



AGENDA Ordinary Meeting

Ordinary Council Meeting

08 November 2022 09:00 AM - 05:00 PM



Agenda Topic	Page
2. Karakia	3
3. Council Committee Structure and Delegations	4
4. Councillor Committee and Joint Committee Appointments 2022-2025	47
5. Ngati Maru Joint Management Agreement	52
6. Taranaki Regional Council Model Standing Orders 2022-2025	55
7. Proposed 2023 Meeting Schedule	143



Whakataka te hau

Karakia to open and close meetings

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
Kia hī ake ana te atakura	Let the red-tipped dawn come with a sharpened air
He tio, he huka, he hauhu	A touch of frost, a promise of glorious day
Tūturu o whiti whakamaua kia tina.	Let there be certainty
Tina!	Secure it!
Hui ē! Tāiki ē!	Draw together! Affirm!

Nau mai e ngā hua

Karakia for kai

Nau mai e ngā hua	Welcome the gifts of food
o te wao	from the sacred forests
o te ngakina	from the cultivated gardens
o te wai tai	from the sea
o te wai Māori	from the fresh waters
Nā Tāne	The food of Tāne
Nā Rongo	of Rongo
Nā Tangaroa	of Tangaroa
Nā Maru	of Maru
Ko Ranginui e tū iho nei	I acknowledge Ranginui above and
Ko Papatūānuku e takoto ake nei	Papatūānuku below
Tūturu o whiti whakamaua kia	Let there be certainty
tina	Secure it!
Tina! Hui e! Taiki e!	Draw together! Affirm!



Date 8 November 2022

Subject: **Committee Structure and Delegations**

Approved by: S J Ruru, Chief Executive

Document: 3113315

Purpose

1. The purpose of this memorandum is to review the structure, membership and operation of the Taranaki Regional Council committees for the 2022-2025 triennium.

Executive summary

2. This report outlines a proposed committee structure for the 2022-2025 triennium.
3. The structure proposed in this report represents a refinement of the committee structure that Council has had over the last triennium with the creation of a new Operations and Regulatory Committee to better balance the workload between the previous Consents and Regulatory Committee and the Policy and Planning Committee.

Recommendations

That the Taranaki Regional Council:

- a) receives this report *Council Committee Structures and Delegations* dated 8 November 2022
- b) approves the establishment of the following committees:
 - Operations and Regulatory Committee
 - Policy and Planning Committee
 - Executive, Audit and Risk Committee
 - Regional Transport Committee.
 - Chief Executive Liaison Committee
- c) notes that it will need to form a Waitara River Committee and Waitara River sub-committee once it has reached an agreement with the Waitara River Authorities and Te Kowhatu Tu Moana
- d) approves the establishment of the following joint committees:
 - Taranaki Civil Defence Emergency Management Group
 - Taranaki Solid Waste Management Committee
 - Yarrow Stadium Joint Committee.

- e) adopts the Terms of Reference for each of the committees and joint committees as included in Attachment A
- f) confirms that the Chairperson and Deputy Chairperson act as ex-officio members on committees with the exception of the Regional Transport Committee
- g) approves the appointment of Bruce Robertson as a member of the Executive, Audit and Risk Committee for the purposes of the Yarrow Stadium Repair and Refurbishment Project
- h) agrees that, in constituting a Policy and Planning Committee, nominations from the three Taranaki District Councils and Federated Farmers be requested to fill the representative positions on the committee
- i) agrees that, in constituting an Operations and Regulatory Committee, a nomination from Federated Farmers be requested to fill the representative position on the committee
- j) notes that the Iwi of Taranaki have made appointments to the Policy and Planning and Operations and Regulatory committees
- k) agrees that, in reconstituting a Regional Transport Committee, nominations from the three Taranaki District Councils and the New Zealand Transport Agency be requested to fill the representative positions on the committee
- l) agrees that in reconstituting a Taranaki Solid Waste Management Joint Committee, the Council seeks nominations from the three Taranaki District Councils be requested to fill the representative positions on the committee
- m) notes that nominations from the three Taranaki District Councils for their Councillor appointments to the Taranaki Civil Defence Emergency Management Group will be requested
- n) notes that the New Plymouth District Council will also make two appointments to the Yarrow Stadium Joint Committee
- o) notes that the Chairperson will provide a separate report on the appointment of Councillors to committees (including Committee Chairpersons and Committee Deputy Chairpersons), joint committees, CCO's and external agencies/organisations
- p) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- q) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Background

- 4. With the start of the new triennium, it is appropriate that the Council take the opportunity to review and establish a committee structure that it considers appropriate for supporting it in undertaking its governance function over the next triennium.
- 5. Schedule 7 of the *Local Government Act 2002* (the Act), sets out the legislative framework within which committees and other sub-ordinate structures can be established. Effectively, these provisions give the Council considerable discretion to establish the governance structures that it considers appropriate.

6. In recent years Council has operated a committee structure, outside of its joint committees, that has included:
 - Consents and Regulatory committee
 - Policy and Planning Committee
 - Executive, Audit and Risk Committee
 - Regional Land Transport Committee.
7. The joint committees that the Council has traditionally operated with other local authorities in the region include:
 - Taranaki Civil Defence and Emergency Management Group
 - Taranaki Solid Waste Management Committee
 - Yarrow Stadium Joint Committee.
8. During the last triennium, the Council found that there was an imbalance in workload between the Consents and Regulatory Committee and Policy and Planning committee. This was a reflection of a number of factors including the change made in recent years to have resource consent matters heard by independent commissioners, rather than the committee and an increase in the workload in the policy area particularly given the significant reform programme currently before the sector.
9. Against this background staff have developed, for the Council's consideration, a proposal to establish an Operations and Regulatory Committee that would see a large number of the matters relating to the Operation's directorate directed to this new committee rather than the Policy and Planning committee as has tended to happen in the past.
10. It is also proposed that Council establish a Chief Executive Liaison Committee that would have responsibility for managing issues relating to the employment of the chief executive in accordance with the relevant statutory and contractual requirements.

Issues

11. There is a need for the Council to make a decision as to the committee structure that it wants to put in place for the 2022-2025 triennium.

Discussion

12. The role of Council can be defined as follows:
 - to set the strategic direction and policies for the Council
 - to monitor organisational performance including the achievement of the Council's strategic priorities
 - to be stewards of the organisation and the public assets it administers on behalf of its community. This includes monitoring of organisational health and capability and its compliance with the regulatory frameworks within which it needs to operate
 - to connect with and provide leadership to the region's communities
 - to set the governance culture for the organisation.
13. In considering the committee structure that it might best put in place to support its governance functions, the Council should have regard to a structure that will:

- enable it to focus on strategic matters while delegating more routine matters to the appropriate committees
- spread the workload between different committees so as to balance the workload of all councillors
- allow for the building of more in-depth knowledge and capability where this may be required and ensure that the expertise needed to make decisions is present
- allow for input to decision-making processes from tangata whenua and community representatives as appropriate.

14. It is proposed that the main the Council committee structure should consist of the following committees:

Committee	Membership	Scope of Responsibilities
Operations and Regulatory Committee	Councillors - 7 Council Chair - ex-officio Council Deputy Chair - ex-officio Iwi Representatives - 3 Federated Farmers rep. - 1	To maintain an overview and monitor the effectiveness of the delivery of Council's Operations and Regulatory Services. The responsibilities include: <ul style="list-style-type: none"> • Maintaining an overview of regulatory service delivery performance • Maintaining an overview of operations service delivery • Monitor the maintenance of Council assets.
Policy and Planning Committee	Councillors -6 Council Chair - ex-officio Council Deputy Chair - ex-officio Iwi representatives - 3 TLA representatives - 3 Federated Farmers rep. - 1	The Policy and Planning committee is responsible for strategy, policy, community engagement and environmental policy development. Its responsibilities include: <ul style="list-style-type: none"> • Overseeing the development and review of regional policy statement, natural resources plan and other environmental planning documents • Development of submissions and other advocacy activity relating to policy and other relevant policy matters of interest to the region.
Executive Audit and Risk Committee	Councillors - 5 Council Chair - ex-officio Council Deputy Chair - ex-officio External Professional - 1 * For the purposes of the Yarrow Stadium Repair and Refurbishment Project, Mr Bruce Robertson is	This committee handles all of the administrative and financial matters relating to the Council's operations and works programme. Its responsibilities include: <ul style="list-style-type: none"> • Capital works • Risk management • Probity and assurance.

	appointed as an independent Committee Member	
Regional Transport Committee	TRC Councillors - 2 District Councillors - 3 Waka Kotahi rep - 1	This committee coordinates the governance of regional transport issues across the region. Its responsibilities include: <ul style="list-style-type: none"> • Development of the Regional Land Transport Plan • Acting as an advocate for regional transport matters • Maintaining an overview of the public transport provision.
Chief Executive Liaison Committee	Council Chair Deputy Chair Chair Executive, Audit and Risk Councillor - 1	This committee will manage matters relating to the Chief Executive's employment. Its responsibilities include: <ul style="list-style-type: none"> • Reviewing the chief executive's performance • Negotiation of employment terms and conditions.

15. Draft terms of reference for each of these committees are included in Attachment A.
16. In the past the Policy and Planning has included representation from each of the three territorial local authorities (TLAs) in the region and Federated Farmers. This representation reflects the need for a strong linkage between regional and territorial policy setting processes, particularly in relation to resource management and environmental policy. The Federated Farmers representation reflects the importance of agriculture to the Taranaki economy and the work of the Council more generally.
17. It is recommended that the Council should continue to invite each of the TLAs and Federated Farmers to appoint a representative to the Policy and Planning Committee. With the move to create the Operations and Regulatory Committee it is also proposed that the Council invite Federated Farmers to appoint a representative to this committee given that significant parts of the Operations directorate impact the rural community. These external committee representatives would be full members of the relevant committee with voting rights.
18. In looking at the role and membership of the Executive, Audit and Risk Committee Council, may also want to consider the appointment of an external professional to this committee. This approach is consistent with good practice and recommended by the Office of the Auditor-General.
19. There will also be a need for the Council to establish a Waitara River Committee once agreement is reached with the relevant Waitara River Iwi authorities and Te Kowhatu Tu Moana. The Council has previously determined that its preference is for members of this committee to be appointed based on skill, assessed against an agreed skills matrix, rather than a representative model. This approach is reflected in the draft Heads of Agreement that is being negotiated with the relevant Iwi authorities.

Significance

20. A decision in accordance with the recommended approach is not considered significant. The establishment of an appropriate Committee structure is a routine governance matter that needs to be progressed in accordance with the relevant statutory provisions.

Financial considerations—LTP/Annual Plan

21. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. An allowance for the remuneration of elected members and other representatives appointed to Council committees is included within the approved LTP budgets.

Policy considerations

22. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

23. Under the Treaty of Waitangi settlement legislation with Ngāruahine, Te Atiawa and Taranaki iwi there is a requirement for three iwi representatives to be appointed to the Council committees that are responsible for policy and planning matters and regulatory matters. There is an obligation on Council to appoint the iwi members nominated.
24. Ngā Iwi o Taranaki have nominated the representatives that they would like to see appointed to these committees.
25. Under section 32 of the *New Plymouth District Council (Waitara Lands) Act 2018*, the Council is required to enter into an agreement with the relevant Iwi authorities to establish a Waitara River Committee (and sub-committee). The committee is, amongst other matters, empowered to administer funds from the sale of Waitara leasehold lands. Negotiation of a Heads of Agreement between the Council and the Waitara River Authorities is well advanced and will be subject of a future report to Council.

Community considerations

26. This memorandum and the associated recommendations have considered the likely views of the community and those views have been recognised in the preparation of this memorandum. In particular, it is considered that the community would likely expect the Council to establish a governance structure that will assist it to perform its functions efficiently and effectively.

Legal considerations

27. Schedule 7 of the *Local Government Act 2002* (the Act), sets out the legislative requirements in relation to meetings, committees and other bodies with delegated authority.
28. In general, the Council has wide powers to establish the committee and subordinate decision making structures, including joint committees with other councils that it

considers appropriate. At least one member of each committee must be an elected member. The same constraint does not apply to a sub-committee.

29. Clause 32 of Schedule 7, effectively states that the Council can delegate any of its powers to a committee or other subordinate body except for a limited range of activities such as the setting of rates, making bylaws and adoption of the LTP/ annual plan and annual report.
30. A delegation means that the body with the delegated power has the full authority of the Council, as the governing body, in respect of the decision-making powers defined in the delegation. The Council, while retaining legal responsibility for the exercise of any powers it has delegated, cannot overturn or amend a decision made by a body, which is exercising a delegation.
31. If the Council has concerns about a decision that was made it can ask the committee to revisit the decision that it made and in so doing give consideration to the factors that are of concern to the Council. The Council also retains the right to review and revoke any delegation made at a later time.

Appendices/Attachments

Draft Taranaki Regional Council Committee Terms of Reference

Terms of Reference – Operations and Regulatory Committee

Purpose

1. To ensure that Council delivers its Operations and Regulatory services in an effective and efficient manner that meets the needs of Taranaki communities and protects the investment that Council has in its infrastructural assets.
2. To maintain an overview of the delivery of regulatory services including resource consents, compliance monitoring and pollution incidents, biosecurity monitoring and enforcement.
3. To maintain an overview of the delivery of Operations activities including rivers management, biodiversity, biosecurity, land management and regional gardens activities.

Scope of Activities

4. The Operations and Regulatory Committee has the responsibilities and delegations outlined in the table below.

Function	Responsibility	Delegations
Service delivery oversight	<ul style="list-style-type: none"> • To review and recommend levels of service and service delivery methods to be used for the delivery of Operations and Regulatory services • To oversee the development of Regional plans and strategies for the delivery of Council services delivered via the Operations and Regulatory services areas. • Assess and provide advice on strategic issues relating to the provision of Operational and Regulatory services. • Ensure that Council's operations and regulatory functions comply with relevant legislative requirements. • To monitor compliance with Council's service delivery policies and legislative requirements including performance measures that might be set through the Long Term Plan • Approve annual sustainable land use programmes • Consider and make decisions on monitoring and enforcement matters relating to Council's Operational service activities as considered appropriate. 	<ul style="list-style-type: none"> • Review and recommend to the Executive, Audit and Risk committee and Council the adoption of regional plans and service delivery strategies for individual services.

