



# **AGENDA**

## **Paraparaumu-Raumati Community Board Meeting**

**I hereby give notice that a Meeting of the Paraparaumu-Raumati  
Community Board will be held on:**

**Date: Tuesday, 18 August 2020**

**Time: 7.00pm**

**Location: Council Chamber  
Ground Floor, 175 Rimu Road  
Paraparaumu**

**Mark de Haast  
Group Manager Corporate Services**

**Kapiti Coast District Council**

**Notice is hereby given that a meeting of the Paraparaumu-Raumati Community Board will be held in the Council Chamber, Ground Floor, 175 Rimu Road, Paraparaumu, on Tuesday 18 August 2020, 7.00pm.**

**Paraparaumu-Raumati Community Board Members**

Ms Kathy Spiers	Chair
Mr Guy Burns	Deputy
Mr Jonny Best	Member
Ms Grace Lindsay	Member
Cr Martin Halliday	Member
Cr Bernie Randall	Member



## Order Of Business

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	Nil	



**1 WELCOME****2 APOLOGIES****3 DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

Notification from Elected Members of:

3.1 – any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting, and

3.2 – any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968

**4 PUBLIC SPEAKING TIME****5 MEMBERS' BUSINESS**

- (a) Public Speaking Time Responses
- (b) Leave of Absence
- (c) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)
- (d) Community Board Members' Activities

## 6 REPORTS

### 6.1 ADOPTION OF STANDING ORDERS FOR MEETINGS OF PARAPARAUMU-RAUMATI COMMUNITY BOARD

**Author:** Leyanne Belcher, Democracy Services Manager

**Authoriser:** Janice McDougall, Group Manager People and Partnerships

#### PURPOSE OF REPORT

- 1 This report asks the Paraparaumu-Raumati Community Board to adopt the Local Government New Zealand (LGNZ) revised Standing Orders (see Appendix 1).

#### DELEGATION

- 2 The Community Board has the authority to consider this matter.

#### BACKGROUND

- 3 Standing Orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies, and local and community boards. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner.
- 4 Under section 27 of Part 1 of Schedule 7 of the Local Government Act it is mandatory for every council to adopt a set of Standing Orders. Under section 54 of Part 4 of the Local Government Act, the section requiring the adoption of standing orders applies to community boards as if they were local authorities:

##### **27 Standing orders**

(1) A local authority must adopt a set of standing orders for the conduct of its meetings and those of its committees.

##### **54 Application of other provisions to community boards**

(2) Part 1 of Schedule 7 (excluding clauses 15 and 33 to 36) applies to community boards, with all necessary modifications, as if they were local authorities.

- 5 Once adopted, Standing Orders 'roll over' from triennium to triennium. They may be amended at any time but only with a 75% voting majority.
- 6 Legislation also requires all elected members to follow Standing Orders.
- 7 In 2016 LGNZ began revising Model Standing Orders in consultation with the sector, responding to requests for greater clarity (especially around legislative changes), alignment with 21<sup>st</sup> century meeting practice, the inclusion of bi-cultural provisions, and recognising that the formal process of revision of the then existing Standing Orders through Standards New Zealand was costly. The revision was carried out via a working party with contributions from experienced council governance practitioners, independent meeting protocol experts and legal officers, as well as LGNZ.
- 8 The final document was released by LGNZ in September 2016 and featured some significant changes while remaining compliant with all relevant legislation. LGNZ produces a version of the document for councils, and one for community boards.
- 9 The latter version was presented for consideration by members of all four Community Boards in the Kāpiti Coast District early in the 2016-2019 Triennium.
- 10 All Community Boards in the Kāpiti Coast District, with the exception of the Paraparaumu Raumati Community Board, resolved to adopt the new Standing Orders and adopted Option C for speaking and moving motions. Paraparaumu Raumati Community Board resolved not to adopt the new Standing Orders and to remain with the old Standing Orders. (See Appendix 2).

- 11 Leading up to the triennial transition 2019, LGNZ made minor changes to the document reflecting legislative changes made since the first version was drafted in 2016, improvements to the draft resolution for going into public excluded and other changes to improve readability.
- 12 The document is structured to illustrate general matters, pre-meeting procedures and meeting procedures.
- 13 The document also includes appendices, some of which were new and provide templates and additional guidance for implementing provisions.
- 14 The Community Board is asked to consider adopting the LGNZ Standing Orders. The adoption will require a 75% majority vote (4 out of 5 Board members). The 75% rule does not apply to the Appendices.
- 15 If the Board decides to adopt the LGNZ Standing Orders, Members must also resolve to adopt one of three frameworks, Options A, B or C, for speaking to and moving motions and amendments.
  - Option A is the most formal of the three and limits the number of times members can speak and move amendments, for example, members who have moved and seconded a motion cannot then move and second an amendment to the same motion and only members who have not spoken to a motion or substituted motion may move or second an amendment to it. (This is the framework used in the Standards New Zealand Model Standing Orders.)
  - Option B is less formal than Option A. While limiting the ability of movers and seconders of motions to move amendments, it allows any other members, regardless of whether they have spoken to the motion or substituted motion, to move or second an amendment.
  - Option C provides substantial flexibility by removing the limitations placed on movers and seconders by the other two options.
- 16 The default option adopted will apply to all meetings unless a chairperson, or meeting, agree to apply one of the other two options at specific meeting. It is recommended that the default option be marked as Default in the adopted standing orders.
- 17 It is the officer recommendation that the Community Board adopts the LGNZ document, with amendments as agreed.

## ISSUES AND OPTIONS

### Issues

- 18 The following addresses some of new provisions in the document and how these compare to current practice, with a recommendation for any amendments.
- 19 Principles – a section which lists some key principles of good governance, to which Standing Orders give effect.
- 20 Statutory references –this section explains more clearly the relationship between statutory provisions in the text. It is important to note that during a meeting any statutory references in the document 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. Where it is employed in the text, the word ‘must’ unless otherwise stated, identifies a mandatory legislative requirement.
- 21 Application – this section clarifies that Standing Orders do not apply to meetings of working parties or workshops (also described as briefings).
- 22 Definitions – this section has been significantly extended with some amendments to clarify a wider range of terms relevant to Community Board meeting practice, including Māori tikanga terms.

- 23 A member may address a meeting in English, te reo Māori or New Zealand Sign Language (clause 4.3) – the latter two options must be notified to the Chair two working days ahead of the meeting.
- 24 Opening and closing meetings – page 30 of the document contains a paragraph recognising the practice of many councils in opening and closing their meetings with some kind of reflection (i.e. a prayer or karakia). Community Boards may wish to institute this practice but are not obligated to.
- 25 Lapse of Quorum (clause 11.5) – it used to be that a quorum would need to be formed within 10 minutes of the advertised commencement time of a meeting, or the meeting would lapse. This period has been increased to 30 minutes or even longer, at the discretion of the Chair in recognising extraordinary circumstances.
- 26 Recording of meetings by the local authority and members of the public (clauses 12.3 and 12.4) – these sections provide greater clarity on the digital recording of meetings, including the need for clear signage on rules around recording by the local authority, and the provision for the Chair to stop members of the public from recording for a period of time where circumstances require this. Council officers will ensure that appropriate and clear signage is in place for meetings, and it is suggested that the rules be mentioned by meeting Chairs at the commencement of the meeting.
- 27 Members' use of electronic devices at meetings – with further regard to the use of technology at meetings, clause 20.11 allows the Chair to require a member using an electronic device or phone to switch the device off if it is being used inappropriately (ie not advancing the business of the meeting) or is a distraction to others.
- 28 Members' right to attend meetings – clause 13.1 clarifies the right of members to attend any meeting of the community board or committees or subcommittees established by the board (except those that include judicial or quasi-judicial functions) unless lawfully excluded, with speaking but not voting rights.
- 29 Absence from meetings – clause 13.3 says: 'The community board may delegate the power to grant leave of absence to the Chairperson in order to protect a members' privacy. The Chairperson will advise all community board members whenever a member has leave of absence granted under delegated authority.' The Board is asked to consider whether this is a practical provision to include.
- 30 Members' right to attend meetings by audio – clause 13.7 – this allows members to attend meetings remotely by audio link in circumstances where they are unable to physically attend (due to sickness or emergency for example).
- 31 Amongst other features, the provision places key responsibility on the Chair to approve applications for members' attendance, to ensure that the technology functions throughout the meeting, and to ask the members present by link that confidentiality is being maintained at their end (ie. no unauthorised persons listening or present during public excluded sessions).
- 32 Members present by link are not counted as part of the quorum but do have the right to vote. If the technology fails during the meeting the member is counted as not present and their voting not counted from that point.
- 33 In terms of resourcing and technical capacity it is not possible at this point to enable Community Board meeting venues to be fitted out to enable remote attendance through audiovisual link. However, it is possible for remote attendance to occur through audio link (eg using a smartphone).
- 34 Public Speaking Time – Section 15 of the document deals with 'Public Speaking Time'. The LGNZ base document uses the term 'Public Forum' which has here been renamed 'Public Speaking Time' to reflect current practice.
  - People wishing to speak may book ahead before the meeting although this provision may be waived by the Chair. Current practice is that people who book ahead are given precedence but anyone may turn up to a meeting and ask for their names to be added

to the list. This section has been amended to reflect current practice, recognising it is the Chair's prerogative to effectively manage the list;

- Each speaker has up to 3 minutes, as per current practice, unless the Chair decides otherwise.
- At clause 15.2 the Chair has the discretion to decline a speaker or terminate a presentation where:
  - A speaker is repeating views already presented at the same meeting;
  - The speaker is criticising elected members and /or staff;
  - The speaker is being repetitious, disrespectful or offensive;
  - The speaker has previously spoken on the same issue (at a different meeting);
  - 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. This would mean that where an agenda featured the hearing of submitters on any matter, there would be no Public Speaking Time on that matter.

- 35 The clause gives the Chair explicit power to manage this part of the meeting, if they wish to use it. The restrictions do not automatically have to be enforced.
- 36 It is important that cultural considerations be appropriately acknowledged and so it is an additional sentence has been inserted at clause 15.1 to ensure that the Chair takes into account any cultural factors in the context of Public Speaking Time.
- 37 Petitions – Section 17 outlines the process for dealing with petitions. One of the statements says: 'Petitions may be presented to the community board. Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories).' A sentence suggested in the LGNZ base document requiring that petitions must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented has not been included. This is because it does not align with current practice which allows more flexibility around when and how petitions are received. Currently, petitions may be submitted formally at a Community Board meeting, or informally to Service Centres (where they are acknowledged via receipt and followup letter.)
- 38 Chair has a casting vote – This provision at 19.3 is the default position; if the Community Board does not wish the Chair to have a casting vote it must resolve to remove this provision from the document. The casting vote is intended to allow the breaking of any stalemate in voting. If a stalemate occurs where there is no casting vote the status quo of the matter under vote remains. It is recommended that the default position (ie casting vote) be adopted as part of the document. (See resolution options 52 a and b. b is the recommended option).
- 39 Conflicts of interest – clauses 20.7 and 20.8 are new, and helpfully provide clarity around how, at a meeting, a member should deal with any conflicts of interest both financial and non-financial.
- 40 Rules of debate – Section 21 is new, and provides three options (A, B or C) for dealing with speaking and moving motions and amendments. Option A repeats the provisions in the old Standing Orders which limit the ability of speakers to move amendments if they have previously spoken. Options B and C provide increased degrees of flexibility with Option C providing the most flexibility. Option C most closely reflects the Community Board's more flexible approach to debate.
- 41 It is the officer recommendation that Option C be adopted as the default position to allow for flexibility around debating rules. For any specific meeting (or item on the agenda) the Community Board could, if it wished, adopt by resolution Option A or B instead.

- 42 It is noted that the Appendices do not form part of the standing orders, but are attachments, and as such, if amended, do not specifically require a 75% majority vote to be adopted.

## CONSIDERATIONS

### Policy considerations

- 43 There are no policy considerations.

### Legal considerations

- 44 There are no additional legal considerations. This report has been reviewed by legal counsel. LGNZ's revised model was also subject to legal clearance.

### Financial considerations

- 45 There are no financial considerations.

### Tāngata whenua considerations

- 46 Bi-cultural considerations have been included in the document. For example, karakia may be used to open and close a meeting, the term pōwhiri is included in the definitions section, and members may use te reo Māori.

## SIGNIFICANCE AND ENGAGEMENT

### Significance policy

- 47 This matter has a moderate degree of significance under Council policy.

### Engagement planning

- 48 An engagement plan is not needed to implement this decision.

### Publicity



- 49 The document once finalised will also be uploaded to the Council website.

## RECOMMENDATIONS

- 50 That the Paraparaumu-Raumati Community Board adopts the set of Standing Orders as at Appendix 1 of report 'Adoption of Standing Orders or meetings of Paraparaumu-Raumati Community Board– 2019-2022'.
- 51 That the Paraparaumu-Raumati Community Board adopts Clause 22.4 Option C as the general procedure for speaking and moving motions.
- 52 That the Paraparaumu-Raumati Community Board adopts under Clause 19.3 **either**
- a) That the chairperson or other person presiding at the meeting has a deliberative vote; and in the case of an equality of votes, does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved).
  - or**
  - b) 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.



**APPENDICES**

1. Local Government New Zealand revised Standing Orders [!\[\]\(38441ceaa711016e0bf2ad46ad394ff4\_img.jpg\)](#) 
2. Paraparaumu Raumati Community Board current Standing Orders [!\[\]\(781510d64f329bf3c880acf086e884d6\_img.jpg\)](#) 

# **Paraparaumu/Raumati Community Board**

## **Standing Orders**

As adopted 18 August 2020



## **Preface**

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

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

These standing orders have been designed specifically for community boards and their committees and subcommittees. 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.

It is mandatory that community boards 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 community board must abide by standing orders.

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## **1. Introduction**

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

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

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

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

### **1.1 Principles**

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

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

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

## 1.2 Statutory references

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

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

## 1.3 Acronyms

LGA 2002     Local Government Act 2002

LGOIMA     Local Government Official Information and Meetings Act 1987

LAMIA             Local Authorities (Members' Interests) Act 1968

## 1.4 Application

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

## 2. Definitions

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

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

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

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

**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.

**Chairperson** means the person presiding at a meeting – the presiding member.

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

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

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

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

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

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

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

**Deputation** means a request from any person or group to make a presentation to the local authority which is approved by the Chairperson 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 local authority who has been removed from a meeting due to behaviour that a Chairperson has ruled to be contempt.

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

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

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

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

**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 chairing a meeting.

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

**Workshop**, means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these standing orders 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 community board 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 community board 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 community board 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 community boards unless stated otherwise. This includes meetings and parts of meetings that the public are excluded from.

#### 3.5 Temporary suspension of standing orders

Any member of a community board, committee or subcommittee 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**

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

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

Every member of a community board must give to the chief executive a physical residential or business address within the district 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 local authority must hold meetings for the good government of its city, district or region. The same requirement applies to local boards and community boards in respect of their communities. Meetings must be called and conducted in accordance with:

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

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

### **4.2 Meeting duration**

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

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

### **4.3 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 First meeting (inaugural)**

The first meeting of a community board 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.*

#### **4.5 Requirements for the first meeting**

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

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

- (a) The making and attesting of the declarations required of the Chairperson (if any) and members under cl.14, Schedule7, (LGA 2002);
- (b) The election of the Chairperson and the making and attesting of the declaration required of the Chairperson under cl. 14 Schedule7, (LGA 2002);
- (c) A general explanation, given or arranged by the chief executive, of:
  - i. LGOIMA; and
  - ii. Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
- (d) The fixing of the date and time of the first meeting of the community board 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 community boards to adopt standing orders at the first meeting; however this is not always necessary as, if not amended, standing orders will remain in force after each triennial election.

## **5. Appointments and elections**

### **5.1 Elections of Chairpersons, and deputy Chairpersons**

The community board must decide by resolution to use one of two voting systems (see standing order 5.3) when electing people to the following positions:

- The Chairperson and deputy Chairperson of a community board;
- The Chairperson and deputy Chairperson of a committee; or
- A representative of a local authority.

*cl. 25 Schedule 7, LGA 2002.*

### **5.2 Removal of a Chairperson deputy Chairperson**

A Chairperson or deputy Chairperson can only be removed in accordance with the process set out in cl. 18, Schedule 7, of the LGA 2002. See Appendix 9.

*cl. 18, Schedule 7, LGA 2002.*

### **5.3 Voting system for Chairpersons, deputy Chairpersons and committee chairs**

When electing a community board Chairperson the board 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, community board, local board, member, or officer of the local authority, any of its responsibilities, duties, or powers except:

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

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

### **6.2 Committees may delegate**

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

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

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

The committee, subcommittee or member or officer of the local authority to which or to whom any responsibilities, powers, duties are delegated may, without confirmation by the community board, committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the community board 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 community to rescind or amend a lawfully made decision of a committee or subcommittee 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 community board**

A committee or subcommittee established by a community board is subject in all things to the control of the community board, and must carry out all general and special directions given to them by the community board.

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

### **6.6 Duty to consider delegations to community boards**

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

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

## **7. Committees**

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

A community board may appoint the committees and subcommittees that it considers appropriate. A committee may appoint the subcommittees that it considers appropriate, unless it is prohibited from doing so by the community board.

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

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

Unless expressly provided otherwise in legislation or regulation:

- (a) A community board may discharge or reconstitute a committee or subcommittee; and
- (b) A committee may discharge or reconstitute a subcommittee.

A committee or subcommittee is, unless a community board 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. This may also apply to District Licensing Committees (see SO Guide).

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

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

*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 community board 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 community board 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 community board. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

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

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

If a community board resolves that a committee or subcommittee is not to be discharged under cl. 30 (7) Schedule 7, LGA 2002, the community board may replace the members of that committee or subcommittee 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 community board is not invalidated if:

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

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

## **7.7 Appointment of joint committees**

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

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

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

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

## **7.8 Status of joint committees**

A joint committee is deemed to be both a committee of a community board and a committee of each other participating community board 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 community board or public body that made the appointment.

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

## Pre-meeting

### 8. Giving notice

#### 8.1 Public notice – ordinary meetings

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

*s. 46, LGOIMA.*

#### 8.2 Notice to members - ordinary meetings

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

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

#### 8.3 Extraordinary meeting may be called

An extraordinary community board meeting may be called by:

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

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

#### 8.4 Notice to members - extraordinary meetings

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

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

## **8.5 Emergency meetings may be called**

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

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

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

## **8.6 Process for calling an emergency meeting**

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

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

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

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

Where an emergency or extraordinary meeting of a local authority is called but the notice of the meeting is inconsistent with these standing orders, due to the manner in which it was called, the community board 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 parent local authority's Internet site and in any other manner that is reasonable in the circumstances.

*s. 46 (3) LGOIMA.*

## **8.8 Meetings not invalid**

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

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

*s. 46 (6), LGOIMA.*

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

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

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

*s. 51A, LGOIMA.*

## **8.10 Meeting schedules**

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

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

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

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

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

## **8.12 Meeting cancellations**

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

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

## **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 community board, committee or subcommittee and, in the case of decision-making bodies other than the community board, must fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 13.

### **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 community board or 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 12.

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 community board meeting must be publicly available, except where an item included in the agenda refers to a matter reasonably expected to be discussed with the public excluded.

*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 or an emergency meeting (see Standing Orders 8.4 and 8.10).

The chief executive may send the agenda, and other materials relating to the meeting or other community board 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

### 10. Opening and closing

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

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

### 11. Quorum

#### 11.1 Community board meetings

The quorum for a meeting of the community board is:

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

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

#### 11.2 Committees and subcommittee meetings

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

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

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

#### 11.3 Joint Committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 11.3.

Community boards participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each community board or any party.

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



## **11.4 Requirement for a quorum**

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

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

## **11.5 Meeting lapses where no quorum**

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

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

## **11.6 Business from lapsed meetings**

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

# **12. Public access and recording**

## **12.1 Meetings open to the public**

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

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

## **12.2 Grounds for removing the public**

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

## **12.3 Local authority may record meetings**

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

## **12.4 Public may record meetings**

Members of the public may make electronic or digital recordings of meetings which are open to the public. Any recording of meetings 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.

## **13. Attendance**

### **13.1 Members right to attend meetings**

A member of a community board has, unless lawfully excluded, the right to attend any meeting of the community board or committees or subcommittees established by the board.

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

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

A community board 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 community board who are present may remain unless they are lawfully excluded.

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

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

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

### **13.3 Leave of absence**

A community board may grant a member leave of absence following an application from that member. The community board 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 Community board may approve an application from the Chairperson. The Chairperson will advise all members of the community board 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.

### **13.4 Apologies**

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

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

### **13.5 Recording apologies**

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

### **13.6 Absent without leave**

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

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

### **13.7 Right to attend by audio link**

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

### **13.8 Member's status: quorum**

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

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

### **13.9 Member's status: voting**

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

### **13.10 Chairperson's duties**

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

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
  - i. Everyone participating in the meeting can hear each other;
  - ii. The member's attendance by audio or audio visual link does not reduce their accountability or accessibility 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 chairing duties will be undertaken by the deputy chair or a member who is physically present.

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

### **13.11 Conditions for attending by audio link**

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

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

### **13.12 Request to attend by audio 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 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 link. However, the council has no obligation to make the technology for an audio link available.

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

### **13.13 Chairperson may terminate link**

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

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

### **13.14 Giving or showing a document**

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

- (a) Transmitting it electronically;
- (b) Any other manner that the Chairperson thinks fit.

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

### **13.15 Link failure**

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

### **13.16 Confidentiality**

A member who is attending a meeting by audio 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 hear the proceedings.

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

### **14.1 Community board meetings**

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

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

### **14.2 Other meetings**

In the case of committees and subcommittees, the appointed Chairperson must preside at each meeting unless they vacate the chair for all or part of a meeting. If the Chairperson is absent from a

meeting or vacates the chair, the deputy Chairperson (if any) will act as Chairperson. If the deputy Chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as Chairperson. This person may exercise the meeting responsibilities, duties and powers of the Chairperson.

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

### **14.3 Addressing the Chairperson**

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

### **14.4 Chairperson's rulings**

The Chairperson will decide all procedural questions 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.

### **14.5 Chairperson standing**

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

### **14.6 Member's right to speak**

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

### **14.7 Chairperson may prioritise speakers**

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

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

## **15. Public Speaking Time**

Public Speaking Time is usually at the start of a meeting, which is put aside for the purpose of public input. Public Speaking Time is designed to enable members of the public to bring matters to the attention of the community board.

In the case of a community board and its committees, any issue, idea or matter raised in a Public Speaking Time must fall within the terms of reference of that body.

### **15.1 Time limits**

A period will be available for the public speaking time at each scheduled community board meeting. Member of the public wishing to address the community board may book ahead by contacting Democracy Services or may add their name to the list of public speakers at the meeting.

Speakers can speak for up to 3 minutes, or longer at the Chairs discretion. No more than two speakers can speak on behalf of an organisation during public speaking. Where the number of speakers presenting in the public speaking exceeds 6 in total, the Chairperson has discretion to restrict the speaking time permitted for all presenters.

The Chair will take into account at their discretion any cultural considerations brought to their attention by members of the public wishing to speak.

### **15.2 Restrictions**

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

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

### **15.3 Questions at public forums**

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

### **15.4 No resolutions**

Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda. (See the 2019 Guide to Standing Orders for suggestions of good practice in dealing with issues raised during a forum).

## **16. Deputations**

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

### **16.1 Time limits**

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

### **16.2 Restrictions**

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

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

### **16.3 Questions of a deputation**

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

### **16.4 Resolutions**

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



## **17. Petitions**

### **17.1 Form of petitions**

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

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least 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 present their petition in te reo or sign language should advise the chief executive in time to allow translation services to be arranged.

### **17.2 Petition presented by petitioner**

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

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

### **17.3 Petition presented by member**

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

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

## **18. Exclusion of public**

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

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

Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be available to any member of the public who is present.

If the motion is passed the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The resolution must state:

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

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

*s. 48 LGOIMA.*

## **18.2 Specified people may remain**

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

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

*s.48 (6) LGOIMA.*

## **18.3 Public excluded items**

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

*s.46A (8) LGOIMA.*

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

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

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

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

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

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

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

## **19. Voting**

### **19.1 Decisions by majority vote**

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

### **19.2 Open voting**

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

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

### **19.3 Chairperson has a casting vote**

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

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

### **19.4 Method of voting**

The method of voting must be as follows:

- (a) The Chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the Chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chairperson will call a division;
- (b) The Chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and

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

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

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

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

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

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

### **19.7 Members may abstain**

Any member may abstain from voting.

## **20. Conduct**

### **20.1 Calling to order**

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

### **20.2 Disrespect**

No member may speak or act in a manner which is disrespectful of other members, staff or the public.

### **20.3 Retractions and apologies**

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

## **20.4 Disorderly conduct**

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

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

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

## **20.5 Contempt**

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

## **20.6 Removal from meeting**

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

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

## **20.7 Financial conflicts of interests**

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

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

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

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

*s. 6 & 7 LAMIA.*

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

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

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

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

## **20.9 Qualified privilege for meeting proceedings**

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

*s. 53, LGOIMA.*

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

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

*s. 53, LGOIMA.*

## **20.11 Electronic devices at meetings**

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

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

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

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

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

## **21.2 Time limits on speakers**

The following time limits apply to members speaking at meetings:

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

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

## **21.3 Questions to staff**

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

## **21.4 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.

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

A member may not speak more than once to a motion at a meeting of the community board, except with permission of the Chairperson. Members can speak more than once to a motion at a committee or subcommittee meeting with the chairperson's permission.

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

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

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

## **21.7 Secunder may reserve speech**

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

## **21.8 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.

## **21.9 Restating motions**

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

## **21.10 Criticism of resolutions**

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

## **21.11 Objecting to words**

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

## **21.12 Right of reply**

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

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

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.

## **21.13 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; and
- (c) Where the mover has spoken to an amendment to the original motion and the Chairperson has indicated that he or she intends to put the motion.



## **21.14 Adjournment motions**

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

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

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

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

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

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

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

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

## **22.2 Option A**

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

### **22.3 Option B**

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

### **22.4 Option C (preferred)**

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

### **22.5 Procedure if no resolution reached**

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

## **23. Motions and amendments**

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

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

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

## **23.2 Motions in writing**

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

## **23.3 Motions expressed in parts**

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

## **23.4 Substituted motion**

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

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

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

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

## **23.6 Chairperson may recommend amendment**

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

## **23.7 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 as well as the nature of the content of those amendments.

## **23.8 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.

### **23.9 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.

### **23.10 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.

### **23.11 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.

### **23.12 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.

## **24. Revocation or alteration of resolutions**

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

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

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

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

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

This provision does not prevent a community board that made the delegation from removing or amending the delegation given to a committee or subcommittee.

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

## **24.3 Requirement to give notice**

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

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

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

Exceptions apply where, in the opinion of the Chairperson:

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

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

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

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

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

The community board, 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.*

## **25. Procedural motions**

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

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

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

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

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

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

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

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

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

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

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

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

## **25.6 Business referred to the community board**

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

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

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

## **26. Points of order**

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

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

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

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

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

### **26.3 Contradictions**

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

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

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

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

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

## **27. Notices of motion**

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

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

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

### **27.2 Refusal of notice of motion**

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

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

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 subcommittee.

### **27.3 Mover of notice of motion**

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



## **27.4 Alteration of notice of motion**

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

## **27.5 When notices of motion lapse**

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

## **27.6 Referral of notices of motion**

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

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

## **27.7 Repeat notices of motion**

When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion 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 community board no other notice of motion which, in the opinion of the Chairperson has the same effect, may be put while the original motion stands.

