p>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 :</p> <p>i) a right of appeal lies to any Court or tribunal against the final decision of the Council/Committee in those proceedings; or</p> <p>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.</p> <p>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).</p>
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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:

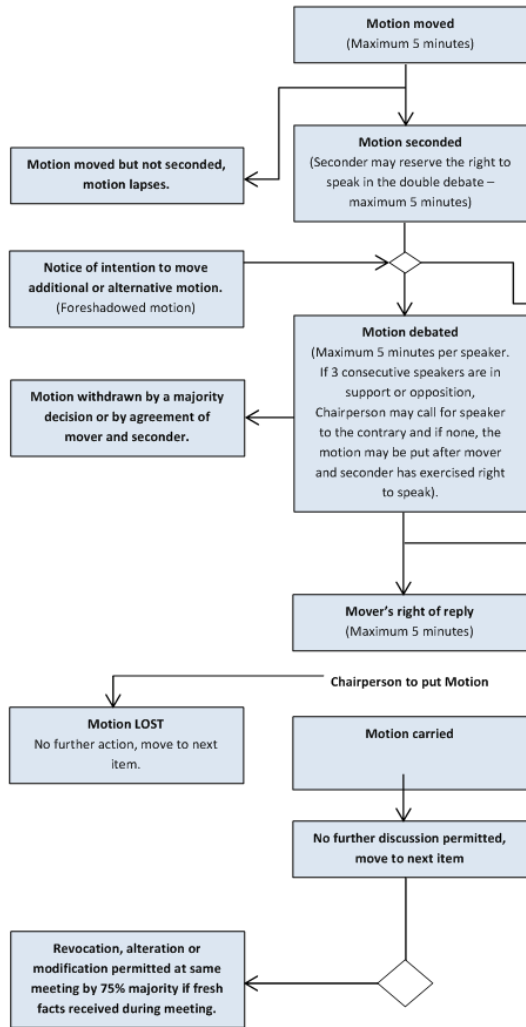
Item No	Interest
	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))
	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))

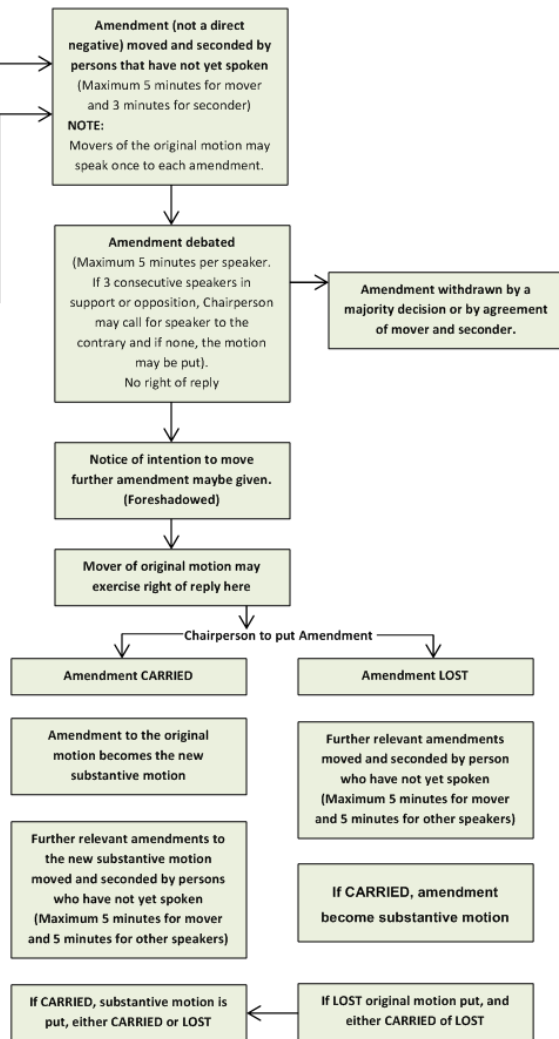
THAT XXXX be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of XXXX. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because XXXX.

Appendix 3: Motions and amendments (Option A)