Function	Responsibility	Delegations
<p>Management of Infrastructural assets</p>	<ul style="list-style-type: none"> • To monitor the performance capability of Council's infrastructural assets to ensure that Council protects its investment in these assets • Review and provide comment on draft asset management plans and associated capital works programme for Council's infrastructural assets. 	<ul style="list-style-type: none"> • Review and provide comment on draft asset management plans for Operations Division infrastructural assets.
<p>Regulatory functions</p>	<ul style="list-style-type: none"> • Consider and make decisions on resource consent applications pursuant to the Resource Management Act 1991 • Approve the appointment of commissioners to hear and make decisions on resource consent applications, where relevant, pursuant to the Resource Management Act 1991 • To receive the reports of resource consent hearing committee decisions • Maintain an overview of the processing of resource consent applications to ensure that they are processed within the relevant legislative and Council policy framework. • Provide recommendations to Council on emerging environmental issues • Develop and oversee the implementation of a Compliance and Enforcement Policy 	<ul style="list-style-type: none"> • Approve the appointment of commissioners to hear and determine resource consent applications. • Receive and assess reports on the performance of the delivery of Council's regulatory service functions. • Make recommendations to Council on any suggested improvements that might be made to the delivery of Council services.
<p>Biodiversity & biosecurity</p>	<ul style="list-style-type: none"> • Consider and approve biodiversity strategies, policies and levels of service. • Monitor progress being made in improving the biodiversity of the Taranaki region and performance against national and regional policy statements. • Hear and make recommendations to Council re the adoption of any bylaws that might be needed to support Council's biodiversity and/or biosecurity responsibilities. • Receive reports relating to the performance of Wild for Taranaki and/or any other community groups that might receive funding from Council to support biodiversity initiatives. 	<ul style="list-style-type: none"> • Determine the projects to be undertaken, including deciding on Subcommittee recommendations.

Function	Responsibility	Delegations
Advocacy & Submissions	<ul style="list-style-type: none"> • Develop advice to TRC and other agencies in relation to strategy, policy, legislative issues relating to Council’s Operations and Regulatory service delivery • Develop submissions to local authorities, central government and other relevant agencies in relation to policy and other issues of relevance to the operations and regulatory services work of Council. • Foster collaboration with other regions and/or agencies where this support improved service delivery outcomes. 	<ul style="list-style-type: none"> • Recommend to Council the approval of submissions and other communications. • Support advocacy and relationship development work as appropriate

Power to Delegate

5. The Committee may not delegate any of its responsibilities, duties or powers.

Chairperson

6. The Chairperson is responsible for:

- (a) The efficient functioning of the Committee;
- (b) Setting the agenda for Committee meetings in conjunction with the CEO or their delegate; and
- (c) Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

7. The Chairperson will be the link between the Committee and TRC staff, as may be required.

Quorum

8. The quorum at any meeting of the committee shall be not less than half of the members.

Frequency of Meetings

9. The Committee shall meet six weekly or as otherwise determined by the Committee.

10. Additional meetings may also be held over and above the regular meetings as and when required.

Meeting Agenda Items

11. Requests for agenda items to be included on the Committee agenda should be made to the Chief Executive at least two weeks before the scheduled meeting date.

Relationships with other Parties including Media

12. The Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.
13. Committee members do not have delegated authority to speak to media and/or outside agencies on behalf of Council on matters outside of the scope of the Committee's activities.
14. Formal communications from the Committee in the exercise of its business will be undertaken by the Chief Executive or delegate.

Conduct of Affairs

15. The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

16. Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:
 - (a) At any meeting of the committee at which no resolutions or decisions are made, the provisions of Standing Orders relating to public access do not apply.
 - (b) Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
 - (c) Extraordinary meetings of the Committee may be held in accordance with Standing Orders.
 - (d) The public shall be excluded from the whole of the proceedings of the Committee meetings and information withheld on the grounds specified in the Local Government Official Information and Meetings Act 1987 s.48.
17. The Committee shall record minutes of all of its proceedings.

Committee Member Accountabilities

18. Committee members are accountable for:
 - (a) Providing information, guidance and advice as appropriate for a governance role, while refraining from being involved in management or operational level decisions and matters.
 - (b) Contributing to the decision-making processes of the Committee as provided for in these terms of reference and relevant legislation
 - (c) Preparing for and attending scheduled Committee meetings

- (d) Raising any questions or concerns about the operation of the Committee with the Chair.

Review of Committee

- 19. The committee will undertake a self-review process each year to consider opportunities to improve its effectiveness and contribution to the work of Council.

Terms of Reference – Policy and Planning Committee

Purpose

1. To provide advice to Council on the approaches that it should take to promote the social, economic, environmental and cultural well-being of the Taranaki community and doing so contribute to the realisation of Council’s vision and strategic priorities.
2. To ensure that Council has in place an appropriate strategic direction and policy framework that enables Council to addresses meet its statutory obligations and overall purpose.

Scope of Activities

3. The Policy and Planning Committee has the responsibilities and delegations outlined in the table below.

Function	Responsibility	Delegations
Strategy, policy and plan development	<ul style="list-style-type: none"> • Lead development of Council’s strategic framework including its vision, mission and strategic goals • Oversee the development of strategies, plans and policies that advance delivery of services in line with Council’s vision and strategic goals • To oversee the development of Regional plans and strategies relating to Council services including the Long Term Plan and Annual Plans • Assess and make recommendations to Council on: <ul style="list-style-type: none"> • key strategic issues affecting the region and Council • the position that Council might adopt on regionally significant issues • the service needs of regional communities and how these might best be met. • Receive information that monitors the effectiveness of Council’s strategic influence in the region and nationally on issues of importance to the region. • Provide direction on the development of regional significant relationships 	<ul style="list-style-type: none"> • Provide recommendations to Council in regard to its strategic direction • Review and recommend to Council the adoption of regional plans, policies and strategies •

Function	Responsibility	Delegations
Resource Management Policy and Plan development and implementation	<ul style="list-style-type: none"> • To lead development and review of environmental policy and plans including the Natural Resources Plan, which Council is required to develop under the Resource Management Act 1991. • Oversee and monitor the progress being made in the development, review and delivery of regional planning documents • Monitor progress with the implementation of new regional planning documents • Assess the effectiveness of current policy documents in achieving improved outcomes for the region. • Oversee the monitoring and reporting of environmental and other outcomes being delivered under current Council policy settings. 	<ul style="list-style-type: none"> • Review and recommend to Council the adoption of policy, plans and strategies as appropriate • Review and recommend to Council any actions proposed following consideration of outcomes being achieved under current policy settings
Advocacy & Submissions	<ul style="list-style-type: none"> • Develop advice to TRC and other agencies in relation to strategy, policy and legislative issues relating to significant regional issues and matters relating to the delivery of Council services. • Develop submissions to local authorities, central government and other relevant agencies in relation to policy and other issues of relevance to the operations and regulatory services work of Council. • Foster collaboration and the development of significant relationships where this would create improved policy or advocacy outcomes. 	<ul style="list-style-type: none"> • Recommend to Council the approval of submissions and other communications. • Support advocacy and relationship development work as appropriate

Power to Delegate

4. The Committee may not delegate any of its responsibilities, duties or powers.

Chairperson

5. The Chairperson is responsible for:
- (a) The efficient functioning of the Committee;
 - (b) Setting the agenda for Committee meetings in conjunction with the CEO or their delegate; and

- (c) Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.
6. The Chairperson will be the link between the Committee and TRC staff, as may be required.

Quorum

7. The quorum at any meeting of the committee shall be not less than half of the members.

Frequency of Meetings

8. The Committee shall meet six weekly or as otherwise determined by the Committee.
9. Additional meetings may also be held over and above the regular meetings as and when required.

Meeting Agenda Items

10. Requests for agenda items to be included on the Committee agenda should be made to the Chief Executive at least two weeks before the scheduled meeting date.

Relationships with other Parties including Media

11. The Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.
12. Committee members do not have delegated authority to speak to media and/or outside agencies on behalf of Council on matters outside of the scope of the Committee's activities.
13. Formal communications from the Committee in the exercise of its business will be undertaken by the Chief Executive or delegate.

Conduct of Affairs

14. The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

15. Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:
- (a) At any meeting of the committee at which no resolutions or decisions are made, the provisions of Standing Orders relating to public access do not apply.
 - (b) Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.

- (c) Extraordinary meetings of the Committee may be held in accordance with Standing Orders.
 - (d) The public shall be excluded from the whole of the proceedings of the Committee meetings and information withheld on the grounds specified in the Local Government Official Information and Meetings Act 1987 s.48.
16. The Committee shall record minutes of all of its proceedings.

Committee Member Accountabilities

17. Committee members are accountable for:
- (a) Providing information, guidance and advice as appropriate for a governance role, while refraining from being involved in management or operational level decisions and matters.
 - (b) Contributing to the decision-making processes of the Committee as provided for in these terms of reference and relevant legislation
 - (c) Preparing for and attending scheduled Committee meetings
 - (d) Raising any questions or concerns about the operation of the Committee with the Chair.

Review of Committee

18. The committee will undertake a self-review process each year to consider opportunities to improve its effectiveness and contribution to the work of Council.

Terms of Reference – Chief Executive Liaison Committee

Purpose

1. To consider and manage all matters pertaining to the Chief Executive’s performance and contract, in accordance with the relevant statutory obligations.

Scope of Activities

2. The Chief Executive Liaison Committee has the responsibilities and delegations outlined in the table below.

Function	Responsibility	Delegations
Chief Executive’s Performance	<ul style="list-style-type: none"> • Overseeing the employment of the Chief Executive in accordance with the Local Government Act 2002 • Collecting and analysing sufficient performance information on the Chief Executive to enable the objective assessment of his/her overall performance; • Reviewing and assessing the Chief Executive’s performance against the management accountabilities within his/her contract of employment, Council’s Policies and Plans, and agreed performance, objectives, priorities and measures. 	<ul style="list-style-type: none"> • To complete reviews of the performance of the Chief Executive as considered appropriate.
Chief Executive’s Employment Contract	<ul style="list-style-type: none"> • Reviewing the Chief Executive’s remuneration against market movement for the period and the assessed level of performance • Negotiating employment contract terms with the Chief Executive • Recommending to Council whether or not the Chief Executive should be offered a new term of employment prior to the expiry of the current term in accordance with the Chief Executive’s Contract and the Local Government Act 2002. 	<ul style="list-style-type: none"> • Negotiating employment contract terms and conditions including review of remuneration with the Chief Executive. • Making a recommendation to Council on whether the Chief Executive should be offered a new term of employment in accordance with the Local Government Act 2002.

Power to Delegate

3. The Committee may not delegate any of its responsibilities, duties or powers.

Chairperson

4. The Chairperson is responsible for:
 - (a) The efficient functioning of the Committee;
 - (b) Setting the agenda for Committee meetings in conjunction with the CEO or their delegate; and
 - (c) Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.
5. The Chairperson will be the link between the Committee and TRC staff, as may be required.

Quorum

6. The quorum at any meeting of the committee shall be not less than half of the members.

Frequency of Meetings

7. The Committee shall meet as required to fulfil its functions.

Meeting Agenda Items

8. Requests for agenda items to be included on the Committee agenda should be made to the Chief Executive at least two weeks before the scheduled meeting date.

Relationships with other Parties including Media

9. The Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.
10. Committee members do not have delegated authority to speak to media and/or outside agencies on behalf of Council on matters outside of the scope of the Committee's activities.
11. Formal communications from the Committee in the exercise of its business will be undertaken by the Chairperson or delegate.

Conduct of Affairs

12. The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

13. Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- (a) At any meeting of the committee at which no resolutions or decisions are made, the provisions of Standing Orders relating to public access do not apply.
- (b) Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- (c) Extraordinary meetings of the Committee may be held in accordance with Standing Orders.
- (d) The public shall be excluded from the whole of the proceedings of the Committee meetings and information withheld on the grounds specified in the Local Government Official Information and Meetings Act 1987 s.48.

14. The Committee shall record minutes of all of its proceedings.

Committee Member Accountabilities

15. Committee members are accountable for:

- (a) Providing information, guidance and advice as appropriate for a governance role, while refraining from being involved in management or operational level decisions and matters.
- (b) Contributing to the decision-making processes of the Committee as provided for in these terms of reference and relevant legislation
- (c) Preparing for and attending scheduled Committee meetings
- (d) Raising any questions or concerns about the operation of the Committee with the Chair.

Review of Committee

16. The committee will undertake a self-review process each year to consider opportunities to improve its effectiveness and contribution to the work of Council.

Terms of Reference – Executive Audit and Risk Committee

Purpose

1. This committee handles all of the administrative, risk, assurance, probity and financial matters relating to the operations and works programme.

Scope of Activities

2. The Executive Audit and Risk Committee has the responsibilities and delegations outlined in the table below.

Function	Responsibility	Delegations
Long Term Plan and Annual Plan	<ul style="list-style-type: none"> • Oversee development of the Long Term Plan and Annual Plans • Review and recommend to Council the adoption of Asset Management Plans and other policies required to be developed as part of the Long Term Plan and/or Annual Plan • Review and make recommendations to Council on proposed budgets. 	<ul style="list-style-type: none"> • Review and make recommendations to Council on development of the Long Term Plan and Annual Plans including Asset Management Plans and other supporting documents.
Financial and Performance Monitoring	<ul style="list-style-type: none"> • Monitoring actual financial revenue and expenditure against budget • Consideration and review of business case proposals for capital expenditure, in excess of staff delegations, to Council • Monitor service level performance against key performance indicators • Consider the completeness of financial and non-financial performance reporting. 	<ul style="list-style-type: none"> • Recommend major capital works expenditure to Council. • Monitor actual financial and non-financial performance against key performance indicators.
Risk Management	<ul style="list-style-type: none"> • Satisfying itself about the existence and quality of cost-effective internal control and risk management systems, and the proper application of processes. • Approving and reviewing risk management programmes. • Reviewing risk treatment plans for significant risks, including the annual insurance programme. 	<ul style="list-style-type: none"> • Approval of risk management programmes including treatment plans including the placement of insurance policies.