# **28. Minutes**

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

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

*cl. 28 Schedule 7, LGA 2002.*

## **28.2 Matters recorded in minutes**

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

- (a) The date, time and venue of the meeting;
- (b) The names of the members present;
- (c) The Chairperson;
- (d) Any apologies or leaves of absences;
- (e) 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 their vote or abstention 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; and
- (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.

## **28.3 No discussion on minutes**

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

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

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

## **29. Keeping a record**

### **29.1 Maintaining accurate records**

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

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

*s. 17 Public Records Act 2005.*

### **29.2 Method for maintaining records**

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

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

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

### **29.3 Inspection**

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

*s. 51 LGOIMA.*

### **29.4 Inspection of public excluded matters**

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

## **Referenced documents**

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

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

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

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

- (j) Prevent the disclosure or use of official information for improper gain or improper advantage.

*See s.7 LGOIMA 1987.*

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

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

*See s. 48 LGOIMA.*

## Appendix 2: Sample resolution to exclude the public

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

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

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

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

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

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



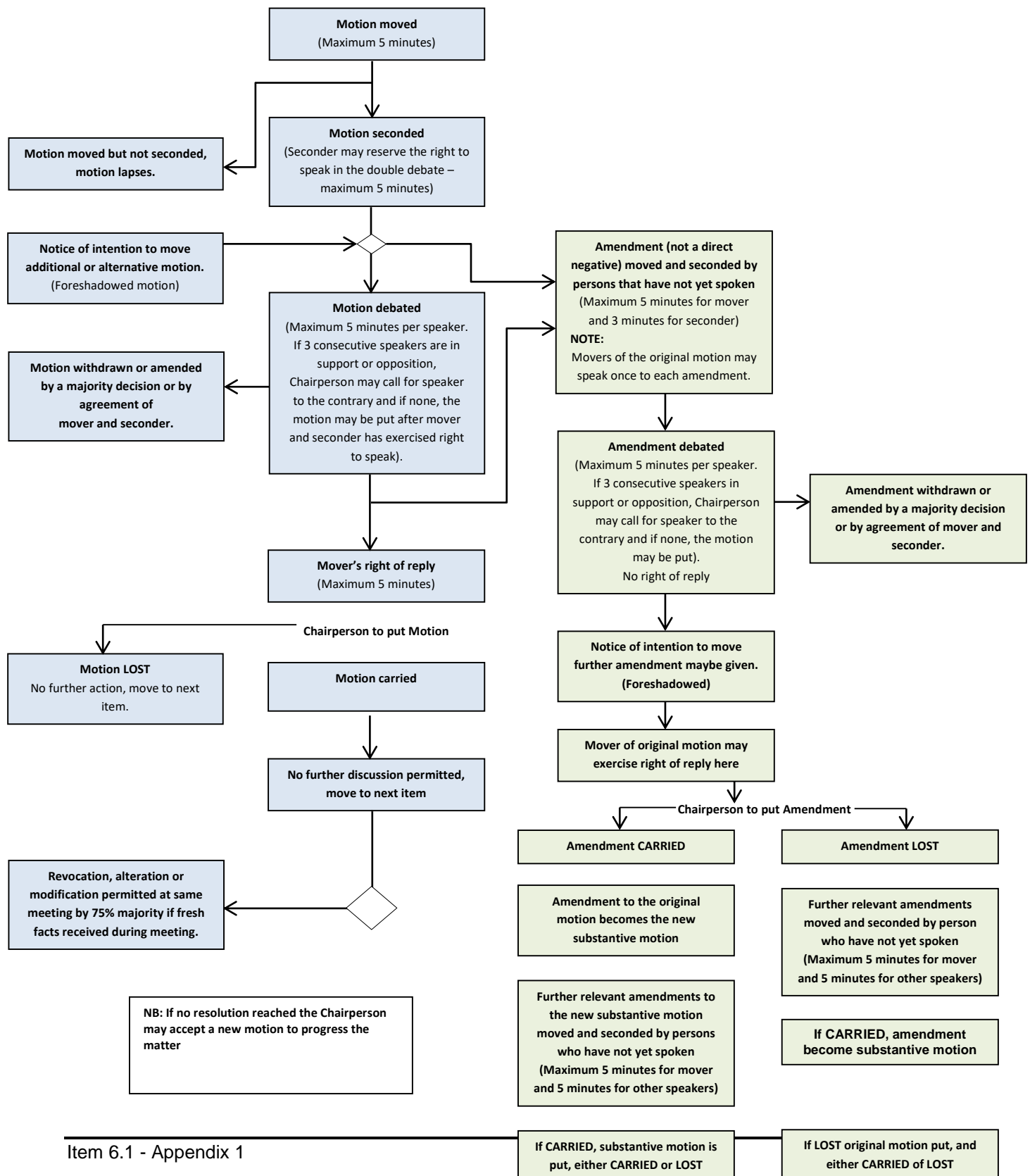
Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).
		To maintain the effective conduct of public affairs by protecting members or employees of the Council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

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

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

### Motions without amendments

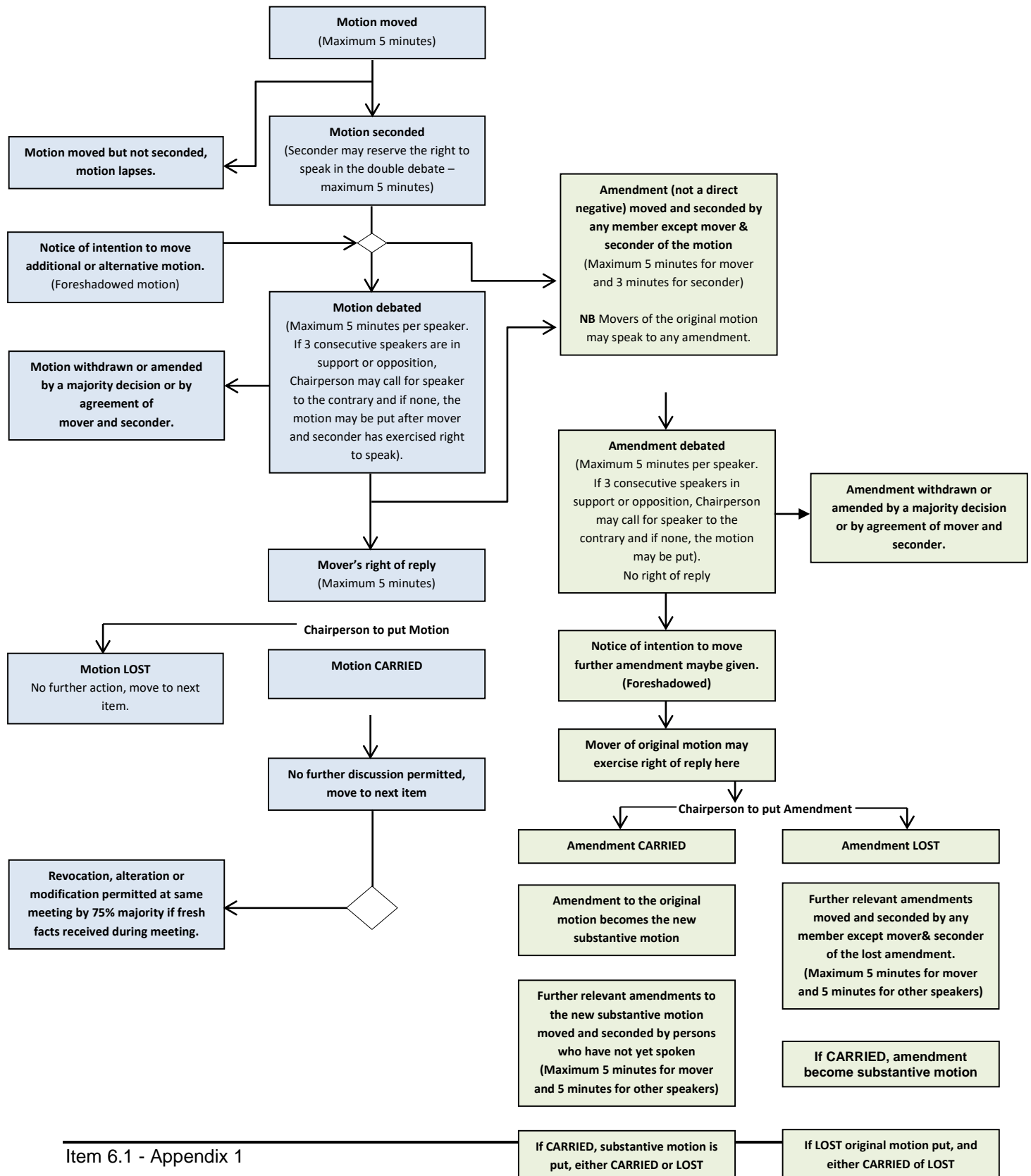
### Motions with amendments



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

### Motions without amendments

### Motions with amendments



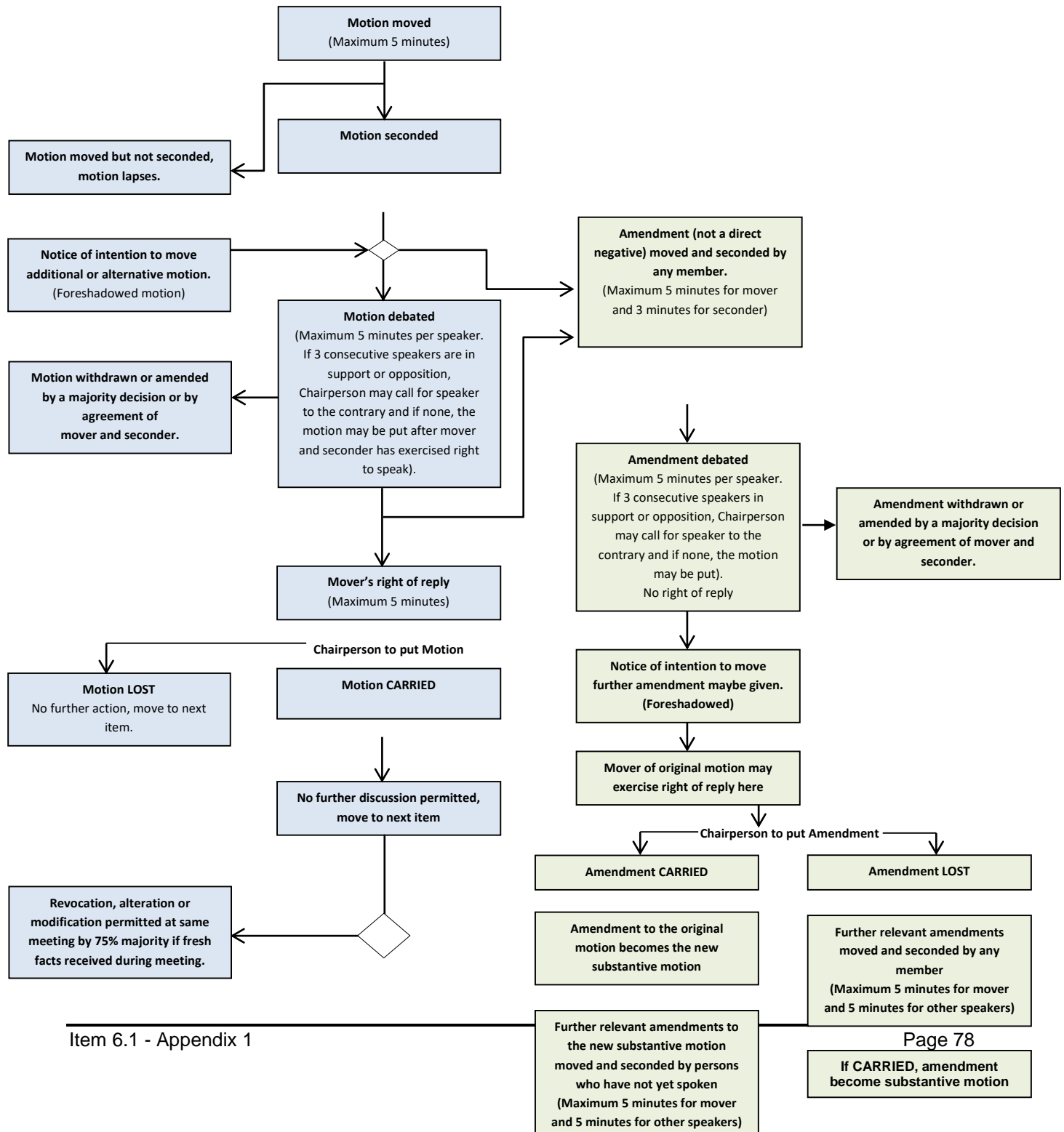
NB: If no resolution reached the Chairperson may accept a new motion to progress the matter

## Appendix 5: Motions and amendments

### (Option C)

#### Motions without amendments

#### Motions with amendments



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

## Appendix 6: Table of procedural motions

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

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

## **Appendix 7: 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; and
- (b) May requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

**Irrelevant matter and needless repetition**

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 attendance**

Where the technology is available and a member is attending a meeting by audio 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; and
  - iv. The requirements in these standing orders are met.

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

## **Appendix 8: Process for removing a Chairperson or deputy Chairperson from office**

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

*See cl. 18 Schedule 7, LGA 2002.*

## **Appendix 9: Workshops and briefings**

### **Definition of workshop**

Workshops and briefings, however described, provide opportunities for members to discuss particular matters, receive briefings and provide guidance for officials. These 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 and briefings**

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 Mayor;
- (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; and
- (c) Confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

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

### **Record of workshop**

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

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

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

### **Open section**

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

### **Public excluded section**

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

## **Appendix 11: 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; or
- 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 chair.





Model Standing Orders  
For Meetings of  
Local Authorities and Community Boards

Issued to assist those local authorities  
required to comply with Part 4 and  
Schedule 7 of the Local Government  
Act 2002 and Part VII of the Local Government Official  
Information and Meetings Act 1987

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Kapiti Coast District Council  
Private Bag 60601  
Paraparaumu 5254

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### **REFERENCED DOCUMENTS**

#### **New Zealand Legislation**

Commissions of Inquiry Act 1908  
 Crimes Act 1961  
 Local Authorities (Members' Interests) Act 1968  
 Local Electoral Act 2001  
 Local Government Act 1974 and 2002 (LGA)  
 Local Government Official Information and Meetings Act 1987 (LGOIMA)  
 Marine Farming Act 1971  
 Resource Management Act 1991 (RMA)  
 Secret Commissions Act 1910  
 Securities Act 1978

## FOREWORD

This Standard is a revision of NZS 9202:2001 and includes Amendment No. 1, 2006.

The revision has been necessitated by the enactment of the Local Government Act 2002 (including amendments made to the Act in 2004), and the consequential repeal of relevant parts of the Local Government Act 1974 as these affect provisions of the Model Standing Orders for meetings of territorial authorities, regional councils and community boards.

These Model Standing Orders reflect legislative requirements relating to the conduct of local authority meetings, particularly the provisions of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987, including amendments made to these Acts in 2004. This includes provisions relating to extraordinary meetings (replacing special and emergency meetings), voting at meetings and the option of a casting vote for the person presiding at a meeting where there is an equality of votes, and references to subordinate decision-making bodies, to the chief executive (replacing principal administration officer) and other minor amendments. There is also a modernizing of the language adopted in line with that now used in legislation.

In relation to voting at meetings, Standing Orders 2.5.1 and 3.14.2 reflect the default position in the legislation there is to be no casting vote for the presiding member, unless expressly provided for in the Standing Orders of the local authority. However, where a local authority wishes to have a casting vote, Appendix H *Provision for casting vote* can be used. When adopting, amending or suspending Standing Orders to provide for a casting vote, clause 27, schedule 7 of the Local Government Act 2002 applies.

#### MODEL STANDING ORDERS FOR MEETINGS OF LOCAL AUTHORITIES AND COMMUNITY BOARDS

These Standing Orders were first adopted by Kapiti Coast District Council at a Council meeting held on 4 November 2004. Since that time Council has adopted a number of amendments and additional clauses, including amendments adopted by Council on 7 November 2013, as detailed in Appendix I and throughout the text.

The amended document applies to all meetings of this local authority, its committees and subcommittees and to all meetings of the community boards listed below:

Paekākāriki Community Board  
Ōtaki Community Board  
Waikanae Community Board  
Paraparaumu-Raumati Community Board

## MODEL STANDING ORDERS FOR MEETINGS OF LOCAL AUTHORITIES AND COMMUNITY BOARDS

### PART 1 GENERAL

#### 1.1 SCOPE AND GENERAL

This document sets out standing orders for the conduct of proceedings at meetings of territorial authorities, regional councils and community boards in the form of model orders for adoption with or without amendment. It incorporates new provisions in the Local Government Act 2002 as they affect the provisions of the model standing orders.

This document is presented in three parts. Part 1 is the general introduction. Part 2 covers constitutional and legislative matters, and Part 3 relates to meeting procedures.

Part 3 involves some repetition of Part 2, to ease use and to ensure each part can stand alone without the need for undue cross referencing.

#### 1.2 INTERPRETATION

In this document the word "shall" identifies a mandatory requirement for compliance. The word "should" refers to practices which are advised or recommended.

Where direct quotations from the legislation are cited in these standing orders they are shown in bold type with quotation marks.

#### 1.3 DEFINITIONS

In these standing orders, unless inconsistent with the context:

**Agenda** means the list of items for consideration at a meeting together with reports and other attachments relating to those items.

**Chairperson** means the mayor of a territorial authority or chairperson of a regional council or community board including any person acting as the mayor of the territorial authority or chairperson of the regional council or community board, and any person presiding at any meeting of a committee or subcommittee of a regional council, territorial authority or community board.

**Chief executive** means the chief executive of a local authority appointed under section 42 of the Local Government Act 2002, irrespective of their designation, 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 prescribed in these standing orders for the giving of notice; and excluding the date of service of that notice and the date of the meeting, the subject of that notice.

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

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

**Deputation** means a request from any person or interest group in the community to make a presentation to the local authority or any committee.

**Extraordinary meeting** has the same meaning as defined in clause 22 of Schedule 7 of the Local Government Act 2002.

**Local authority** means the local authority and/or the community boards covered by these standing orders, being a local authority or a community board as defined in section 5 of the Local Government Act 2002.

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

**Meeting** means any first or extraordinary meeting of a local authority; and any meeting of any committee, standing committee, joint committee, special committee or subcommittee of the local authority. At any meeting of a local authority, or of any committee or subcommittee of a local authority, at which no resolutions or decisions are made, the provisions of these standing orders regarding public access and notification need not apply.

**Member** means any person elected or appointed to the local authority or to any committee or subcommittee of the local authority, and includes the mayor of a territorial authority and the chairperson of a regional council or community board, or of any committee or subcommittee of a regional council, territorial authority or community board.



**Minutes** means the record of the proceedings of any meeting of the local authority and its committees and subcommittees.

**Public excluded information** means any information which can be excluded from the public for reasons meeting the provisions of the Local Government Official Information and Meetings Act 1987.

**Public excluded session** refers to those meetings or parts of meetings from which the public is excluded by the local authority as provided for in the Local Government Official Information and Meetings Act 1987.

**Publicly notified** means notified to members of the public by notice contained in some newspaper circulating in the district of the local authority, or where there is no such newspaper, by notice published on signboard affixed to public places in the district to which the notice relates.

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

**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
- (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.

## **2 CONSTITUTIONAL AND LEGISLATIVE MATTERS**

### **2.1 INTRODUCTION**

#### **Requirement for adoption of standing orders**

##### **2.1.1**

**“A local authority must adopt a set of standing orders for the conduct of its meetings and those of its committees. The standing orders of a local authority must not contravene [any provisions of the Local Government Act 2002], the Local Government Official Information and Meetings Act 1987, or any other Act.”**

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

#### **Alteration of standing orders**

##### **2.1.2**

**“After the adoption of the first standing orders of the local authority, an amendment of the standing orders or the adoption of a new set of standing orders requires, in every case, a vote of not less than 75 % of the members present.”**

[cl. 27(3), Schedule 7, LGA]

#### **Temporary suspension of standing orders**

##### **2.1.3**

**“A local authority or committee may temporarily suspend standing orders during a meeting by a vote of not less than 75 % of the members present and voting, and the reason for the suspension must be stated in the resolution of suspension.”**

[cl. 27(4), Schedule 7, LGA]

(See Standing Order 3.2.1)

#### **All members to abide by standing orders**

##### **2.1.4**

**“A member of a local authority must abide by the standing orders adopted under clause 27 [of Schedule 7 of the Local Government Act].”**

[cl. 16(1), Schedule 7, LGA]

(See Standing Order 3.1.1)

## 2.2 FIRST MEETING OF THE LOCAL AUTHORITY FOLLOWING ELECTION

### Meeting called by chief executive

#### 2.2.1

"The first meeting of a local authority following a triennial general election of members must be called by the chief executive as soon as practicable after the results of the election are known. The chief executive must give the persons elected to the local authority not less than 7 days' notice of the meeting. [However] if an emergency exists, the chief executive may give notice of the meeting as soon as practicable. The chief executive (or, in the absence of the chief executive, a nominee of that officer) must chair the meeting until the mayor or chairperson has made and attested the declaration required under clause 14 [of Schedule 7 of the Local Government Act]."

[cl. 21(1) – (4), Schedule 7, LGA]

### Business to be conducted

#### 2.2.2

"The business that must be conducted at the meeting must include –

- (a) the making and attesting of the declarations required of the mayor (if any) and members under clause 14 [of Schedule 7 of the Local Government Act]; and
- (b) the election of the chairperson (if any) and the making and attesting of the declaration required of the chairperson under clause 14 [of Schedule 7 of the Local Government Act]; and
- (c) a general explanation, given or arranged by the chief executive, of –
  - (i) the Local Government Official Information and Meetings Act 1987; 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 Securities Act 1978; and
- (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) **[new]**<sup>1</sup> The appointment of the deputy mayor by the mayor under section 41A(3)(a) of the Local Government Act 2002 OR if the mayor declines to exercise this power, the election of the deputy mayor or deputy chairperson in accordance with clause 17 [of Schedule 7 of the Local Government Act].
- (f) **[new]**<sup>2</sup> To avoid doubt clause 17(1) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power to appoint (Section 41A(7)). Note that nothing limits or prevents a territorial authority from removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the mayor under section 41A(3)(a). Refer to standing order 2.6.3.
- ~~(e) the election of the deputy mayor or deputy chairperson in accordance with clause 17 [of Schedule 7 of the Local Government Act].”~~

[cl. 21(5), Schedule 7, LGA]

#### Members to give notice of addresses

##### 2.2.3

Every member of a local authority must give to the chief executive a residential or business address together with, if desired, a facsimile or other address within the district or region of the local authority to which notices and material relating to meetings and local authority business may be sent or delivered.

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<sup>1</sup> As adopted by Council on 7 November 2013.  
<sup>2</sup> As adopted by Council on 7 November 2013.

## **2.3 CHAIRPERSON OF MEETINGS**

### **Mayor or chairperson of local authority to preside**

#### **2.3.1**

**"The mayor or chairperson of the local authority must preside at each meeting of the local authority at which he or she is present unless the mayor or chairperson vacates the chair for a particular meeting... If the mayor or chairperson of a local authority...is absent from a meeting, the deputy mayor or deputy chairperson (if any) of the local authority must preside... If a deputy mayor or deputy chairperson has not been appointed, or if the deputy mayor or deputy chairperson is also absent, the members of the local authority ... that are present must elect 1 of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the mayor or chairperson."**

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

### **Chairperson of committee to preside**

#### **2.3.2**

**"The chairperson of a committee must preside at each meeting of the committee at which he or she is present unless the chairperson vacates the chair for a particular meeting...If the...chairperson of a committee is absent from a meeting,...the deputy chairperson (if any)...of the committee must preside...If...a deputy chairperson has not been appointed, or if...the deputy chairperson is also absent, the members of...the committee that are present must elect 1 of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the chairperson."**

[cl. 26(2), (5) & (6), Schedule 7, LGA]

## **2.4 QUORUM AT MEETINGS**

### **Requirement for a quorum**

#### **2.4.1**

**"A meeting is duly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote."**

[cl. 23(1), Schedule 7, LGA]

**Quorum to be present throughout meeting****2.4.2**

**"Business may not be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted."**

[cl. 23(2), Schedule 7, LGA]

**Definition of quorum for local authority or joint committee meetings****2.4.3**

**"The quorum at a meeting of –**

**(a) a local authority or joint committee consists of –**

**(i) half of the members if the number of members (including vacancies) is even; or**

**(ii) a majority of members if the number of members (including vacancies) is odd."**

[cl. 23(3), cl. 30(9), Schedule 7, LGA]

**Definition of quorum for committee meetings****2.4.4**

**"The quorum at a meeting of –**

**[... (b) a committee –**

**(i) ~~is not fewer than 2 members of the committee (as determined by the local authority or committee that appoints the committee);~~ consists of a majority of members if the number of members (including vacancies) is odd".<sup>3</sup>**

**(ii) in the case of a committee other than a subcommittee, must include at least 1 member of the local authority."**

[cl. 23(3), Schedule 7, LGA]

(See Standing Order 3.4)

<sup>3</sup> As adopted by Council on 7 November 2013, as Council Committees are 'Committees of the whole'

## 2.5 VOTING AT MEETINGS

### Acts and decisions of the local authority

#### 2.5.1

(1) "The acts of a local authority must be done, and the questions before the local authority must be decided, at a meeting by:

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

#### Casting vote

(2) "For the purposes of [2.5.1(1)], the mayor or chairperson or other person presiding at the meeting:

- a) Has a deliberative vote; and
- b) In the case of an equality of votes, does have a casting vote."<sup>4</sup>

NOTE – This is based on the legislative default position of there being no casting vote. Where a local authority wishes to have a casting vote it should refer to Appendix H for alternative wording for this section. When adopting, amending or suspending Standing Orders to provide for a casting vote clause 27, schedule 7 of the Local Government Act 2002 applies.

#### Open voting

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

### Mandatory requirements

(1) and (2) apply unless the Local Government Act 2002 provides otherwise.

[cl. 24, Schedule 7, LGA]

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<sup>4</sup> As adopted by Council 7 November 2013

**2.6 [new 2.6]<sup>5</sup> MAYOR RESPONSIBLE FOR APPOINTING THE DEPUTY MAYOR, POWER TO REMOVE DEPUTY MAYOR AND VOTING SYSTEMS FOR CERTAIN APPOINTMENTS INCLUDING THE DEPUTY MAYOR, COMMITTEE CHAIRPERSON AND DEPUTY CHAIRPERSONS OF COMMITTEES**

**Mayor to appoint deputy mayor**

**2.6.1 [new]<sup>6</sup>**

The mayor has the power to appoint the deputy mayor.

**Mayor declines to exercise powers in 2.6.1**

**2.6.2 [new]<sup>7</sup>**

The mayor may decline to appoint the deputy mayor. In that case the procedure to appoint a deputy mayor shall follow the procedure contained in standing order 2.6.4.

**Power to remove deputy mayor**

**2.6.3 [new]<sup>8</sup>**

- (1) At a meeting that is in accordance with clause 18 of Schedule 7 of the Local Government Act 2002, a territorial authority may remove its deputy mayor from office.
- (2) If a deputy mayor is removed from office at that meeting, the territorial authority may elect a new deputy mayor at that meeting.
- (3) A meeting to remove a deputy mayor may be called by—
  - (a) a resolution of the territorial authority; or
  - (b) a requisition in writing signed by the majority of the total membership of the territorial authority (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 that meeting; and
  - (b) indicate whether or not, if the deputy mayor is removed from office, a new deputy mayor is to be elected at the meeting if a majority of the total membership of the territorial authority (excluding vacancies) so resolves. [cont'd]
- (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.