Motions without amendments

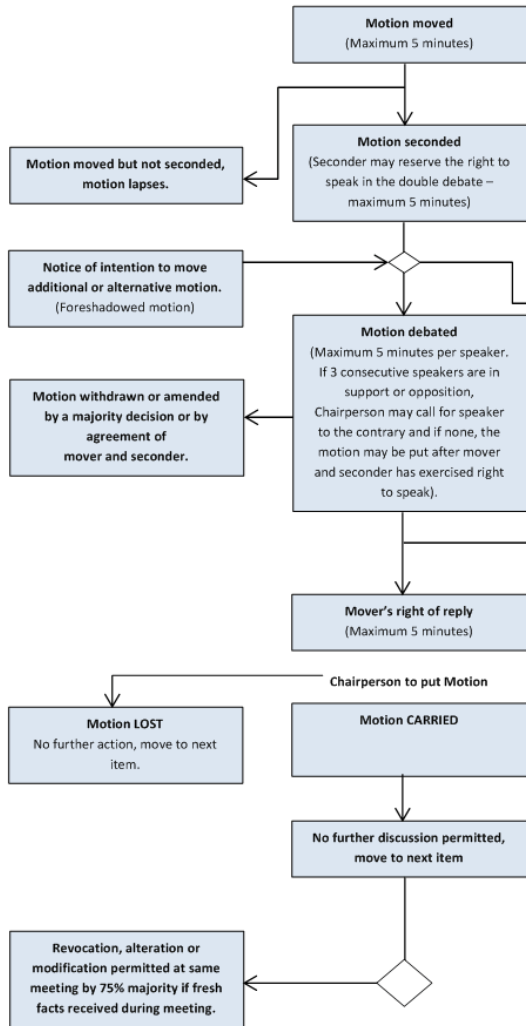


Motions with amendments

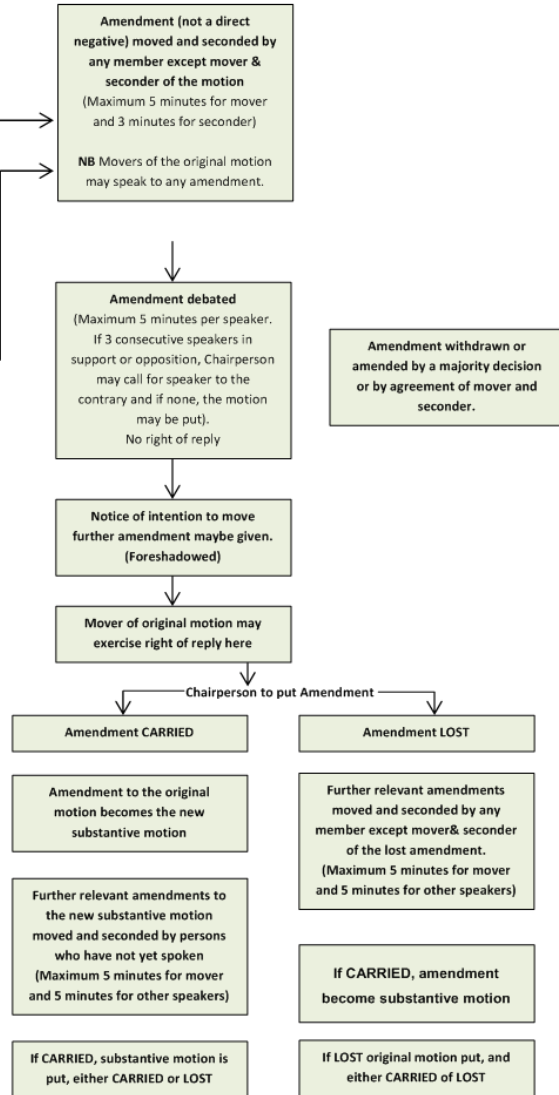


Appendix 3: Motions and amendments (Option B)

Motions without amendments

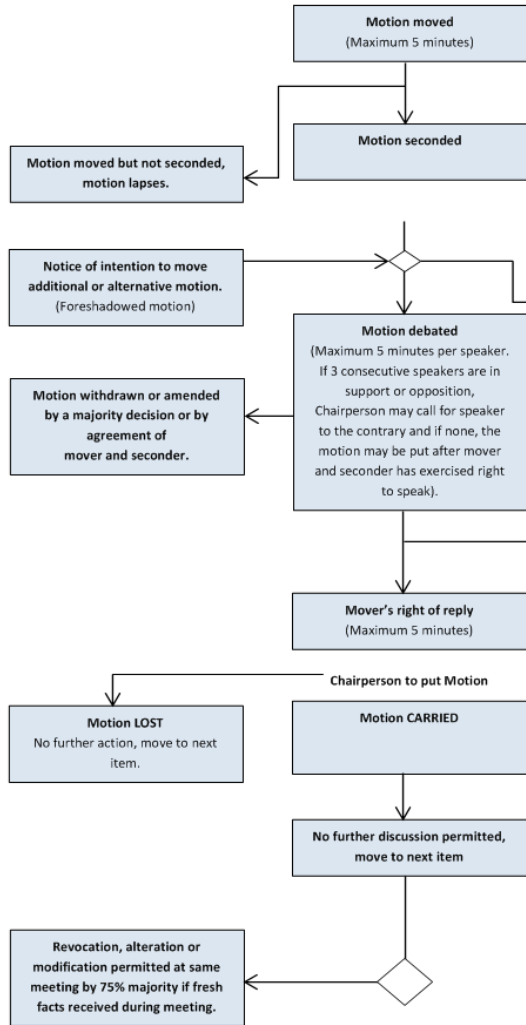


Motions with amendments

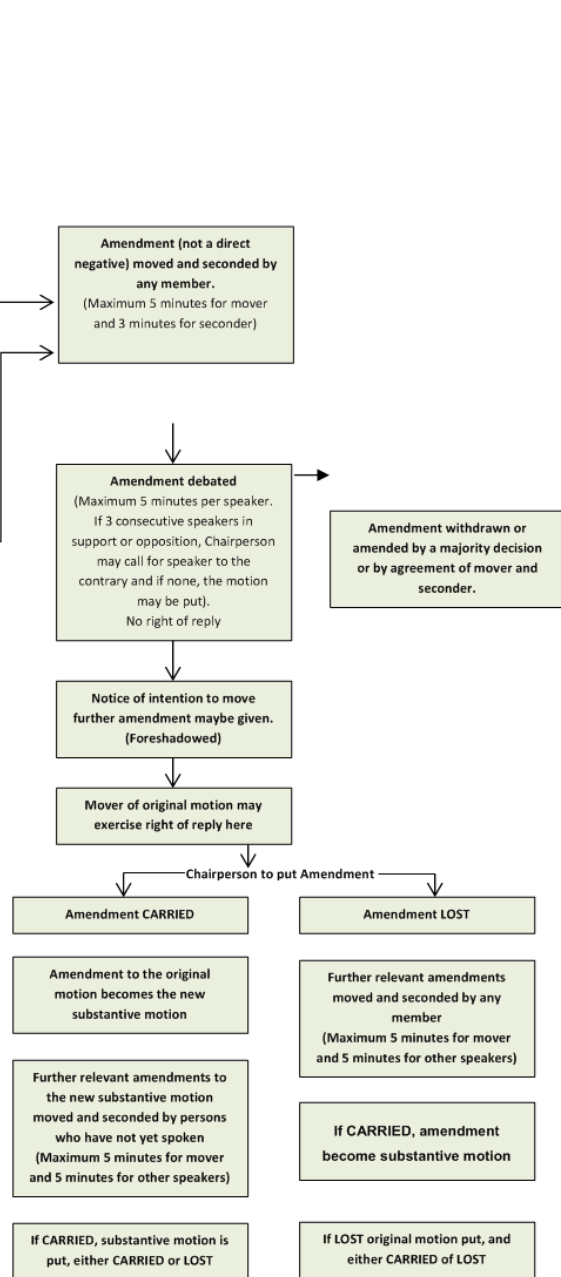


Appendix 3: Motions and amendments (Option C)