Function	Responsibility	Delegations
External Audit	<ul style="list-style-type: none"> • Liaising with risk advisors and auditors. • Approving and reviewing: <ol style="list-style-type: none"> a. arrangements for external audits, b. the external audit engagement letter and letter of undertaking; c. additional services to be provided by the external auditor. • Discussing, with the external auditor, matters affecting the annual financial and non-financial statements and the annual audit. • Liaising with Council's external auditor. 	<ul style="list-style-type: none"> • Approval of external audit engagement letter. • Consideration of matters arising from the Auditor Management report.
Financial Accounting and Policy	<ul style="list-style-type: none"> • Reviewing: <ol style="list-style-type: none"> a. the timetable for preparing the annual financial and non-financial statements. • Reviewing and providing comment to Council on: <ol style="list-style-type: none"> a. the completed financial and non-financial statements and their adoption, or non-adoption; b. governance policies associated with financial, accounting, risk management and internal control functions; c. the draft Annual Report • Reviewing and approval of accounting treatments, changes in generally accepted accounting practice, and new accounting and reporting requirements. 	<ul style="list-style-type: none"> • Approval of timetable for production of annual financial statements and annual report. • Approval of accounting treatment and policies. • Provide comment to Council on a draft of the annual report and financial statements.
Compliance and Ethics	<ul style="list-style-type: none"> • Promoting, monitoring and reviewing: <ol style="list-style-type: none"> a. compliance with legal and regulatory requirements; b. compliance with policies, plans and processes; 	<ul style="list-style-type: none"> • Conduct and monitor special investigations in accordance with policy, including engaging expert assistance, legal advisors or external auditors, and, where appropriate,

Function	Responsibility	Delegations
	<ul style="list-style-type: none"> c. adherence to ethics policies and programmes; d. Code of Conduct. • Reviewing and recommending to Council: <ul style="list-style-type: none"> a. governance policies associated with compliance and ethics programmes. b. Conducting and monitoring special investigations, in accordance with policy, and reporting the findings and recommendations. c. Monitoring performance of council controlled organisations, including Port Taranaki, in accordance with the <i>Local Government Act S65</i>. 	recommend action(s) to Council.

Power to Delegate

3. The Committee may not delegate any of its responsibilities, duties or powers.

Chairperson

4. The Chairperson is responsible for:
 - (a) The efficient functioning of the Committee;
 - (b) Setting the agenda for Committee meetings in conjunction with the CEO or their delegate; and
 - (c) Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.
5. The Chairperson will be the link between the Committee and staff, as may be required.

Quorum

6. The quorum at any meeting of the committee shall be not less than half of the members.

Frequency of Meetings

7. The Committee shall meet six weekly or as otherwise determined by the Committee.
8. Additional meetings may also be held over and above the regular meetings as and when required.

Meeting Agenda Items

9. Requests for agenda items to be included on the Committee agenda should be made to the Chief Executive at least two weeks before the scheduled meeting date.

Relationships with other Parties including Media

10. The Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.
11. Committee members do not have delegated authority to speak to media and/or outside agencies on behalf of Council on matters outside of the scope of the Committee's activities.
12. Formal communications from the Committee in the exercise of its business will be undertaken by the Chief Executive or delegate.

Conduct of Affairs

13. The Committee shall conduct its affairs in accordance with the *Local Government Act 2002*, the *Local Government Official Information and Meetings Act 1987*, the *Local Authorities (Members' Interests) Act 1968*, Council's Standing Orders and the Code of Conduct.

Public Access and Reporting

14. Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:
 - (a) At any meeting of the committee at which no resolutions or decisions are made, the provisions of Standing Orders relating to public access do not apply.
 - (b) Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
 - (c) Extraordinary meetings of the Committee may be held in accordance with Standing Orders.
 - (d) The public shall be excluded from the whole of the proceedings of the Committee meetings and information withheld on the grounds specified in the *Local Government Official Information and Meetings Act 1987* s.48.
15. The Committee shall record minutes of all of its proceedings.

Committee Member Accountabilities

16. Committee members are accountable for:
 - (a) Providing information, guidance and advice as appropriate for a governance role, while refraining from being involved in management or operational level decisions and matters.
 - (b) Contributing to the decision-making processes of the Committee as provided for in these terms of reference and relevant legislation

- (c) Preparing for and attending scheduled Committee meetings
- (d) Raising any questions or concerns about the operation of the Committee with the Chair.

Review of Committee

17. The committee will undertake a self-review process each year to consider opportunities to improve its effectiveness and contribution to the work of Council.

Terms of Reference
for Taranaki's
Regional Transport Committee

November 2019 – October 2022

Terms of Reference for Taranaki's Regional Transport Committee

Membership

The Regional Transport Committee for Taranaki (RTC) comprises:

- Two Regional Council representatives (Chair and Deputy Chair) or alternates
- One District Council representative or alternate from each of the:
 - New Plymouth District Council
 - Stratford District Council
 - South Taranaki District Council
- One representative or alternate from the New Zealand Transport Agency

Total membership of this committee equals six.

This is dictated by Section 105 of the *Land Transport Management Act 2003* (LTMA).

Objective

To undertake the functions as prescribed by the *Land Transport Management Act 2003*.

Meeting Schedule

The RTC normally meets four times a year but may meet more regularly depending on the issues to be addressed. Members will be advised in advance of the meeting schedule where possible.

Role and Functions

The role and functions of the Regional Transport Committee for Taranaki are as follows:

- 1) To undertake the statutory requirements of the *Land Transport Management Act 2003* (Appendix One).
- 2) To prepare the Regional Land Transport Plan (RLTP) or any variations, for approval by the Taranaki Regional Council (*LTMA section 106(1)(a)*).
- 3) To prepare and adopt a policy that determines significance in respect of:
 - a) Any variations made to the RLTP.
 - b) Activities included in the RLTP (*LTMA section 106(2)*).
- 4) To provide any advice and assistance the regional council may request on its transport responsibilities generally (*LTMA section 106(1)(b)*).
- 5) To undertake monitoring to assess implementation of the Regional Land Transport Plan (*LTMA section 16(6)(e)*).

- 6) To consult on a draft Regional Land Transport Plan for the Taranaki Region in accordance with the consultation principles specified in section 82 of the *Local Government Act 2002*.
- 7) To complete a review of the Regional Land Transport Plan during the 6-month period immediately before the expiry of the third year of the Plan (*LTMA section 18CA*)
- 8) To advise the Council on any significant legislative changes, programmes, plans or reports relating to the region's transport system.
- 9) To prepare and implement regional transportation planning studies when necessary.
- 10) To represent and advocate for transport interests of regional concern.
- 11) To consider and submit on transport related policies, plans and consultation documents issued by the Ministry of Transport, New Zealand Transport Agency, regional/district councils, and other relevant organisations as considered appropriate.
- 12) To liaise with the Ministry of Transport, New Zealand Transport Agency, Commissioner of Police, regional/district councils, and other interested parties on transport matters, and advise the Council on any appropriate new initiatives as considered appropriate.
- 13) To engage with other regional transport committees and working parties (e.g. State Highway 3 Working Party) as from time to time may be established.
- 14) To consider advice and recommendations from the Taranaki Regional Transport Advisory Group.

Terms of Membership

Should a vacancy occur in the membership of the RTC, the relevant organisation will be requested to nominate a replacement.

Members of the RTC are expected to regularly report back to their organisation on matters discussed at Committee meetings.

Voting Rights

Unless one delegated member from each of the Taranaki Regional Council, New Zealand Transport Agency and three district councils is present, voting on the Regional Land Transport Plan for Taranaki cannot proceed.

Each organisation (i.e. the regional council, NZTA and three district councils) is therefore required to have an alternative representative nominated to act as a replacement should the original nominated representative be absent from a meeting. No voting will occur should there not be a full quorum of members from those organisations allowed to vote on these matters.

Delegated Authority – Power to Act

The Regional Transport Committee for Taranaki:

- 1) Does not have the powers of Council to act in the following instances as specified by Clause 32 (1) of Schedule 7 of the *Local Government Act 2002* to:
 - a) make a rate
 - b) make a bylaw

- c) borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan
 - d) adopt a Long Term Plan, or Annual Plan or Annual Report
 - e) appoint a Chief Executive
 - f) adopt policies required to be adopted and consulted on under this Act in association with the Long Term Plan or developed for the purpose of the Local Governance Statement.
- 2) Does have the ability to appoint subcommittees, working parties or advisory groups to deal with any matters of responsibility within the Committee's Terms of Reference and areas of responsibility, and to make recommendations to the Committee on such matters and, provided the subcommittee shall not have power to act other than by a resolution of the committee with specific limitations, where there is urgency or special circumstance.
 - 3) Does have the ability to make decisions in accordance with the Terms of Reference.

Power to Act (for the information of Council)

The Regional Transport Committee for Taranaki has the power to:

- 1) Monitor any transport activities of the Regional Council, Territorial Authorities and New Zealand Transport Agency in order to report on progress on the Regional Land Transport Plan for Taranaki.
- 2) Prepare a Monitoring Report on the Regional Land Transport Plan for Taranaki.

Power to Recommend to Council

The Regional Transport Committee for Taranaki has the power to:

- 1) Prepare and recommend the Regional Land Transport Plan for approval by the Taranaki Regional Council.
- 2) Prepare and recommend variations to the Regional Land Transport Plan that trigger the RTC 'significance policy'.
- 3) Consider and recommend transportation planning studies and associated outcomes.
- 4) Provide recommendations to relevant Government agencies on transport priorities for the Taranaki region and the allocation of national or regional transport funds.

Regional Transport Advisory Group

The Taranaki Regional Transport Advisory Group (RTAG) is a working group of technical transport officers from various organisations in the Taranaki Region, which advises the Taranaki Regional Transport Committee on matters relating to:

- The development of a Regional Land Transport Plan (RLTP) for the region.
- The development of a significance policy in respect of any variations made to the RLTP and activities to be included in the RLTP.
- Providing any general technical advice and assistance the Committee may request in relation to its transport responsibilities.

The Taranaki Regional Transport Advisory Group will be administered by the Taranaki Regional Council and is made up of representatives of the following organisations:

- Taranaki Regional Council
- New Plymouth District Council
- Stratford District Council
- South Taranaki District Council
- New Zealand Transport Agency
- Any other organisations/individuals invited to participate and advise the Regional Transport Committee on technical matters relating to the Committee's Terms of Reference.

Appendix One: Requirements of the Land Transport Management Act 2003 relating to Regional Transport Committees

105 Regional transport committees

- (1) As soon as practicable after each triennial election, every regional council must establish a regional transport committee under this section for its region.
- (2) Each regional council must appoint to its regional transport committee:
 - (a) 2 persons to represent the regional council; and
 - (b) 1 person from each territorial authority in the region to represent that territorial authority; and
 - (c) 1 person to represent the Agency.
- (3) ... *(relates to unitary authorities)*
- (4) A person specified in subsection (2)(a) to (c) and (3)(a) and (b) may only be appointed on the nomination of the relevant entity.
- (5) *Repealed*
- (6) Each regional council must appoint from its representatives the chair and deputy chair of the committee.
- (7) At any meeting of a regional transport committee, the chair, or any other person presiding at the meeting,—
 - (a) has a deliberative vote; and
 - (b) 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).
- (8) *Repealed*
- (9) Despite subsection (1) to (3), 2 or more adjoining regional councils or Auckland Transport and 1 or more adjoining regional councils may agree in writing to establish a joint regional transport committee and prepare a regional transport plan, in which case subsections (4), (6), and (7) apply with all necessary modifications.
- (9A) ... *(relates to joint regional transport committees)*
- (9B) ... *(relates to joint regional transport committees)*
- (9C) ... *(relates to joint regional transport committees)*
- (10) ... *(relates to joint regional transport committees)*
- (10A) ... *(relates to joint regional transport committees)*
- (10B) ... *(relates to joint regional transport committees)*
- (11) If the area of a territorial authority falls into the regions of more than 1 regional council, the territorial authority must decide (after consulting the relevant regional councils) which regional transport committee to join.
- (12) If subsection (11) applies, and a territorial authority fails to decide to join a regional transport committee, the Minister must direct the territorial authority to be represented by a particular regional transport committee.

(13) *Repealed*

(14) For the purposes of subsection (11), region has the same meaning as in section 5(1) of the Local Government Act 2002.

(15) ... *(relates to the Auckland Regional Transport Committee)*

106 Functions of regional transport committee

(1) The functions of each regional transport committee (other than the regional transport committee for Auckland) are:

- (a) to prepare a regional land transport plan, or any variation to the plan, for the approval of the relevant regional council; and
- (b) to provide the regional council with any advice and assistance the regional council may request in relation to its transport responsibilities.

(2) Each regional transport committee, including the regional transport committee for Auckland, must adopt a policy that determines significance in respect of:

- (a) variations made to regional land transport plans under section 18D; and
- (b) the activities that are included in the regional land transport plan under section 16.

(3) ... *(relates to joint regional transport committees)*

107 Procedure of committee

(1) *Repealed*

(2) The provisions of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 concerning the meetings of committees of regional councils, so far as they are applicable and with the necessary modifications, apply in respect of meetings of the regional transport committees.

(3) The Agency is not, as a result of being represented on a regional transport committee, bound to:

- (a) include any matter in a national land transport programme under section 19C; or
- (b) approve an activity or a combination of activities under section 20.

(4) ... *(relates to the Auckland Regional Transport Committee)*

Terms of Reference
for Taranaki's
Regional Transport Advisory Group

November 2019–October 2022

Terms of Reference for Taranaki's Regional Transport Advisory Group

Background

The Taranaki Regional Transport Advisory Group (RTAG) is a working group of technical transport officers from various organisations for the Taranaki Region which advises the Taranaki Regional Transport Committee on matters relating to:

- The development of a Regional Land Transport Plan (RLTP) for the region.
- The development of significance policies in respect of
 - any variations made to the RLTP, and
 - activities to be included in the RLTP.
- Providing any general technical advice and assistance the Committee may request in relation to its transport responsibilities.

The Taranaki Regional Transport Advisory Group will be administered by the Taranaki Regional Council.

Objectives

The objectives of the RTAG are to:

1. Provide advice to the Regional Transport Committee, Taranaki Regional Council, central government and other transport organisations as and when necessary.
2. Provide professional support and technical expertise to members of the Regional Transport Committee and other transport organisations as and when necessary.
3. Provide a formalised contact point for transport matters at an officer level.
4. Enable strategic discussions amongst officers of key organisations in Taranaki on matters relating to the delivery of transport projects in the region.
5. Provide a forum for staff of the Taranaki Regional Council, three district councils, New Zealand Transport Agency and other individuals/organisations of relevant technical expertise to share information and ideas.
6. Facilitate opportunities for integration, collaboration and co-ordination.

Functions

The functions of the RTAG are to:

- 1) To provide advice to the Regional Transport Committee on the following matters:
 - a) the preparation and development of a RLTP for the Taranaki region or any variations
 - b) the development of a significance policy in respect of any variations made to the RLTP and activities to be included in the RLTP.