<sup>5</sup> As adopted by Council 7 November 2013, pursuant to LGA 2002 clause 41A.

<sup>6</sup> As adopted by Council 7 November 2013.

<sup>7</sup> As adopted by Council 7 November 2013.

<sup>8</sup> As adopted by Council 7 November 2013.



- (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 deputy mayor carries if a majority of the total membership of the territorial authority (excluding vacancies) votes in favour of the resolution.

*[cl 18, schedule 7, LGA]*

**Voting systems for certain appointments including deputy mayor, chairpersons of committees and deputy chairpersons of a committee**

**2.6.4 [new lead-in]<sup>9</sup>**

Where the mayor declines to appoint a deputy mayor or committee chairpersons, or where the territorial authority exercises the powers under standing order 2.6.3 to remove the deputy mayor or standing order 2.9.3 for discharging a chairperson appointed by the mayor, and for the election or appointment of a deputy chairperson of a committee a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed using one of the following systems of voting:

- (a) [System A]; or
- (b) [System B].

**~~2.6 VOTING SYSTEMS FOR CERTAIN APPOINTMENTS~~**

**~~Provisions for election or appointment of deputy mayor, chairpersons and deputy chairpersons of local authorities and committees and representatives of the local authority~~**

**~~2.6.1~~**

~~“[This Standing Order 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~~

<sup>9</sup> As adopted by Council 7 November 2013

~~(d) the election or appointment of a representative of a local authority.~~

~~If this [Standing Order] 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:~~

**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.

**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."

[cl. 25, Schedule 7, LGA]

**2.7 MAYOR RESPONSIBLE FOR ESTABLISHING COMMITTEES AND LOCAL AUTHORITY ABLE TO DISCHARGE OR RECONSTITUTE OR ADD TO COMMITTEES ESTABLISHED BY THE MAYOR**

**Appointment of committees by mayor**

**2.7.1 [new]<sup>10</sup>**

The mayor has the power under Section 41A(3)(b) of the Local Government Act 2002 to establish committees of the territorial authority.

**Ability of local authority to discharge or reconstitute or add committees established by the mayor**

**2.7.2 [new]<sup>11</sup>**

Nothing limits or prevents a territorial authority from discharging or reconstituting in accordance with Clause 30 of Schedule 7 of the Local Government Act 2002. Refer to standing orders 2.7.4 and 2.7.5.

**Mayor declines to exercise powers in 2.7.1**

**2.7.3 [new]<sup>12</sup>**

The mayor may decline to establish committees. In that case the procedure to establish committees shall follow the procedure contained in standing order 2.7.4.

*[cl. 25, Schedule 7, LGA]*

**Appointment of committees, subcommittees and other subordinate decision-making bodies**

**2.7.4**

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

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

<sup>10</sup> As adopted by Council on 7 November 2013.

<sup>11</sup> As adopted by Council on 7 November 2013.

<sup>12</sup> As adopted by Council on 7 November 2013.

**Discharge or reconstitution of committees, subcommittees and other subordinate decision-making bodies****2.7.5**

“Unless expressly provided otherwise in an Act, –

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

(b) a committee may discharge or reconstitute a subcommittee.

A committee, subcommittee or other subordinate decision-making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body.”

[cl. 30(5) & (7), Schedule 7, LGA]

**Committees and subordinate decision-making bodies subject to direction of local authority****2.7.6**

“A committee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given in relation to the committee or other body or the affairs of the committee or other body. A subcommittee is subject in all things to the control of the committee that appointed it, and must carry out all general and special directions of the committee given in relation to the subcommittee or its affairs... Nothing in this [standing order] entitles a local authority or committee to rescind or amend a decision made under a delegation authorising the making of a decision by a committee, a subcommittee, or another subordinate decision-making body.”

[cl. 30(3), (4) & (6), Schedule 7, LGA]

**2.8 JOINT COMMITTEES****Appointment of joint committees****2.8.1**

“A local authority may appoint ... a joint committee with another local authority or other public body.”

[cl. 30(1), Schedule 7, LGA]

**Status of joint committees****2.8.2**

**"A joint committee...is deemed to be both a committee of the local authority and a committee of the other local authority or public body."**

[cl. 30(8), Schedule 7, LGA]

**Powers and responsibilities of joint committees****2.8.3**

Part 1 of Schedule 7 of the Local Government Act applies to a joint committee except that –

- (a) The powers to discharge any individual member and appoint another in his or her stead must be exercised by the local authority or public body that made the appointment; and
- (b) The meeting quorum is as outlined in 2.4.3; and
- (c) The committee may appoint and remove its own chairperson or deputy chairperson.

[cl. 30(9), Schedule 7, LGA]

**Application to a public body that is not a local authority****2.8.4**

For the purposes of a public body that is not a local authority, Standing Orders 2.8.2 and 2.8.3 apply to the extent that they are not inconsistent with the law applicable to committees of the public body.

[cl. 30(10), Schedule 7, LGA]

**2.9 MEMBERSHIP OF COMMITTEES AND SUBCOMMITTEES****Mayor appointment of committee chairperson****2.9.1 [new]<sup>13</sup>**

**The mayor has the power to appoint the chairperson of each committee he/she has established and may make the appointment before the other members of the committee are determined and may appoint himself/herself.**

<sup>13</sup> As adopted by Council 7 November 2013, pursuant to LGA 2002, clause 41A.

**Mayor can decline to appoint committee chairperson****2.9.2 [new]<sup>14</sup>**

The mayor may decline to appoint chairpersons to committees. In that case the procedure to appoint a committee chairperson shall follow the procedure contained in standing order 2.6.4.

**Power to remove a committee chairperson appointed by the mayor****2.9.3 [new]<sup>15</sup>**

Nothing limits or prevents a territorial authority from discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the mayor. Discharging of a committee chairperson shall follow the procedure contained in standing order 2.6.4.

[section 41A(4)(d)]

**Appointment or discharge of committee members and subcommittee members****2.9.4**

“A local authority may appoint or discharge any member of a committee. Unless directed otherwise by the local authority, a committee may appoint or discharge any member of a subcommittee appointed by the committee.”

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

**Elected members on committees and subcommittees****2.9.5**

“The members of a committee or subcommittee may, but need not be, elected members of the local authority, and a local authority or committee may appoint to a committee or subcommittee a person who is not a member of the local authority or committee if, in the opinion of the local authority, that person has the skills, attributes or knowledge that will assist the work of the committee or subcommittee... at least 1 member of a committee must be an elected member of the local authority; and an employee of a local authority acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee.”

[cl. 31(3) & (4), Schedule 7, LGA]

<sup>14</sup> As adopted by Council 7 November 2013

<sup>15</sup> As adopted by Council 7 November 2013

**Local authority may replace members if committee not discharged****2.9.6**

"If a local authority resolves that a committee, subcommittee, or other decision-making body is not to be discharged under clause 30 (7) [of Schedule 7 of the Local Government Act], the local authority may replace the members of that committee, subcommittee or other subordinate decision-making body after the next triennial general election of members."

[cl. 31(5), Schedule 7, LGA]

**Minimum numbers on committees and subcommittees****2.9.7**

"The minimum number of members is 3 for a committee, and is 2 for subcommittees."

[cl. 31(6), Schedule 7, LGA]

**Mayor is a member of each committee****2.9.8 [new]<sup>16</sup>**

The mayor is a member of each committee of a territorial authority other than a community board or a quasi-judicial committee.

[section 41A(5)]

**Mayor of chairperson of local authority an ex-officio member****2.9.5**

~~The mayor or chairperson of the local authority may be appointed an ex-officio member of any committee other than a community board or a quasi-judicial committee.~~<sup>17</sup>

<sup>16</sup> As adopted by Council 7 November 2013.

<sup>17</sup> As per Council amendments 7 November 2013

## 2.10 POWERS OF DELEGATION

Delegations to committees, subcommittees, subordinate decision-making bodies, community boards, members and officers

### 2.10.1

- (1) "Unless expressly provided otherwise in [the Local Government Act 2002], or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate community boards, decision-making body, community board, or member or officer of the local authority any of its members and officers responsibilities, duties, or powers except –
- (a) the power to make a rate; or
  - (b) the power to make a bylaw; or
  - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term ~~council community~~<sup>18</sup> plan; or
  - (d) the power to adopt a long-term ~~council community~~ plan, annual plan, or annual report; or
  - (e) the power to appoint a chief executive; or
  - (f) the power to adopt policies required to be adopted and consulted on under [the Local Government Act 2002] in association with the long-term ~~council community~~ plan or developed for the purpose of the local governance statement.
  - (g) Repealed.
  - (h) The power to adopt a remuneration and employment policy.
- (2) Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in sub clause (1) above.

<sup>18</sup> All amendments in this clause approved by Council on 7 November 2013.



- (3) A committee or other subordinate decision-making body, community board, or 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 local authority or by the committee or body or person that makes the original delegation."

[cl. 32(1), (2) & (3), Schedule 7, LGA]

#### Use of delegated powers

##### 2.10.2

"A 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 or duties are delegated may, without confirmation by the local authority or 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(4) Schedule 7, LGA]

#### Delegations related to bylaws and other regulatory matters

##### 2.10.3

"A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters."

[cl. 32(5) Schedule 7, LGA]

## 2.11 PROCEEDINGS NOT INVALIDATED BY VACANCIES OR IRREGULARITIES

#### Proceedings not invalidated by irregularities

##### 2.11.1

"An act or proceeding of a local authority or committee, or of a person acting vacancies or as a member of a local authority or committee, is not invalidated by a vacancy in the membership of the local authority or committee at the time of that act or proceeding, or the subsequent discovery of some defect in the election or appointment of the person acting as a member of the local authority or committee, or that that person was or is incapable of being a member."

[cl. 29, Schedule 7, LGA]

**2.12 GENERAL PROVISIONS AS TO MEETINGS****Meetings to be held****2.12.1**

**"A local authority must hold the meetings that are necessary for the good government of its region or district."**

[cl. 19(1), Schedule 7, LGA]

**Right to attend meetings****2.12.2**

**"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]

**Calling, public notification and conduct of meetings****2.12.3**

**"A meeting of a local authority must be called and conducted in accordance with [Schedule 7 of the Local Government Act]; and Part VII of the Local Government Official Information and Meetings Act 1987; and the standing orders of the local authority."**

[cl. 19(3), Schedule 7, LGA]

**Agenda to be sent to members****2.12.4**

**In the case of each meeting to which Standing Order 2.12.1 applies, an agenda detailing the business to be brought before that meeting together with relevant attachments must be sent to every member not less than two clear working days before the day appointed for the meeting (in the case of extraordinary meetings cl. 2.14.2 applies).**

**Meetings not invalid because notice not received****2.12.5**

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

- (a) it is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and**

- (b) the member concerned did not attend the meeting.

**A member of a local authority may waive any requirement regarding the giving of notice of a meeting to that member."**

[cl. 20(1), (2), Schedule 7, LGA]

#### **Minutes of proceedings**

##### **2.12.6**

**"A local authority must keep minutes of its proceedings. Minutes of proceedings duly entered and authenticated as prescribed by the local authority are prima facie evidence of those proceedings."**

[cl. 28(1), (2), Schedule 7, LGA]

#### **2.13 NOTIFICATION OF MEETINGS TO MEMBERS**

##### **Period for notice in writing**

##### **2.13.1**

**"The chief executive must give notice in writing to each member of the time and place of [a] meeting –**

- (a) not less than 14 days before the meeting; or

- (b) if the local authority has adopted a schedule of meetings, not less than 14 days before the first meeting on the schedule."

[cl. 19(5)(a), (b), Schedule 7, LGA]

##### **Schedule of meetings**

##### **2.13.2**

**"If a local authority adopts a schedule of meetings, –**

- a) the schedule may cover any future period that the local authority considers appropriate and may be amended; and
- b) notification of the schedule or any amendment to that schedule constitutes a notification of every meeting on the schedule or amendment."

[cl. 19(6), Schedule 7, LGA]

**Cancellation of scheduled meetings****2.13.3**

If it is necessary to cancel a scheduled meeting, all reasonable effort shall be taken to notify elected members and the public as soon as practicable of the cancellation and of the reasons for the cancellation.

**2.14 EXTRAORDINARY MEETINGS****Extraordinary meetings may be called****2.14.1**

**"If a resolution or requisition specifies the time and place at which the meeting is to be held and the general nature of the business to be brought before the meeting, a meeting may be called by –**

- (a) a resolution of the local authority; or**
- (b) a requisition in writing delivered to the chief executive and signed by –**
  - (i) the mayor or chairperson; or**
  - (ii) not less than one-third of the total membership of the local authority (including vacancies)."**

[cl. 22(1), Schedule 7, LGA]

**Notification of extraordinary meetings to members****2.14.2**

**"Notice in writing of the time and place of the meeting called under [Standing Order 2.14.1] and of the general nature of business must be given by the chief executive to each member of the local authority at least 3 working days before the day appointed for the meeting; or if the meeting is called by a resolution, within such lesser period of notice that is specified in the resolution, being not less than 24 hours."**

[cl. 22(3), Schedule 7, LGA]

**Calling of extraordinary meetings at earlier time****2.14.3**

"If the business to be dealt with requires a meeting to be held at a time earlier than is allowed by the notice requirements specified [in Standing Order 2.14.2], a meeting may be called by the mayor or chairperson; or if the mayor or chairperson are unavailable, the chief executive."

[cl. 22(2), Schedule 7, LGA]

**Notification of extraordinary meetings held at earlier time****2.14.4**

"Notice of the time and place of a meeting called under [Standing Order 2.14.3] and of the matters in respect of which the meeting is being called must be given by the person calling the meeting or by another person on that person's behalf, 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. 22(4)Schedule 7, LGA]

**Public notice of resolutions of extraordinary meetings****2.14.5**

"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.

For the purposes of this [Standing Order] resolution means the resolution on the matter or matters for which the extraordinary meeting was held."

[s. 51A, LGOIMA]

**2.15 PUBLIC AT MEETINGS, ACCESS TO AGENDAS ETC.****Meetings normally to be open to the public****2.15.1**

"Except as otherwise provided by [Part VII of the Local Government Official Information and Meetings Act] every meeting of a local authority shall be open to the public... For the purposes of [Part VII of the Local Government Official Information and Meetings Act] bona fide members of the news media shall be deemed to be members of the public, and shall be entitled to attend any meeting or any part of a meeting for the purpose of reporting the proceedings for any news media."

[s. 47 & 49(a), LGOIMA]

**Information to be available to public****2.15.2**

All information provided to members at local authority and committee meetings must be available to the public and news media unless any item included in the agenda refers to any matter reasonably expected to be discussed with the public excluded.

[s. 5 & 49, LGOIMA]

**Public notification about meetings****2.15.3**

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. Where any meeting is to be held on or after the 21st day of the month, such meetings may instead be publicly notified not more than 10 nor less than 5 working days before the day on which the meeting is to be held.

[s. 46, LGOIMA]

**Public notification about extraordinary meetings****2.15.4**

"Where any extraordinary meeting of a local authority is called and notice of that meeting cannot be given in the manner required or permitted by [Standing Order 2.15.3 as appropriate], the local authority shall cause that meeting and the general nature of business to be transacted at that meeting to be publicly notified or otherwise advertised as soon as practicable before the meeting is to be held as is reasonable in the circumstances".

[s. 46(3) & (4), LGOIMA]

**Public notification additional requirements****2.15.5**

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.

**Meetings not invalid because not publicly notified****2.15.6**

"No meeting of any local authority [is] invalid merely because that meeting was not publicly notified in accordance with [Standing Orders 2.15.3 – 2.15.5]."

[s. 46(5), LGOIMA]

**Public notice of meetings not notified****2.15.7**

"Where a local authority becomes aware that any meeting of that local authority has not been publicly notified in accordance with [Standing Orders 2.15.3 – 2.15.5], the local authority shall, as soon as practicable, give public notice that that meeting was not so notified, and shall, in that notice, state the general nature of the business transacted at that meeting; and give the reasons why that meeting was not so notified."

[s. 46(6), LGOIMA]

**Availability of agendas and reports****2.15.8**

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

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

...The associated reports shall be available for inspection at the public offices of the local authority. Any member of the public may take notes from any agenda or report inspected by that member of the public ... . Every member of the public who inspects an agenda or report made available and who requests a copy of any part of any such agenda or report and tenders the prescribed amount (if any) shall be given such a copy as soon as practicable. Where a meeting is an extraordinary meeting called pursuant to a resolution of the local authority, the agenda and any associated reports shall be made available as soon as is reasonable in the circumstances."

[s. 46A(1) – (6), LGOIMA]

**Exclusion from reports to be discussed with public excluded****2.15.9**

The chief executive may exclude from the reports made available, reports or items from reports that are reasonably expected to be discussed with the public excluded. These items are to be indicated on each agenda.



**Availability of agendas and reports for meetings for community boards****2.15.10**

Where agendas and associated reports are for meetings of community boards, it is sufficient for the purposes of these standing orders that they be available for public viewing at the main office of the local authority and those service delivery centres and public libraries, if any, under the control of the local authority situated within the community.

**Agenda to be made available to public who are at meetings****2.15.11**

Additional copies of the agenda and further particulars indicating the nature of the items to be discussed must be available at meetings in sufficient numbers to enable any spare copies to be provided for members of the public to take away with them on payment of the prescribed amount (if any).

[s. 49, LGOIMA]

**List of committee members publicly available****2.15.12**

The members of each committee are to be named on the relevant agenda.

**Public entitled to inspect minutes****2.15.13**

The public is entitled without charge to inspect, take notes from, or receive copies of, minutes of any meeting or part of any meeting from which the public was not excluded.

[s. 51, LGOIMA]

**Requests for minutes of meetings in closed session****2.15.14**

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

[s. 51, LGOIMA]

**2.16 REASONS TO EXCLUDE PUBLIC****Lawful reasons to exclude public****2.16.1**

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 grounds specified in section 48 of the Local Government Official Information and Meetings Act (see Appendix A).

[s. 48, LGOIMA]

**Form of resolutions to exclude public****2.16.2**

Any resolution to exclude the public must be in the form set out in Schedule 2A to the Local Government Official Information and Meetings Act 1987 and state the general subject of each matter to be considered while the public is excluded, the reason for passing that resolution in relation to that matter, and the grounds on which the resolution is based. (For an example resolution refer to Appendix B).

**Motion to exclude public to be put with the public present****2.16.3**

Every motion to exclude the public must be put at a time when the meeting is open to the public, and copies of the text of that motion must be available to any member of the public who is present. The resolution then forms part of the minutes of the local authority.

[s. 48(4), LGOIMA]

**Provision for persons to remain after public excluded****2.16.4**

A resolution in accordance with Standing Order 2.16.3 may provide for one or more specified persons to remain after the public has been excluded if those persons have, in the opinion of the local authority, knowledge that will assist the authority. Any such resolution is required to state the knowledge possessed by those persons which will be of assistance in relation to the matter to be discussed and how it is relevant to the matter. No such resolution is necessary in respect of the attendance of the chief executive and relevant staff during a public excluded session.

[s. 48(5) & (6), LGOIMA]

**Release of public excluded information****2.16.5**

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.

**2.17 APPLICATION OF STANDING ORDERS TO PUBLIC EXCLUDED SESSION****Standing orders to apply****2.17.1**

Standing orders apply to meetings or parts of meetings from which the public has been excluded.

**2.18 USE OF PUBLIC EXCLUDED INFORMATION****Public excluded business not to be disclosed****2.18.1**

Subject to the provisions of the Local Government Official Information and Meetings Act 1987, no member or officer is permitted to disclose to any person, other than a member or officer, any information which has been or is to be presented to any meeting from which the public is properly excluded, or where it is proposed that the public be properly excluded.

**3 MEETING PROCEDURES****3.1 APPLICATION OF STANDING ORDERS****All members to abide by standing orders****3.1.1**

**"A member of a local authority must abide by the standing orders adopted under clause 27 [of Schedule 7 of the Local Government Act]."**

[cl. 16(1), Schedule 7, LGA]

(See Standing Order 2.1.4)

**Additional to or substitution of standing orders****3.1.2**

Notwithstanding the generality of standing order 3.1.1, for any quasi-judicial proceedings, the local authority may adopt meeting procedures and practices additional to, or in substitution of these standing orders for the conduct of the business to be transacted.

For example, committees appointed to hear applications under the Resource Management Act have powers under the Commissions of Inquiry Act 1908.

[s.41, RMA]

**Exclusions for meetings at which no resolutions or decisions are made****3.1.3**

For the avoidance of doubt, any provision of these standing orders relating to the making of decisions and the passing of resolutions does not apply to any meeting of the local authority or of any committee or subcommittee or other subordinate decision-making body of the local authority which has been properly constituted as a meeting at which no resolutions or decisions are to be made under the Local Government Act 2002 or the Local Government Official Information and Meetings Act 1987.

**3.2 SUSPENSION OF STANDING ORDERS****Temporary suspension****3.2.1**

A local authority or committee may temporarily suspend one or more standing orders during a meeting by a vote of not less than 75 % of the members present and voting. The reason for the suspension and the specific order(s) suspended must be stated in the resolution of suspension (see Standing Order 2.1.3).

[cl. 27(4), Schedule 7, LGA]

**3.3 CONDUCT OF MEETINGS****Mode of address for chairperson****3.3.1**

The person in the chair is to be addressed in such terms as denotes the statutory office of that person, the choice of mode of address being as determined by that person.

**Chairperson to decide****3.3.2**

The chairperson is to decide all questions where these standing orders make no provision or insufficient provision, and all points of order, and any member who refuses to obey any order or ruling of the chairperson shall be held guilty of contempt (see Standing Orders 3.1.1, 3.13.6 and Appendix C).

**Chairperson rising****3.3.3**

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 to speak in places and address the chair****3.3.4**

Members granted the right to speak at meetings are to address the chairperson, and may not leave their place while speaking without the leave of the chairperson. Members may remain seated when speaking at extraordinary meetings of the local authority and at committee meetings.

**Priority of speakers****3.3.5**

When two or more members seek the right to speak, the chairperson is to name the member who has the right to speak first, provided that the following members shall have precedence, where in order, when they state their intention to:

- (a) Raise a point of order (see Standing Order 3.13.1), including any request to obtain a time extension for the previous speaker;
- (b) Move a motion to terminate or adjourn the debate (see Standing Order 3.12.1); or
- (c) Make a point of explanation or request an indulgence of the chairperson (see Standing Order 3.8.13).

**Speeches in English or Māori****3.3.6**

A member may address the chairperson in English or Māori. The chairperson may order that a speech be translated and printed in another language. A member must give prior notice, not less than 2 working days before the meeting, to the chairperson if he or she intends to address the chairperson in Māori, when the normal business of the committee is conducted in English, or in English when the normal business of the committee is conducted in Māori.

**Duration of meetings and time limits****3.3.7**

Unless pursuant to a resolution to continue, no meeting may continue for more than six hours or beyond 10.30 pm, and any business on the agenda not dealt with must be adjourned to the next meeting or extraordinary meeting.

**Reporting of meetings****3.3.8**

When a meeting of a local authority is open to the public the following provisions shall apply:

- (a) Members of the public including bona fide members of the news media are entitled to attend any meeting or any part of a meeting and to report on the proceedings.

[s. 49(a) LGOIMA]

- (b) Any recording of meetings must be carried out in an unobtrusive manner, and must not be distracting to members.

- (c) Any recording of meetings must be notified to the chairperson at the commencement of the meeting.

**Disorderly members to withdraw****3.3.9**

Members called to order by the chairperson are to resume their seats and/or stop speaking, as the case may be. Should any member refuse to obey, such member may be directed by the chairperson to withdraw from the meeting. Upon such direction, any such member is to withdraw and must not be permitted to return during the meeting, or any period of that meeting that the chairperson may determine (see Appendix C).

**Members not to be disrespectful****3.3.10**

No member of the local authority at any meeting may be disrespectful in speech or use offensive or malicious language, including in reference to the local authority, any other member, or any officer or employee of the local authority. In addition, no member may impute improper motives or make offensive remarks about the private affairs of any other member of the local authority or its staff.

**Retraction of, or apology for, offensive or malicious language****3.3.11**

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

**Withdrawal from meeting****3.3.12**

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.

**Disorder in meeting****3.3.13**

The chairperson may require any member whose conduct is disorderly or who is creating a disturbance to withdraw immediately from the meeting for a time specified by the chairperson.

**Adjournment of meeting following disorder****3.3.14**

Should the disorder continue, the chairperson has the right to adjourn the meeting for a time specified by the chairperson. At the end of that period the meeting shall resume and decide without debate the question as to whether the meeting shall proceed or be adjourned. The chairperson may also take such action in relation to disorder from other sources or in the event of an emergency.

**Contempt to be recorded in minutes****3.3.15**

Where the meeting resolves to find the member in contempt that resolution must be recorded in the minutes.

**Removal from meeting****3.3.16**

"A member of the police, or an officer or employee of the local authority, may, at the request of the chairperson, remove or exclude a member from a meeting if that member is required to leave the meeting by a ruling made under the standing orders and that member –

(a) refuses or fails to leave the meeting; or

(b) having left the meeting, attempts to re-enter the meeting without the permission of the chairperson."

[cl. 16(2), Schedule 7, LGA]

**3.4 QUORUM AT MEETINGS****Requirement for a quorum****3.4.1**

"A meeting is duly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote."

[cl. 23(1), Schedule 7, LGA]

**Quorum to be present throughout the meeting****3.4.2**

"Business may not be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted."

[cl. 23(2), Schedule 7, LGA]

**Definition of quorum for local authority or joint committee meetings****3.4.3**

The quorum at a meeting for local authority or joint committee consists of –

(a) half of the members if the number of members (including vacancies) is even; or

(b) a majority of members if the number of members (including vacancies) is odd.

[cl. 23(3), Schedule 7, LGA]



**Definition of quorum for committee meetings****3.4.4**

"The quorum at a meeting of –

(b) a committee –

- (i) <sup>19</sup>consists of a majority of members if the number of members (including vacancies) is odd;~~not fewer than 2 members of the committee (as determined by the local authority or committee that appoints the committee);~~ and
- (ii) in the case of a committee other than a subcommittee, must include at least 1 member of the local authority."

[cl. 23(3), Schedule 7, LGA]

(See Standing Order 2.4)

**3.5 FAILURE OF A QUORUM****Meeting lapses if no quorum****3.5.1**

If a meeting is short of a quorum at its commencement, or falls short of a quorum, the business is to stand suspended and, if no quorum is present within 10 minutes, the chairperson is to vacate the chair and the meeting shall lapse.

**Lapsed business****3.5.2**

The business remaining to be disposed of following the lapsing of a meeting is to stand adjourned until the next meeting unless an earlier meeting is fixed by the chairperson and notified by the chief executive.

**Minutes to record failure of quorum****3.5.3**

If a meeting lapses by reason of failure of a quorum, the names of the members then in attendance, and the fact of the lapse, are to be recorded in the minutes.

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<sup>19</sup> As per Council amendment 7 November 2013

### **3.6 LEAVE OF ABSENCE AND APOLOGIES**

#### **Granting leave of absence**

##### **3.6.1**

The local authority may grant leave of absence to a member from a meeting or other meetings of the local authority or its committees upon application by the member.

#### **Apologies at meetings**

##### **3.6.2**

If a member has not obtained leave of absence an apology may be tendered on behalf of the member and the apology may be accepted or declined by the local authority. Acceptance of the apology shall be deemed to be a granting of leave of absence for that meeting.