Motions without amendments



Motions with amendments



Appendix 4: Table of procedural motions

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

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

Appendix 5: Webcasting protocols

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

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

Appendix 6: Powers of a Chairperson

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

Chairperson to decide all questions

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

Chairperson to decide points of order

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

Items not on the agenda

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

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

Chairperson's report

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

Chairperson's recommendation

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

Chairperson's voting

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

Motion in writing

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

Motion in parts

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

Notice of motion

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

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

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

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

Action on previous resolutions

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

Repeat notice of motion

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

Revocation or alteration of previous resolution

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

Chairperson may call a meeting

The Chairperson:

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

Irrelevant matter and needless repetition

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

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

Explanations

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

Chairperson rising

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

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

Priority of speakers

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

Minutes

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

Questions of speakers

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

Withdrawal of offensive or malicious expressions

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

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

Chairperson's rulings

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

Disorderly behaviour

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

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

Audio or audio visual attendance

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
- (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
 - iv. the requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairpersoning duties will undertaken by the deputy chairperson or a member who is physically present

Appendix 7: Process for removing a Chairperson and deputy Chairperson from office

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

cl. 18 Schedule 7, LGA 2002.

Appendix 8: Workshops

Definition of workshop

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

Application of standing orders to workshops

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

Calling a workshop

Workshops, briefings and working parties may be called by:

- (a) a resolution of the local authority or its committees
- (b) the Chairperson,
- (c) a committee Chairperson or
- (d) the chief executive.

Process for calling workshops

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

- (a) state that the meeting is a workshop
- (b) advise the date, time and place
- (c) confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

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

Appendix 9: Sample order of business

Open section

- (a) Welcome / Karakia
- (b) Apologies
- (c) Public Forums / Deputations / Petitions
- (d) Supplementary Items
- (e) Members' Conflict of interest
- (f) Confirmation of minutes
- (g) Chief Executive's Report
- (h) Matters for Consideration
- (i) Committee Reports
- (j) Members' questions

Public excluded section

- (k) Confirmation of public excluded minutes
- (l) Reports of committees
- (m) Public excluded reports
- (n) Public excluded Members' questions

Appendix 10: Process for raising matters for a decision

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

- report of chief executive
- report of a Chairperson
- report of a committee
- notice of motion from a member.

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

- report of chief executive
- report of 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 meeting chairperson.

Report No.	19-158
Information Only - No Decision Required	

EXPLANATION OF ACTS

1. PURPOSE

1.1. The purpose of this report is to provide the Council with an overview of key legislation that you need to be aware of and have an understanding of in your role as a Regional Councillor. This report will highlight some of the key aspects of the following legislation:

- Local Government Act 2002
- Local Government Official Information and Meetings Act 1987
- Local Authority (Members' Interests) Act 1968
- Crimes Act 1961 – Sections 99, 105 and 105A
- Secret Commissions Act 1910
- Financial Markets Conduct Act 2013
- Protected Disclosures Act 2000
- Health and Safety at Work Act 2015

2. EXECUTIVE SUMMARY

2.1. There are certain legal provisions which Members must be aware of to avoid a risk of disqualification from office. There is also a requirement to have these brought to your attention at the Inaugural meeting of the Council under Clause 21 (5) of Schedule 7 of the Local Government Act 2002.

3. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 19-158 and Annexes.

4. FINANCIAL IMPACT

4.1. There is no financial impact.

5. COMMUNITY ENGAGEMENT

5.1. There is no requirement for Community Engagement.

6. SIGNIFICANT BUSINESS RISK IMPACT

6.1. There is no significant business risk associated with this item.

7. BACKGROUND

7.1. At the first meeting of a local authority following a triennial general election there is a statutory requirement for the Principal Administrative Officer to give or arrange a general explanation of:

- a. The Local Government Official Information and Meetings Act 1987 (LGOIMA); and

- b. Other laws affecting members, including the appropriate provisions of the Local Authorities (Members' Interests) Act 1968, of the Local Government Act 2002, Sections 99, 105 (corruption and bribery of an official) and 105A (corruption of official information) of the Crimes Act 1961, the Secret Commissions Act 1910, the Protected Disclosures Act 2000 and the Financial Markets Conduct Act 2013