- 2) To provide any technical advice and support the Regional Transport Committee may request on its transport responsibilities generally.
- 3) To provide advice to the Regional Transport Committee on monitoring and reviewing progress towards the adoption and implementation of the Regional Land Transport Plan.
- 4) To advise the Regional Transport Committee on any significant legislative changes, programmes, plans, strategies or reports relating to the region's transport system.
- 5) To liaise with the Ministry of Transport, the New Zealand Transport Agency, the Commissioner of Police, District Councils, KiwiRail, the New Plymouth Airport, Port Taranaki and other interested parties on transport matters, and advise the Regional Transport Committee on any appropriate new initiatives.
- 6) To liaise with neighbouring regions and districts on cross-regional transportation matters, and advise the Regional Transport Committee on any appropriate initiatives relating to these issues.
- 7) To support opportunities to improve understanding of, and integration between, differing modes of transport – including cross-integration points for sea and rail.

Membership

The membership of the RTAG comprises one nominated representative (and an alternate) from the following organisations:

- Taranaki Regional Council – Regional Transport Policy
- Taranaki Regional Council – Public Transport Operations
- New Plymouth District Council
- Stratford District Council
- South Taranaki District Council
- New Zealand Transport Agency – Transport Services Group
- Any other organisations/individuals invited to participate and advise the Regional Transport Committee on technical matters relating to the Committee's Terms of Reference.

It may also be necessary for reference groups to be established which involve support people from the organisations listed above (as deemed appropriate) and which provide specific advice to the RTAG on certain matters – for example maintenance, freight, road safety, passenger transport, rail, environmental, walking and/or cycling, and any other relevant interest groups as appropriate.

Organisation and procedures

• Meetings

Meetings are to take place not less than once every six months and more frequently if required.

It is anticipated that the RTAG will meet approximately once every 6-8 weeks during the 3-yearly development of the Regional Land Transport Plan for the region. Once this Plan is established the RTAG will meet less frequently.

Meetings will be hosted by the Taranaki Regional Council, 47 Cloten Road, Stratford.

- **Convenor**

The Convenor of the RTAG will be one of the nominated members of the Taranaki Regional Council. Should another member of the RTAG wish to request a meeting to be held, this request can be made to the Convenor and a meeting then be established.

- **Attendance**

If nominated members are unable to attend an RTAG meeting, each member must nominate an alternative representative of their organisation who has the member's proxy to attend in their absence.

Each member (or member's alternate) may also invite support or technical advisor/s to attend an RTAG meeting with them. The role of that person/s is to provide advice to the respective member. They do not carry decision-making or voting authority for the purposes of any meeting.

- **Servicing**

Notice of meetings, agenda preparation and meeting notes will be the responsibility of the Convenor, with assistance from member organisation support staff when required. An agenda for the RTAG meeting is to be circulated to members prior to the meeting and, where possible, agenda item contributions from members circulated in good time beforehand.

- **Minutes**

Minutes of each meeting are to be taken. Minutes are to be circulated to meeting attendees and confirmed as accurate at a following meeting.

The meeting minutes may include a list of actions agreed to by participants.

Member responsibility

RTAG members should participate actively in the group and recognise that its success depends on a group effort. Members should recognise that the nature and scope of their roles, responsibilities and experience varies, and that each member has a valid contribution to make.

Members of the RTAG are expected to regularly report back to their respective organisations on matters discussed at meetings.

Voting

Should voting be required, one vote is allowed per organisation of those involved in the Regional Transport Committee.

Reporting

The RTAG acts on behalf of the Regional Transport Committee for Taranaki. As such, communication and feedback to the Committee is critical. A copy of the Minutes of each RTAG meeting is to be presented to the Regional Transport Committee as soon as possible following each RTAG meeting.



NEW PLYMOUTH
DISTRICT COUNCIL
newplymouthnz.com



Agreement in Relation to the Taranaki Solid Waste Management Joint Committee

Agreement Date: 15 February 2018

Agreement between the following Parties:

Taranaki Regional Council
New Plymouth District Council
Stratford District Council
South Taranaki District Council

Background

In 2009, the Taranaki Regional Council, New Plymouth District Council, Stratford District Council and South Taranaki District Council agreed to reconstitute the Regional Solid Waste Working Party into a Joint Committee, to be known as the Taranaki Solid Waste Management Committee, under the Local Government Act 2002.

Clause 30A of Schedule 7 of the Local Government Act 2002 (LGA) and Clause 5 of Schedule 1AA of the LGA requires that before 8 August 2015, an agreement be entered into by the aforementioned Parties specifying:

- the number of members each Party may appoint to the Joint Committee
- how the Chairperson and Deputy Chairperson are to be appointed
- the Terms of Reference of the Joint Committee
- what responsibilities (if any) are to be delegated to the Joint Committee by each Party
- how the agreement may be varied

This Agreement sets out each of these matters as required by the LGA.

This Agreement reflects the updated Terms of Reference adopted by the Taranaki Solid Waste Management Joint Committee on 15 February 2018 and supersedes the *Agreement in Relation to the Taranaki Solid Waste Management Joint Committee* dated 3 August 2015.

Interpretation

Agreement means this agreement with its Schedules include any variations entered into from time to time.

Joint Committee means the Taranaki Solid Waste Management Committee

LGA means the Local Government Act 2002

Party means the Taranaki Regional Council, New Plymouth District Council, Stratford District Council or South Taranaki District Council being a Joint Committee of the Taranaki Regional Council, New Plymouth District Council, Stratford District Council and South Taranaki District Council established under the LGA.

Terms of Reference means the Terms of Reference for the Joint Committee attached to this Agreement as Schedule 1.

Number of Members

The number of members that each Party may appoint to the Joint Committee is set out in the Terms of Reference.

Chairperson and Deputy Chairperson

The process for the appointment of the Chairperson and Deputy Chairperson of the Joint Committee is set out in the Terms of Reference.

Terms of Reference

The Terms of Reference for the Joint Committee as set out in Schedule 1 attached to this Agreement.

Delegations

The delegations, including the Joint Committee's roles and functions and delegated authority is set out in the Terms of Reference attached to this Agreement.

Variations

This Agreement, including the Terms of Reference, may be varied by mutual agreement of the Parties at any time.

Any agreement to vary the Agreement shall be recorded in writing, signed by the Parties and attached to a copy of the Agreement.

Signed of behalf of the Taranaki Regional Council

Name Gary Bedford

Signature Gary Bedford

Date 29/5/18

Signed of behalf of the New Plymouth District Council

Name Craig Stevenson

Signature Craig Stevenson

Date 31 May 2018

Signed of behalf of the Stratford District Council

Name Sven Hawke

Signature Sven Hawke

Date 31/05/2018

Signed of behalf of the South Taranaki District Council

Name WAIDA CROCKETT

Signature Waida Crockett

Date 31/5/18



NEW PLYMOUTH
DISTRICT COUNCIL
newplymouthnz.com



SCHEDULE 1

Terms of Reference for the Taranaki Solid Waste Management Committee

Taranaki Regional Council

New Plymouth District Council

Stratford District Council

South Taranaki District Council

Terms of Reference for the Taranaki Solid Waste Management Committee

Purpose

The Taranaki Solid Waste Management Committee is a Joint Committee whose purpose is to provide a forum for the Taranaki Regional Council, New Plymouth District Council, Stratford District Council and the South Taranaki District Council to jointly consider and advise on waste management issues of significance to the Taranaki region, and, in particular, to collaborate in the delivery of waste minimisation functions arising from the Waste Minimisation Act 2008 where there is efficiency and effectiveness in doing so.

The Regional and District councils have various other related regulatory responsibilities. Therefore, it should be noted that no decisions or recommendations by this Committee may be binding on, or representative of any member; or may compromise or diminish any functions, duty, obligation, or power under the LGA 2002 or any other Act.

Role and functions

The role and functions of the Joint Committee are as follows:

- 1) To collaborate and advise on the preparation, for approval by the territorial authorities, of waste management and minimisation plans for their respective districts;
- 2) To collaborate and advise on waste management functions and duties, and to take advantage of all opportunities, as provided or allowed for by district waste management and minimisation plans and/or by the Waste Minimisation Act 2008;
- 3) To advocate on behalf of the members and Taranaki communities to central government or government and other agencies on matters of common interest pertaining to waste management and minimisation, as the Committee agrees;
- 4) To receive, manage, account for and/or disburse monies as provided for by the Taranaki Regional Council, New Plymouth District Council, Stratford District Council and the South Taranaki District Council (in a manner consistent with relevant waste management and minimisation plans and strategy);
- 5) To prepare, commission, undertake or support such studies, projects or programmes as deemed necessary and provided or allowed for by decision of the Group, district waste management and minimisation plans, the *Regional Waste Management Strategy*, and/or the Waste Minimisation Act 2008;
- 6) To advise the New Plymouth District Council, Stratford District Council and the South Taranaki District Council on matters relating to waste minimisation levies as set out in their respective waste management and minimisation plans;
- 7) To advise the Taranaki Regional Council or the New Plymouth District Council, Stratford District Council and the South Taranaki District Council on matters relating to contestable funding applications, as provided or allowed for by the relevant council(s);

Updated 15 February 2018

- 8) To mutually provide any advice and assistance to the New Plymouth District Council, Stratford District Council and the South Taranaki District Council may request on their waste management responsibilities, functions, and obligations generally;
- 9) To advise the Taranaki Regional Council or the New Plymouth District Council, Stratford District Council and the South Taranaki District Council on any significant legislative changes, programmes, strategies, plans or reports relating to waste management in Taranaki;
- 10) To regularly monitor and review progress on the implementation of waste minimisation plans and strategies;
- 11) To represent and advocate interests of the region on waste management issues of regional interest or concern; and
- 12) To consider and submit on policies, plans and consultation documents issued by national, regional or local authorities on waste management issues, policies, plans and consultation documents of interest.

Membership

Voting membership

The Joint Committee comprises of the following voting members:

- One elected representative from the Taranaki Regional Council
- One elected representative from the New Plymouth District Council
- One elected representative from the Stratford District Council
- One elected representative from the South Taranaki District Council

Non-voting membership

In addition to the above, membership of the Joint Committee may include the following *non-voting* members:

- Up to two staff representatives from the Taranaki Regional Council
- Up to two staff representatives from the New Plymouth District Council
- Up to two staff representatives from the Stratford District Council
- Up to two staff representatives from the South Taranaki District Council
- One representative from the contractor(s) delivering municipal refuse collection services within the region (or other suitable waste management industry representative).
- One representative of the central landfill operation (from 2019)

The Joint Committee may also co-opt representatives of such additional groups and/or commercial services as it may deem necessary for it to achieve its purpose, from time to time for such duration as is fixed at the time.

Meeting schedule

The Joint Committee shall normally meet four times a year but may meet more regularly depending on the issues to be addressed. Members will be advised in advance of the meeting schedule where possible.

Updated 15 February 2018

Reporting of meetings

Subject to any decision regarding confidentiality, members of the Joint Committee are expected to regularly report back to their nominating organisation on matters discussed at Joint Committee meetings.

Voting rights

Non-voting members of the Joint Committee retain speaking rights on any matter. As far as is practicable, the Joint Committee will endeavour to arrive at decisions by consensus. Those members that have voting rights on the Joint Committee are to have alternative representatives nominated to act as a replacement should the original nominated representative be absent from a meeting.

Quorum

No voting will occur should there not be a full quorum of members from those organisations allowed to vote on these matters.

Three members with voting rights constitute a full quorum, except on matters where financial disbursements are being considered.

Where financial disbursements are being considered, **four** members with voting rights constitute a full quorum.

Joint Committee Chairperson and Deputy Chairperson

The Joint Committee appoints their Chairperson and Deputy Chairperson from one of its Members. The appointment of Chairperson and Deputy Chairperson is usually done at the first meeting of the Joint Committee following triennial local authority elections with the Chairperson and Deputy Chairperson holding officer for a period of three years unless resolved otherwise by the Joint Committee.

Standing Orders

The Joint Committee is required to abide by model standing orders. The model standing orders of the Taranaki Regional Council (as administering authority of the Joint Committee) are the model standing orders of the Joint Committee.

Delegated Authority – Power to Act

- 1) The Joint Committee does not have the powers to act in the following instances as specified by Clause 32 (1) of Schedule 7 of the Local Government Act 2002 to:
 - (a) Make a rate;
 - (b) Make a bylaw;
 - (c) Borrow money, or purchase or dispose of assets, other than in accordance with a Long Term Plan Annual Plan or a waste management and minimisation plan;
 - (d) Adopt a Long Term Plan, or Annual Plan or Annual Report, or a waste management and minimisation plan;
 - (e) Appoint a Chief Executive; or
 - (f) Adopt policies required to be adopted and consulted on under the Local Government Act in association with the Long Term Plan or developed for the purpose of the Local Governance Statement.

- 2) The Joint Committee does have the ability to appoint subcommittees, working parties, or advisory groups to deal with matters of responsibility within the Joint Committee's Terms of Reference and areas of responsibility, and to make recommendations to the Joint Committee on such matters and, provided the subcommittee shall not have

Updated 15 February 2018

power to act other than by a resolution of the Joint Committee with specific limitations, where there is urgency or special circumstance.

- 3) The Joint Committee does have the ability to make decisions in accordance with the Terms of Reference.

Administering Authority

The Taranaki Regional Council is the administering authority for the Joint Committee. The Joint Committee may from time to time consider the provision of financial arrangements to cover administrative costs.

Review of Terms

These Terms of Reference may be reviewed from time to time on the instigation of any member (voting or non-voting) provided that the Joint Committee votes to do so. Otherwise the Terms will be routinely reviewed post the tri-ennial local body elections and once appointees to the Committee are identified.



Date 8 November 2022

Subject: **Committee, Joint Committee and other Councillor appointments for 2022-2025**

Approved by: C L Littlewood, Chair

Document: 3113781

Purpose

1. To provide, for the consideration of Members, my recommendations on the appointment of councillors and staff to Council committees and joint committees and to external agencies/organisations for 2022-2025.

Executive summary

2. As part of a separate report on committee structures Council will be confirming the proposed committee and joint committee structure to be put in place for the new triennium.
3. This report compliments that report and outlines the proposed councillor, including Committee Chair and Deputy Chair, appointments to each committee, joint committee and other agencies that require a Council appointee.

Recommendations

That the Taranaki Regional Council:

- a) receives this report *Committee, Joint Committee and other Councillor appointments for 2022-2025* dated 8 November 2022
- b) approves the following appointments to Council committees, joint committees and other organisations:
- c) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- d) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Background

- The Council has addressed as part of a separate report the committee and joint committee structure that it would like to see established for the 2022-2025 triennium. This report complements that report outlines the Councillors that need to be appointed to each committee.