#### **Recording of apologies**

##### **3.6.3**

The chairperson of each meeting must invite apologies at the beginning of each meeting, including apologies for lateness and early departure, and these and subsequent apologies during the meeting shall be recorded in the minutes, including whether they were accepted or declined, and the time of arrival and departure of all members.

#### **Absence without leave**

##### **3.6.4**

An extraordinary vacancy is created where any member is absent without leave of the territorial authority, regional council or community board from 4 consecutive meetings other than extraordinary meetings of the territorial authority, regional council or community board.

[cl. 5, Schedule 7, LGA]

### **3.7 ORDER OF BUSINESS**

#### **Adoption of order of business**

##### **3.7.1**

The order of business is to be determined by the local authority.

#### **Agenda**

##### **3.7.2**

The chief executive is to prepare for each meeting an agenda listing and attaching information on the items of business to be brought before the meeting so far as is known. At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the meeting or the chairperson accord precedence to any business set down on the agenda.

#### **Public excluded items**

##### **3.7.3**

The chief executive must place on a public excluded agenda any matters for which he/she considers the local authority or committee of the local authority is likely in his/her opinion to wish to exclude the public in terms of the Local Government Official Information and Meetings Act 1987, provided that an indication of the subject matter likely to be considered with the public excluded is placed on the agenda available to the public.

#### **Chairperson's report**

##### **3.7.4**

The chairperson, by report, has the right to direct the attention of the local authority or the relevant committee as the case may be, to any matter or subject within the role or function of the local authority or committee respectively.

**Major items not on the agenda may be dealt with****3.7.5**

"An item that is not on the agenda for a meeting may be dealt with at the meeting if –

- (a) the local authority by resolution so decides; and
- (b) the presiding member explains at the meeting at a time when it is open to the public, –
  - (i) the reason why the item is not on the agenda; and
  - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting."

[s. 46A(7), LGOIMA]

**Minor items not on the agenda may be discussed****3.7.6**

Where an item is not on the agenda for a meeting, –

- (a) That item may be discussed at that meeting if –
  - (i) That item is a minor matter relating to the general business of the local authority; and
  - (ii) The presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."

[s. 46A(7) & 46A(7A), LGOIMA]

**Chairperson's recommendation****3.7.7**

The chairperson of any meeting may include on the agenda for that meeting a chairperson's recommendation regarding any item brought before the meeting.

### **3.8 RULES OF DEBATE**

#### **Reserving speech**

##### **3.8.1**

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

#### **Irrelevant matter and needless repetition**

##### **3.8.2**

In speaking to any motion or amendment, members are to confine their remarks strictly to such motion or amendment, and shall not introduce irrelevant matters or indulge in needless repetition. In this matter, the chairperson's ruling is final and not open to challenge.

#### **Limitation on speakers**

##### **3.8.3**

If 3 speakers have spoken consecutively in support of, or in opposition to a motion, the chairperson may call for a speaker to the contrary. If no such speaker is forthcoming and after the mover has had the right of reply, the motion must be put. Members speaking must, if so called upon by the chairperson, announce whether they are speaking in support of, or against the motion or amendment being debated.

#### **Taking down words**

##### **3.8.4**

When any member objects to words used and desires his/her objection to be recorded in the minutes, the chairperson may order the objection to be recorded, provided such objection be made at the time the words were used and not after any other members have spoken (see Standing Order 3.13.4).

#### **Reading of speeches**

##### **3.8.5**

Members shall not read their speeches, except with the permission of the chairperson, but may refresh their memory by reference to notes.

**Time limits on speakers****3.8.6**

The following time limits apply to members speaking at local authority meetings, unless extended by a majority vote of members present:

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

(See also Standing Order 3.19.6.)

**Member speaking more than once****3.8.7**

A member may not speak more than once to a motion, save that this order does not apply to meetings of committees or subcommittees.

**Restating of motion****3.8.8**

Members may request the chairperson to restate the motion for their information at any time during the debate, but not so as to interrupt.

**Right of reply****3.8.9**

The mover of an original motion (not an amendment) has a right of reply. After the mover has commenced such reply, or has intimated the wish to forego this right, or having spoken to an amendment to the motion and the chairperson has intimated his intention to put the motion, no other member of the local authority may speak on the motion. Movers in reply are not to introduce any new matter and must confine themselves strictly to answering previous speakers.

**When right of reply may be exercised****3.8.10**

The right of reply is governed as follows:

- (a) Where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion;
- (b) If there is an amendment, the mover of the original motion may make such reply at the conclusion of the debate on such amendment, and this reply exhausts their rights as mover of the original motion (see Standing Order 3.8.9), provided that the mover may reserve such right of reply. The mover may, however, take part in the discussion upon subsequent amendments.

NOTE – A right of reply can be exercised at either the end of the debate on an original motion or at the end of the debate on an amendment. Only the mover of an original motion has a right of reply and that right can only be used once. In addition to a right of reply, the mover of an original motion may reserve a right of reply and speak once to an original motion and once to each amendment without losing that right of reply.

**Speaking only to relevant matters****3.8.11**

Members may speak to any matter before the meeting or upon a motion or amendment to be proposed by themselves, or upon a point of order arising out of debate, but not otherwise.

**Personal explanation****3.8.12**

Notwithstanding Standing Order 3.8.7, members may make a personal explanation with the permission of the chairperson, but such matters may not be debated.

**Explanation of previous speech****3.8.13**

With the permission of the chairperson, explanation of some material part of a previous speech in the same debate may be given by a member who has already spoken, but new matter may not be introduced.

### **3.9 MOTIONS AND AMENDMENTS**

#### **Requirement for a seconder**

##### **3.9.1**

All motions and amendments moved in debate (including notices of motion) must be seconded, and thereupon the chairperson shall state the matter raised and propose it for discussion.

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

##### **3.9.2**

Once motions or amendments have been seconded and put to the meeting by the chairperson, they cannot be withdrawn without the consent of the majority of the members present and voting. A motion to which an amendment has been moved and seconded, cannot be withdrawn until the amendment is withdrawn or lost.

#### **Substituted motion by amendment**

##### **3.9.3**

The meeting may allow a motion, which is subject to an amendment, to be withdrawn and replaced by the amendment as the substituted motion, provided the mover and seconder of the original motion agree to the withdrawal of the original motion. In such circumstances, members who have spoken to the original motion may speak again to the substituted motion.

#### **Motions in writing**

##### **3.9.4**

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

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

##### **3.9.5**

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



**Amendment once moved****3.9.6**

When a motion has been moved and seconded, then proposed by the chairperson for discussion, an amendment may be moved or seconded by any member who has not spoken to the motion, whether an original motion or a substituted motion. The mover or seconder of a motion for the adoption of the report of a committee, who desires to amend any item in the report, may also propose or second an amendment.

**Amendments and motions not seconded****3.9.7**

Amendments and motions which are proposed but not seconded are not in order and are not entered in the minutes.

**Further amendments****3.9.8**

No further amendment may be allowed until the first amendment is disposed of, although members may notify the chairperson of their intention to move further amendments and the tenor of their content.

**Where amendment lost****3.9.9**

Where an amendment is lost, another may be moved and seconded by any members who have not spoken to the motion, whether an original motion or substituted motion. Movers of previous amendments which were lost are regarded as having spoken to the motion only and are entitled to speak to the new amendment, but are not entitled to move or second the new amendment.

**Where amendment carried****3.9.10**

Where an amendment is carried, the motion as amended becomes the substantive motion, and any member, other than previous movers or seconders in the debate, may then propose a further amendment.

**Amendments relevant****3.9.11**

Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.

**Direct negatives not allowed****3.9.12**

No amendment which amounts to a direct negative, is to be allowed which, if carried, would have the same effect as negating the motion.

**Procedure until resolution****3.9.13**

The procedures in Standing Orders 3.9.6 and 3.9.8 must be repeated until a resolution is adopted.

**Flow chart of motions and amendments****3.9.14**

A flow chart illustrating the process regarding motions and amendments is included in this document as Appendix D.

**Revocation or alteration of resolutions****3.9.15**

A notice of motion for the revocation or alteration of all or part of a previous resolution of the local authority is to be given to the chief executive by the member intending to move such a motion.

- (a) Such notice is to set out:
  - (i) The resolution or part thereof which it is proposed to revoke or alter;
  - (ii) The meeting date when it was passed; and
  - (iii) The motion, if any, that is intended to be moved in substitution thereof.
- (b) Such notice is to be given to the chief executive at least 5 clear working days before the meeting at which it is proposed to consider such a motion and is to be signed by not less than one third of the members of the local authority, including vacancies.
- (c) The chief executive must then give members at least 2 clear working days notice in writing of the intended motion and of the meeting at which it is proposed to move such.

**Restriction on action to be taken on previous resolution****3.9.16**

Where a notice of motion has been given in terms of Standing Order 3.9.15, no action which is irreversible may be taken under the resolution which is proposed for revocation or alteration until the proposed notice of motion has been dealt with by the local authority, provided that if, in the opinion of the chairperson:

- (a) The practical effect of the delay would be equivalent to a revocation of the resolution, or if;
- (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;

then, in either case, action may be taken as though no such notice to the chief executive had been given or signed.

**Revocation or alteration of resolution at same meeting****3.9.17**

If, during the course of a meeting of the local authority, fresh facts or information are received concerning a matter already resolved at the meeting, the previous resolution may be revoked or altered by the consent of 75 % of the members then present and voting.

**Local authority may revoke or alter any previous resolution****3.9.18**

A local authority meeting may, on a recommendation contained in a report by the chairperson or chief executive, or the report of any committee, revoke or alter all or part of resolutions previously passed at meetings. At least 2 clear working days notice of any meeting to consider such a proposal must be given to members, accompanied by details of the proposal to be considered.

**Restating the motion****3.9.19**

The chairperson may, immediately prior to any division being taken, request the chief executive to restate the motion upon which the division is to be taken.

**No speakers after reply or question has been put****3.9.20**

Members may not speak on any motion once the mover has commenced replying or where the chairperson has commenced putting the question.

**Reflections on resolutions****3.9.21**

In speaking in any debate no member may unduly criticise the validity of any resolution of the local authority except by a notice of motion to amend or revoke the same.

**3.10 NOTICES OF MOTION****Notices of motion to be in writing****3.10.1**

Notices of motion must be in writing signed by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and must be delivered to the chief executive at least 5 clear working days before such meeting.

**Refusal of notice of motion****3.10.2**

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

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the local authority; 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 may make; 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.

**Mover of notice of motion****3.10.3**

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

**Alteration of notice of motion****3.10.4**

A notice of motion may be altered only by the mover with the consent of the meeting.

**When notices of motion lapse****3.10.5**

Notices of motion not moved on being called for by the chairperson, shall lapse.

**Referral of notices of motion to committees****3.10.6**

Any notice of motion referring to any matter ordinarily dealt with by a committee of the local authority may be referred to that committee by the chief executive. Where such notices are so referred, the mover of the motion shall, if not a member of that committee, have the right to move that motion, and of reply, as if a committee member.

**3.11 REPEAT NOTICES OF MOTION****First repeat where notice of motion rejected****3.11.1**

When a motion which is the subject of a notice of motion has been considered and rejected by the local authority, no similar notice of motion which, in the opinion of the chairperson, is substantially the same in purport and effect may be accepted within the next 6 months unless signed by not less than one third of all members, including vacancies.

**Second repeat where notice of motion rejected****3.11.2**

If such a repeat notice of motion as provided for in Standing Order 3.11.1 is also rejected by the local authority, any further notice prior to the expiration of the original period of 6 months must be signed by a majority of all members, including vacancies.

**No repeats where notice of motion adopted****3.11.3**

Where a notice of motion has been considered and adopted 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.

### **3.12 PROCEDURAL MOTIONS TO TERMINATE OR ADJOURN DEBATE**

#### **Members may move procedural motions to terminate or adjourn debate**

##### **3.12.1**

Any member who has not spoken on the matter under debate, may move any one of the following procedural motions to terminate or adjourn debate, but not so as to interrupt a member speaking:

- (a) That the meeting be adjourned to the next meeting, unless an alternative time and place is stated; or
- (b) That the item of business being discussed be adjourned to a time and place to be stated; or
- (c) That the motion under debate be now put (a "closure motion"); or
- (d) That the meeting move directly to the next business, superseding the item under discussion; or
- (e) That the item of business being discussed does lie on the table, and not be further discussed at that meeting; or
- (f) That the item of business being discussed be referred (or referred back) to the relevant committee of the local authority.

#### **Chairperson may accept closure motions**

##### **3.12.2**

The chairperson may accept a closure motion if there have been no less than 2 speakers for and 2 speakers against the motion, or, if there are no such speakers, in the chairperson's opinion, it is reasonable to do so.

#### **Procedural motions to terminate or adjourn debate to take precedence**

##### **3.12.3**

Procedural motions to terminate or adjourn debate take precedence over other business, other than points of order, and shall, if seconded, be put to the vote immediately without discussion or debate.

**Voting on procedural motions to terminate or adjourn debate****3.12.4**

All procedural motions to terminate or adjourn debate must be determined by a majority of those members present and voting. If lost, a further procedural motion to terminate or adjourn debate, may not be moved by any member within the next 15 minutes.

**Closure motion to be put if no further speaker****3.12.5**

Notwithstanding Standing Order 3.12.4, a closure motion shall be put if there is no further speaker in the debate.

**Closure motion on amendment****3.12.6**

When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the motion.

**Right of reply following closure****3.12.7**

If a closure motion is carried, the mover of the motion then under debate is entitled to the right of reply, and the motion or amendment under debate is then to be put.

**Debate on items previously adjourned****3.12.8**

The debate on adjourned items of business is to be resumed with the mover of such adjournment being entitled to speak first in the debate. Members who have already spoken in the debate may not speak again.

**Adjourned items taken first****3.12.9**

Adjourned items of business are to be taken first at the subsequent meeting in the class of business to which they belong.

**Other business not superseded****3.12.10**

The carrying of any motion to adjourn a meeting shall not supersede other business before the meeting remaining to be disposed of, and such other business is to be considered at the next meeting.

**Referral or referred back to committee****3.12.11**

Business referred, or referred back, to a specified committee is to be considered at the next meeting of that committee, unless otherwise specified.

**Table of procedural motions****3.12.12**

A table of procedural motions is included in this document as Appendix E.

**3.13 POINTS OF ORDER****Members rising to points of order****3.13.1**

Any member may rise to speak to a point of order upon any breach of these Standing Orders and the member previously speaking is to be seated and stop speaking.

**Stating subject matter of point of order****3.13.2**

The member rising is to state without explanation precisely the subject matter of the point of order.

**Points of order during division****3.13.3**

No point of order may be raised during a division except by the permission of the chairperson.



**Types of points of order****3.13.4**

The following are recognized as substance for points of order:

- (a) Where disorder is drawn to the attention of the chairperson; or
- (b) Use of disrespectful, offensive or malicious language; or
- (c) Discussion of a question not before the local authority; or
- (d) Misrepresentation of any statement made by a member or by an officer or employee of the local authority; or
- (e) The breach of any standing order; or
- (f) A request that words objected to be recorded in the minutes.

**Contradiction not point of order****3.13.5**

Rising to express a difference of opinion or to contradict a statement of a previous speaker, does not constitute a point of order.

**Decision of chairperson final****3.13.6**

The chairperson may decide on any point of order immediately after it has been raised by any member, 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.

**3.14 VOTING****Decisions to be decided by majority votes****3.14.1**

**"[Unless the Local Government Act 2002 provides otherwise], the acts of a local authority must be done, and the questions before the local authority must be decided, at a meeting by –**

- (a) vote; and**
  - (b) the majority of members that are present and voting".**
- [cl. 24, Schedule 7, LGA]  
(See Standing Order 2.5.1)

**Chairperson's voting****3.14.2**

Unless the Local Government Act 2002 provides otherwise, for the purposes of Standing Order 3.14.1, the mayor or chairperson or other person presiding at the meeting –

- (a) Has a deliberative vote; and
- (b) In the case of an equality of votes, the chairperson has a casting vote.\*<sup>20</sup>

NOTE – This is based on the legislative default position of there being no casting vote. Where a local authority wishes to have a casting vote it should refer to Appendix H for alternative wording for this section. When adopting, amending or suspending Standing Orders to provide for a casting vote, clause 27, schedule 7 of the Local Government Act applies.

[cl. 24, Schedule 7, LGA]

**Open voting****3.14.3**

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

[cl. 24(3), Schedule 7, LGA]

**Members may abstain****3.14.4**

Any member may abstain from voting.

**Members may have their votes recorded****3.14.5**

Any member's vote or abstention must be recorded in the minutes if so requested by that member.

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<sup>20</sup> As adopted by Council on 7 November 2013

**Method of voting****3.14.6**

The method of voting shall be as follows:

- (a) The chairperson in putting the motion shall 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, shall be conclusive unless such announcement is questioned immediately by any member, in which event the chairperson shall call a division.
- (b) The chairperson or any member may call for a division instead of or after receiving opinion on the voices and taking a show of hands.
- (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 shall be notified to the chairperson who shall declare the result.

**Division****3.14.7**

When a division is called, the chief executive shall take down the names of the members voting for and against the motion and abstentions and is to hand the list to the chairperson to declare the result. The result of the division shall be entered into the minutes.

**Second division****3.14.8**

The chairperson may call a second division where there is confusion or error in the original division, unless the same can be otherwise corrected.

**Pecuniary interest****3.14.9**

No members may vote or take part in the discussion of any matter at any meeting where they, directly or indirectly, have any pecuniary interest as defined in law, other than an interest in common with the public.

[s. 6(1), Local Authorities (Members' Interests) Act]

**Declaration of pecuniary interest****3.14.10**

Every member present when any matter is raised in which they directly or indirectly have a pecuniary interest, apart from any interest in common with the public, is under a duty to fully declare any such interest to the meeting. This disclosure and the subsequent abstention of such members from both discussion and voting on the item, is to be recorded in the minutes.

[s. 6(1), Local Authorities (Members' Interests) Act]

**Pecuniary interest a reason for leaving room****3.14.11**

Members who have declared a pecuniary interest in matters to be discussed under Standing Order 3.14.10, should consider leaving the meeting room for the full duration of discussion on such matters.

**3.15 QUALIFIED PRIVILEGE****Qualified privilege relating to agenda and minutes****3.15.1**

Where a meeting of any local authority is open to the public during the proceedings or any part thereof, and a member of the public is supplied with a copy of the agenda for the meeting or any part of the minutes of that meeting are provided, the publication of any defamatory matter included in the agenda or in the minutes is privileged unless the publication is proved to have been made with ill will or taking improper advantage of the publication.

[s. 52, LGOIMA]

**Qualified privilege relating to oral statements****3.15.2**

Any oral statement made at any meeting of a local authority in accordance with the rules that have been adopted by that local authority for the guidance and order of its proceedings, is privileged, unless the statement is proved to have been made with ill will or taking improper advantage of the publication.

[s. 53, LGOIMA]

**Qualified privilege additional to any other provisions****3.15.3**

The privilege conferred by Standing Order 3.15.2 is in addition to, and not in substitution for, or derogation of any other privilege, whether absolute or qualified, that applies, by virtue of any other enactment or rule of law, to the proceedings of any local authority.

**3.16 MAINTENANCE OF PUBLIC ORDER AT MEETINGS****Chairperson may require members of the public to leave meeting****3.16.1**

The chairperson presiding at any meeting of the local authority may require any member of the public to leave the meeting if it is believed on reasonable grounds that the behaviour of that member of the public is likely to prejudice the orderly conduct of the meeting if that person is permitted to remain.

[s. 50, LGOIMA]

**Removal of members of public****3.16.2**

If any member of the public who is required in accordance with Standing Order 3.16.1 to leave a meeting, refuses or fails to leave the meeting or, having left the meeting, attempts to re-enter the meeting without the permission of the chairperson, any police officer or employee of the local authority may, at the request of the chairperson, remove or exclude that member of the public from the meeting.

**3.17 MINUTES OF PROCEEDINGS****Minutes to be evidence of proceedings****3.17.1**

“(1) A local authority must keep minutes of its proceedings.

(2) Minutes of proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those proceedings.”

[cl. 28, Schedule 7, LGA]

**Keeping of minutes****3.17.2**

The chief executive or his/her designated representative must keep the minutes of meetings. The minutes must record the date, time and venue of the meeting; the names of those members present; identification of the chairperson; apologies tendered and accepted; arrival and departure times of members; any failure of a quorum; a list of speakers in the public forum and the topics they cover; a list of items considered; resolutions and amendments pertaining to those items; any objections to words used; all divisions taken; names of any members requesting the recording of their abstentions or votes; declarations of pecuniary interest; contempt, censure and removal of any members; resolutions to exclude members of the public; and the time that the meeting concludes or adjourns (see Standing Orders 2.16.3, 3.3.15, 3.5.3, 3.6.3, 3.8.4, 3.14.4, 3.14.5 and 3.14.11).

**No discussion on minutes****3.17.3**

No discussion may arise on the substance of minutes at any succeeding meeting, except as to their correctness.

**3.18 MINUTE BOOKS****Inspection of minute books****3.18.1**

The minute books of the local authority must be kept by the chief executive and be open to inspection in accordance with the Local Government Official Information and Meetings Act 1987 and the Local Government Act (see Standing Order 2.15.14 and 2.15.15).

[s.51, LGOIMA]

**Minutes of last meeting before election****3.18.2**

The chairperson and the chief executive shall authenticate the minutes of the last meeting of a local authority prior to the next election of members.

### **3.19 DEPUTATIONS AND PRESENTATIONS**

#### **Deputations where heard**

##### **3.19.1**

Deputations may be received by the local authority or any of its committees provided an application for admission setting forth the subject, has been lodged with the chief executive at least 2 working days before the date of the meeting concerned, and has been subsequently approved by the chairperson. The chairperson may refuse requests for deputations which are repetitious or offensive.

#### **Urgency or major public interest**

##### **3.19.2**

Notwithstanding Standing Order 3.19.1, where in the opinion of the chairperson the matter which is the subject of a deputation is one of urgency or major public interest, the chairperson may determine that the deputation be received.

#### **Deputations and presentations in English or Māori**

##### **3.19.3**

A deputation or presentation to a local authority or any of its committees, may be made in English or Māori. Prior arrangement with the chairperson should be sought at least 2 working days before the meeting if the address is not in English. The chairperson may order that any speech or document presented be translated and/or printed in another language.

#### **Procedures for deputations**

##### **3.19.4**

Except with the approval of the local authority or committee, not more than 2 members of a deputation may address the meeting. After a presentation is received, members may put to the deputation any question pertinent to the subject heard, but no member may express an opinion upon, or discuss the subject, until the deputation has completed making its submissions and answering questions (see Standing Order 3.15.2 regarding qualified privilege).

#### **Termination of presentation if disrespectful**

##### **3.19.5**

The chairperson may terminate a presentation in progress which is disrespectful or offensive, or where the chairperson has reason to believe that statements have been made with malice (see Standing Order 3.15.2 regarding qualified privilege).

**Time limit on presentation****3.19.6**

Unless the meeting determines otherwise in any particular case, a limit of 10 minutes is placed on a speaker making a presentation, or if there are 2 members of the deputation addressing the meeting 10 minutes in total for the 2 speakers.

**3.20 PETITIONS****Form of petitions****3.20.1**

Every petition presented to the local authority or to any of its committees, must comprise fewer than 50 words (not including signatories) and not be disrespectful, nor use offensive language or include statements made with malice (see Standing Orders 3.15.1 and 3.15.2 regarding qualified privilege).

**Petition where presented by members****3.20.2**

Any member of the local authority, who presents a petition on behalf of the petitioners, is to confine himself/herself to reading the petition and the statement of the parties from which it comes, and the number of signatures attached to it.

**Petition in English or Māori****3.20.3**

A petition presented to a local authority or any of its committees may be in English or Māori. Prior arrangement with the chairperson should be sought at least 2 working days before the meeting if the petition is not in English. The chairperson may order that any petition be translated and/or printed in another language.

**Petition where presented by petitioner****3.20.4**

Where a petition is presented by a petitioner, unless the local authority determines otherwise, a limit of 5 minutes is placed on that person (see Standing Orders 3.15.1 and 3.15.2 regarding qualified privilege). If the chairperson has reason to believe that the petitioner is disrespectful or offensive, or has made statements with malice, the chairperson shall terminate presentation of the petition.



### **3.21 QUESTIONS**

#### **Questions to officers during debate**

##### **3.21.1**

In the course of any debate at any local authority meeting, any member may, at the chairperson's discretion, ask any question of the relevant officer on any matter under debate. Such questions are to be directed through the chair.

**APPENDIX A (NORMATIVE)****GROUND TO EXCLUDE THE PUBLIC FROM MEETINGS IN TERMS OF THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987**

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 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 such disclosure 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:
  - (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; 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 wāhi 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:
  - (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; 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 members, officers or employees of any local authority from improper pressure or harassment; or
- (h) Maintain legal professional privilege; or
- (i) Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or
- (j) Enable the local authority 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 the local authority by an Ombudsman under section 30(1) or section 38(3) of the Local Government Official Information and Meetings Act 1987 (in the case of a local authority named or specified in the First Schedule 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 local authority to deliberate in private on its decision or recommendation in:

- (a) Any proceedings before a local authority where:
  - (i) A right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings or
  - (ii) The local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
- (b) Any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.

**APPENDIX B (INFORMATIVE)****SAMPLE RESOLUTION TO EXCLUDE THE PUBLIC**

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting.

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:

Item no	Minutes/report of:	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.	Report of the Chair of the Strategy and Finance Committee	Appointment of Directors – City Services Limited	Good reason to withhold exists under section 7	Section 48(1)(a)
2.	Report of the Sustainable Transport and Utilities Committee Meeting of 24/12/2003	North Connection to Smith Road. Purchase of Land	Good reason to withhold exists under section 7	Section 48(1)(a)
3.	Report of the Chairman of the Parks, Gardens and Waterways Committee	Property Purchase – 20 Smith Street	Good reason to withhold exists under section 7	Section 48(1)(a)
4.	Report of the Council Hearings Panel	Recommendation on Submissions to Variation 100 to City Proposed District Plan	Good reason to withhold exists under section 7	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

**Item no:**

- |      |  |                   |
|------|--|-------------------|
| 1    | Protection of privacy of natural persons | (Section 7(2)(a)) |
| 2, 3 | Conduct of negotiations                  | (Section 7(2)(i)) |
| 4    | Prevention of improper advantage         | (Section 7(2)(j)) |

**NOTE –**

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):
- (a) Shall be available to any member of the public who is present; and
  - (b) Shall form part of the minutes of the local authority.”

## **APPENDIX C (NORMATIVE)**

### **POWERS OF THE CHAIRPERSON**

This Appendix is intended to separately set out the chairperson's powers which are contained in various parts of the Model Standing Orders.

The provisions in the Model Standing Orders shall be authoritative. The relevant Model Standing Orders are referred to in brackets.

#### **C1 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.

(See Standing Order 3.3.2)

#### **C2 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.

(See Standing Orders 3.13.3 and 3.13.6)

#### **C3 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.

(See Standing Orders 3.7.5 and 3.7.6)

#### **C4 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.

(See Standing Order 3.7.4)

#### **C5 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.

(See Standing Order 3.7.7)

**C6 Chairperson's voting**

The chairperson at any meeting has a deliberative vote and, in the case of equality of votes, does have a casting vote.