8. COMMENT

- 8.1. The Chief Executive and/or Group Manager Corporate and Governance are available to brief Councillors on statutory requirements for members. This information is vital for Councillors as it relates to their personal conduct as long as they hold public office. It also underpins the integrity and honesty in our local government system and should be seen as such.
- 8.2. The underlying principle of LGOIMA is the public's "right to know". In summary, official information must be available to the public unless there is good reason for withholding it. LGOIMA covers:
- Formal meetings – These must be advertised in advance. Order papers must be available for public inspection and business must be conducted in open meeting except where there is good reason, in keeping with criteria in the Act, for a particular matter to be discussed in "public excluded business". (Formal resolutions or decisions **cannot** be made at informal meetings such as workshops. Workshops which come within the scope of the Local Government Act can be invaluable to gain understanding of issues and for sharing views.)
 - Disclosure of information to the public – Official information requested by members of the public must be supplied on request within a specified time unless, again, there is good reason not to do so. A charge can be made for supply of such information. Council must also publish a Local Governance Statement within six months of each triennial election.
 - Other relevant legislation is fundamentally about pecuniary interest and other conflicts of interest. Those Acts also deal with other behaviour that is inappropriate for a public official. These requirements can also extend to a Member's spouse or a company in which the Member (or spouse) has a significant interest. (It should be noted that conflict of interest is also the subject of common law.)
- 8.3. Sanctions for breaches of these provisions can be very severe. Ultimately, any decision about compliance is a matter for the Controller and Auditor General.
- 8.4. Again, any Councillor who is in any doubt, should declare any perceived interest or take advice from the Chief Executive and/or Group Manager Corporate and Governance.
- 8.5. A publication, which is available on the website of the Controller and Auditor-General, entitled "*Guidance for members of local authorities about the law on conflicts of interest*", can be downloaded from this site.
- 8.6. An overview of the relevant sections of the LGOIMA and other laws affecting members are at Annex A.
- 8.7. Declaration for the purposes of Horizons Regional Council's Annual Report. The Audit Office requires the Council to disclose in its Annual Report any financial dealings between the Council and its Councillors (including related parties) regardless of the amount. Every year each Councillor will be required to declare, in writing, whether or not he or she (or any related party) has had any financial dealings with Horizons Regional Council.

- 8.8. The definition of “related parties” includes both business and family connections. Information to be disclosed includes:
- a. the identity of each related party;
 - b. the type of transaction involved;
 - c. the amount of each transaction;
 - d. the total amounts still owing.
- 8.9. Councillors are asked to acknowledge, in writing, on the declaration (Annex B) provided under separate cover, that they have a general appreciation of the material covered by this briefing. Please return the signed copy to the Group Manager Corporate and Governance at the next Council meeting.

9. SIGNIFICANCE

- 9.1. This is not a significant decision according to the Council’s Policy on Significance and Engagement.

Craig Grant
GROUP MANAGER CORPORATE & GOVERNANCE

ANNEXES

- A Summary Information on Laws affecting Members
- B Sample Acknowledgement Form

SUMMARY INFORMATION ON LAWS AFFECTING MEMBERS

1 LOCAL GOVERNMENT ACT 2002

The Local Government Act 2002 spells out local government's purpose, its general powers, its specific by-law making powers and the principles and processes that councils must abide by when making decisions.

The Local Government Act 2002 is based on the principle of general competency, which enables a council to do whatever is necessary to fulfil its role. Within this framework, there is a considerable degree of flexibility in deciding what activities are undertaken and how they are carried out. It states that the overall role of the Council is to ensure democratic local decision-making and action by, and on behalf of, communities.

The purpose of local government is defined in section 10 of the LGA 2002 and states

"The purpose of local government is:

- (a) To enable democratic local decision-making and action by, and on behalf of, communities; and*
- (b) To meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses."*

Good-quality is defined as *"efficient, effective and appropriate to present and anticipated future demand"*.

As elected Council representatives you are responsible for making key policy decisions that guide our activities and provide the direction for our Region's future.

2 LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 (LGOIMA)

LGOIMA provides for all local government activities to take place in an open and transparent environment. It also specifies that, generally, all information held by a local authority in any form should be available to the public. The purpose of LGOIMA is to enable more effective participation by the public in the actions and decisions of local authorities and to promote the accountability of local authority members and officials with a view to enhancing respect for the law and promote good local government in New Zealand.

There are two aspects to this Act:

- Access to Local Authority Information; and
- Local Authority meetings

A brief overview of these provisions is provided in the following paragraphs.

2.1 Access to Local Authority Information

Generally, all information held by a local authority in any form should be available to the public. However, LGOIMA does provide that certain material does not constitute "information" for the purposes of the Act. This includes information acquired solely for reference or exhibition purposes, information held by the Council as agent for the purpose of safe custody and correspondence with the Ombudsman relating to a matter under investigation by that office.

It also sets out certain reasons that a Council might rely on to withhold particular information, such as the protection of privacy, commercial advantage, protection of negotiations, and the like.

LGOIMA provides for anyone to have the right to request information held by the Council and that if any such request is refused the applicant has the right of appeal to the Ombudsman. The Ombudsman will then consider the request; the nature and content of the information concerned and the grounds relied on for refusing to provide it. If the Ombudsman believes that some or all of the information should be released, they will recommend a course of action to the Council. It is then up to the Council to decide what to do. The Council's decision is reviewable by the High Court.

Another requirement of the Act is that Council publish a document outlining its functions and giving a general description of the information held by it. This material is published through the Local Governance Statement which is required to be updated within six months following each election. The Local Governance Statement is publicly available on the Council's website however it will need to be updated following the Council's decision on its governance structure for 2013-16.

LGOIMA specifically provides that there will be no liability on Councillors for any information released in good faith under the legislation. It should be noted however that the Privacy Act places strict limitations on Council in respect of the release of information relating to private individuals and this must be seen as curtailing the general rule.

Under LGOIMA the authority to make decisions regarding whether information should be released is delegated to the Chief Executive.

As a general rule, any information contained in the open section of any agenda (e.g. the white pages that are not headed "public excluded") is already in the public domain. Any information marked "public excluded" or "confidential" should not be released or discussed outside the meeting concerned. If, as an elected member, you are asked to provide any such information to a third party you should refer the request to either the CE or the Group Manager responsible for the report. Should an elected member release confidential information and should the Council suffer any loss as a result, the member may become personally liable for the Council's loss if it can be shown that the member was not acting in good faith.

2.2 Local Authority Meetings

LGOIMA provides that all meetings of Council, which includes meetings of its committees and community boards, shall be open to the public unless certain specified reasons can be satisfied for excluding them.