Issues

- There is a need for the Council to confirm the proposed appointments to Council committees.

Discussion

- The following outlines the recommended appointments and includes (where applicable) the recommended Committee Chairpersons and Committee Deputy Chairpersons. The following recommendations are for Councillor appointments only and do not include appointments from other parties (e.g. district councils).

Taranaki Regional Council Committees

Operations and Regulatory Committee (9)	
Committee Chairperson:	Susan Hughes
Committee Deputy Chairperson:	Donna Cram
Committee Members:	Bonita Bigham Tom Cloke Mike Davey David Lean Donald McIntyre
Ex officio:	Charlotte Littlewood Neil Walker
Policy and Planning Committee (8)	
Committee Chairperson:	Craig Williamson
Committee Deputy Chairperson:	Bonita Bigham
Committee Members:	Donna Cram Susan Hughes Alan Jamieson Donald McIntyre
Ex officio:	Charlotte Littlewood Neil Walker
Executive, Audit and Risk Committee (7)	
Committee Chairperson:	Tom Cloke
Committee Members:	Susan Hughes Alan Jamieson Donald McIntyre Craig Williamson
Ex officio:	Charlotte Littlewood Neil Walker

Regional Transport Committee	
<i>Membership of this Committee is pursuant to the Land Transport Management Amendment Act 2008 – Section 105</i>	
Committee Chairperson:	Alan Jamieson
Committee Deputy Chairperson:	Tom Cloke
Alternate Members:	Charlotte Littlewood
Chief Executive Liaison Committee (4)	
Committee Chairperson:	Neil Walker
Committee Members:	Charlotte Littlewood Tom Cloke Bonita Bigham

Taranaki Regional Council Joint Committees

Taranaki Civil Defence Emergency Management Group 2022-2025	
<i>Membership of the Group is pursuant to the Civil Defence Emergency Management Act 2002 – Section 13 whereby the appointment from the Taranaki Regional Council is the Chairperson or an elected person who has delegated authority to act for the Chairperson</i>	
Taranaki Regional Council	
Appointment:	Neil Walker
Alternate Member:	Tom Cloke*
* Appointment to assist continuity. Membership of alternate likely to be reviewed in 12 months.	
Taranaki Solid Waste Management Committee 2022-2025	
<i>Membership of this Committee is pursuant to the agreed Terms of Reference adopted by the Council in November 2009 whereby one elected representative from the Council is appointed</i>	
Taranaki Regional Council	
Appointment:	Donald McIntyre
Alternate Member:	Neil Walker*
* Appointment to assist continuity. Membership of alternate likely to be reviewed in 12 months.	
Yarrow Stadium Joint Committee 2022-2025 (Committee yet to be re-constituted)	
Taranaki Regional Council Appointments:	David Lean Tom Cloke

Taranaki Regional Council appointments to external committees/organisations

Board of Pukeiti and Pukeiti Trust Fund 2022-2025	
<i>The Heads of Agreement between the Pukeiti Rhododendron Trust Incorporated and the Taranaki Regional Council allows for the Council to appoint one person to the Board of Pukeiti and one appointment (as Trustee) to the Pukeiti Trust Fund while the Council is the operator of the Pukeiti Gardens – Section 3 of the Agreement. The appointment/s can be the same person.</i>	
Taranaki Regional Council	
Appointment to Board of Pukeiti:	Donald McIntyre
Taranaki Regional Council	
Appointment to Pukeiti Trust Fund:	Charlotte Littlewood
State Highway 3 Working Party 2022-2025	
Taranaki Regional Council	

Appointments:	Tom Cloke Alan Jamieson
Local Government New Zealand (LGNZ) Regional Sector Group 2022-2025	
Taranaki Regional Council Representative:	Charlotte Littlewood (in capacity as Taranaki Regional Council Chairperson)
Local Government New Zealand (LGNZ) Zone 3 Group 2022-2025	
Taranaki Regional Council Representative:	Charlotte Littlewood (in capacity as Taranaki Regional Council Chairperson)
Any Member who would like to attend the Local Government New Zealand Zone 3 Group meetings are welcome to do so at any time.	
Yarrow Stadium Trust 2022-2025	
Taranaki Regional Council Appointments:	Donna Cram Mike Nield (Director-Corporate Services)
Regional Software Holdings Limited 2022-2025	
Taranaki Regional Council Appointments:	Mike Nield (Director-Corporate Services) Steve Ruru (Chief Executive, alternate)

Taranaki Regional Council Portfolio roles

Government reform and regulation:	Neil Walker
Agriculture:	Donna Cram

Financial considerations—LTP/Annual Plan

- This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. An allowance for the remuneration of elected members and other representatives appointed to Council committees is included within the approved LTP budgets.

Policy considerations

- This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

9. Under the Treaty of Waitangi settlement legislation with Ngāruahine, Te Atiawa and Taranaki iwi there is a requirement for three iwi representatives to be appointed to the Council committees that are responsible for policy and planning matters and regulatory matters. There is an obligation on Council to appoint the iwi members nominated.
10. Nga Iwi o Taranaki have nominated the representatives that they would like to see appointed to these committees. Under section 77 *Te Atiawa Claims Settlement Act 2016* Council needs to confirm the nominations made by Iwi.

Community considerations

11. This memorandum and the associated recommendations have considered the likely views of the community and those views have been recognised in the preparation of this memorandum. In particular, it is considered that the community would likely expect the Council to establish a governance structure that will assist it to perform its functions efficiently and effectively.

Legal considerations

12. Schedule 7 of the Local Government Act 2002 (the Act), sets out the legislative requirements in relation to meetings, committees and other bodies with delegated authority.

Appendices/Attachments

Nil



Date 8 November 2022

Subject: **Ngāti Maru Joint Management Agreement Committee**

Approved by: S J Ruru, Chief Executive

Document: 3119131

Purpose

1. The purpose of this memorandum is to seek approval to extend the date by which Council must conclude negotiation of a Joint Management Agreement with Ngāti Maru.

Executive summary

2. The *Ngāti Maru (Taranaki) Claims Settlement Act 2022* (the Act) was passed into law on 30 March 2022 and required that a Joint Management Agreement (JMA) be agreed by 30 November 2022.
3. The Act contains a number of provisions relating to the content of the JMA and the principles that must be applied to the way in which the parties work together. These include a number of matters that need to be agreed relating to the operation of and provision of information to the Waitara River Committee and other Iwi authorities involved with the formation of this committee. As such it is appropriate that the other Iwi authorities also be involved in the discussions relating to the JMA content and that there be a strong linkage between the JMA and the Heads of Agreement required under the *New Plymouth District Council (Waitara Lands) Act 2018*.
4. While good progress is being made it will not be possible for an agreement to be reached before 30 November. It is therefore proposed that Council and Ngāti Maru formally agree to extend the deadline by which agreement needs to be reached on the content of the JMA by six months.

Recommendations

That the Taranaki Regional Council:

- a) receives the memorandum *Ngāti Maru Joint Management Agreement* dated 8 November 2022
- b) notes the *Ngāti Maru (Taranaki) Claims Settlement Act 2022* requires the Council to negotiate a Joint Management Agreement with Ngāti Maru by 30 November 2022 or such other date as may be agreed between the parties

- c) agrees to extend the date by which a Joint Management Agreement must be agreed with Ngāti Maru to 30 May 2023
- d) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- e) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Background

- 5. The *Ngāti Maru (Taranaki) Claims Settlement Act 2022* (the Act) places a requirement on Council to negotiate a Joint Management Agreement (JMA) with Ngāti Maru by 30 November 2022, or such other date as may be agreed with Ngāti Maru.
- 6. Under the Act the JMA is required to explicitly address a number of matters relating to how the Waitara River Committee, and the other Iwi authorities involved with the Waitara River Committee, might have input into Council consenting, monitoring and plan development processes under the Resource Management Act 1991. As such many of the provisions represent an extension of the requirements included in the New Plymouth District Council (Waitara Lands) Act 2018.
- 7. A draft JMA has been developed and shared with Ngāti Maru who are now working with the other Iwi authorities involved with the Waitara River Committee formation to consider the provisions included in this first draft.
- 8. The passing of the Act earlier this year was timely, given that Council has also been progressing discussions with the Waitara River Authorities and Te Kowhatu Tu Moana relating to the formation of the Waitara River Committee and its terms of reference. This means that it will be possible to achieve a level of alignment between the Heads of Agreement being put in place under the Waitara Lands Act and the Ngāti Maru JMA.

Issues

- 9. There is a need for Council to make a decision about the proposal to extend the timeframe within which it is required to negotiate a JMA with Ngāti Maru.

Discussion

- 10. Progress is being made with development of both a Heads of Agreement relating to formation of the Waitara River Committee and drafting of a Ngāti Maru JMA. Given the significance of the Waitara River and these agreements it is important that the parties take time to negotiate agreements that will meet their mutual objectives. Moving to meet, what is effectively an artificial timeline creates a risk of this objective not being achieved.
- 11. It is proposed that Council agree to extend the deadline for reaching agreement with Ngāti Maru to 30 May 2023.

Significance

12. A decision in accordance with the recommended approach is not considered significant. The decision being made relates to a procedural matter, which is provided for within relevant legislation and which is also supported by Ngāti Maru.

Financial considerations—LTP/Annual Plan

13. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Council has been aware of the need to enter into the JMA for some time and hence allowance is made for its negotiation.

Policy considerations

14. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

15. Officers have had discussions with the Ngāti Maru Chief Executive re the proposal to extend the deadline. He is in agreement and is seeking a formal decision from his trustees.

Community considerations

16. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum. In particular, the community would expect the community would expect Council to operate in accordance with the relevant statutory provisions as proposed in this paper.

Legal considerations

17. The *Ngāti Maru (Taranaki) Claims Settlement Act 2022* has a number of obligations relating to the negotiation of the JMA.
18. Section 82 of the Act requires the parties to have a JMA in place within six months of the settlement date, unless the parties agree to extend that period. Section 90(4) requires that no later than 12 months after the settlement date the Council and Ngāti Maru are required to notify the Minister for the Environment as to whether an agreement has been reached, whether there are issues that the parties have not been able to resolve or whether they have reached an agreement to extend the deadline. Note that if there are significant issues between the parties then the Minister does have an option to assist with their resolution.
19. Subject to the proposal to extend the deadline being formally endorsed by both Council and Ngāti Maru it is proposed that the chief executives would jointly right to the Minister noting that agreement has been reached over a proposal to extend the deadline by six months.
20. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.



Date: 8 November 2022

Subject: **Adoption of revised Taranaki Regional Council Model Standing Orders 2022-2025**

Approved by: M J Nield, Director - Corporate Services
S J Ruru, Chief Executive

Document: 3120063

Purpose

1. The purpose of this memorandum is to adopt the revised *Taranaki Regional Council Model Standing Orders 2022-2025*.

Executive summary

2. Standing Orders contain rules for the conduct of the proceedings of local authorities, committees and subcommittees. Their purposes is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner.
3. Under section 27 of Part 1 of Schedule 7 of the *Local Government Act (2002)* it is mandatory for the council to adopt a set of Standing Orders.
4. Legislation requires all elected and appointed members to follow Standing Orders.

Recommendations

That the Taranaki Regional Council:

- a) receives the revised *Taranaki Regional Council Model Standing Orders 2022-2025*
- b) adopts the revised *Taranaki Regional Council Model Standing Orders 2022-2025*
- c) determines that this decision be recognised as not significant in terms of section 76 of the *Local Government Act 2002*
- d) determines that it has complied with the decision-making provisions of the *Local Government Act 2002* to the extent necessary in relation to this decision; and in accordance with section 79 of the Act, determines that it does not require further information, further assessment of options or further analysis of costs and benefits, or advantages and disadvantages prior to making a decision on this matter.

Background

5. Local Government New Zealand (LGNZ) updated the Model Standing Orders in consultation with the sector, responding to requests for greater clarity around legislative changes, alignments with 21st century meeting practice (including technological advancements) and the inclusion of bi-cultural provisions.
6. The final document along with a Guide was released by LGNZ in August 2022.
7. 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
8. The document also includes ten appendices, which provide templates and additional guidance for implementing provisions.

Discussion

9. The revised *Taranaki Regional Council Model Standing Orders 2022-2025* include English and Te Reo Māori headings and subheadings.
10. There is clarity on the purpose and procedures for Extraordinary and Emergency meetings.

Issues

11. The issues being addressed in this item is compliance with section 27 of Part 1 of Schedule 7 of the *Local Government Act (2002)*.

Options

12. Option One: Adopts the *Taranaki Regional Council Model Standing Orders 2022-2025*
13. Under section 27 of Part 1 of Schedule 7 of the *Local Government Act (2002)*.
14. Option Two: Do not accept the recommendation to adopt the *Taranaki Regional Council Model Standing Orders 2022-2025*
15. There are no advantages to this option, as Council is required by the *Local Government Act 2002* to have Standing Orders.

Significance

16. In terms of the Significance and Engagement Policy, the decision is determined as not significant as:
 - the decision does not affect a large number of residents and ratepayers to a moderate extent
 - the consequences of the decision do not affect a small number of residents and ratepayers to a large extent
 - the decision does not have a history of generating wide public interest with the Taranaki region or New Zealand generally.
17. As such, further consultation and/or engagement is not considered warranted.

Financial considerations—LTP/Annual Plan

18. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

19. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

20. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.

Community considerations

21. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

22. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Document 3112365: Taranaki Regional Council Model Standing Orders 2022- 2025

Taranaki Regional Council



Standing Orders

Date of adoption

Preface/ Kupu whakapuaki

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

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

These standing orders have been designed specifically for local authorities, their committees, subcommittees and subordinate decision-making bodies. They fulfil the requirements of the Local Government Act 2002 (LGA 2002) and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Please note standing orders do not apply to advisory bodies or workshops unless incorporated in their specific terms of reference.

It is mandatory that councils adopt standing order for the conduct of their meetings and the meetings of any subordinate bodies, such as committees and subcommittees (see cl. 27 Schedule 7 of the Local Government Act 2002).

For clarity's sake whenever a question about the interpretation or application of these standing orders is raised, particularly where a matter might not be directly provided for, it is the responsibility of the Chairperson of each meeting to make a ruling.

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

Copyright Notice:

The Taranaki Regional Council (**Council**) has been granted a royalty-free, non-exclusive, non-transferable and revocable licence to:

- amend the standing orders (**Amended Standing Orders**) so that they are suitable for the Council's specific context and needs;
- copy the Amended Standing Orders for use by the Council's employees and elected members and the public; and
- place the Amended Standing Orders on the Council or public website.