NOTE – Where a local authority wishes to have a casting vote it should refer to Appendix H for alternative wording for this Standing Order. When adopting, amending or suspending Standing Orders to provide for a casting vote clause 27, Schedule 7 of the Local Government Act 2002 applies.  
(See Standing Order 2.5.1)

**C7 Motion in writing**

The chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.  
(See Standing Order 3.9.4)

**C8 Motion in parts**

The chairperson may require any motion expressed in parts to be decided part by part.  
(See Standing Order 3.9.5)

**C9 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.  
(See Standing Orders 3.10.2 and 3.11.3)

**C10 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, until the proposed notice of motion has been dealt with by the local authority, 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 local authority, action may be taken as though no such notice had been given.  
(See Standing Order 3.9.16)

**C11 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.

(See Standing Order 3.11.1)

**C12 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.

(See Standing Order 3.9.18)

**C13 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 extraordinary meeting to be held at a specified time and place, in order to conduct specified business;

(See Standing Orders 3.5.2, 2.14.1 and 2.14.2)

**C14 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.

(See Standing Order 3.8.2)

**C15 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.

(See Standing Order 3.8.4)

**C16 Reading of speeches**

The chairperson may permit members who request permission to do so, to read their speeches.

(See Standing Order 3.8.5)

**C17 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.

(See Standing Orders 3.8.12 and 3.8.13)



**C18 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.

(See Standing Order 3.3.3)

**C19 Members may leave places**

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

(See Standing Order 3.3.4)

**C20 Priority of speakers**

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

(See Standing Order 3.3.5)

**C21 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.

(See Standing Orders 3.17.1 and 3.18.2)

**C22 Questions of speakers**

The chairperson may permit members to ask questions of speakers under public forum or tangata whenua participation, for the purpose of obtaining information or clarification on matters raised by the speaker.

(See Appendices F4 and G5.)

**C23 Withdrawal of offensive or malicious expressions**

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

(See Standing Order 3.3.11)

(b) 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.

(See Standing Order 3.3.12)

**C24 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.

(See Standing Orders 3.1.1 and 3.3.2)

**C25 Disorderly behaviour**

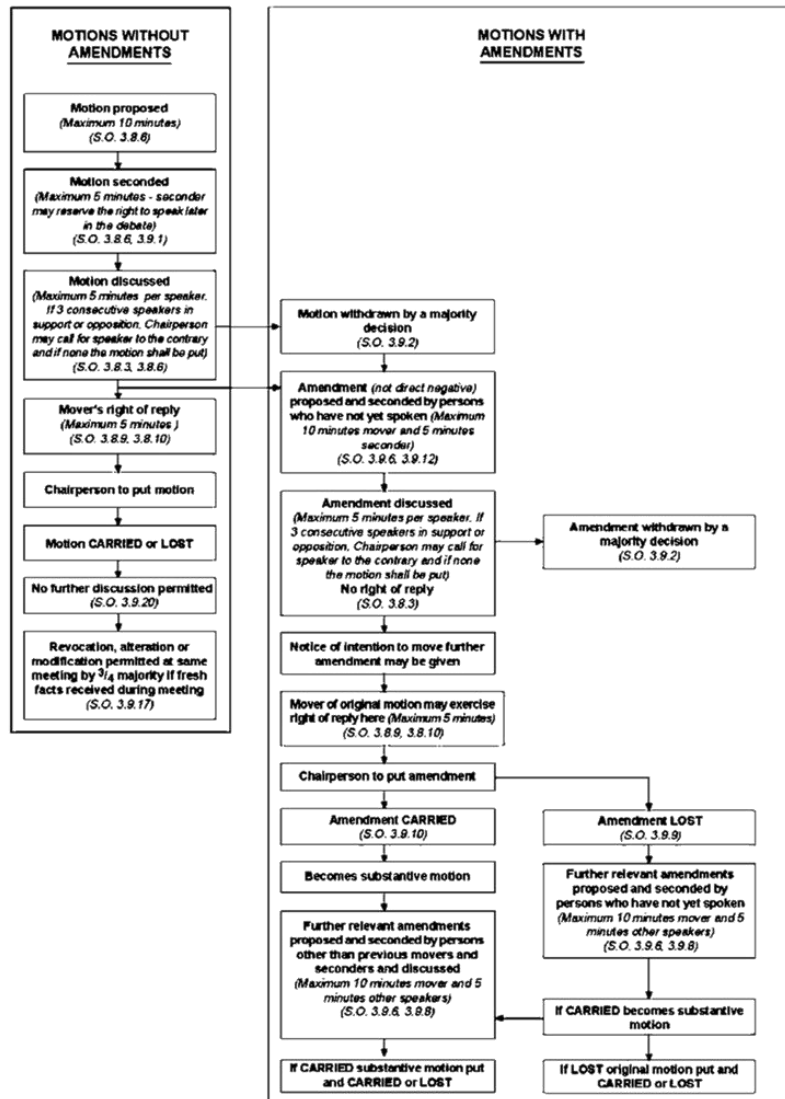
The chairperson may:

- (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.  
(See Standing Orders 3.3.13 and 3.16.1)
- (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.  
(See Standing Orders 3.3.14 and 3.3.15)

**C26 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.  
(See Standing Orders 3.3.16 and 3.16.2)

# APPENDIX D (NORMATIVE) MOTIONS AND AMENDMENTS



**APPENDIX E (NORMATIVE)**  
**TABLE OF PROCEDURAL MOTIONS**

(See Standing Orders 3.12.1 to 3.12.12 and 3.13.1 to 3.13.6)

Motion	Has the Chair 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 Chair	Position if a procedural motion is already before the Chair	Remarks
(a) "That the meeting be adjourned to the next 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 already spoken in the debate may not speak again.
(b) "That the item of business being discussed be adjourned to a stated time and place."	No	Yes	No	As to time and date only.	No	No	No	Yes – 15 minutes.	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	

Motion	Has the Chair discretion to refuse this motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the	Position if a procedural motion is already before the	Remarks
(c) "That the motion under debate be now put (closure motion)."	No	Yes	No	No	No	No	No	Yes – 15 minutes.	If carried, only the amendment is put.	If carried, only the procedural motion is put.	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put.
(d) "That the meeting move directly to the next business, superseding the item under discussion."	No	Yes	No	No	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.	
(e) "That the item of business being discussed does lie on the table and not be further 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.	

Motion	Has the Chair discretion to refuse this motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the	Position if a procedural motion is already before the	Remarks
(f) "That the item of business being discussed be referred 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.	
(g) "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 Orders 3.13.1 to 3.13.6

**APPENDIX F (INFORMATIVE)**  
**PUBLIC FORUM**

**NOTE:** This Appendix is a guideline only ('informative'). See Appendix I for clauses adopted by Council relating to the provision of Public Speaking Time (first adopted by Council 4 November 2004, and confirmed on 7 November 2013). Appendix I provides the definitive rules around Public Speaking Time for the Kapiti Coast District Council for the 2013-2016 Triennium.

**F1 Public forum**

A period of up to 30 minutes, or such other time as the local authority may determine, will be set aside for a public forum at the commencement of meetings of the local authority, committee and subcommittee meetings which are open to the public. Each speaker during the public forum section of a meeting, may speak for three minutes.

**F2 Time extension**

Standing orders may be suspended on a vote of not less than 75 % of those present, to extend the period of public participation or the period any speaker is allowed to speak.

**F3 Subjects of public forum**

In respect of local authority, committee and subcommittee meetings, the public forum is to be confined to those items falling within the terms of reference of that meeting, provided the matter is not sub-judice.

NOTE – The public forum procedure does not apply in respect of any hearing, including the hearing of submissions where the local authority, committee or subcommittee sits in a quasi-judicial capacity.

**F4 Questions of speakers during public forum**

With the permission of the chairperson, members may ask questions of speakers during the period reserved for public forum. If permitted by the chairperson, questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

**APPENDIX G (INFORMATIVE)****ADDITIONAL PROVISIONS FOR TANGATA WHENUA****G1 Tangata whenua representation at meetings**

Where representatives of the tangata whenua identify any item on the agenda for a meeting of a local authority, committee or subcommittee which the tangata whenua wish to discuss, they may attend the meeting for that purpose. These provisions do not apply to any meeting of a local authority, committee or subcommittee which is sitting in a quasi-judicial capacity in respect of any matter to be heard.

**G2 Speaking rights in addition to public forum**

The right to speak at meetings of the local authority conferred by these provisions, are in addition to and separate from those rights of a public forum available in terms of Appendix F.

**G3 Tangata whenua representation at committees and subcommittees**

Where representatives of the tangata whenua have, in accordance with clause F1, identified items they wish to discuss at a meeting, they may be represented by such number of representatives as is equal to the number of permanent members of that committee or subcommittee who are present at that meeting.

**G4 Tangata whenua speaking time**

Representatives of the tangata whenua shall have the right to address any meeting of the local authority, committee or subcommittee for a period of 15 minutes in total on any item or issue which has been identified or initiated by the tangata whenua and listed for consideration at a meeting.

**G5 Questions of speakers during tangata whenua participation**

With the permission of the chairperson, members may ask questions of representatives of the tangata whenua. If permitted by the chairperson, questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

NOTE – The term “tangata whenua” is not mentioned in the Local Government Act 2002. The Act refers to “Māori”.



**APPENDIX H (NORMATIVE)  
PROVISION FOR CASTING VOTE**

Where a local authority wishes to have a casting vote **replace** Standing Order 3.14.2(b) with "in the case of equality of votes the chairperson has a casting vote."

NOTE – When adopting, amending or suspending Standing Orders to provide for a casting vote clause 27, Schedule 7 of the Local Government Act 2002 applies.

**ON 7 NOVEMBER 2013 COUNCIL APPROVED THE USE OF A CASTING VOTE FOR THE MAYOR/CHAIR OR ANY OTHER PERSON PRESIDING AT A MEETING – SEE APPENDIX I.**

**APPENDIX I (NORMATIVE)**  
**COUNCIL APPROVED ADDITIONAL CLAUSES**

**Clauses adopted on 4 November 2004, and also 11 November 2010**

- (a) A period of ~~thirty minutes~~<sup>21</sup> will be provided after the start of each meeting for Public Speaking Time to allow for oral submissions generally relating to agenda items, although other matters may be raised with the leave of the Chairperson. The period of time for each speaker shall be three minutes but it may be extended to five minutes at the discretion of the Chairperson recognising that Public Speaking Time is not a period for general debate.
- (b) Any written material associated with oral submissions shall be given to the Democratic Services Advisor prior to the start of the meetings, which may be distributed to elected members for their information at the Chairperson's discretion. Any written material accompanying an oral submission will not be appended to the minutes but briefly noted in the minutes.
- (c) The Chairperson will indicate, during the item in the agenda on Chairperson's/Members' Business, how oral submissions raised during Public Speaking Time will be dealt with, unless the meeting resolves otherwise.
- (d) In making oral submissions, members of the public shall not be disrespectful, not use offensive or malicious language nor make statements with malice.
- (e) The Mayor or Chairperson or any other person presiding at the meeting has a deliberative vote and in the case of an equality of votes, does have a casting vote.

**Clauses adopted by Council on 17 March 2011**

Any decision relating to:

- (a) the divestment of ownership of water assets under Sections 130, 131 and 137 of the Local Government Act 2002 or in any other situation;
- (b) transfer of water assets and services to a local government organisation under S 130 of the Local Government Act 2002 or in any other situation;
- (c) contracting out for the management or operation of the water supply system as a whole, either to a private interest or a local government organisation under S136 of the Local Government Act 2002 or in any other situation. (Note: this provision does not apply to contracts for maintenance, renewal and upgrade works, or for professional services, design and contract management);
- (d) establishment of a joint arrangement or a joint local government arrangement under Section 137 of the Local Government Act 2002 or in any other situation;
- (e) transfer of control of funding policy, pricing and charging responsibilities in relation to water to any other local government organisation or private interest;

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<sup>21</sup> Change approved by Council 7 November 2013

- (f) any departure from a not-for-profit charging regime for Council's water supply system;

will require a 75% majority of members present and voting. All decisions under (a) – (f) will require a referendum to have taken place to provide input into a decision **before** that decision is made.

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## 6.2 UPDATE ON THE 2009 BEACH BYLAW REVIEW

**Author:** Aston Mitchell, Policy Advisor

**Authoriser:** Mark de Haast, Group Manager Corporate Services

### PURPOSE OF REPORT

- 1 This report provides the Committee with a progress update on the 2009 Beach Bylaw Review Project, including the high level results from the Beach Bylaw survey for the Paraparaumu-Raumati ward.
- 2 The Beach Bylaw Survey results for the Paraparaumu-Raumati ward are attached as Appendix 1 to this report.

### DELEGATION

- 3 Under section D of the Governance Structure and Delegations for the 2019-2022 Triennium community boards have the “authority to listen, articulate, advise, advocate and make recommendations to Council on any matter of interest or concern to the local community”.

### BACKGROUND

- 4 Beach Bylaw Review is on the Council-approved Policy Work Programme, and commenced in February 2019.
- 5 Bylaw reviews are generally carried out in three phases:
  - Phase 1 includes:
    - pre-consultation engagement, data collection, and analysis
    - the identification of issues and options, and
    - the development of proposed revisions to the existing bylaw.
  - Phase 2 includes development of, and consultation on, a draft Bylaw, in accordance with the Local Government Act 2002 (LGA 2002) special consultative procedure.
  - Phase 3 involves the analysis of submissions, leading to a final draft of the revised bylaw, which is then presented to Council for final consideration and adoption.
- 6 Phase 1 pre-consultation engagement activities were underway but have been delayed due to the Covid-19 restrictions. This report provides an update on the phase 1 work that was completed prior to Covid-19 lockdown, the phase 1 activities that still need to be done and the amended timeframes that are now necessary to complete the Beach Bylaw review.

### DISCUSSION

- 7 Before the Covid-19 lockdown, Council Officers held a number of information sessions, workshops and meetings with stakeholders across the District, to source direct input on specific issues and encourage participation in the Beach Bylaw survey.
- 8 A number of additional engagement activities were planned for phase 1, but could not proceed under the Covid-19 restrictions. Now that New Zealand has moved to a lower alert level, Council Officers can progress the planned engagement activities that had to be deferred. Officers have already met with a number of parties but there are a number of conversations that still need to take place.
- 9 Council Officers are developing a good understanding of how our community uses our beaches and the issues integral to both supporting these activities and protecting the health and safety of beach users. Remaining engagements will further inform Officers of any issues and/or options necessary to develop proposed revisions (if any), to the existing Beach Bylaw.

- 10 The information collected during phase 1 will be used to develop a draft 2021 Bylaw and Statement of Proposal that will be released for public consultation in accordance with the LGA 2002 requirements for special consultative procedures.
- 11 The information collected from the formal consultation period will then be considered and will input into a final draft 2021 Bylaw, which will be presented to Council for final consideration and adoption in Phase 3.

### Revised Timeframes for the Review

- 12 In January 2019, the proposed timeframe for the phase 2 consultation stage was re-scheduled until after the October 2019 election (previously targeted for May 2019), because Officers were concerned that the election would result in a large time-gap between the public consultation period and the final Bylaw adoption.
- 13 In December 2019, the Committee approved the Phase 2 consultation stage to occur in May 2020. However, due to delays to phase 1 caused by Covid-19 restrictions, the timeframe to complete this bylaw review needs to be further revised.
- 14 Phase 2 consultation is now scheduled to start in October 2020, and will result in the presentation of a new Beach Bylaw for Council adoption in early 2021.
- 15 Table 1 below outlines the key changes to the target dates for the review.

**Table 1:** Updated tentative timeframes for the Beach Bylaw review

Action	Previous dates	Revised dates <sup>1</sup>
Council Briefing: Results of the early engagement phase, key issues and options, and next steps	27 Feb 2020	14 Aug 2020
Council Briefing: Draft 2021 Bylaw and Statement of Proposal	26 Mar 2020	15 Sep 2020
Council Report: Approval for special consultative procedure on Draft 2021 Bylaw and Statement of Proposal	28 May 2020	24 Sep 2020
Special consultative procedure including discussions with Community Boards (24 days duration instead of the 20 days requirement)	8 Jun - 5 Jul 2020	12 Oct – 13 Nov 2020
Hearings and deliberations	30 Jul 2020	Late Nov 2020 to early Dec 2020
Council Report: Adoption of Beach Bylaw 2021	23 Sep 2020	Feb - Mar 2021

<sup>1</sup> These target dates are tentative. The nature of the feedback received in the remaining Phase 1 engagements may impact the proposed timeframes.

### Insights from the Districtwide Beach Bylaw survey

- 16 One of the pre-engagement activities completed in phase 1, was the two-part Kāpiti Coast Beach Bylaw survey. The survey sought to discover (a) how people felt about activities on the beach and (b) what people thought about the existing bylaw and beach access-ways.
- 17 The survey opened on 30 January 2020 and closed on 30 April 2020. There were 1,724 responses to the survey and 91% of all respondents completed the entire survey. The Districtwide survey results are available on the Council website.
- 18 Detailed analysis of the survey results is outside the scope of this report. However, respondents' trends and issues are noted briefly below.
- 19 The survey's 1724 respondents were mainly:
  - living in Paraparaumu Beach, followed by Waikanae Beach, and then Ōtaki Beach
  - between 40 and 69 years of age, and
  - either not of Māori descent or chose not to answer.

- 20 Although there appears to be a wide range of thoughts in regards to what the respondents want for our beaches, overall, the majority of them were comfortable with the current Beach Bylaw rules and their beach experiences. For example, the majority of respondents:
- are aware of the multiple pedestrian access points which allow them to park and walk a short distance to the beach.
  - think the current rules about vehicles on beaches are right.
  - think the current rules about riding horses on beaches are right.
  - are not happy with two-wheeled motor bikes being on the beach.
  - think the rules should cover longlines and kontiki systems.
- 21 There were strong opinions in several areas. For example, for specific questions:
- 86% of respondents were angry or annoyed about 'reckless driving' and 72% were angry or annoyed about 'people driving cars in non-permitted areas'
  - 51% were angry or annoyed about 'longlines in swimming areas'.
- 22 There were also differing opinions based on locality. For example:
- for vehicles on the beach - respondents from Waikanae were concerned about vehicles driving through the estuary, while the concerns from respondents in the northern beaches were less concerned unless it involved reckless driving.
- 23 • for longlines - respondents in the longer northern beaches were okay with longline use long as the lines were monitored, while respondents from Paekākāriki were very concerned about the impact of longline use on swimmers.

### Insights from the Paraparaumu-Raumati Ward Beach Bylaw survey

- 24 The survey results for the Paraparaumu-Raumati Ward are attached as Appendix 1 to this report.

## CONSIDERATIONS

### Policy considerations

- 25 There are no policy considerations in addition to those outlined in this report.

### Legal considerations

- 26 The current Beach Bylaw was adopted on 7 May 2009 and was, in accordance with s159 of the LGA 2002, due to be reviewed by 7 May 2019. As the review was not completed by 7 May 2019, s160A of the LGA 2002 came into effect which requires that the Beach Bylaw will be revoked automatically if the review is not completed within two years, being by 7 May 2021.
- 27 This final date for statutory review was further extended to 30 June 2021, by provisions in the COVID-19 Response (Further Management Measures) Legislation Act 2020, which temporarily suspend s160A of the LGA 2002 until 30 June 2021. This means that any bylaws that would be automatically revoked before this date will continue in force until then.
- 28 A public complaint has been made to the Human Rights Commission, on the basis that the questions in the survey about disability access were biased and discriminated by way of age and disability. A Council response has been provided to the Human Rights Commission and we have recently received a request for mediation on the matter.

### Financial considerations

- 29 This review will be carried out within existing Annual Plan budgets.

**Tāngata whenua considerations**

- 30 Council Officers will work alongside each of our Iwi partners to understand their aspirations with regards to the Beach Bylaw review. Where Council Officers have received previous relevant guidance from our Iwi partners, such as 'Whakarongotai o te moana, Whakarongotai o te wā' the Iwi Kaitiakitanga Plan of Te Ātiawa ki Whakarongotai, this will be used as foundational guidance to inform further work with Iwi.

**Strategic considerations**

- 31 *Toitū Kāpiti* includes aspirations for strong, safe communities and a thriving environment. The Beach Bylaw assists in the attainment of these aspirations because it seeks to enhance the safety of the public on the beach, while also protecting the beach natural environment.

**SIGNIFICANCE AND ENGAGEMENT****Significance policy**

- 32 In accordance with the LGA 2002, a special consultative procedure will be required for this Beach Bylaw review.

**Consultation already undertaken**

- 33 As noted above, conversations have already occurred with a variety of key stakeholders and further discussions to best inform phase 1 still need to take place.

**Publicity**

- 34 The by Ward Beach Bylaw survey results attached as Appendix 1 to this report are available on the Council's website along with the Districtwide results. The revised timeframes to complete the Beach Bylaw review are also available on the Council's website.

**RECOMMENDATIONS**

- 35 That the Paraparaumu-Raumati community board receives and notes this report, including Appendix 1 to this report.
- 36 That the Paraparaumu-Raumati community board notes that the Beach Bylaw survey results (both Districtwide and by Ward), will be made publically available on the Council's website.

**APPENDICES**

1. Survey Results for the Paraparaumu-Raumati Ward



## Kāpiti Coast District Beach Survey

The Council is reviewing the Kāpiti Coast District Council Beach Bylaw. The bylaw creates the rules for Council-managed areas of beach for important things like health and safety, litter, access, vehicles, horses, motorised watercrafts and environmental protections. For more information on the refer, please go to: <https://www.kapiticoast.govt.nz/beachbylaw>.

The Council sought the community's input on how our beaches are managed and protected ahead of the formal review and consultation stage. This report provides results from that survey.<sup>1, 2</sup>

### **SURVEY RESULTS: Paraparaumu–Raumati Ward** (including selected results by suburb)

**30 January 2020 to 30 April 2020**

**Total responses: 546 (504 completed the entire survey)**

#### Contents

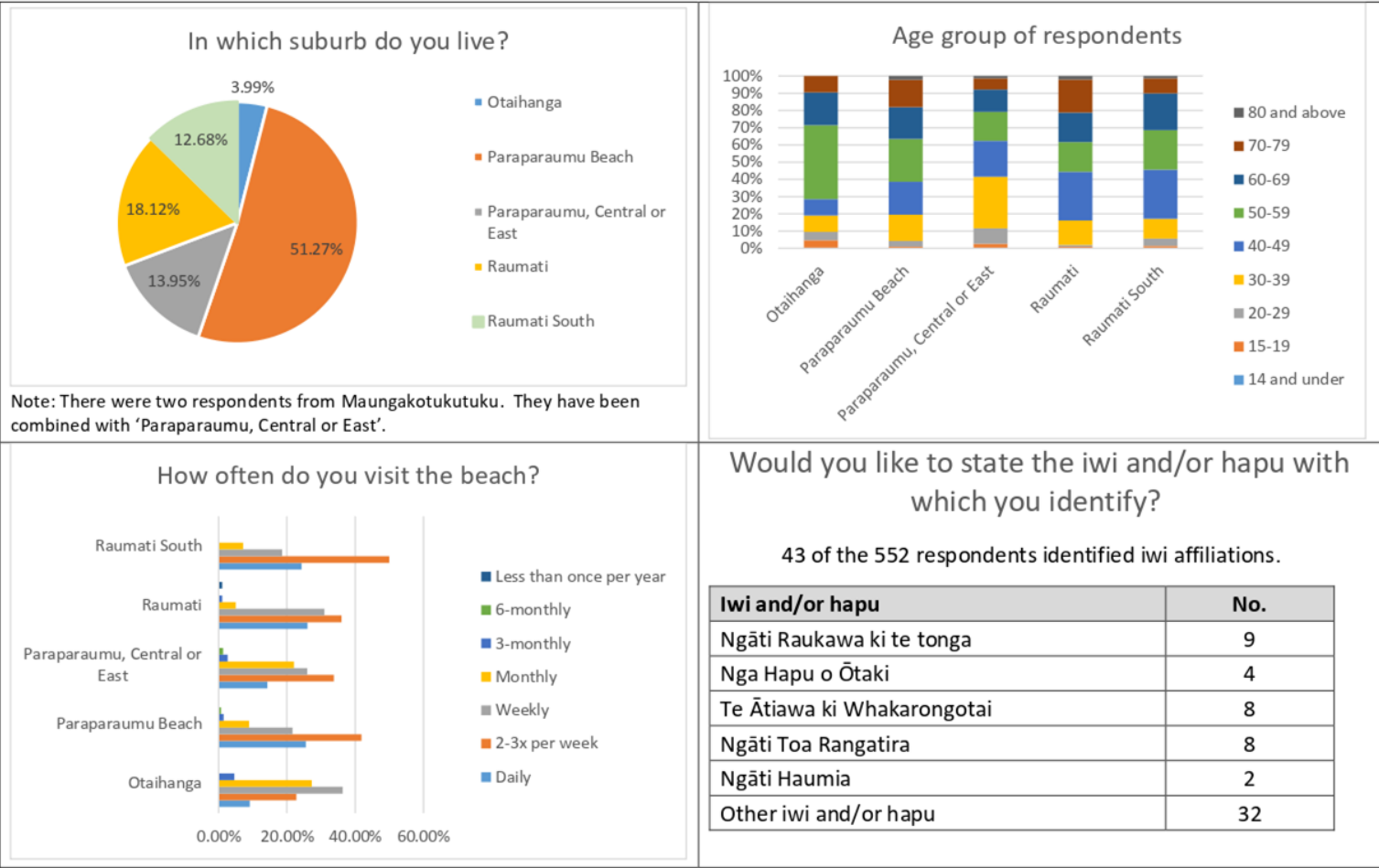
<b>Part 1: Information about respondents</b> .....	1
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<sup>1</sup> Note that question numbering does not necessarily match the numbers in the hard copy version of the survey.

<sup>2</sup> Note that in the survey questions:

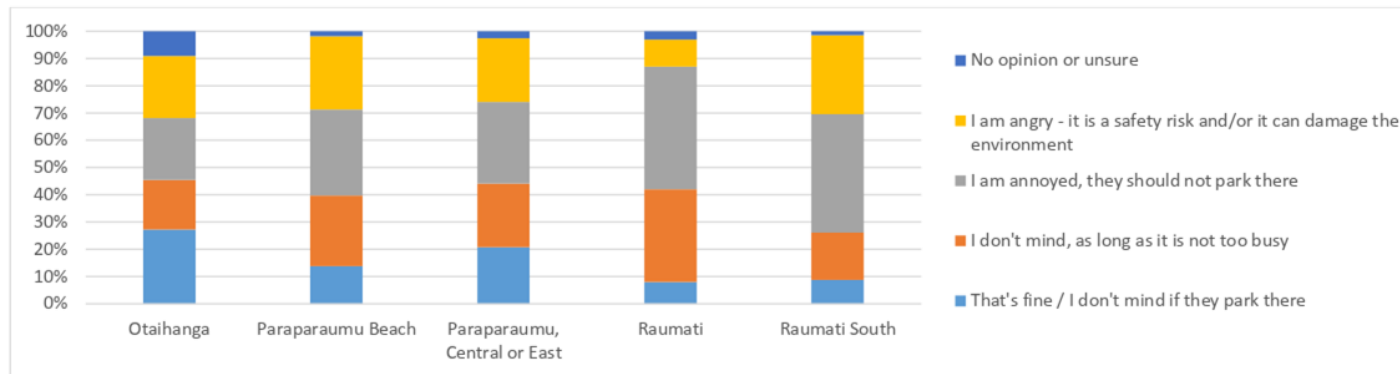
- GWRC = the Greater Wellington Regional Council's Proposed Natural Resources Plan
- DOC = the Department of Conservation's Waikanae Estuary Scientific Reserve Bylaw
- KCDC = the existing Kāpiti Coast District Council Beach Bylaw 2009, and
- the coastal marine area is on the seaward side of mean high water springs (i.e. the average of the high tides, and generally identified by the line of seaweed and driftwood on the beach).