These reasons are basically the same as for withholding information and are set out within Section 48 of the Act. It is necessary for the meeting to be satisfied that any one or more of these reasons exist before the public is excluded. Staff will provide guidance and suggestions where it may be considered to be appropriate for the Council or for one of its committees to meet with the public excluded.

LGOIMA also enables the Chair of Council (or Chairperson in the case of Committees) to introduce an item that is not on the agenda as long as there is a clear reason why the item is not on the agenda and why it cannot wait until the next meeting. A formal resolution, including reasons must then be passed to receive and consider the item. This relates to major and urgent matters only. The Council is still subject to the requirements of the decision making processes as set out in the Local Government Act 2002. LGOIMA states that in terms of minor matters, no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting of the local authority for further discussion. This requirement is not intended to make the decision making process any more difficult or protracted than necessary but to ensure transparency.

Agendas for Council and Committee meetings have to be made available to the public two clear working days before the day of the meeting. The agendas are published on the Council website www.horizons.govt.nz. Copies of agendas are also available from the Council offices.

Other provisions of LGOIMA require meetings to be publicly notified and provide that any matter including defamatory matter published in any agenda, or oral statements made at any meeting are privileged unless proven to have been made with malice.

3 LOCAL AUTHORITY (MEMBERS' INTERESTS) ACT 1968

The Local Authority (Members' Interests) Act 1968 helps to protect the integrity of local authority decision-making by ensuring that Councillors are not affected by personal motives when they participate in Council decision-making and cannot use their position to obtain preferential access to contracts.

This Act deals with two forms of "interest", pecuniary interest and non-pecuniary interest.

3.1 Pecuniary interest

The two specific rules in the Act are that members cannot:

1. Enter into contracts with their local authority worth more than \$25,000 (including GST) in a financial year unless the Auditor-General approves the contracts (referred to as the contracting rule). Breach of this rule results in automatic disqualification from office; and
2. Participate in matters before the Council in which they have a pecuniary interest, other than an interest in common with the public (referred to as the participation rule). Breach of this rule is a criminal offence and conviction results in automatic disqualification from office

A pecuniary interest is one that involves money. This could be direct or indirect. It is sometimes difficult to decide whether an interest in a particular matter is pecuniary or some other kind. It is always the responsibility of elected members to make this decision, to declare any interest when appropriate and to ensure that as an elected member you comply with the Act's requirements at all times.

The Act generally provides that no person shall be capable of being a member of Council if that person is concerned or interested in any contracts with the Council where the total payments made by the Council in respect of such contracts exceeds \$25,000 in any one financial year. The Act also provides that an "interest" exists where a member's spouse is involved and/or where a member or their spouse is a major shareholder or have control or management of a company which contracts with Council or where the company has a pecuniary interest in the decision. It may also apply where your family trust has a contract with the Council. The Act does provide that on application to it, the Office of the Auditor General may give specific approval to a member being concerned or interested in a particular contract, in which case the provisions of the Act will not disqualify the Councillor from remaining in office. The approval needs be gained before the contract concerned is entered into.

The Act also requires that a member shall not vote or take part in the discussion of any matter in which he/she has any pecuniary interest, other than an interest in common with the public. Though not an absolute requirement of the Act, the Council's Standing Orders require that, where a member declares an interest in the issue being debated, the member must withdraw from the Council Chambers. This interest is required to be declared by the member and is noted in the minutes.

The Office of the Auditor General is the agency which oversees this legislation and it also has the responsibility and power to institute proceedings against any member. The Act does not define pecuniary interest, however the Office of the Auditor-General uses the following test:

“Whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned.”

In deciding whether you have a pecuniary interest you should consider the following factors:

- What is the nature of the decision being made?
- Do I have a financial interest in that decision – do I have a reasonable expectation of gain or loss of money as a result of making that decision?
- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the Act apply to me?
- Could I apply to the Auditor-General for approval to participate?

Further guidance is provided in the booklet “Guidance for members of local authorities about the Local Authorities (Members’ Interests) Act 1968” which is available to elected members. It is important that you pay particular attention to the contents of this booklet as this is one of the few areas of the Council’s business where staff do not set out to provide pro-active advice and members are personally liable for compliance with the provisions of this Act.

3.2 Non-pecuniary interest

Non-pecuniary interest is any interest the member may have in an issue that does not involve money. A common term for this is “bias”. Rules about bias operate not only to ensure that there is no actual bias, but also so there is no appearance or possibility of bias. The principle is that justice should not only be done, but it should be seen to be done. Bias may be exhibited where:-

- By their statements or conduct a member may indicate that they have predetermined the matter before hearing or considering all of the relevant information on it (including the Council’s debate); or
- The member has a close relationship with an individual or organisation affected by the matter.

Non-pecuniary interest is a difficult issue as it often involves matters of perception and degree. The question you need to consider, drawn from case law, is:

“Is there, to a reasonable, fair-minded and informed observer, a real indication of bias on the part of a member of the decision making body, in the sense that they might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?”

If there is, the member should declare their interest and withdraw from the debate. The law about bias does not put you at risk of personal liability. Instead, the validity of the Council’s decision could be at risk. The need for public confidence in the decision-making process is paramount and perception can be an important factor.

Again the booklet provided by Office of the Auditor General provides some excellent advice and information on this issue. It is suggested that if you feel that you may have an “interest” in any matter before the Council or a Committee of which you are a member then you should discuss the issue with your lawyer (at no cost to the Council), the Chair of Council, the Committee Chair or CE before the meeting. While this will not relieve you of your obligations under the Act it will provide you with some independent guidance.