The Council will not supply or make available to any third party a copy of the Guide, the Standing Orders or the Amended Standing Orders other than as permitted by this licence. All other rights are reserved by Equip, the copyright owner, under the Copyright Act 1994. Any request to use the standing orders for purposes other than those described above should be made directly to Equip.

Equip has made every reasonable effort to provide accurate information in this document, however it is not advice and we do not accept any responsibility for actions taken that may be based on reading it.

Contents/ Ihirangi

1	Introduction / Kupu Whakataki	1
1.2	Principles / Ngā Mātāpono	1
1.3	Statutory references / Ngā tohutoro ā-ture	1
1.4	Acronyms / Ngā kupu rāpoto	2
1.5	Application/ Te hāngaitanga	2
2	Definitions/ Ngā whakamārama	2
	General matters / Ngā take whānui	9
3	Standing orders / Ngā tikanga whakahaere hui	9
3.1	Obligation to adopt standing orders / Te kawenga ki te whakatū tikanga whakahaere hui	9
3.2	Process for adoption and alteration of standing orders / Te tukanga mō te whakatū me te whakahou i ngā tikanga whakahaere hui	9
3.3	Members must obey standing orders / Me whai ngā mema i ngā tikanga whakahaere hui	9
3.4	Application of standing orders / Te whakahāngai i ngā tikanga whakahaere hui	9
3.5	Temporary suspension of standing orders / Te tārewa taupua i ngā tikanga whakahaere hui	9
3.6	Quasi-judicial proceedings / Ngā whakawā a te kaunihera	10
3.7	Physical address of members / Ngā wāhi noho o ngā mema	10
4	Meetings / Ngā hui	10
4.1	Legal requirement to hold meetings / Te tikanga ā-ture ki te whakahaere hui	10
4.2	Meeting duration / Te roa o ngā hui	10
4.3	Language / Te reo	11
4.4	Webcasting meetings / Te pāho mataora i ngā hui	11
4.5	First meeting (inaugural) / Te hui tuatahi	11
4.6	Requirements for the first meeting	11
5	Appointments and elections / Ngā kopounga me ngā pōtitanga	12
5.1	Elections of a Chairperson and deputy Chairperson / Nga pōtitanga mō te ūpoko me nga koromatua tuarua	12
5.2	Voting system for Chairperson, deputies and committee chairs / Te pūnaha pōti mō ngā ūpoko, ngā Koromatua tuarua me ngā ūpoko komiti	12
6	Delegations / Te tuku mana	13
6.1	Limits on delegations / Te haepapa ki te whakaaroaro ki te tukunga mana ki ngā poari hapori	13

6.2	Committees may delegate / Ngā tepenga o te tuku mana	14
6.3	Use of delegated powers / Ka taea e ngā komiti te tuku mana	14
6.4	Decisions made under delegated authority cannot be rescinded or amended / Te whakamahi i ngā mana tuku	14
6.5	Committees and sub committees subject to the direction of the council / E kore e taea te whakakore, te whakahou rānei i ngā whakatau i raro i te mana tuku	14
7	Committees / Ngā komiti	15
7.1	Appointment of committees and subcommittees / Te kopounga o ngā komiti me ngā komiti āpiti	15
7.2	Discharge or reconstitution of committees and subcommittees / Te whakakore, te whakahou rānei i ngā komiti me ngā komiti āpiti	15
7.3	Appointment or discharge of committee members and subcommittee members / Te kōpounga, te whakakore rānei i ngā mema komiti me ngā mema komiti āpiti	15
7.4	Elected members on committees and subcommittees / Te tū a ngā mema pōti ki ngā komiti me ngā komiti āpiti	16
7.5	Local authority may replace members if committee not discharged / Ka āhei te mana ā-rohe ki te whakakapi i ngā mema mēnā kāore i whakakorehia te komiti	16
7.6	Decision not invalid despite irregularity in membership / Te mematanga a te Koromatua	16
7.7	Appointment of joint committees / Kāore e noho manakore tētahi whakatau ahakoa i rangirua te mematanga	16
7.8	Status of joint committees / Te kopounga o ngā komiti hono	17
7.9	Power to appoint or discharge individual members of a joint committee	17
	Pre-meeting / I mua i te hui	18
8	Giving notice / Te tuku pānui	18
8.1	Public notice - ordinary meetings / Te pānui tūmatanui - ngā hui noa	18
8.2	Notice to members - ordinary meetings / Te pānui ki ngā mema - ngā hui noa	18
8.3	Extraordinary meeting may be called / Ka āhei ki te karanga hui motuhake	18
8.4	Notice to members - extraordinary meetings / Te pānui ki ngā mema - ngā hui motuhake	18
8.5	Emergency meetings may be called / Ka āhei ki te karanga hui ohotata	19
8.6	Process for calling an emergency meeting / Te pūnaha mō te karanga hui ohotata	19
8.7	Public notice - emergency and extraordinary meetings/ Te pānui tūmatanui - ngā hui ohotata me te motuhake	19

8.8	Chief executive may make other arrangements / Ka taea e te tumu whakahaere te whakarite etahi atu whakaritenga	20
8.9	Meetings not invalid / Kāore e manakore ngā hui	20
8.10	Resolutions passed at an extraordinary meeting / Kāore e manakore ngā hui	20
8.11	Meeting schedules / Ngā hōtaka hui	21
8.12	Non-receipt of notice to members / Te kore e whiwhi pānui a ngā mema	21
8.13	Meeting cancellations / Te whakakore hui	21
9	Meeting agenda / Te rārangi take o ngā hui	21
9.1	Preparation of the agenda / Te rārangi take o ngā hui	21
9.2	Process for raising matters for a decision / Te pūnaha mō te whakatakoto take hei whakatau	22
9.3	Chief executive may delay or refuse request / Ka āhei te tumu whakarae ki te whakaroa, whakakore rānei i tētahi tono	22
9.4	Order of business / Te raupapatanga o ngā mahi	22
9.5	Chairperson’s recommendation / Te marohi a te ūpoko	22
9.6	Chairperson’s report / Te pūrongo a te ūpoko	22
9.7	Public availability of the agenda / Te wātea o te rārangi take ki te marea	23
9.8	Public inspection of agenda / Te tiro tiro a te marea i te rārangi take	23
9.9	Withdrawal of agenda items / Te tango take i te rārangi take	23
9.10	Distribution of the agenda / Te tuari i te rārangi take	23
9.11	Status of agenda / Te tūnga o te rārangi take	24
9.12	Items of business not on the agenda which cannot be delayed / Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa	24
9.13	Discussion of minor matters not on the agenda / Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa	24
9.14	Public excluded business on the agenda / Ngā take o te rārangi take kāore e whārikihia ki te marea	24
9.15	Qualified privilege relating to agenda and minutes / Te maru whāiti e pā ana ki te rārangi take me ngā meneti	25
	Meeting Procedures / Ngā Tikanga Hui	25
10	Quorum / Kōrama	25
10.1	Council meetings / Ngā hui kaunihera	25
10.2	Committees and subcommittees meetings / Ngā hui komiti me te komiti āpiti	25
10.3	Joint Committees / Ngā komiti hono	26
10.4	Requirement for a quorum / Te herenga mō te kōrama	26

10.5	Meeting lapses where no quorum / Ka tārewa te hui mēnā karekau he kōrama	26
10.6	Business from lapsed meetings / Ngā take mai i ngā hui tārewa	27
11	Public access and recording / Te urunga a te marea me te hopunga	27
11.1	Meetings open to the public / Te urunga a te marea me te hopunga	27
11.2	Grounds for removing the public / Te urunga a te marea me te hopunga	27
11.3	Local authority may record meetings / Ka āhei te mana ā-rohe ki te hopu i ngā hui	27
11.4	Public may record meetings / Ka āhei te mana ā-rohe ki te hopu i ngā hui	27
12	Attendance / Te taenga	28
12.1	Members right to attend meetings / Te mōtika a ngā mema ki te tae ki ngā hui	28
12.2	Attendance when a committee is performing judicial or quasi-judicial functions / Te tae ki ngā hui ina whakahaere whakawā te komiti	28
12.3	Leave of absence / Te tuku tamōtanga	28
12.4	Apologies/ whakapāha	28
12.5	Recording apologies / Ngā whakapāha	29
12.6	Absent without leave / Te hopu whakapāha	29
12.7	Right to attend by audio or audio visual link / Te tamōtanga kāore i whakaaetia	29
12.8	Member’s status: quorum / Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei	29
12.9	Member’s status: voting / Te tūnga a te mema: kōrama	29
12.10	Chairperson’s duties / Te tūnga a te mema: te pōti	30
12.11	Conditions for attending by audio or audio visual link / Ngā mahi a te ūpoko	30
12.12	Request to attend by audio or audio visual link / Ngā mahi a te ūpoko	30
12.13	Chairperson may terminate link / Ngā mahi a te ūpoko	31
12.14	Giving or showing a document / Ka āhei te ūpoko ki te whakakore i te hononga	31
12.15	Link failure / Te tuku, te whakaatu rānei i tētahi tuhinga	31
12.16	Confidentiality / Ina mūhore te hononga	31
13	Chairperson’s role in meetings / Te mahi a te ūpoko i roto i ngā hui	32
13.1	Council meetings / Ngā hui kaunihera	32
13.2	Other meetings/ Ētahi atu hui	32
13.3	Addressing the Chairperson / Me pēhea te whakaingoa i te ūpoko	32
13.4	Chairperson’s rulings / Ngā whakataunga a te ūpoko	32
13.5	Chairperson standing / Ina tū te ūpoko	33

13.6	Member’s right to speak / Te mōtika a te mema ki te kōrero	33
13.7	Chairperson may prioritise speakers / Ka āhei te ūpoko ki te whakaraupapa i ngā kaikōrero	33
14	Public Forums / Ngā Matapakinga a te Marea	33
14.1	Time limits / Ngā tepenga wā	34
14.2	Restrictions / Ngā herenga	34
14.3	Questions at public forums / Ngā pātai i ngā matapakinga a te marea	34
14.4	No resolutions / Kāore he tatūnga	34
15	Deputations / Ngā Teputeihana	34
15.1	Time limits / Ngā tepenga wā	35
15.2	Restrictions / Ngā herenga	35
15.3	Questions of a deputation / Te pātai i ngā teputeihana	35
15.4	Resolutions / Ngā tatūnga	35
16	Petitions / Ngā tatūnga	36
16.1	Form of petitions / Ngā tatūnga	36
16.2	Petition presented by petitioner / Te petihana ka whakatakotohia e te kaipetihana	36
16.3	Petition presented by member / Te petihana ka whakatakotohia e tētahi mema	36
17	Exclusion of public / Te aukati i te marea	37
17.1	Motions and resolutions to exclude the public / Ngā mōtini me ngā tatūnga ki te aukati i te marea	37
17.2	Specified people may remain / Ngā mōtini me ngā tatūnga ki te aukati i te marea	37
17.3	Public excluded items / Ngā mōtini me ngā tatūnga ki te aukati i te marea	37
17.4	Non-disclosure of information / Ngā mōtini me ngā tatūnga ki te aukati i te marea	38
17.5	Release of information from public excluded session / Te tuku i ngā mōhiohio nō te nohoanga aukati ki te marea	38
18	Voting / Te pōti	38
18.1	Decisions by majority vote / Mā te nuinga e whakatau	38
18.2	Open voting / Te pōti tuwhera	38
18.3	Chairperson has a casting vote / Kei te ūpoko te pōti whakatau	39
18.4	Method of voting / Te tikanga pōti	39
18.5	Calling for a division / Te tono i te wehenga	39
18.6	Request to have votes recorded / Te tono kia tuhi i ngā pōti	39
18.7	Members may abstain / Ka āhei ngā mema ki te noho puku	39

19	Conduct / Ngā whanonga	40
19.1	Calling to order / Te tono kia tau ngā mema	40
19.1	Behaviour consistent with Code of Conduct / Ngā whanonga e hāngai ana ki te Tikanga Whakahaere	40
19.2	Retractions and apologies / Te tango kōrero me te whakapāha	40
19.3	Disorderly conduct / Ngā whanonga kino	40
19.4	Contempt / Te whakahāwea	40
19.5	Removal from meeting / Te pana i te tangata i te hui	41
19.6	Financial conflicts of interests / Ngā take taharua ahumoni	41
19.7	Non-financial conflicts of interests / Ngā take taharua ahumoni-kore	41
19.8	Qualified privilege for meeting proceedings / Te maru whāiti mō ngā whakaritenga hui	42
19.9	Qualified privilege additional to any other provisions / He āpitihanga te maru whāiti ki ētahi atu whakaritenga	42
19.10	Electronic devices at meetings / Ngā pūrere hiko i ngā hui	42
20	General rules of debate / Ngā tikanga whānui mō te tautohetohe	42
20.1	Chairperson may exercise discretion / Kei te ūpoko te tikanga	42
20.2	Time limits on speakers / Te tepenga wā mā ngā kaikōrero	42
20.3	Questions to staff / Ngā pātai ki ngā kaimahi	43
20.4	Questions of clarification / Ngā pātai whakamārama	43
20.5	Members may speak only once / Kotahi noa iho te wā e āhei ai te mema ki te kōrero	43
20.6	Limits on number of speakers / Ngā tepenga mō te maha o ngā kaikōrero	43
20.7	Seconder may reserve speech / Ka āhei te kaitautoko ki te whakatārewa i tana kōrero	43
20.8	Speaking only to relevant matters / Me hāngai ngā kōrero ki ngā take whai pānga	43
20.9	Restating motions / Te whakahua anō i te mōtini	44
20.10	Criticism of resolutions / Te whakahē i ngā tatūnga	44
20.11	Objecting to words / Te whakahē kupu	44
20.12	Right of reply / Te mōtika ki te whakautu	44
20.13	No other member may speak / E kore e āhei tētahi atu mema ki te kōrero	45
20.14	Adjournment motions / Ngā mōtini hei hiki i te hui	45
20.15	Chairperson's acceptance of closure motions / Te whakaae a te ūpoko ki ngā mōtini whakakapi	45
21	General procedures for speaking and moving motions / Ngā tikanga whānui mō te kōrero me te mōtini	45
	Option B / Kōwhiringa B	46