Part 1: Information about respondents

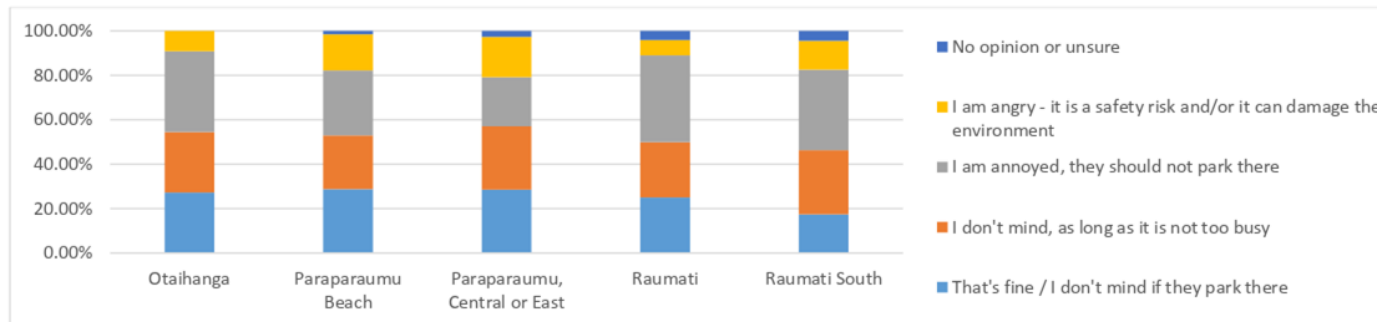


## Part 2: opinions on beach activities

- Someone has parked at a busy boat launch and retrieve site in the coastal marine area, even though they are not launching or retrieving a boat (which means this action is not permitted by GWRC). Which statement best describes how you feel about where they have parked? (n=550)



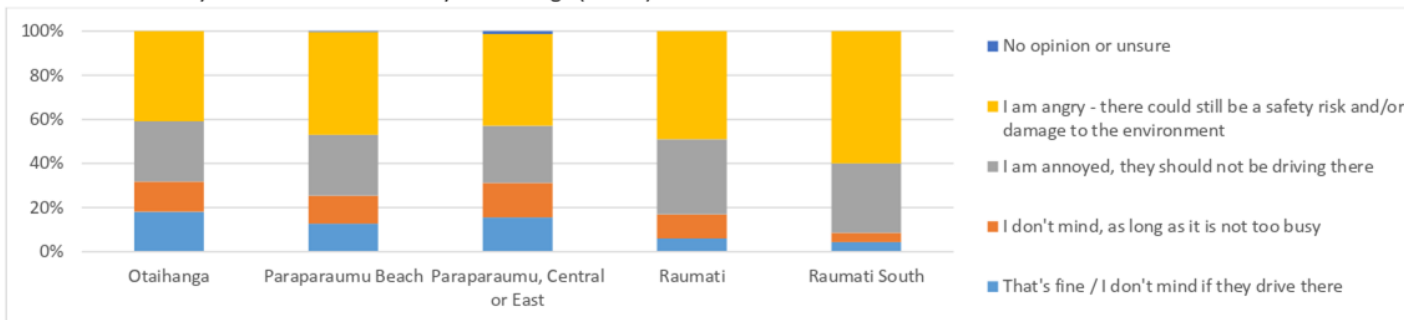
- Someone has parked on the beach with a disability permit in an area where cars are not permitted by either GWRC or DOC. Which statement best describes how you feel about where they have parked? (n=549)



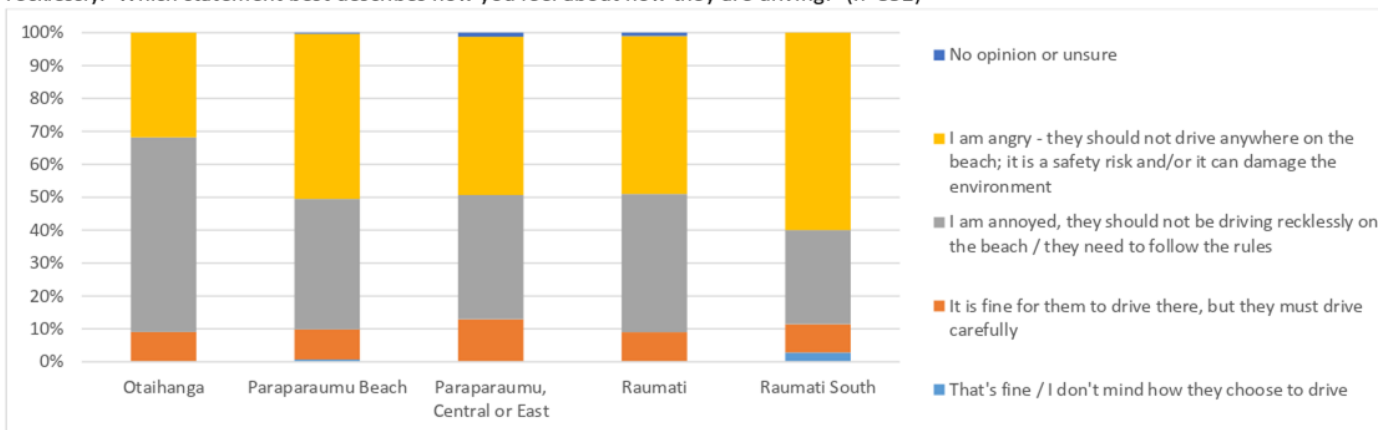
Note: The intention of this question was to gauge the community's views, as consideration is being given to providing Designated Disability Parking areas (and, in some areas, Council may need to apply for a resource consent from another agency to allow for this situation).



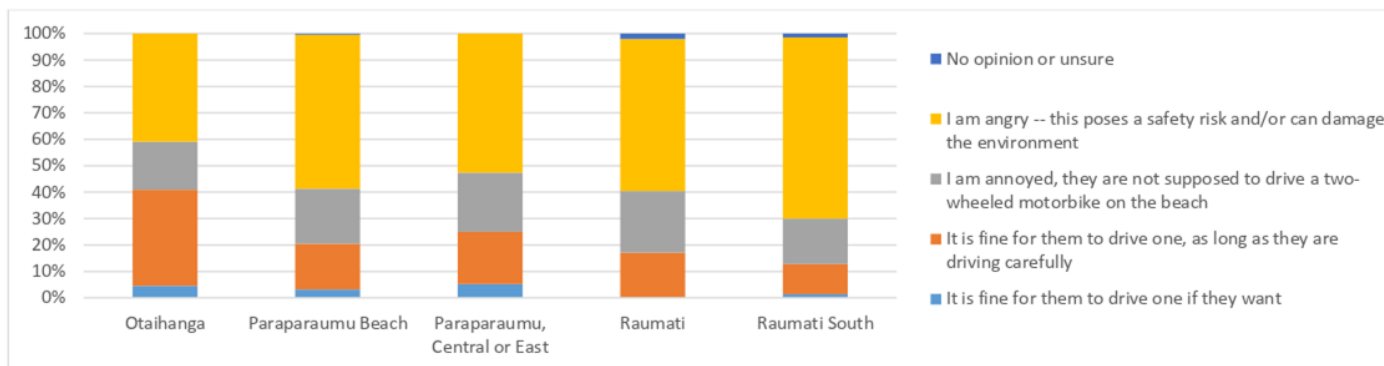
3. Someone is driving on the beach slowly and carefully, but in a section where driving is not permitted by either GWRC, DOC, or KCDC. Which statement best describes how you feel about where they are driving? (n=552)



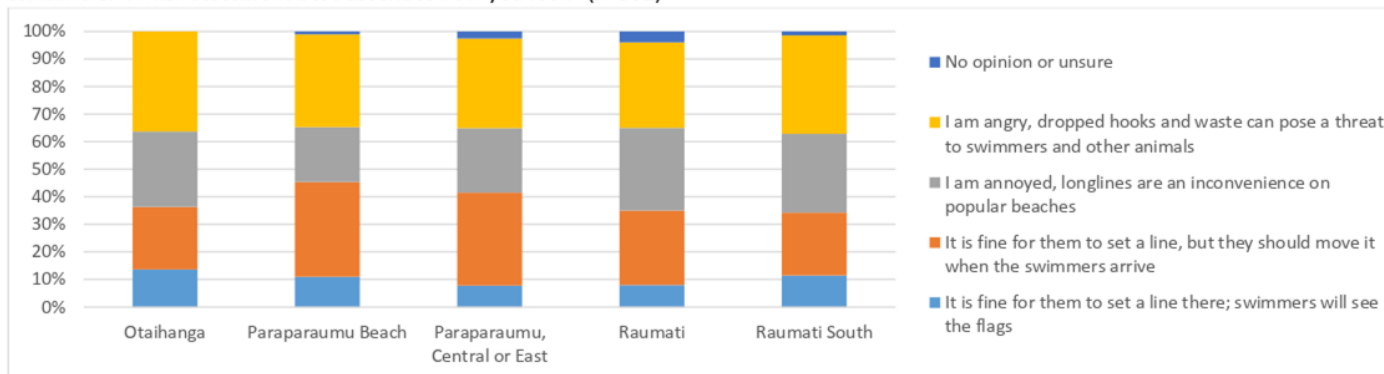
4. Someone is driving on the beach in a section where driving is allowed by KCDC (i.e., parts of Peka Peka, Te Horo, and Ōtaki), but they are driving recklessly. Which statement best describes how you feel about how they are driving? (n=552)



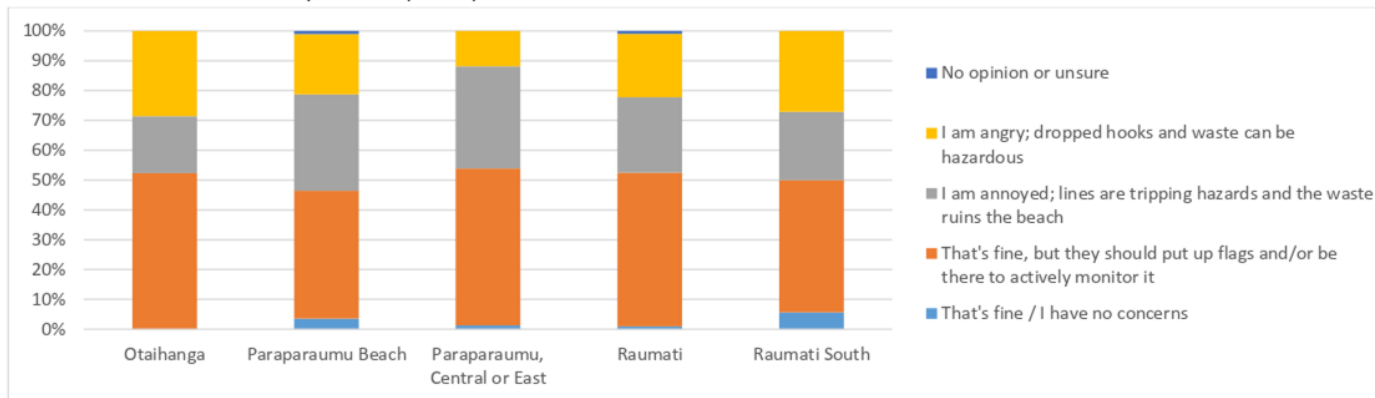
5. Someone is driving a two-wheeled (road or off-road) motorbike, even though these are not allowed on any Kāpiti beach by GWRC, DOC, or KCDC. Which statement best describes how you feel about this driving of a two-wheeled motorbike on the beach? (n=550)



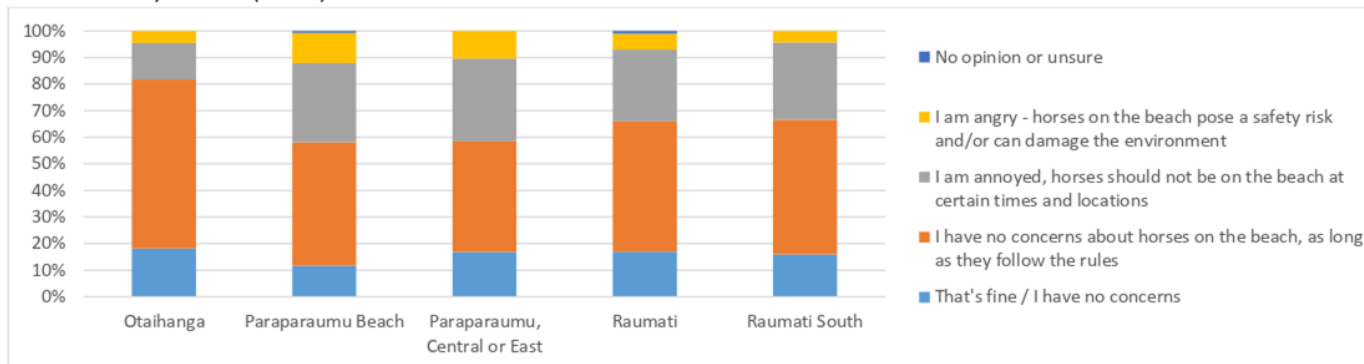
6. Someone has set a longline on the beach close to the sea with flags so that it can be seen, but they have set it in an area that is popular with swimmers. Which statement best describes how you feel? (n=551)



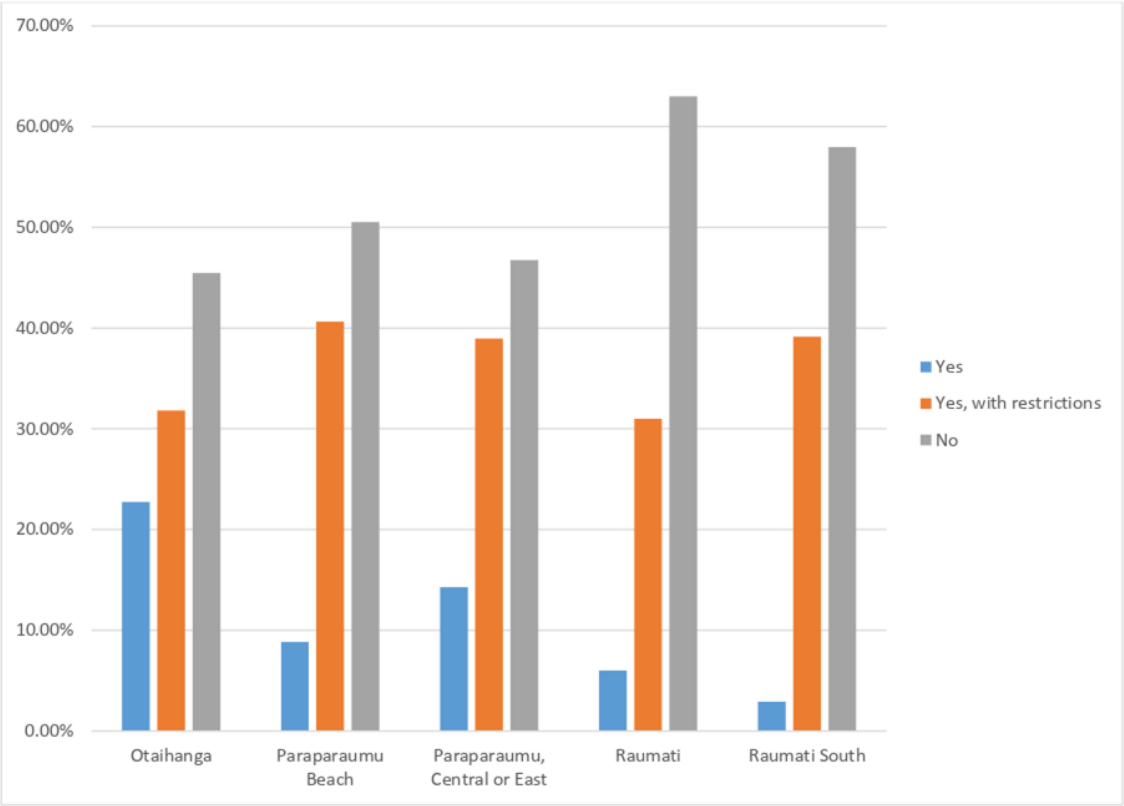
7. Someone has set a longline on the beach, starting back near the sand dunes without any flags, but in an area where there are few people. Which statement best describes how you feel? (n=548)



8. Someone is riding horses on the beach, in an area or within a timeframe that is not currently allowed by either DOC or KCDC. Which statement best describes how you feel? (n=550)



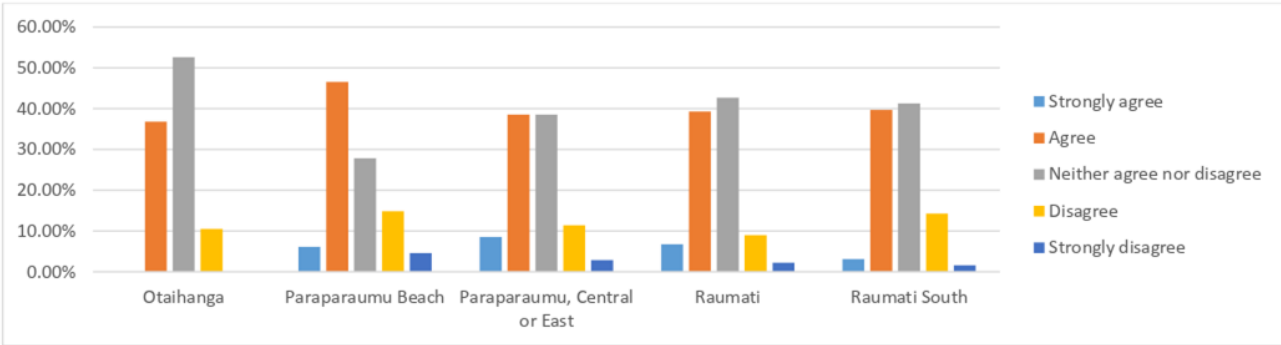
9. Do you support driving anywhere on the beach in the Kāpiti Coast District? (n=551)



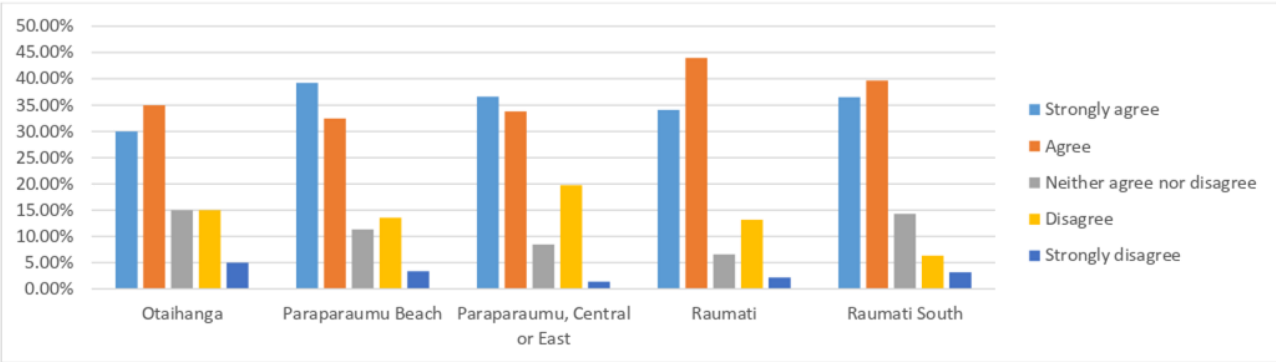
Part 3: opinions on beach bylaw rules

Authorised boat launch areas

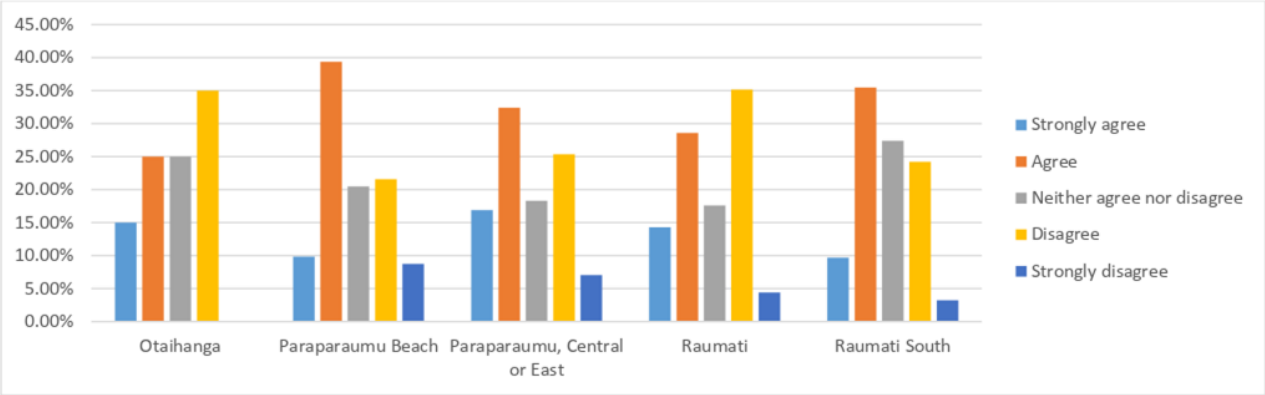
10. The rules and regulations around Authorised Boat Launching areas are easy to understand and the information is easy to find. (n=503)



11. People should not drive or park in any Authorised Boat Launching areas, unless they are launching or retrieving a boat. (n=510)



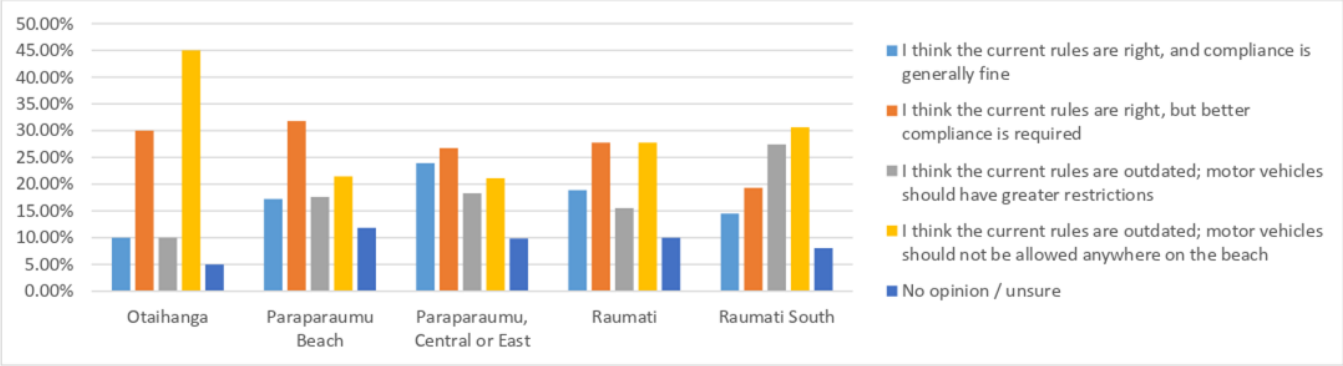
12. I think people should be allowed to park in any Authorised Boat Launching areas if they are displaying a disability permit. (n=508)



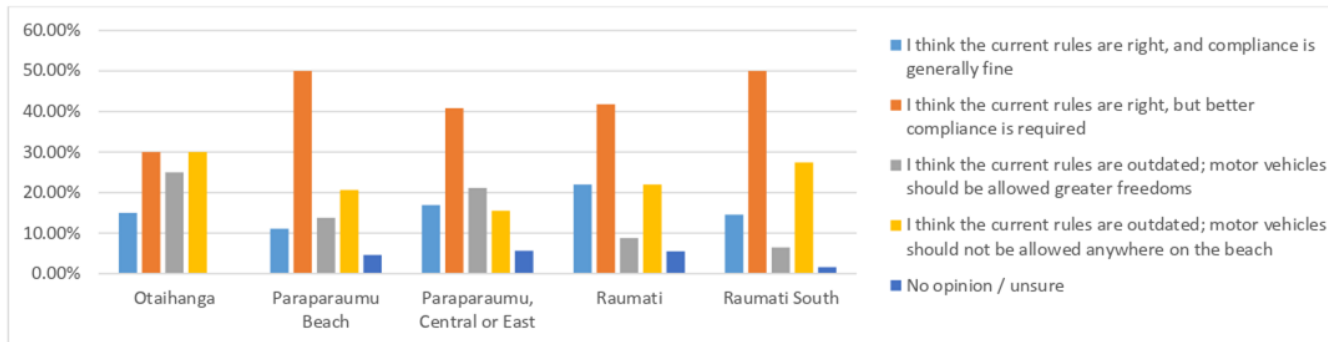
Note: The intention of this question was to gauge the community's views about the co-location of the two activities, as consideration is being given to providing Designated Disability Parking areas (within Authorised Boat Launching areas).

Vehicles on beaches

13. Which statement best describes your thoughts on the rules from Peka Peka to Ōtaki? (n=504)

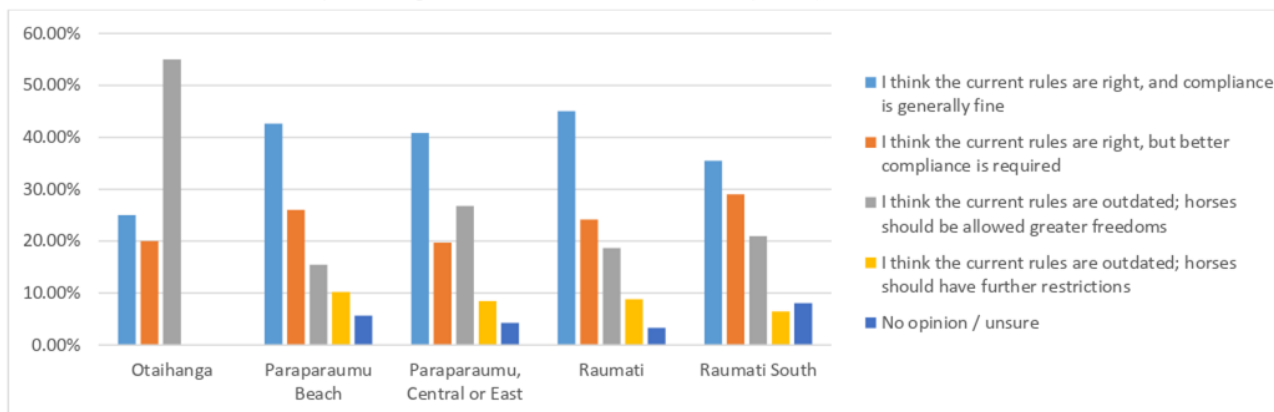


14. Which statement best describes your thoughts on these rules between Fisherman's Table Restaurant and Waikanae? (n=506)



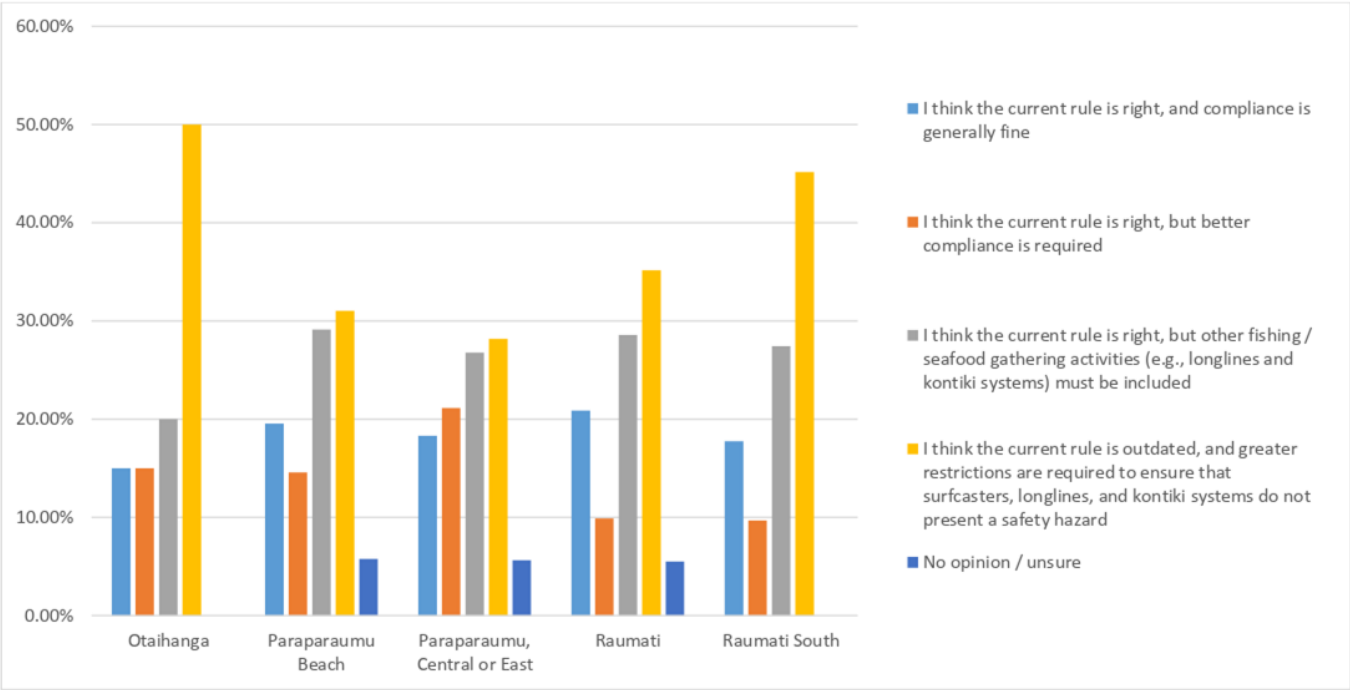
### Horses on the beach

15. Which statement best describes your thoughts on these rules about horses? (n=509)



Surfcasting, longlines and kontiki systems

16. Which statement best describes your thoughts on this rule about surfcasting? (n=505)





## Appendix 1: Survey data in tables

Imagine that ... someone has parked at a busy boat launch and retrieve site in the coastal marine area, even though they are not launching or retrieving a boat (which means this action is not permitted by GWRC). Which statement best describes how you feel about where they have parked?