The Council has adopted the recommendation of the Office of the Controller and Auditor General and has asked all elected members to make a written declaration of their personal and financial interests that may at times conflict with their role as an elected member. This information will be kept in a “Register of Interests”. The Register of Interests is a document that is made available for public inspection upon request. Members are responsible for keeping their written declarations up

to date at all times. In addition Members will be reminded on an annual basis to update their declaration.

4 **CRIMES ACT 1961: SECTIONS 99, 105 & 105A**

Under this Act it is unlawful for an elected member (or officer) to:

- Accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of the Council
- Use information gained in the course of their duties for their, or another person's monetary gain or advantage.

Section 99 of the Crimes Act 1961 defines a member or employee of a local authority as an official. For the avoidance of doubt and for the purposes of this Act this means that each elected member of the Council is considered to be an official of the Council. Section 99 also defines a "bribe" as being "any money, valuable consideration, office, or employment, or any benefit, whether direct or indirect". The words "or indirect" open this definition considerably, e.g. an offer of employment to a son or a daughter could be construed as amounting to being a bribe so members need to be aware of their exposure under this Act through other family members.

Section 105 and 105A provide:-

105. Corruption and bribery of official—

- (1) *Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for himself or any other person in respect of any act done or omitted, or to be done or omitted, by him in his official capacity.*
- (2) *Every one is liable to imprisonment for a term not exceeding [7 years] who corruptly gives or offers or agrees to give any bribe to any person with intent to influence any official in respect of any act or omission by him in his official capacity.*

105A. Corrupt use of official information—

Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly uses [or discloses] any information, acquired by him in his official capacity, to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or any other person.

The Act will include a clause that makes these provisions gender neutral. As elected members are deemed to be "officials" for the purposes of this Act, you are therefore subject to these penalties if you are found to be in breach of them. Such a conviction would also have the consequences of loss of office in terms of Clause 1 of Schedule 7 of the Local Government Act 2002 (which disqualifies a Member who is convicted of an offence punishable by a term of imprisonment of two years or more).

5 **SECRET COMMISSIONS ACT 1910**

This Act basically establishes offences relating to the giving, receiving or soliciting of gifts or other consideration as an inducement or reward for doing or forbearing to do something in relation to the affairs of the Council, or showing or having shown favour or disfavour to any person in relation to the Council's affairs or business (section 4(1)). It applies to elected members and covers any such gifts given, received or solicited by "any parent, husband, wife, or child of any agent, or to his partner, clerk, or servant, or (at the agent's request or suggestion) to any other person".

The Act makes it an offence for any agent (for the purposes of the Act an elected member is deemed to be an “Agent” of the Council) (section 16(1)(b)) to accept gifts without the consent of the principal (the Council), not to disclose a pecuniary interest in any contract which the agent makes on behalf of the principal, or who knowingly delivers to their principal a false receipt, invoice, account or other document in relation to the principal's business. It is an offence to divert, obstruct, or interfere with the proper course of the affairs or business of the Council, or to fail to use due diligence in the prosecution of its affairs or business, with intent to obtain any gift or other consideration from any person interested in the affairs or business of the Council (section 4(2)).

It also provides that it is an offence for any person to advise a party to enter into a contract with a third party and to receive gifts or consideration from that third party as reward for procuring the contract, unless that person is known by the party to be the agent of that third party. It further provides that the act of aiding or abetting or in any way facilitating an offence against the Act is itself an offence.

Prosecutions made for offences under this Act require the approval of the Attorney-General who has the power to decide whether any such prosecution shall be dealt with as an indictable offence or as one punishable on summary conviction. If any such offence is treated as an indictable offence, penalties for individuals include up to two years imprisonment or a fine of up to \$1,000.00. Such a conviction would also have the consequences of loss of office in terms of Clause 1 of Schedule 7 of the Local Government Act 2002. For a summary offence the penalties include a period of up to 3 months imprisonment or a fine of up to \$100.00.

6 THE FINANCIAL MARKETS CONDUCT ACT 2013

Under the Financial Markets Conduct Act 2013 essentially places elected members in the same position as company directors whenever the Council offers financial products (such as an issue of debt or equality securities). Elected members may be personally liable if documents that are registered under the Act, such as a product disclosure statement, contain false or misleading statements. Elected members may also be liable if the requirements of the Act are not met in relation to offers of financial products.

7 PROTECTED DISCLOSURES ACT 2000 (WHISTLE-BLOWER PROTECTION)

The Protected Disclosures Act 2000 was amended in May 2009 to provide protection to elected members. Under the Act the definition of an employee of a public sector organisation (PSO) includes elected members of a local authority.

Under the Act an employee who discloses information about a serious wrongdoing by the PSO is protected from civil or criminal liability that might arise from such a disclosure and from retaliatory action against the employee. Serious wrongdoing under the Act includes unlawful or irregular use of funds or resources, conduct that risks public health and safety; conduct that risks the maintenance of law; conduct that constitutes an offence; and oppressive, improper discriminatory conduct, gross negligence or gross mismanagement by a public official.

Protection under the Act applies where an employee has information about a serious wrongdoing; a reasonable belief that the information is true or likely to be true; the employee wishes to have the matter investigated; and desires protection under the Act.

The Act requires disclosure by an employee to follow the internal procedures of the PSO. The Council is required to establish internal procedures to address the receipt of and dealing with

information about serious wrongdoing in or by the Council. The Council has adopted a Protected Disclosures Policy. The Policy is available on request from the HR Manager.

8 PERSONAL LIABILITY OF ELECTED MEMBERS

Elected Members are indemnified in respect of their actions as a member of the Council. Section 43 of the Local Government Act 2002 provides for this indemnity (by the Council) in relation to:

- (a) civil liability (both for costs and damages) if the Member is acting in good faith and in pursuance of the responsibilities or powers of the Council;
- (b) costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as an elected member.