Option C / Kōwhiringa C	46
22 Motions and amendments / Ngā mōtini me ngā whakahoutanga	47
22.1 Proposing and seconding motions / Te whakatakoto me te tautoko mōtini	47
22.2 Motions in writing / Te tuhi i ngā mōtini	47
22.3 Motions expressed in parts / Ngā mōtini i whakawehea	47
22.4 Substituted motion / Ngā mōtini i whakawehea	47
22.5 Amendments to be relevant and not direct negatives / Me hāngai ngā whakahoutanga me kua e whakahē i te mōtini	47
22.6 Foreshadowed amendments / Ngā whakahoutanga kua kōrerotia kētia	48
22.7 Lost amendments / Ngā whakahoutanga i whakahēngia	48
22.8 Carried amendments / Ngā whakahoutanga i whakaaetia	48
22.9 Where a motion is lost / Ina whakahēngia tētahi mōtini	48
22.10 Withdrawal of motions and amendments / Te tango i ngā mōtini me ngā whakahoutanga	48
22.11 No speakers after reply or motion has been put / Kāore e āhei he kaikōrero i muri i te whakautu a te kaimōtini, i te tono rānei i te pōti	49
23 Revocation or alteration of resolutions / Te whakakore, te whakahou rānei i ngā tatūnga	49
23.1 Member may move revocation of a decision / Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga	49
23.2 Revocation must be made by the body responsible for the decision / Mā te rōpū nāna te whakatau e whakakore	49
23.3 Requirement to give notice / Te herenga ki te tuku pānui	50
23.4 Restrictions on actions under the affected resolution / Ngā herenga mō ngā mahi i raro i te tatūnga whai pānga	50
23.5 Revocation or alteration by resolution at same meeting / Te whakakore, te whakahou rānei mā te tatūnga i taua hui tonu	50
23.6 Revocation or alteration by recommendation in report / Te whakakore, te whakahou rānei mā te marohi ki rō pūrongo	50
24 Procedural motions / Ngā mōtini whakahaere	51
24.1 Procedural motions must be taken immediately / Me pōti ngā mōtini whakahaere i taua wā tonu	51
24.2 Procedural motions to close or adjourn a debate / Ngā mōtini whakahaere ki te whakakapi, whakatārewa rānei i tētahi tautohetohe	51
24.3 Voting on procedural motions / Te pōti mō ngā mōtini whakahaere	51
24.4 Debate on adjourned items / Te tautohetohe i ngā take i whakatārewatia	51
24.5 Remaining business at adjourned meetings / Ngā take e toe ana i ngā hui i whakatārewatia	52

24.6	Business referred to the relevant committee / Ngā take e tukuna ana ki te kaunihera, komiti, poari hapori rānei	52
24.7	Other types of procedural motions / Etahi atu momo mōtini whakahaere	52
25	Points of order / Te tono ki te whakatika hapa	52
25.1	Members may raise points of order / Ka āhei ngā mema ki te tono ki te whakatika hapa	52
25.2	Subjects for points of order / Ngā kaupapa mō te whakatika hapa	52
25.3	Contradictions / Ngā whakahē	53
25.4	Point of order during division / Te tono whakatika hapa i te wā o te wehenga	53
25.5	Chairperson’s decision on points of order / Te whakatau a te ūpoko mō ngā tono whakatika	53
26	Notices of motion / Te pānui i ngā mōtini	53
26.1	Notice of intended motion to be in writing / Me tuhi te pānui mō te mōtini e takune ana	53
26.2	Refusal of notice of motion / Te whakahē i te pānui mōtini	53
26.3	Mover of notice of motion / Te kaimōtini o te pānui mōtini	54
26.4	Alteration of notice of motion / Te whakarerekē i te pānui mōtini	54
26.5	When notices of motion lapse / Ka tārewa te pānui mōtini	54
26.6	Referral of notices of motion / Te tuku i ngā pānui mōtini	54
26.7	Repeat notices of motion / Ngā pānui mōtini tārua	55
27	Minutes / Ngā meneti	55
27.1	Minutes to be evidence of proceedings / Ka noho ngā meneti hei taunakitanga mō te hui	55
27.2	Matters recorded in minutes / Ngā take ka tuhi ki ngā meneti	55
27.3	No discussion on minutes / Kāore e āhei te whakawhiti kōrero mō ngā meneti	56
27.4	Minutes of last meeting before election / Ngā meneti o te hui whakamutunga i mua i te pōtitanga	56
28	Keeping a record/ Te whakarite mauhanga	56
28.1	Maintaining accurate records/ Te whakarite i ngā mauhanga tika	56
28.2	Method for maintaining records/ Te tikanga mō te tiaki i ngā mauhanga	57
28.3	Inspection/ Te tirotiro	57
28.4	Inspection of public excluded matters/ Te tirotiro i ngā take aukati marea	57
29	Referenced documents / Ngā tohutoro tuhinga	57

1 Introduction / Kupu Whakataki

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

1.2 Principles / Ngā Mātāpono

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).

1.3 Statutory references / Ngā tohutoro ā-ture

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.

1.4 Acronyms / Ngā kupu rāpoto

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

1.5 Application/ Te hāngaitanga

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/ Ngā whakamārama

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

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

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

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

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

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

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

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

Chief executive means the chief executive of a 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.

Conflict of Interest means any pecuniary interest and any interest arising because of that person's position as a trustee, director, officer, employee or member of another body or because of any personal non-pecuniary interest, such as pre-determination or bias.

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

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

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

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

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

Electronic link means both an audio and audiovisual link.

Emergency meeting has the same meaning as defined in cl. 22A 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.

Item means a substantive matter for discussion at a meeting.

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

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

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

Lawfully excluded means a member of 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, 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, extraordinary, or emergency meeting of a local authority, subordinate decision-making bodies of the local authority convened under the provisions of LGOIMA.

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

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

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

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

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

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

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

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

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

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

conducted by electronic means. The result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

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

Ordinary meeting means any meeting, other than the first meeting, of 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 chairperson.

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

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

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

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

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

Public notice 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 website. 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).

Seconder means the member who seconds a motion or amendment.

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

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

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

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

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

Working day means a day of the week other than:

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

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

Working party means a group set up by a 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 will not apply, unless required by the local authority. Workshops may include non-elected members. Workshops may also be described as briefings.

General matters / Ngā take whānui

3 Standing orders / Ngā tikanga whakahaere hui

3.1 Obligation to adopt standing orders / Te kawenga ki te whakatū tikanga whakahaere hui

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

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

3.2 Process for adoption and alteration of standing orders / Te tukanga mō te whakatū me te whakahou i ngā tikanga whakahaere hui

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

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

3.3 Members must obey standing orders / Me whai ngā mema i ngā tikanga whakahaere hui

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

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

3.4 Application of standing orders / Te whakahāngai i ngā tikanga whakahaere hui

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

3.5 Temporary suspension of standing orders / Te tārewa taupua i ngā tikanga whakahaere hui

Any member of a council, committee, subcommittee and subordinate body may move a motion to suspend 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 / Ngā whakawā a te kaunihera

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

3.7 Physical address of members / Ngā wāhi noho o ngā mema

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

4 Meetings / Ngā hui

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

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

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

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

4.2 Meeting duration / Te roa o ngā hui

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

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

4.3 Language / Te reo

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 5 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 5 working days before the meeting.

4.4 Webcasting meetings / Te pāho mataora i ngā hui

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

4.5 First meeting (inaugural) / Te hui tuatahi

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

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

4.6 Requirements for the first meeting

The chief executive (or, in the absence of the chief executive, their nominee) must 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 any declarations required of members under cl.14, Schedule7, (LGA 2002), and
- (b) The election of the Chairperson (if any) and the making and attesting of the declaration required of the Chairperson under cl. 14 Schedule7, (LGA 2002), and
- (c) A general explanation, given or arranged by the chief executive, of:
 - i. LGOIMA; and

- ii. Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013;
- (d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- (e) the election of the deputy Chairperson in accordance with cl.17 Schedule 7, (LGA 2002).

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

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

5 Appointments and elections / Ngā kopounga me ngā pōtitanga

5.1 Elections of a Chairperson and deputy Chairperson / Nga pōtitanga mō te ūpoko me nga koromatua tuarua

The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.5) when electing people to the following positions:

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

cl. 25 Schedule 7, LGA 2002.

5.2 Voting system for Chairperson, deputies and committee chairs / Te pūnaha pōti mō ngā ūpoko, ngā Koromatua tuarua me ngā ūpoko komiti

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

System A

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

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

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

System B

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

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

cl. 25 Schedule 7, LGA 2002.

6 Delegations / Te tuku mana

6.1 Limits on delegations / Te haepapa ki te whakaaroaro ki te tukunga mana ki ngā poari hapori

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

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

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

6.2 Committees may delegate / Ngā tepenga o te tuku mana

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

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

6.3 Use of delegated powers / Ka taea e ngā komiti te tuku mana

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

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

6.4 Decisions made under delegated authority cannot be rescinded or amended / Te whakamahi i ngā mana tuku

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

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

6.5 Committees and sub committees subject to the direction of the council / E kore e taea te whakakore, te whakahou rānei i ngā whakatau i raro i te mana tuku

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

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

7 Committees / Ngā komiti

7.1 Appointment of committees and subcommittees / Te kopounga o ngā komiti me ngā komiti āpiti

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

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

7.2 Discharge or reconstitution of committees and subcommittees / Te whakakore, te whakahou rānei i ngā komiti me ngā komiti āpiti

Unless expressly provided otherwise in legislation or regulation:

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

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

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

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

7.3 Appointment or discharge of committee members and subcommittee members / Te kōupounga, te whakakore rānei i ngā mema komiti me ngā mema komiti āpiti

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

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

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

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

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

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

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

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

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

7.6 Decision not invalid despite irregularity in membership / Te mematanga a te Koromatua

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

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

cl. 29, Schedule 7, LGA 2002.

7.7 Appointment of joint committees / Kāore e noho manakore tētahi whakatau ahakoa i rangirua te mematanga

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

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

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

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

7.8 Status of joint committees / Te kopounga o ngā komiti hono

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

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

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

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

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

Pre-meeting / I mua i te hui

8 Giving notice / Te tuku pānui

8.1 Public notice – ordinary meetings / Te pānui tūmatanui – ngā hui noa

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

s. 46, LGOIMA.

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

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

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

8.3 Extraordinary meeting may be called / Ka āhei ki te karanga hui motuhake

An extraordinary council meeting may be called by:

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

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

8.4 Notice to members - extraordinary meetings / Te pānui ki ngā mema – ngā hui motuhake

Notice in writing of the time and place of an extraordinary meeting called under standing order 8.3 and of the general nature of business to be considered must be given by the chief executive to each member of the council at least 3 working days

before the day appointed for the meeting. If the meeting is called by a resolution then notice must be provided within such lesser period as is specified in the resolution, as long as it is not less than 24 hours.

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

8.5 Emergency meetings may be called / Ka āhei ki te karanga hui ohotata

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

- (a) The Chairperson; or
- (b) If the Chairperson is unavailable, the chief executive.

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

8.6 Process for calling an emergency meeting / Te pūnaha mō te karanga hui ohotata

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

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

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

8.7 Public notice – emergency and extraordinary meetings/ Te pānui tūmatanui – ngā hui ohotata me te motuhake

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

To be publicly notified as soon as practicable before the meeting is to be held; or

If it is not practicable to publish a notice in newspapers before the meeting, to be notified as soon as practicable on the local authority's website and in any other manner that is reasonable in the circumstances.

s. 46 (3) LGOIMA.

8.8 Chief executive may make other arrangements / Ka taea e te tumu whakahaere te whakarite etahi atu whakaritenga

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

s. 46(5) LGOIMA.

8.9 Meetings not invalid / Kāore e manakore ngā hui

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

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

s. 46 (6), LGOIMA.

8.10 Resolutions passed at an extraordinary meeting / Kāore e manakore ngā hui

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

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

s. 51A, LGOIMA.

8.11 Meeting schedules / Ngā hōtaka hui

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

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

8.12 Non-receipt of notice to members / Te kore e whiwhi pānui a ngā mema

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

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

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

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

8.13 Meeting cancellations / Te whakakore hui

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 / Te rārangi take o ngā hui

9.1 Preparation of the agenda / Te rārangi take o ngā hui

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 / Te pūnaha mō te whakatakoto take hei whakataurua

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

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

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

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

9.4 Order of business / Te raupapatanga o ngā mahi

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 9.

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 / Te marohi a te ūpoko

A Chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a Chairperson's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained. A recommendation that differs significantly from the officer's recommendation must comply with the decision-making requirements of Part 6, LGA 2002.

9.6 Chairperson's report / Te pūrongo a te ūpoko

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.

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

9.7 Public availability of the agenda / Te wātea o te rārangi take ki te marea

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

s. 5 & 46A, LGOIMA.

9.8 Public inspection of agenda / Te tiroiro a te marea i te rārangi take

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 / Te tango take i te rārangi take

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 / Te tuari i te rārangi take

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 Order 8.4 and 8.10).

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

9.11 Status of agenda / Te tūnga o te rārangi take

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 / Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa

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 / Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa

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 / Ngā take o te rārangi take kāore e whārikihia ki te marea

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 / Te maru whāiti e pā ana ki te rārangi take me ngā meneti

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 / Ngā Tikanga Hui

Opening and closing

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

10 Quorum / Kōrama

10.1 Council meetings / Ngā hui kaunihera

The quorum for a meeting of the council is:

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

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

10.2 Committees and subcommittees meetings / Ngā hui komiti me te komiti āpiti

A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums

for their subcommittees by resolution provided that it is not less than two members. (See also 7.4).

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

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

10.3 Joint Committees / Ngā komiti hono

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

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

10.4 Requirement for a quorum / Te herenga mō te kōrama

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

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

10.5 Meeting lapses where no quorum / Ka tārewa te hui mēnā karekau he kōrama

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.

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

10.6 Business from lapsed meetings / Ngā take mai i ngā hui tārewa

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

11 Public access and recording / Te urunga a te marea me te hopunga

11.1 Meetings open to the public / Te urunga a te marea me te hopunga

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

s.47 & 49(a), LGOIMA.

11.2 Grounds for removing the public / Te urunga a te marea me te hopunga

The chairperson may require any member of the public to be removed from the meeting if they believe that person's behaviour is likely to prejudice the orderly conduct of the meeting.

s.50(1), LGOIMA

11.3 Local authority may record meetings / Ka āhei te mana ā-rohe ki te hopu i ngā hui

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

11.4 Public may record meetings / Ka āhei te mana ā-rohe ki te hopu i ngā hui

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

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

12 Attendance / Te taenga

12.1 Members right to attend meetings / Te mōtika a ngā mema ki te tae ki ngā hui

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

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

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

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

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

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

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

12.3 Leave of absence / Te tuku tamōtanga

The council grant a member leave of absence following an application from that member.