	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
That's fine / I don't mind if they park there	6	39	16	8	6	75
I don't mind, as long as it is not too busy	4	73	18	34	12	141
I am annoyed, they should not park there	5	89	23	45	30	192
I am angry - it is a safety risk and/or it can damage the environment	5	76	18	10	20	129
No opinion or unsure	2	5	2	3	1	13
<b>Grand Total (for each geographic area)</b>	<b>22</b>	<b>282</b>	<b>77</b>	<b>100</b>	<b>69</b>	<b>550</b>

Someone has parked on the beach with a disability permit in an area where cars are not permitted by either GWRC or DOC. Which statement best describes how you feel about where they have parked?

	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
That's fine / I don't mind if they park there	6	81	22	25	12	146
I don't mind, as long as it is not too busy	6	68	22	25	20	141
I am annoyed, they should not park there	8	82	17	39	25	171
I am angry - it is a safety risk and/or it can damage the environment	2	46	14	7	9	78
No opinion or unsure	0	4	2	4	3	13
<b>Grand Total (for each geographic area)</b>	<b>22</b>	<b>281</b>	<b>77</b>	<b>100</b>	<b>69</b>	<b>549</b>

Someone is driving on the beach slowly and carefully, but in a section where driving is not permitted by either GWRC, DOC, or KCDC. Which statement best describes how you feel about where they are driving?

	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
That's fine / I don't mind if they drive there	4	36	12	6	3	61
I don't mind, as long as it is not too busy	3	36	12	11	3	65
I am annoyed, they should not be driving there	6	78	20	34	22	160
I am angry - there could still be a safety risk and/or damage to the environment	9	132	32	49	42	264
No opinion or unsure	0	1	1	0	0	2
<b>Grand Total (for each geographic area)</b>	<b>22</b>	<b>283</b>	<b>77</b>	<b>100</b>	<b>70</b>	<b>552</b>

Someone is driving on the beach in a section where driving is allowed by KCDC (as in parts of Peka Peka, Te Horo, and Ōtaki), but they are driving recklessly. Which statement best describes how you feel about how they are driving?

	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
That's fine / I don't mind how they choose to drive	0	2	0	0	2	4
It is fine for them to drive there, but they must drive carefully	2	26	10	9	6	53
I am annoyed, they should not be driving recklessly on the beach / they need to follow the rules	13	112	29	42	20	216
I am angry - they should not drive anywhere on the beach; it is a safety risk and/or it can damage the environment	7	142	37	48	42	276
No opinion or unsure	0	1	1	1	0	3
<b>Grand Total (for each geographic area)</b>	<b>22</b>	<b>283</b>	<b>77</b>	<b>100</b>	<b>70</b>	<b>552</b>

Someone is driving a two-wheeled (road or off-road) motorbike, even though these are not allowed on any Kāpiti beach by GWRC, DOC, or KCDC. Which statement best describes how you feel about this driving of a two-wheeled motorbike on the beach?

	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
It is fine for them to drive one if they want	1	9	4	0	1	15
It is fine for them to drive one, as long as they are driving carefully	8	49	15	17	8	97
I am annoyed, they are not supposed to drive a two-wheeled motorbike on the beach	4	59	17	23	12	115
I am angry -- this poses a safety risk and/or can damage the environment	9	165	40	57	48	319
No opinion or unsure	0	1	0	2	1	4
<b>Grand Total (for each geographic area)</b>	<b>22</b>	<b>283</b>	<b>76</b>	<b>99</b>	<b>70</b>	<b>550</b>

Someone has set a longline on the beach close to the sea with flags so that it can be seen, but they have set it in an area that is popular with swimmers. Which statement best describes how you feel?

	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
It is fine for them to set a line there; swimmers will see the flags	3	31	6	8	8	56
It is fine for them to set a line, but they should move it when the swimmers arrive	5	97	26	27	16	171
I am annoyed, longlines are an inconvenience on popular beaches	6	56	18	30	20	130
I am angry, dropped hooks and waste can pose a threat to swimmers and other animals	8	95	25	31	25	184
No opinion or unsure	0	3	2	4	1	10
<b>Grand Total (for each geographic area)</b>	<b>22</b>	<b>282</b>	<b>77</b>	<b>100</b>	<b>70</b>	<b>551</b>

Someone has set a longline on the beach, starting back near the sand dunes without any flags, but in an area where there are few people. Which statement best describes how you feel?						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
That's fine / I have no concerns	0	10	1	1	4	16
That's fine, but they should put up flags and/or be there to actively monitor it	11	121	40	51	31	254
I am annoyed; lines are tripping hazards and the waste ruins the beach	4	91	26	25	16	162
I am angry; dropped hooks and waste can be hazardous	6	57	9	21	19	112
No opinion or unsure	0	3	0	1	0	4
<b>Grand Total (for each geographic area)</b>	<b>21</b>	<b>282</b>	<b>76</b>	<b>99</b>	<b>70</b>	<b>548</b>

Someone is riding horses on the beach, in an area or within a timeframe that is not currently allowed by either DOC or KCDC. Which statement best describes how you feel?						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
That's fine / I have no concerns	4	33	13	17	11	78
I have no concerns about horses on the beach, as long as they follow the rules	14	131	32	49	35	261
I am annoyed, horses should not be on the beach at certain times and locations	3	84	24	27	20	158
I am angry - horses on the beach pose a safety risk and/or can damage the environment	1	32	8	6	3	50
No opinion or unsure	0	2	0	1	0	3
<b>Grand Total (for each geographic area)</b>	<b>22</b>	<b>282</b>	<b>77</b>	<b>100</b>	<b>69</b>	<b>55</b>

Do you support driving anywhere on the beach in the Kāpiti Coast District?						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
Yes	5	25	11	6	2	49
Yes, with restrictions	7	115	30	31	27	210
No	10	143	36	63	40	292
<b>Grand Total (for each geographic area)</b>	<b>22</b>	<b>283</b>	<b>77</b>	<b>100</b>	<b>69</b>	<b>551</b>

The rules and regulations around Authorised Boat Launching areas are easy to understand and the information is easy to find.						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
Strongly agree	0	16	6	6	2	30
Agree	7	122	27	35	25	216
Neither agree nor disagree	10	73	27	38	26	174
Disagree	2	39	8	8	9	66
Strongly disagree	0	12	2	2	1	17
<b>Grand Total (for each geographic area)</b>	<b>19</b>	<b>262</b>	<b>70</b>	<b>89</b>	<b>63</b>	<b>503</b>

People should not drive or park in any Authorised Boat Launching areas, unless they are launching or retrieving a boat.						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
Strongly agree	6	104	26	31	23	190
Agree	7	86	24	40	25	182
Neither agree nor disagree	3	30	6	6	9	54
Disagree	3	36	14	12	4	69
Strongly disagree	1	9	1	2	2	15
<b>Grand Total (for each geographic area)</b>	<b>20</b>	<b>265</b>	<b>71</b>	<b>91</b>	<b>63</b>	<b>510</b>

I think people should be allowed to park in any Authorised Boat Launching areas if they are displaying a disability permit.						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
Strongly agree	3	26	12	13	6	60
Agree	5	104	23	26	22	180
Neither agree nor disagree	5	54	13	16	17	105
Disagree	7	57	18	32	15	129
Strongly disagree	0	23	5	4	2	34
<b>Grand Total (for each geographic area)</b>	<b>20</b>	<b>264</b>	<b>71</b>	<b>91</b>	<b>62</b>	<b>508</b>

Which statement best describes your thoughts on the rules from Peka Peka to Ōtaki?						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
I think the current rules are right, and compliance is generally fine	2	45	17	17	9	90
I think the current rules are right, but better compliance is required	6	83	19	25	12	145
I think the current rules are outdated; motor vehicles should have greater restrictions	2	46	13	14	17	92
I think the current rules are outdated; motor vehicles should not be allowed anywhere on the beach	9	56	15	25	19	124
No opinion / unsure	1	31	7	9	5	53
<b>Grand Total (for each geographic area)</b>	<b>20</b>	<b>261</b>	<b>71</b>	<b>90</b>	<b>62</b>	<b>504</b>

Which statement best describes your thoughts on these rules between Fisherman's Table Restaurant and Waikanae?						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
I think the current rules are right, and compliance is generally fine	3	29	12	20	9	73
I think the current rules are right, but better compliance is required	6	131	29	38	31	235
I think the current rules are outdated; motor vehicles should be allowed greater freedoms	5	36	15	8	4	68
I think the current rules are outdated; motor vehicles should not be allowed anywhere on the beach	6	54	11	20	17	108
No opinion / unsure	0	12	4	5	1	22
<b>Grand Total (for each geographic area)</b>	<b>20</b>	<b>262</b>	<b>71</b>	<b>91</b>	<b>62</b>	<b>506</b>

Which statement best describes your thoughts on these rules about horses?						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
I think the current rules are right, and compliance is generally fine	5	113	29	41	22	210
I think the current rules are right, but better compliance is required	4	69	14	22	18	127
I think the current rules are outdated; horses should be allowed greater freedoms	11	41	19	17	13	101
I think the current rules are outdated; horses should have further restrictions	0	27	6	8	4	45
No opinion / unsure	0	15	3	3	5	26
<b>Grand Total (for each geographic area)</b>	<b>20</b>	<b>265</b>	<b>71</b>	<b>91</b>	<b>62</b>	<b>509</b>

Which statement best describes your thoughts on this rule about surfcasting?						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
I think the current rule is right, and compliance is generally fine	3	51	13	19	11	97
I think the current rule is right, but better compliance is required	3	38	15	9	6	71
I think the current rule is right, but other fishing / seafood gathering activities (e.g., longlines and kontiki systems) must be included	4	76	19	26	17	142
I think the current rule is outdated, and greater restrictions are required to ensure that surfcasters, longlines, and kontiki systems do not present a safety hazard	10	81	20	32	28	171
No opinion / unsure	0	15	4	5	0	24
<b>Grand Total (for each geographic area)</b>	<b>20</b>	<b>261</b>	<b>71</b>	<b>91</b>	<b>62</b>	<b>505</b>

Do you currently drive or park on the beach?						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
No	13	195	52	80	55	395
Yes	7	70	19	11	7	114
<b>Grand Total (for each geographic area)</b>	<b>20</b>	<b>265</b>	<b>71</b>	<b>91</b>	<b>62</b>	<b>509</b>



Which statement best describes your thoughts on this rule about surfcasting?						
	Otaihanga	Paraparaumu Beach	Paraparaumu	Raumati	Raumati South	Grand Total
14 and under	0	1	0	0	0	1
15-19	1	2	2	1	1	7
20-29	1	9	7	1	3	21
30-39	2	43	23	14	8	90
40-49	2	54	16	28	20	120
50-59	9	70	13	17	16	125
60-69	4	52	10	17	15	98
70-79	2	45	5	19	6	77
80 and above	0	6	1	2	1	10
<b>Grand Total (for each geographic area)</b>	<b>21</b>	<b>282</b>	<b>77</b>	<b>99</b>	<b>70</b>	<b>549</b>

### 6.3 CONSIDERATION OF APPLICATIONS FOR FUNDING

**Author:** Jayne Nock, Executive Secretary to Group Manager Corporate Services

**Authoriser:** Mark de Haast, Group Manager Corporate Services

#### PURPOSE OF REPORT

- 1 To consider ten eligible applications to the Community Grants Discretionary Fund and to note Accountability Reports.

#### DELEGATION

- 2 The Paraparaumu/Raumati Community Board has delegated authority as at section D of the Governance Structure approved by Council on 26 October 2016:  
*Approving criteria for and disbursement of, community-based grant funds as approved through the LTP or annual Plan.*

#### BACKGROUND

- 3 This is the second Paraparaumu/Raumati Community Board meeting of the 2020/2021 financial year.
- 4 Grants are allocated in accordance with established criteria, attached as Appendix 1 to this report.
- 5 Accountability reports on grants allocated are required two months after the event or activity for which the grant was awarded takes place.

#### DISCUSSION

- 6 Ten applications for funding have been received and are attached as Appendix 2 to this report. Funding applications are summarised below.

##### Art Studio Kapiti

- 7 Rebecca Bond, on behalf of the Art Studio Kapiti, has applied for a grant of \$500 to cover costs to purchase cards to display the artists of art studios artworks on the Kāpiti Arts Trail and advertising.

##### Combined Lions Club of Kapiti

- 8 Carol Hudson and Carol Thornton, on behalf of the Combined Lions Club of Kapiti, has applied for a grant of \$400 to purchase leaflets advertising their Annual Foodbank Appeal.

##### Kapiti Bears Rugby League Club Inc.

- 9 John Smith, on behalf of the Kapiti Bears Rugby League Club Inc., has applied for a grant of \$3,000 to assist in funding to help replace all their toilets and new floor coverings in their Club at Matthews Park, Menin Road, Raumati.

##### Kapiti Community Patrol

- 10 Annette Buckley, on behalf of Kapiti Community Patrol, has applied for a grant of \$2,500 to help with their shortfall of income, due to the loss of their annual sponsorship and lack of fundraising opportunities during the COVID-19 lockdown.

##### Kidz Need Dadz

- 11 Stuart Miller, on behalf of Kidz Need Dadz, has applied for a grant of \$500 plus GST requesting help with their Annual Father's Day Community event at Kapiti 10 Pin Bowling on 6 September.

##### L'Arche Kapiti

- 12 Candice Wilson, on behalf of L'Arche Kapiti, has applied for a grant of \$500 plus GST requesting help to purchase fruit trees and shrubs to enhance the environment for our community and to be more self-sustainable.

Matai Community Garden Group

- 13 Yvonne van Leeuwen, on behalf of the Matai Community Garden Group, has applied for a grant of \$500 to assist with costs to purchase an irrigation system (with a timer) for their community garden.

Mulled Wine Concerts in Kapiti

- 14 Mary Gow, on behalf of Mulled Wine Concerts Kapiti, has applied for a grant of \$500 to assist with the costs of two Concerts. The Concerts will need to be considered retrospectively as, at the time of the meeting, will have already taken place on the 26 July and 16 August respectively).

Peyton Morete

- 15 Peyton Morete has applied for a grant of \$500 requesting help with costs associated with attending the National Shakespeare Schools Production in October 2020 in Dunedin.

Summer Breeze Art Gallery

- 16 Bayley LuuTomes, on behalf of the Summer Breeze Art Gallery, has applied for a grant of \$500 to help with costs associated with setting up the Gallery inside the Green and White Ribbon Café, Raumati Beach.
- 17 The total grant applications under consideration in this report is \$9,400.

**CONSIDERATIONS****Policy considerations**

- 18 Grants are allocated in accordance with established criteria, attached as Appendix 1 to this report:

**Financial considerations**

- 19 An amount of \$22,777 is allocated in the 2020/21 budget for the Paraparaumu/Raumati Community Board. Due to COVID-19, unallocated 2019/20 discretionary grants of \$8,353 was approved by the Council to be carried forward to 2020/21. This is summarised in the table below:

<b>2020/2021 budget allocation</b>	<b>\$22,777</b>
Unallocated 2019/20 discretionary grants carried forward (Council approved)	\$8,353
<b>Balance unallocated to date</b>	<b>\$31,130</b>
Total of new grant applications under consideration in this report	(\$9,400)
<b>Potential remaining balance if all grants approved</b>	<b>\$21,730</b>

- 20 Grants made in the 2019/2020 financial year are as follows:

Date	Recipient	Amount	Purpose of Grant	Report Back
13/08/19	Kapiti Chess Club	\$500	Purchase of three chess sets	Received 23/9/19
13/08/19	Kapiti Powerlifting Club	\$500	Three members to travel to Calgary, Canada to represent NZ at the World Powerlifting Championship in October 2019.	Received 2/12/19
13/08/19	Kidz Need Dadz Wellington	\$500	Annual Fathers' Day Community Event on 1 September 2019	Received 19/6/20

Date	Recipient	Amount	Purpose of Grant	Report Back
13/08/19	Mulled Wine Concerts	\$500	Delivery and removal of a piano and advertising on Beach FM	Received 16/08/19
17/09/19	Fernando Figueroa	\$500	Local rent expenses to hold a Kapiti Coast Latin America and Spanish Film Festival 4-6 Oct).	Received 1/7/20
17/09/19	Combined Lions Club of Kapiti	\$400	Purchasing leaflets for the foodbanks at Kāpiti and Ōtaki.	Received 3/1/20
17/09/19	Kapiti Basketball Association	\$500	Travel for two U13 teams to take part in the Basketball NZ Regional Tournament in new Plymouth during 9-12 October 2019.	Received 17/12/19
17/09/19	Raumati South Residents' Association	\$500	Costs towards the continuation of the ant baiting programme.	Received 3/6/20
10/12/19	Kapiti Songsters Choir	\$500	To assist with hall hire for their rehearsal sessions and community concerts.	Received 10/08/20
18/02/20	George Hosking	\$500	Training costs in Jazz Ballet.	Received 30/07/20
18/02/20	Widowed, Separated and Divorced Support Group Kapiti Inc.	\$500	Hall hire for 10-week course in Paraparaumu Library.	Report due June 2020
31/3/20	FoodBank (re-purposed C-19)	\$500	Donation to Food Bank during COVID-19.	Received 10/08/20
9/04/20	Age Concern Kapiti (re-purposed C-19)	\$431.11	To purchase 'flying banner' to help promote Age Concern Kapiti.	Report due June 2020
9/04/20	Age Concern Kapiti (re-purposed C-19)	\$200	To help cover increased telephone charges incurred during the COVID-19 lockdown.	Report due June 2020
9/04/20	Kapiti Primary School (re-purposed C-19)	\$500	To assist in funding, the 'Navigator' position for Term 1 of 2020 as part of the Whānua Wellbeing Hub.	Received 21/7/20
17/4/20	Kapiti Citizens Service Trust (re-purposed C-19)	\$500	To assist in covering loss of income as a result of the COVID-19 virus.	Report due June 2020
17/4/20	The Shed Project (re-purposed C-19)	\$3,000	To purchase a trailer and cage to transport firewood to those in the community who are facing hardship (COVID-19).	Report due June 2020
23/4/20	Birthingright Kapiti (re-purposed C-19)	\$924	To assist with purchasing blankets and clothes for their clients.	Received 21/7/20
23/4/20	Kapiti Women's Centre (re-purposed C-19)	\$500	To purchase a freezer which would enable them to freeze donated goods.	Received 21/7/20

Date	Recipient	Amount	Purpose of Grant	Report Back
15/5/20	Kapiti Citizens Services Trust (re-purposed C-19)	\$1,190	To assist with covering 2-months; standing charges for the Ocean Road Hall as a result of the Covid-19 virus.	Report due July 2020
23/6/20	Raumati South School	\$500	To assist year 7 and 8 students to participate in outdoor activities.	Report due August 2020
23/6/20	The Kapiti Kiwi Networks	\$500	To purchase a BBQ to enable the Group to raise money using their combined skills and to donate back to others who are less fortunate.	Report due August 2020
23/6/20	Donald Roberts	\$279	To purchase a mobile phone to enable him to communicate with others.	Report due August 2020
	<b>TOTAL GRANTS</b>	<b>\$14,424</b>		

- 21 Grants approved during 2018/19 are detailed as Appendix 3 to this report.
- 22 Completed Accountability Reports received are attached as Appendix 4 to this report.





### Significance policy

- 23 This matter has a low level of significance under the Council's Significance and Engagement Policy.

**RECOMMENDATIONS**

- 24 That the Paraparaumu/Raumati Community Board approves a grant of \$..... to the Art Studio Kapiti to cover costs to purchase cards to display the artists of art studios artworks on the Kāpiti Arts Trail and advertising.
- 25 That the Paraparaumu/Raumati Community Board approves a grant of \$..... to the Combined Lions Clubs of Kapiti to purchase leaflets advertising their Annual Foodbank Appeal.
- 26 That the Paraparaumu/Raumati Community Board approves a grant of \$..... to the Kapiti Bears Rugby League Club Inc. to assist in funding to help replace all their toilets and new floor coverings in their Club at Matthews Park, Menin Road, Raumati.
- 27 That the Paraparaumu/Raumati Community Board approves a grant of \$..... to Kapiti Community Patrol to help with their shortfall of income, due to the loss of their annual sponsorship and lack of fundraising opportunities during the COVID-19 lockdown.
- 28 That the Paraparaumu/Raumati Community Board approves a grant of \$..... plus GST to Kidz Need Dadz to help with their Annual Father's Day Community Event at Kapiti 10 Pin Bowling on 6 September 2020.
- 29 That the Paraparaumu/Raumati Community Board approves a grant of \$..... plus GST to L'Arche Kapiti (L'Arche NZ Inc) to buy fruit trees and shrubs to enhance the environment for our community and to be more self-sustainable.
- 30 That the Paraparaumu/Raumati Community Board approves a grant of \$..... to the Matai Community Garden Group to assist with costs to purchase a Timered Irrigation system for their community garden.
- 31 That the Paraparaumu/Raumati Community Board approves a grant of \$..... to Mulled Wine Concerts in Kapiti to assist with costs of two concerts on Sunday, 26 July and Sunday 16 August 2020.
- 32 That the Paraparaumu/Raumati Community Board approves a grant of \$ to Peyton Morete to help with costs associated with attending the National Shakespeare Schools Production in October 2020 in Dunedin.
- 33 That the Paraparaumu/Raumati Community Board approves a grant of \$..... to the Summer Breeze Art Gallery to help with costs associated with setting up the Gallery inside the Green and White Ribbon Café, Raumati Beach.

**APPENDICES**

1. Criteria for Community Grants (under separate cover) 
2. Community Grants Applications (under separate cover) 
3. List of Grants for the 2018-19 Year (under separate cover) 
4. Accountability Reports (under separate cover) 

#### 6.4 PARAPARAUMU CIVIC PRECINCT (COMMUNITY CENTRE FOODBANK AREA) PARKING RESTRICTION CHANGES

**Author:** Glen O'Connor, Access and Transport Manager

**Authoriser:** Sean Mallon, Group Manager Infrastructure Services

#### PURPOSE OF REPORT

- 1 To obtain approval from the Community Board to alter parking restrictions in the Civic Precinct near the Community Centre to allow for short term Foodbank parking.

#### DELEGATION

- 2 Section D of the Governance Structure and Delegations 2016-2019 Triennium provides the Community Board with the:

*“Authority to approve or reject officer recommendations relating to traffic control and signage matters for existing local roads, except those matters that involve significant safety issues.”*

#### BACKGROUND

- 3 The Foodbank have recently relocated to the Community Centre, Iver Trask Way, Paraparaumu. They have requested that Council consider altering car parking spaces, in the Community Centre car park, to accommodate short term parking spaces for visitors to the Foodbank. The Foodbank is occupying the space formerly occupied by the “Well-Able” disability information organisation.
- 4 Currently parking in the Community Centre car park is controlled with a mix of time restrictions and permit holder only parking as follows:
  - 4.1 13 spaces are allocated to Business Permit holder parking (Mon-Fri, 7:30am to 5pm)
  - 4.2 19 spaces (including two disabled parking spaces) are restricted to 240 minutes (4-hour) parking (Mon-Fri, 7:30am to 5pm).
- 5 The permit holder spaces are for use by users of the Community Centre.
- 6 Currently the four-hour parking spaces, close to the Community Centre, are heavily used during weekdays and the likelihood of Foodbank visitors being able to park in these spaces are limited. The Foodbank is open between 10am and 12pm Monday to Friday.

#### ISSUES AND OPTIONS

##### Issues

- 7 Parking around the civic area is well used throughout the weekday and there are limited numbers of available parking spaces close to the Foodbank, during the Foodbank opening hours.
- 8 The four hour spaces near to the Foodbank are in use throughout the day, and are typically fully utilised when the foodbank is open.
- 9 Conversely the business permit holder spaces have vacant spaces on most days.
- 10 Visitors to the Foodbank have limited options to park to collect food close to the Community Centre, or to load or unload vehicles, and may have to park in less convenient areas.
- 11 The current situation means there could be a long walk for people carrying bulky goods to and from their vehicle, which may not be possible for less able customers.
- 12 The default period for any time limit sign incorporating the letter “P” is between 8 am and 6 pm every day except public holidays, but in this case Officers will specify that the 10-minute restriction only applies Monday to Friday. To avoid confusion Officers would not recommend

applying a time period to the parking signs (e.g. 10am to 12pm), as this may lead to long term or overstay parking in these spaces.

- 13 The 10-minute parking spaces will not be for exclusive use of the Foodbank and will be available for use by anyone.

#### Option 1

- 14 Retain the status quo.
- 15 This is the lowest-cost and simplest option. However, as Officers have received a reasonable request to alter parking in this area, and the ability to park close to the Community Centre is limited, Officers **do not prefer** this option.