The Local Government Act provides for a theoretical personal exposure on the part of elected members in certain circumstances if the Council has incurred loss due to actions of the Council. The loss must arise out of one of the following situations:

- if the Council unlawfully spends money;
- if the Council unlawfully sells or disposes of an asset;
- if the Council unlawfully incurs a liability;
- if the Council intentionally or negligently fails to enforce the collection of money it is lawfully entitled to receive.

If the Auditor-General has reported on a "loss", then that loss is recoverable as a debt due to the Crown. This must be paid back to the Council from each elected member jointly and severally. However, as a Member of Horizons Regional Council, you have a defence if you can prove that the act or failure which led to the loss occurred:

- without your knowledge; or
- with your knowledge but against your protest made at or before the time when the loss occurred; or
- contrary to the manner in which you voted on the issue at a meeting of the Council; or
- in circumstances where you acted in good faith and relied on information or professional or expert advice given by a Council officer or professional advisor on matters which you reasonably believed were within that person's competency.

9 THE HEALTH AND SAFETY AT WORK ACT 2015

On 4 April 2016, the Health and Safety at Work Act 2015 came into force. The HSWA provides a significant change to New Zealand's current health and safety legislation and is a response to the scrutiny placed on New Zealand's health and safety practices following the Pike River tragedy.

The Act allocated duties to those people who are in the best position to control risks to health and safety as appropriate to their role in the workplace, and for the person conducting a business or undertaking (PCBU) (i.e. the Council) to ensure, as far as is reasonably practicable, the safety of workers and others who may be impacted by the work the business undertakes.

One of the significant changes is the introduction of "Officers", who is any person occupying a position in relation to the business or undertaking, that allows the person to exercise significant influence over the management of the business or undertaking.

For the purpose of the HSWA, elected Council members (which include the Chairperson and Councillors) and the Chief Executive are by default identified as “Officers”.

Officers have obligations of due diligence, which are:

- (a) to acquire, and keep up-to-date, knowledge of work health and safety matters, and
- (b) to gain an understanding of the nature of the operations of the business or undertaking of the PCBU, and generally of the hazards and risks associated with those operations; and
- (c) to ensure that the PCBU has available for use, and users, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and
- (d) to ensure that the PCBU has appropriate processes for receiving and considering information regarding incidents, hazards, and risks, and for responding in a timely way to that information; and
- (e) to ensure that the PCBU has, and implements, processes for complying with any duty or obligation of the PCBU under this Act; and
- (f) to verify the provision and use of the resources and processes referred to in paragraphs (c) to (e).

The duties of the officers and of the PCBU are independent of each other. This means if a PCBU has failed to meet its duty but the Officer exercised due diligence then they would not be personally liable for the health and safety failings.



To: C A Grant
Group Manager Corporate and Governance
Horizons Regional Council
Private Bag 11025
PALMERSTON NORTH

I acknowledge that I have read and generally understand the summary information contained in the Explanation of Acts agenda item and accompanying Annex A – Summary of Information on Laws affecting Members.

Signature:

Name:

Date: 22 October 2019

Report No.	19-159
Information Only - No Decision Required	

SCHEDULE OF MEETINGS

1. PURPOSE

- 1.1. This report is to inform the Council of the proposed meeting schedule for the period to January 2020.

2. RECOMMENDATION

It is recommended that Council:

- a. notes the scheduled meetings through to January 2020 as outlined in Report No. 19-159.

3. FINANCIAL IMPACT

- 3.1. There is no financial impact.

4. COMMUNITY ENGAGEMENT

- 4.1. There is no requirement for community engagement.

5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is no significant business risk associated with this item.

6. COMMENT

- 6.1. Council is required under Clause 21, Schedule 7 of the Local Government Act 2002 to fix the date of the first meeting. This will be on Tuesday 22 October 2019 at 10.00am.

- 6.2. The following meetings and events through to January 2020 should be noted:

22 October	10.00am	Inaugural Council Meeting
23 October	9.00am	Training day for new Councillors
5 November	10.00am	Regional Council Meeting followed by a Councillors Workshop – Draft Annual Plan #1
6 November	9.00am	Training day for new Councillors
11 November	10am – 4pm	LGNZ Regional Induction Workshop for new Councillors
12 November	10.00am	Strategy & Policy Committee meeting followed by Councillors' Workshop – Draft Annual Plan #2
13 November	9.00am	Environment Committee followed by possible Councillors' Workshop
19/20 November		Proposed Regional Tour for new Councillors

26 November	10.00am	Council Meeting followed by Councillors' Workshop – Draft Annual Plan #3, followed by Audit, Risk & Investment Committee Meeting
27 November	9.00am	Councillors' Workshop run by the Office of the Auditor General
28/29 November	12 noon to 12 noon	Zone 3 Meeting
3 December	10.30am 7.00pm	Regional Transport Committee Manawatu River Users' Advisory Group
10 December	10.00am	Strategy & Policy Committee Meeting followed by Councillors' Workshop – Draft Annual Plan #4
11 December	9.00am	Catchment Operations Committee
13 December	TBC	Regional Chairs/Deputy Chairs Training Day (Wellington)
17 December	1.00pm	Council Meeting followed by Councillors' Workshop – Draft Annual Plan #5, followed by Councillors' Christmas Dinner
29 January	10.00am	Audit, Risk & Investment Committee financial briefing, followed by Councillors' Workshop – Draft Annual Plan #6

7. SIGNIFICANCE

- 7.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Craig Grant
GROUP MANAGER CORPORATE & GOVERNANCE

ANNEXES

There are no attachments for this report.