#### Option 2

- 16 Introduce shorter term parking directly outside the Foodbank by converting two disabled parking spaces into three 10-minute parking spaces. These spaces would be very close to the Foodbank entrance. The remainder of the parking area will stay as existing.
- 17 There are a total of eight disabled parking spaces around the Community Centre, and all have a parking restrictions of four hours. Recent site inspections have shown that these two disabled spaces are well used during the weekday, and it may not be appropriate to convert these spaces.
- 18 This suggested layout is shown on the plan **attached** at Appendix 2 of this report.
- 19 Officers **do not prefer** this option on the basis that the spaces are well used and serve the other facilities. They also offer space close the Foodbank for disabled visitors which would be more convenient than other spaces located further away from the Foodbank entrance.

#### Option 3

- 20 Introduce shorter term parking directly opposite the Foodbank by converting two of the four-hour parking spaces to 10-minute parking spaces. These spaces would be reasonably close to the Foodbank entrance. The remainder of the parking area will stay as existing.
- 21 There are a total of 17 four-hour parking spaces in this area (excluding the two disabled spaces near the Foodbank entrance). Converting two of these spaces to 10-minute parking spaces would result in a remaining 15 parking spaces with a four-hour restriction.
- 22 This suggested layout is shown on the plan **attached** at Appendix 3 of this report.
- 23 Officers **do not prefer** this option as it will remove well used, longer term parking from the Civic Precinct, which would put pressure on other parking areas. This may result in reduced availability for visitors to the Library and Council offices to park in locations. It may also result in more cars circulating in the car park areas looking for a space to park which may cause delay and frustration to other users of this area.

#### Option 4

- 24 Introduce shorter term parking directly outside the Foodbank by converting two of the business permit holder only parking spaces into 10-minute parking spaces. These spaces would be close to the Foodbank entrance. The remainder of the parking area will stay as existing.
- 25 There are a total of 13 business permit holder parking spaces in this area. Converting two of these spaces to 10-minute parking spaces would result in 11 parking spaces for business permit holder to remain.
- 26 The suggested layout is shown on the plan **attached** at Appendix 4 of this report.
- 27 The loss of two business permit holder spaces is acceptable due to the limited use of the business permit holders' spaces, the daily occupiers of these spaces are primarily the Foodbank and Volunteer Kapiti workers, which total seven people.



- 28 The number of business holder permits issued for the Community Centre totals 15 at present, these are issued to the seven staff with the remaining eight passes lent to people attending all day meetings at the centre on a day by day basis.
- 29 Officers **prefer this option** as it does not impact on existing longer term public parking spaces and it is located close to the main entrance to the Foodbank. It also does not reduce the number of disabled parking spaces. The loss of two spaces results in 11 business permit holder spaces remaining which is acceptable in terms of parking capacity.

## CONSIDERATIONS

### Policy considerations

- 30 There are no policy implications in relation to the recommendations.
- 31 Council's Traffic Bylaw is to be reviewed over the next year, with these minor parking changes being carried out under the current Bylaw. Wider parking changes may be considered as part of the Bylaw review.

### Legal considerations

- 32 There are no legal considerations other than ensuring any new signs and/or road-markings are installed in accordance with New Zealand Transport Agency Guidelines and New Zealand Traffic Regulations. Further, any parking changes have to be completed using the appropriate resolution process under Council's Traffic Bylaw 2010.

### Financial considerations

- 33 The cost of new signs and any line marking can be accommodated in the current budgets.

## SIGNIFICANCE AND ENGAGEMENT

### Significance policy

- 34 This matter has a low level of significance under Council's Significance and Engagement Policy.

### Consultation already undertaken

- 35 The Foodbank and Council staff responsible for the management and operation of the Community Centre have been consulted and have requested that this matter is considered by the Community Board.

### Engagement planning

- 36 An engagement plan is not needed to implement this decision.

### Publicity

- 37 A targeted media release will be developed advising of these changes.

## RECOMMENDATIONS

- 38 That the Paraparaumu Raumati Community Board introduce a 10-minute parking restriction on the two spaces outside the Paraparaumu Community Centre, Iver Trask Way, Paraparaumu as shown on the plan in Appendix 4 of this report.

## APPENDICES

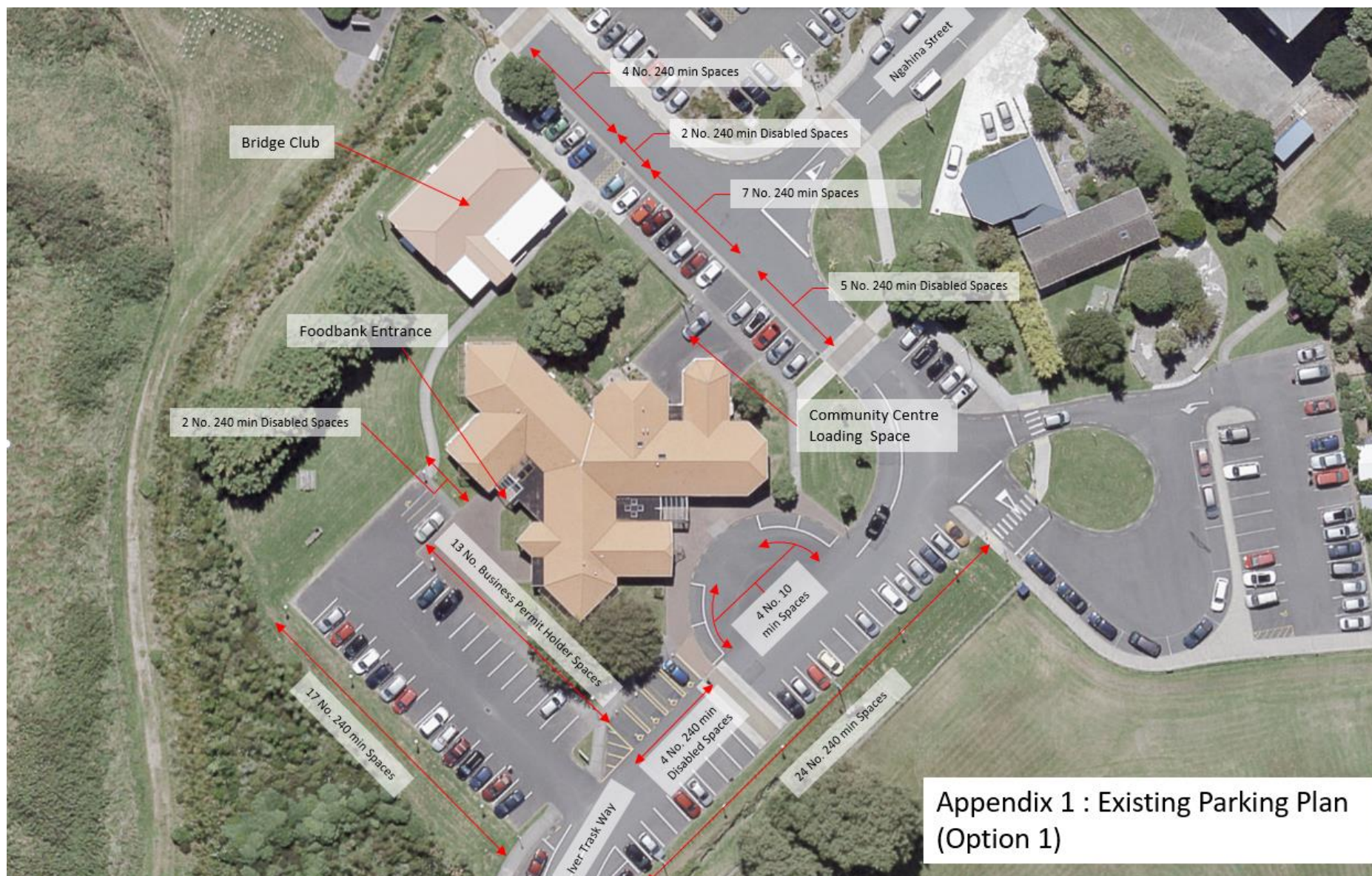
1. Attachments for Community Centre Foodbank Parking [!\[\]\(d2e7ab8be3672de80a97fbb6ee01d2c9\_img.jpg\) !\[\]\(cd070caa0ed0c3cd60a46f4dfd649344\_img.jpg\)](#)

Appendix 1: Existing parking plan

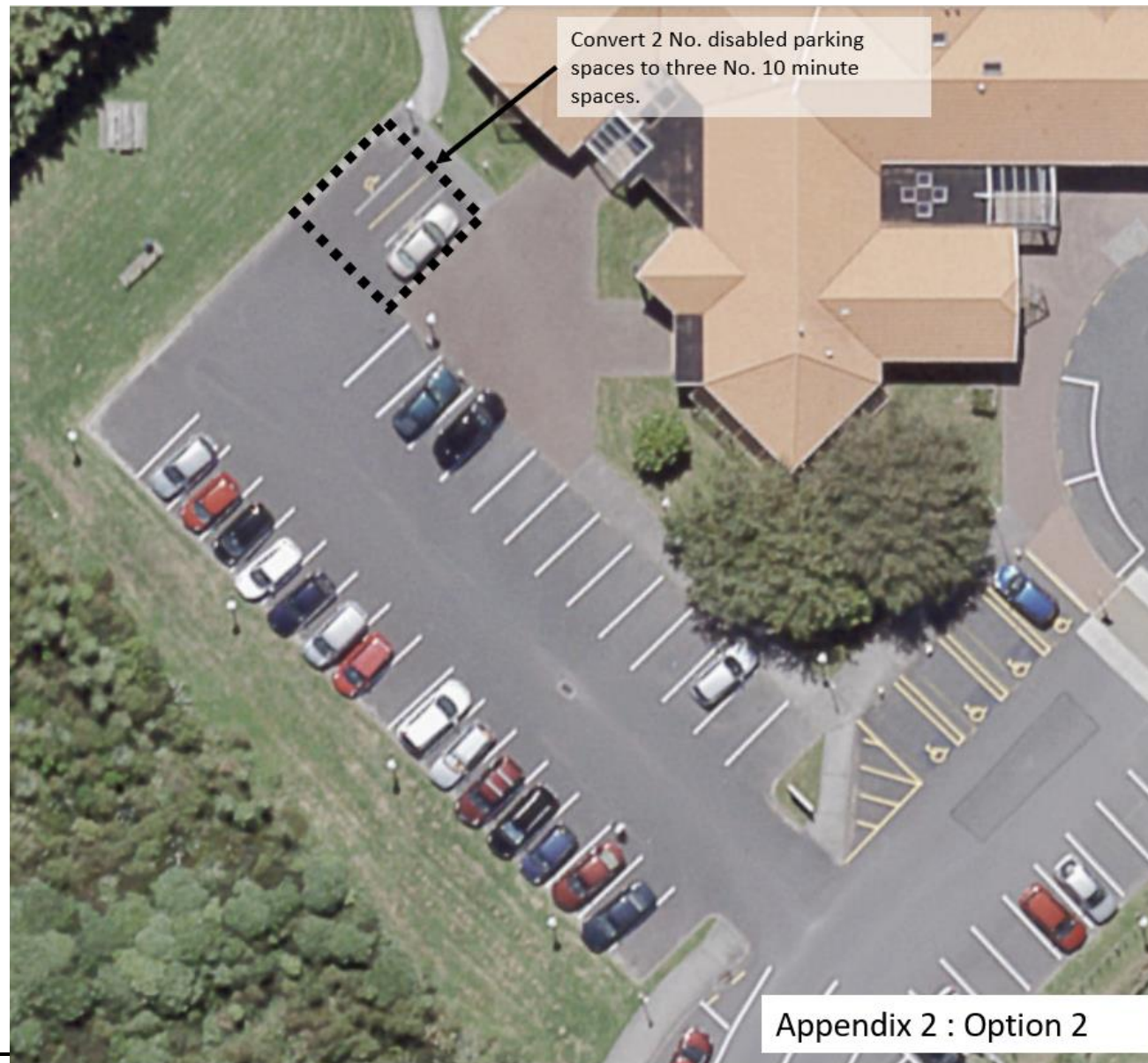
Appendix 2: Option 2 – Convert two disabled parking spaces to three 10-minute parking spaces

Appendix 3: Option 3 – Convert two 240-minute parking spaces into two 10-minute parking spaces

Appendix 4: Option 4 – Convert two business permit holder parking spaces into two 10-minute parking spaces













**7 UPDATES**

**7.1 VERBAL UPDATE ON RAUMATI ROAD SAFETY IMPROVEMENTS AND UPCOMING  
COMMUNITY FEEDBACK OPEN DAYS**

**8 CONFIRMATION OF MINUTES****8.1 CONFIRMATION OF MINUTES**


**Author:** Jayne Nock, Executive Secretary to Group Manager Corporate Services

**Authoriser:** Mark de Haast, Group Manager Corporate Services

**RECOMMENDATIONS**

That the minutes of the Paraparaumu/Raumati Community Board meeting on 23 June 2020 be accepted as a true and accurate record of the meeting.

**APPENDICES**

1. Draft Minutes of 23 June 2020 [!\[\]\(2a133ebb0337313d16cc068f19494aa2\_img.jpg\)](#) 



**MINUTES OF KAPITI COAST DISTRICT COUNCIL  
PARAPARAUMU-RAUMATI COMMUNITY BOARD MEETING  
HELD AT THE COUNCIL CHAMBERS 175 RIMU ROAD, PARAPARAUMU  
ON TUESDAY, 23 JUNE 2020 AT 7.00PM**

**PRESENT:** Ms Kathy Spiers (Chair), Mr Guy Burns (Deputy Chair), Mr Jonny Best,  
Ms Grace Lindsay, Cr Martin Halliday, Cr Bernie Randall

**IN ATTENDANCE:** Mark de Haast, Jayne Nock, Glen O'Connor, Tristine Tilly, Cr Elliott, Cr Cootes

**APOLOGIES:** Mayor Gurunathan

**LEAVE OF  
ABSENCE:** Nil

## **1 WELCOME**

The Chair welcomed everyone to the meeting.

## **2 APOLOGIES**

An apology was noted from Mayor Gurunathan.

## **3 DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

Kathy Spiers declared an interest in The Kapiti Kiwis Network.

## **4 PUBLIC SPEAKING TIME**

### The Kapiti Kiwis Network

Brian Sullivan and Trish, on behalf of The Kapiti Kiwis Network, spoke to their grant application.

### Alan Tristram

Mr Tristram spoke about his concerns with the traffic plans around Raumati Village and suggested the proposed pedestrian crossing from the car park to the Dairy (Raumati Road) be brought forward from Stage 2 into Stage 1.

### Martyn Wright

Mr Wright, a resident of Rosetta Road, spoke about his concerns to the traffic plans around Victor Road/Allen Road (paper was tabled).

### Mark Benton

Mr Benton spoke in favour of The Gateway Project and questioned why some were against the idea particularly as the proposed money would come from the Provincial Growth Fund. Mr Benton responded to the Board's questions.

### Christopher Ruthe

Mr Ruthe spoke on behalf of a number of elderly residents of the community about their concerns on the increases in rates if The Gateway Project goes ahead and the lack of consultation.

### Dale Evans

Mr Evans asked the Board questions on the writing of a letter in support of the Kapiti Island Gateway (paper was tabled)

### Pete Baird

Mr Baird spoke about his concerns on the positions of signage/speed limits around Rosetta Road/Victor Road and responded to the Board's questions.

Bede Laracy

Mr Laracy advised he was part of a newly developing Business Association that would be happy to communicate with the Board during the consultation process. Also suggested that if it was one way traffic into Margaret Road coming out of Victor Road, a roundabout at the intersection could manage and slow the traffic and give a place to turnaround.

Sharon Hunter

Ms Hunter, from the Paraparaumu Beach Business Association, spoke about The Gateway Project and the lack of communication from the Board on discussing this Project and questioned the process and lack of consultation with the community. Ms Hunter responded to the Board's questions.

Darryn Hunter

Mr Hunter questioned the process and lack of consultation around The Gateway Project.

Cr Jackie Elliott

Cr Elliott spoke in support of The Gateway Project and responded to the Board's questions.

Glen Cooper

Mr Cooper, Kapiti Island Eco, spoke about the statistics around The Gateway Project and felt there were lots of flaws in the business case and the figures were unrealistic. Mr Cooper responded to the Board's questions.

Josette Howell

Ms Howell, spoke on behalf of neighbours and businesses around the Raumati Village area on the lack of consultation, position of speed bumps, concerns on the location of speed limit signs (they should be erected on straight roads where drivers can see them) and expenditure.

## 5 MEMBERS' BUSINESS

(a) Public Speaking Time Responses

The Chair advised:

- Roading issues would be discussed in more detail during the report on this agenda.
- The Gateway Project issues would be responded to in writing.
- Mr Evans' questions would be responded to in writing.
- Mr Cooper's comments were noted.

A Notice of Motion was suggested but was declined by the Chair as the guideline set out in 3.10.1 of the Paraparaumu/Raumati Community Board Standing Orders was not adhered to.

(b) Leave of Absence

Nil

(c) Matters of an Urgent Nature (advise to be provided to the Chair prior to the commencement of the meeting)

The Chair advised the public that Mr Ruthe's request, for the Kapiti Gateway to be further discussed as a matter of an urgent nature, was declined on the grounds that the Kapiti Gateway had been fully considered and voted on by the Council.

(d) Community Board Members' Activities

The Chair's Member's Business report had been emailed to Board Members for their information.

*The meeting adjourned at 8.30pm and reconvened at 8.40pm.*

## 6 REPORTS

### 6.1 RAUMATI VILLAGE ROADING IMPROVEMENTS

Glen O'Connor, Access and Transport Manager spoke to the Report and responded to the Board's questions.

Mr O'Connor reiterated, as per the report, that these concept plans will be developed into more detailed plans based on engagement with the community and technical roading design expertise and:

- the consultation process would hopefully start in the next two months; and
- the suggestion of the raised pedestrian crossing being brought forward into stage 1 was a possibility and would be further discussed during the consultation process.

### SUSPENSION OF STANDING ORDERS

#### COMMITTEE RESOLUTION 2020/6

Moved: Cr Bernie Randall

Seconder: Mr Jonny Best

A motion was moved that the Paraparaumu/Raumati Community Board suspend standing orders

**CARRIED**

The Chair confirmed that the Paraparaumu/Raumati Community Board would be consulting with the community, including businesses, during the consultation process.

The Public reiterated some of their comments including:

- why wait for further consultation, put temporary traffic measures in place and erect a 30km sign on the corner opposite Victor Road where it can be observed;
- disagreed with location of speed bumps on Rosetta Road, should not be placed across driveways, suggested a speed bump or crossing area near the café on Garden Road;
- parking spaces for electric cars are in a prime spot and should be moved further back; and
- Garden Road, heading north, needs a yellow line to try and prevent drivers from cutting the corner.

Mr O'Connor noted the comments and advised these would be considered during the engagement process.

The Board thanked Mr O'Connor for his attendance and presentation.

#### COMMITTEE RESOLUTION 2020/7

Moved: Mr Jonny Best

Seconder: Mr Guy Burns

That the Paraparaumu/Raumati Community Board notes the contents of the Raumati Village Roding Improvements report.

That the Paraparaumu/Raumati Community Board notes that future reports will be presented to the Board as the planning and physical works on the Raumati Village Roding Improvements progresses.

**CARRIED**

**RESUMPTION OF STANDING ORDERS****COMMITTEE RESOLUTION 2020/8**

Moved: Ms Grace Lindsay

Seconder: Cr Martin Halliday

A motion was moved that the Paraparaumu/Raumati Community Board resume standing orders.

**CARRIED**

**6.2 CONSIDERATION OF APPLICATIONS FOR FUNDING****COMMITTEE RESOLUTION 2020/9**

Moved: Cr Bernie Randall

Seconder: Mr Guy Burns

That the Paraparaumu/Raumati Community Board approves a grant of \$500 plus GST to Raumati South School to assist in funding year 7 and 8 students to participate in outdoor activities.

That the Paraparaumu/Raumati Community Board approves a grant of \$500 to The Kapiti Kiwis Networks to purchase a barbeque to enable the group to raise money using their combined skills and to donate back to others who are less fortunate.

That the Paraparaumu/Raumati Community Board approves a grant of \$279 to Donald Roberts to purchase a mobile phone to enable him to communicate with others.

That the Paraparaumu/Raumati Community Board formally approve all re-purposed grants during the COVID-19 lockdown:

Foodbank \$500 to assist with purchasing items for their Foodbank.

Age Concern Kapiti \$431.11 plus GST to purchase 'flying banner' to help promote Age Concern Kapiti and also an additional \$200 plus GST to cover increased telephone charges incurred during the COVID-19 lockdown. Total grant \$631.11 plus GST.

Kapiti Primary School \$500 plus GST to assist in funding the 'Navigator' position for Term 1 of 2020 as part of the Whānua Wellbeing Hub.

Kapiti Citizens Service Trust \$500.00 plus GST to assist with covering loss of income as a result of the COVID 19 virus.

The Shed Project \$3,000.00 plus GST to purchase a trailer and cage to transport firewood to those in the community who are facing hardship.

Kapiti Birthright \$924.00 plus GST to assist with purchasing blankets and clothes for their clients.

Kapiti Women's Centre \$500 plus GST to purchase a deep freeze which would enable them to freeze donated goods.

Kapiti Citizens Services Trust \$1,190 plus GST to assist with covering 2-months' standing charges for the Ocean Road Hall as a result of the COVID 19 virus

That the Paraparaumu/Raumati Community Board notes, following a 30 April 2020 Council resolution, that any unspent money from the 2019/20 year will be carried over to the 2020/21 year.

**CARRIED**

**7 UPDATES****7.1 KAPITI AGE CONCERN: SOCIAL ISOLATION**

Tristine Tilly joined the meeting and gave a presentation showing an overview of Kapiti Age Concern's project AgeConnect Kapiti. The Project raises awareness around social isolation and loneliness and promotes social connections for older people in Kāpiti.

The Board thanked Ms Tilly for her attendance and presentation.

**8 CONFIRMATION OF MINUTES****8.1 CONFIRMATION OF MINUTES****COMMITTEE RESOLUTION 2020/10**

Moved: Cr Bernie Randall

Seconder: Ms Kathy Spiers

That the minutes of the Paraparaumu-Raumati Community Board meeting on 18 February 2020 be accepted as a true and accurate record of the meeting.

**CARRIED**

**9 MATTERS UNDER ACTION****9.1 MATTERS UNDER ACTION**

Board Members discussed and noted the matters under action.

**10 CONFIRMATION OF PUBLIC EXCLUDED MINUTES**

Nil

The Paraparaumu-Raumati Community Board meeting closed at 9.55pm.

.....  
**CHAIRPERSON**

**9 MATTERS UNDER ACTION****9.1 MATTERS UNDER ACTION**

**Author:** Jayne Nock, Executive Secretary to Group Manager Corporate Services

**Authoriser:** Mark de Haast, Group Manager Corporate Services

The updated matters under action, as attached at appendix 1, for the Board's review.

**APPENDICES**

1. Matters Under Action [!\[\]\(c33cb967c8fc4f5e27188a389b621c8e\_img.jpg\)](#) 

**Paraparaumu/Raumati Community Board – Matters Under Action Register (as at 11 Aug 20)**

Date raised	Origin	Item	Officer Responsible	Progress
17/07/12  09/05/18	PRCB meeting	Town Centres Project	Senior Delivery Manager	<p><b>Paraparaumu town centre transformation</b> Kapiti Road shared path and road widening completed and operating well, planting of the Bern is complete with the addition of seating.</p> <p><b>NZTA SH1 Revocation project</b> NZTA SH1 Revocation storm water investigations and design complete and NZTA contractor Higgins are working from Poplar Ave end north.</p> <p><b>Transport hub at Paraparaumu Railway Station</b> NZTA continue to plan the Paraparaumu town centre Roading works June 2021. Town centres team will commence design workshops with stakeholders later in the year.</p>
June 2016	Board Chair	Gateway Centre		Council submitted to the Provincial Growth fund for \$2.23m (fifty percent) of the costs for the Kapiti Gateway project in June. In early August, we were advised that \$2m has been approved in principle to be allocated from the government's \$3 billion COVID-19 Response and Recovery Fund towards the Kapiti Gateway project. Councillors will meet shortly to decide if they want to progress the Gateway project at this time and under which operating model.
June 2016	RSRA	Poplar Tree Plantings at Poplar Avenue	Senior Parks Officer	The Poplar trees were removed with the expressway development. Replacing Poplar trees is not possible due to both insufficient road width and shared path space restrictions. GWRC has decided against Poplar trees on their land.
31/07/18	PRCB meeting	Street improvements at Raumati Beach Village	Infrastructure team	<p>Our programme of traffic improvements is being rolled out to improve the safety of vulnerable users, in particular our older and younger residents. We've been steadily working in Raumati over the past five years to improve the roads and footpaths and more is planned. Over the next 12 months our safety improvements include installing raised tables to lower speed and improving crossing points for pedestrians near the Rosetta Road/Victor Road intersection and at the Matatua Road/Alexander Road intersection.</p> <p>Other improvements are in the pipeline and we'll be working towards securing funding from NZTA and the Council for those. These projects involve some significant changes, so we'll be engaging with the community as well to understand all the issues and make sure we address them and will work to ensure minimal disruption to businesses.</p> <p>We are planning on Public open days to inform the community in early September.</p>
31/07/18	PRCB meeting (Via Notice of Motion)	Request to Council that it consider the creation of a Saturday Market Policy and that this policy be developed under the Council's Economic Development Strategy	Economic Development Manager	The ' <i>Market (Support) Policy</i> ' is an item on the current Council-approved Policy Work Programme. An internal project is underway to identify any changes that could be made to better enable and support market activity. It will focus on clarifying support for markets, assessing the current issues and challenges, and then assessing any mechanisms (e.g. a 'policy') that might be needed to facilitate the optimal settings. Initial finding from the project are expected by the end of October.
14/05/19	PRCB meeting	Te Newhanga Kapiti Community Centre	Senior Delivery Manager	Remedial and maintenance work on the building is complete and the Centre is now open and operating.

Date raised	Origin	Item	Officer Responsible	Progress
21/09/19	RSRA	Surplus NZTA Land in Raumati South previously allocated for the Western Link Road	NZTA	<p><i>Disposal of The Transport Agency's surplus land is directed by the Public Works Act 1981. The Act defines a detailed process and timeframes once land is declared surplus. For details please refer to Sections 40 – 42 of the Act.</i></p> <p><i>The following provides an overview of the process:</i></p> <ol style="list-style-type: none"> <li><i>Land identified by the Transport Agency as surplus</i></li> <li><i>Other Crown Agencies confirm any requirement they have for a Public Work</i></li> <li><i>If not required by a Crown Agency for:</i> <ol style="list-style-type: none"> <li><i>Roading purposes; (b) any other public work; or (c) an exchange, then</i></li> </ol> </li> <li><i>Property is to be cleared through DoC and Heritage NZPT (confirmation of any requirements: if/when cleared</i></li> <li><i>LINZ decision (section 40 PWA) is required as to whether the property is offered back to the former owner, their successors, or an adjoining owner</i></li> <li><i>If no offer back or preferential offer is required (cleared section 40 PWA), then the surplus land is offered to Iwi via:</i> <ol style="list-style-type: none"> <li><i>Maori Protection Mechanism; or (b) Right of first refusal (depending on whether a Treaty Settlement has been signed)</i></li> </ol> </li> <li><i>If not taken up or acquired by Iwi, then the property is offered to sale on the open market by public tender, private treaty, or by public application.</i></li> </ol> <p><b>This process can take between 1 to 3 years.</b></p> <p>There have been considerable delays in the disposal of this property due to various potential requirements and obtaining the necessary Crown agency clearances. The majority of this block is at step 7 above and will be progressed to the Office of Treaty Settlements for the MPM process following receipt and subject to receiving the necessary clearances.</p>



**10 CONFIRMATION OF PUBLIC EXCLUDED MINUTES**

Nil