Report No.	19-160
Decision Required	

COUNCIL REPRESENTATIVE TO LOCAL GOVERNMENT NEW ZEALAND REGIONAL SECTOR

1. PURPOSE

- 1.1. This report seeks confirmation of the appointment of Council's representative to the Regional Sector (RS) of Local Government New Zealand (LGNZ).

2. RECOMMENDATION

It is recommended that Council:

- a. confirms the appointment of the Chairperson, or Deputy Chairperson in the Chairperson's absence, as this Council's representative on the Local Government New Zealand Regional Sector.

3. FINANCIAL IMPACT

- 3.1. There is no financial impact.

4. COMMUNITY ENGAGEMENT

- 4.1. This is a public item and the document will be available for the public to view via the Horizons Regional Council's website.

5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is no significant business risk associated with this item.

6. BACKGROUND

- 6.1. The RS of LGNZ consists of representatives from the 11 regional councils and the six unitary authorities in New Zealand. Nominations for representatives to the National Council are made from the 17 RS representatives.
- 6.2. Following the triennial local government elections it is necessary to confirm the appointment of a representative to the RS. It has been normal practice for the Chairperson to be appointed as Council's representative, and the Deputy Chairperson to attend in the Chairperson's absence.
- 6.3. Nominations for representation on the National Council cannot be completed until Chairpersons of regional councils are elected. Nominations must be made by two member authorities and have signed acceptance of the nominee. LGNZ requires nominations to be forwarded to them no later than **5.00pm Thursday 31 October 2019**.

7. SIGNIFICANCE

- 7.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Craig Grant
GROUP MANAGER CORPORATE & GOVERNANCE

ANNEXES

There are no attachments for this report.

Report No.	19-161
Decision Required	

THE PAT KELLY ENVIROSCHOOLS ACTION FUND

1. PURPOSE

- 1.1. This item is to rename the Enviroschools Action Fund to the Pat Kelly Enviroschools Action Fund.

2. BACKGROUND

- 2.1. Horizons Regional Council facilitates the regional coordination of the Enviroschools programme - a national behaviour change programme aiming to create a generation of young people who think and act sustainably.
- 2.2. There are 64 Enviroschools across the Horizons Region, from early childhood education through to the primary and secondary sectors.
- 2.3. Over the past two years we have supported Enviroschool projects with a contestable fund called the Enviroschools Action Fund.
- 2.4. Former Councillor Pat Kelly was a huge supporter of the Enviroschools programme and attended many Enviroschools events when he could. In memory of his support for the programme, it is proposed to rename the current Enviroschools Action Fund to the Pat Kelly Enviroschools Action Fund and to increase the amount available from \$5,000 to \$7,000 per annum for its first two years.

3. EXECUTIVE SUMMARY

- 3.1. Enviroschools are highly engaged in a wide range of environmental actions and sustainability practices such as waste, biodiversity, transport and social justice.
- 3.2. Although many have innovative ways to raise money to contribute to project costs, some projects may require a little more input.
- 3.3. Where possible we direct Enviroschools to our Community Grants programme for funding projects. However, many of their projects are not eligible for Community Grants as not all projects meet the criteria.
- 3.4. To fill this void, for the past two years, \$5,000 from the Environmental Education budget has been dedicated to providing potential financial support to these projects.
- 3.5. In return, each successful recipient provides a short report on how the funding has helped to capture student learning, and to undertake a project evaluation including providing photos to help promote the fund and show Enviroschools in action.
- 3.6. In its initial two years it is proposed that \$7,000 is allocated to the Pat Kelly Enviroschools Action Fund, providing an opportunity for an Enviroschool in each district to be a potential recipient.
- 3.7. Following two years of the Pat Kelly Enviroschools Action Fund running, it is proposed to review the fund and amount made available in the 2022-32 Long-term Plan.
- 3.8. The Media and Communications Manager has spoken with former Cr Kelly's wife who is supportive of the proposal to rename the Enviroschools Action Fund to the Pat Kelly Enviroschools Action Fund.

4. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 19-161;
- b. agrees to rename the EnviroSchools Action Fund to the Pat Kelly EnviroSchools Action Fund;
- c. agrees to support the Pat Kelly EnviroSchools Action Fund at \$7,000 for 2019-20 and 2020-21;
- d. agrees to review the grant allocation for this fund in the 2022-32 Long-term Plan.

5. FINANCIAL IMPACT

- 5.1. In addition to the \$5,000 from the Environmental Education budget, a further \$2,000 will come from the Communications budget to fund this grant for 2019-2020 and 2020-2021 with consideration of an increase in allocation in the 2022-32 Long-term Plan.

6. COMMUNITY ENGAGEMENT

- 6.1. The Environmental Educator has already socialised this proposal with all EnviroSchools and Facilitators in the region. The schools/centres will be contacted again with ways in which they can apply for the fund, with the intent to allocate by the start of Term One 2020.

7. SIGNIFICANT BUSINESS RISK IMPACT

- 7.1. Nil.

8. DISCUSSION

- 8.1. In 2018-2019, the EnviroSchools Action Fund had a focus for the Palmerston North EnviroSchools and supported the following projects; Monrad Intermediate School purchased fruit trees to set up their own orchard; Palmerston North Girls High School used the funding towards a new glasshouse; Ross Intermediate School have purchased two worm farms to tackle their food scrap waste, and; Freyberg High School have brought recycling bins to action their waste streams.
- 8.2. The fund will be open to all districts in our region.

9. TIMELINE / NEXT STEPS

- 9.1. This funding will be spent by 30 June 2020, with reporting required by the EnviroSchools by the end of the school year.

10. SIGNIFICANCE

- 10.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Sarah Williams
ENVIRONMENTAL EDUCATOR

Chrissie Morrison
MEDIA AND COMMUNICATIONS MANAGER

ANNEXES

There are no attachments for this report.