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

12.4 Apologies/ whakapāha

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Chairperson (or acting chair) must invite

apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council.

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

12.5 Recording apologies / Ngā whakapāha

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

12.6 Absent without leave / Te hopu whakapāha

Where a member is absent from the council for four consecutive meetings without leave of absence (not including extraordinary meetings 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.

12.7 Right to attend by audio or audio visual link / Te tamōtanga kāore i whakaaetia

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

12.8 Member's status: quorum / Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei

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.

12.9 Member's status: voting / Te tūnga a te mema: kōrama

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

12.10 Chairperson's duties / Te tūnga a te mema: te pōti

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.

12.11 Conditions for attending by audio or audio visual link / Ngā mahi a te ūpoko

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

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

12.12 Request to attend by audio or audio visual link / Ngā mahi a te ūpoko

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

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

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

its committees.

12.13 Chairperson may terminate link / Ngā mahi a te ūpoko

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

12.14 Giving or showing a document / Ka āhei te ūpoko ki te whakakore i te hononga

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

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

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

12.15 Link failure / Te tuku, te whakaatu rānei i tētahi tuhinga

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

12.16 Confidentiality / Ina mūhore te hononga

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

13 Chairperson's role in meetings / Te mahi a te ūpoko i roto i ngā hui

13.1 Council meetings / Ngā hui kaunihera

The Chairperson of the council must preside at meetings of the council 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 local authority members who are present must elect a member to be Chairperson at that meeting. This person may exercise the meeting responsibilities, duties and powers of the Chairperson for that meeting. This provision also applies to committees and subcommittees.

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

13.2 Other meetings/ Ētahi atu hui

The appointed Chairperson of a committee, subcommittee and subordinate decision-making bodies must preside at each meeting, unless they vacate the chair for a particular meeting 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 at that meeting who may exercise the meeting responsibilities, duties and powers of the Chairperson.

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

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

13.3 Addressing the Chairperson / Me pēhea te whakaingoa i te ūpoko

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

13.4 Chairperson's rulings / Ngā whakataunga a te ūpoko

The Chairperson will decide all procedural questions, including points of order, where insufficient provision is made by these standing orders (except in cases where appoint of order questions the chairperson's ruling). Any refusal to obey a Chairperson's ruling or direction constitutes contempt. (See SO 20.5)

13.5 Chairperson standing / Ina tū te ūpoko

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

13.6 Member's right to speak / Te mōtika a te mema ki te kōrero

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

13.7 Chairperson may prioritise speakers / Ka āhei te ūpoko ki te whakaraupapa i ngā kaikōrero

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

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

14 Public Forums / Ngā Matapakinga a te Marea

Public forums are not held as a matter of course. Public forums may be held by the Council or any of its Committees or Joint Committees provided a request for a public forum is received in writing by the Chief Executive at least two working days prior to the meeting and subsequently approved by the chairperson of the meeting. The chairperson of the meeting retains the right to refuse a request for a public forum. Should a public forum be agreed to be held, it will be conducted at a time determined by the chairperson of the meeting.

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

14.1 Time limits / Ngā tepenga wā

A period of up to 30 minutes, or such time as the chairperson of the meeting may determine, may be available for a public forum.

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

14.2 Restrictions / Ngā herenga

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

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

14.3 Questions at public forums / Ngā pātai i ngā matapakinga a te marea

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

14.4 No resolutions / Kāore he tatūnga

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.

15 Deputations / Ngā Teputeihana

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 may be received by the Council or any of its Committees or

Joint Committees provided a request for a deputation is received in writing by the Chief Executive at least two working days prior to the meeting and subsequently approved by the chairperson of the meeting. The chairperson of the meeting retains the right to refuse a request for a deputation. Should a deputation be agreed to be received, it will be conducted at a time determined by the chairperson of the meeting.

15.1 Time limits / Ngā tepenga wā

Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation's deputation.

15.2 Restrictions / Ngā herenga

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

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

15.3 Questions of a deputation / Te pātai i ngā teputeihana

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

15.4 Resolutions / Ngā tatūnga

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

16 Petitions / Ngā tatūnga

16.1 Form of petitions / Ngā tatūnga

Petitions may be presented to the local authority or any of its committees. 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, inaccurate, or misleading statements (see standing order 20.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to make a petition in te reo Māori or sign language should advise the relevant Chairperson at least five working days before the meeting to enable the petition be translated and reprinted, if necessary.

16.2 Petition presented by petitioner / Te petihana ka whakatakotohia e te kaipetihana

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

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

16.3 Petition presented by member / Te petihana ka whakatakotohia e tētahi mema

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

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

17 Exclusion of public / Te aukati i te marea

17.1 Motions and resolutions to exclude the public / Ngā mōtini me ngā tatūnga ki te aukati i te marea

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

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

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

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

s. 48 LGOIMA.

17.2 Specified people may remain / Ngā mōtini me ngā tatūnga ki te aukati i te marea

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

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

s.48 (6) LGOIMA.

17.3 Public excluded items / Ngā mōtini me ngā tatūnga ki te aukati i te marea

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

s.46A (8) LGOIMA.

17.4 Non-disclosure of information / Ngā mōtini me ngā tatūnga ki te aukati i te marea

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

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

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

17.5 Release of information from public excluded session / Te tuku i ngā mōhiohio nō te nohoanga aukati ki te marea

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

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

18 Voting / Te pōti

18.1 Decisions by majority vote / Mā te nuinga e whakatau

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

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

18.2 Open voting / Te pōti tuwhera

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

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

18.3 Chairperson has a casting vote / Kei te ūpoko te pōti whakatau

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

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

18.4 Method of voting / Te tikanga pōti

The method of voting must be as follows:

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

18.5 Calling for a division / Te tono i te wehenga

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

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

18.6 Request to have votes recorded / Te tono kia tuhi i ngā pōti

If requested by a member immediately after a vote the minutes must record the member's vote or abstention.

18.7 Members may abstain / Ka āhei ngā mema ki te noho puku

Any member may abstain from voting.

19 Conduct / Ngā whanonga

19.1 Calling to order / Te tono kia tau ngā mema

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

19.1 Behaviour consistent with Code of Conduct / Ngā whanonga e hāngai ana ki te Tikanga Whakahaere

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

19.2 Retractions and apologies / Te tango kōrero me te whakapāha

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

19.3 Disorderly conduct / Ngā whanonga kino

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

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

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

19.4 Contempt / Te whakahāwea

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

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

19.5 Removal from meeting / Te pana i te tangata i te hui

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

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

19.6 Financial conflicts of interests / Ngā take taharua ahumoni

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

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

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

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

s. 6 & 7 LAMIA.

19.7 Non-financial conflicts of interests / Ngā take taharua ahumoni-kore

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

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

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

19.8 Qualified privilege for meeting proceedings / Te maru whāiti mō ngā whakaritenga hui

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

s. 53, LGOIMA.

19.9 Qualified privilege additional to any other provisions / He āpitianga te maru whāiti ki ētahi atu whakaritenga

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

s. 53, LGOIMA.

19.10 Electronic devices at meetings / Ngā pūrere hiko i ngā hui

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.

20 General rules of debate / Ngā tikanga whānui mō te tautohetohe

20.1 Chairperson may exercise discretion / Kei te ūpoko te tikanga

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

20.2 Time limits on speakers / Te tepenga wā mā ngā kaikōrero

The following time limits apply to members speaking at meetings:

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

(c) other members – not more than 5 minutes.

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

20.3 Questions to staff / Ngā pātai ki ngā kaimahi

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

20.4 Questions of clarification / Ngā pātai whakamārama

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

20.5 Members may speak only once / Kotahi noa iho te wā e āhei ai te mema ki te kōrero

A member may not speak more than once to a motion at a meeting of a local authority except with permission of the Chairperson.

20.6 Limits on number of speakers / Ngā tepenga mō te maha o ngā kaikōrero

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

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

20.7 Seconder may reserve speech / Ka āhei te kaitautoko ki te whakatārewa i tana kōrero

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

20.8 Speaking only to relevant matters / Me hāngai ngā kōrero ki ngā take whai pānga

Members may speak to any matter before the meeting; a motion or amendment which they propose; and to raise a point of order arising out of debate, but not

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

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

20.9 Restating motions / Te whakahua anō i te mōtini

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

20.10 Criticism of resolutions / Te whakahē i ngā tatūnga

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

20.11 Objecting to words / Te whakahē kupu

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

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

20.12 Right of reply / Te mōtika ki te whakautu

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. The mover of the original motion may choose to indicate that they wish to reserve their right or reply until the closure motion.

20.13 No other member may speak / E kore e āhei tētahi atu mema ki te kōrero

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

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

20.14 Adjournment motions / Ngā mōtini hei hiki i te hui

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

20.15 Chairperson's acceptance of closure motions / Te whakaae a te ūpoko ki ngā mōtini whakakapi

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

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

21 General procedures for speaking and moving motions / Ngā tikanga whānui mō te kōrero me te mōtini

21.1 Options for speaking and moving / Ngā kōwhiringa mō te kōrero me te mōtini

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

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

21.2 Option A / Kōwhiringa 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.

Option B / Kōwhiringa 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.

Option C / Kōwhiringa C

- The mover and seconder of a motion can move or second an amendment
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost can move or second further amendments.

- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22 Motions and amendments / Ngā mōtini me ngā whakahoutanga

22.1 Proposing and seconding motions / Te whakatakoto me te tautoko mōtini

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

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

22.2 Motions in writing / Te tuhi i ngā mōtini

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

22.3 Motions expressed in parts / Ngā mōtini i whakawehea

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

22.4 Substituted motion / Ngā mōtini i whakawehea

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

22.5 Amendments to be relevant and not direct negatives / Me hāngai ngā whakahoutanga me kaua e whakahē i te mōtini

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

- Not directly relevant
- In conflict with a carried amendment

- Similar to a lost amendment
- Would negate a committee decision if made under delegated authority
- In conflict with a motion referred to the governing body by that meeting
- Direct negative.

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

22.6 Foreshadowed amendments / Ngā whakahoutanga kua kōrerotia kētia

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

22.7 Lost amendments / Ngā whakahoutanga i whakahēngia

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

22.8 Carried amendments / Ngā whakahoutanga i whakaaetia

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

22.9 Where a motion is lost / Ina whakahēngia tētahi mōtini

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

22.10 Withdrawal of motions and amendments / Te tango i ngā mōtini me ngā whakahoutanga

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

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

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

A member may not speak to any motion once:

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

23 Revocation or alteration of resolutions / Te whakakore, te whakahou rānei i ngā tatūnga

23.1 Member may move revocation of a decision / Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga

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

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

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

23.2 Revocation must be made by the body responsible for the decision / Mā te rōpū nāna te whakatau e whakakore

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

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

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

23.3 Requirement to give notice / Te herenga ki te tuku pānui

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

23.4 Restrictions on actions under the affected resolution / Ngā herenga mō ngā mahi i raro i te tatūnga whai pānga

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

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

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

23.5 Revocation or alteration by resolution at same meeting / Te whakakore, te whakahou rānei mā te tatūnga i taua hui tonu

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

23.6 Revocation or alteration by recommendation in report / Te whakakore, te whakahou rānei mā te marohi ki rō pūrongo

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

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

24 Procedural motions / Ngā mōtini whakahaere

24.1 Procedural motions must be taken immediately / Me pōti ngā mōtini whakahaere i taua wā tonu

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.

24.2 Procedural motions to close or adjourn a debate / Ngā mōtini whakahaere ki te whakakapi, whakatārewa rānei i tētahi tautohetohe

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

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

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

24.3 Voting on procedural motions / Te pōti mō ngā mōtini whakahaere

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

24.4 Debate on adjourned items / Te tautohetohe i ngā take i whakatārewatia

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

24.5 Remaining business at adjourned meetings / Ngā take e toe ana i ngā hui i whakatārewatia

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

24.6 Business referred to the relevant committee / Ngā take e tukuna ana ki te kaunihera, komiti, poari hapori rānei

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

24.7 Other types of procedural motions / Etahi atu momo mōtini whakahaere

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

25 Points of order / Te tono ki te whakatika hapa

25.1 Members may raise points of order / Ka āhei ngā mema ki te tono ki te whakatika hapa

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

25.2 Subjects for points of order / Ngā kaupapa mō te whakatika hapa

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

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

25.3 Contradictions / Ngā whakahē

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

25.4 Point of order during division / Te tono whakatika hapa i te wā o te wehenga

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

25.5 Chairperson's decision on points of order / Te whakatau a te ūpoko mō ngā tono whakatika

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

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

26 Notices of motion / Te pānui i ngā mōtini

26.1 Notice of intended motion to be in writing / Me tuhi te pānui mō te mōtini e takune ana

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

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

26.2 Refusal of notice of motion / Te whakahē i te pānui mōtini

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; . 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; or
- (f) concerns a matter where decision-making authority has been delegated to a committee, subcommittee or subordinate body.

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

26.3 Mover of notice of motion / Te kaimōtini o te pānui mōtini

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

26.4 Alteration of notice of motion / Te whakarerekē i te pānui mōtini

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

26.5 When notices of motion lapse / Ka tārewa te pānui mōtini

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

26.6 Referral of notices of motion / Te tuku i ngā pānui mōtini

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

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

26.7 Repeat notices of motion / Ngā pānui mōtini tārua

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

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

27 Minutes / Ngā meneti

27.1 Minutes to be evidence of proceedings / Ka noho ngā meneti hei taunakitanga mō te hui

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

cl. 28, Schedule 7, LGA 2002.

27.2 Matters recorded in minutes / Ngā take ka tuhi ki ngā meneti

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

- (a) the date, time and venue of the meeting;
- (b) the names of the members present;
- (c) the Chairperson;
- (d) any apologies or leaves of absences;
- (e) the arrival and departure times of members;
- (f) any failure of a quorum;
- (g) a list of any external speakers and the topics they addressed;
- (h) a list of the items considered;

- (i) the resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders;
- (j) the names of all movers, and seconders;
- (k) any objections made to words used;
- (l) all divisions taken and, if taken, a record of each members' vote;
- (m) the names of any members requesting that votes or abstentions be recorded;
- (n) any declarations of financial or non-financial conflicts of interest;
- (o) the contempt, censure and removal of any members;
- (p) any resolutions to exclude members of the public;
- (q) the time at which the meeting concludes or adjourns;
- (r) the names of people permitted to stay in public excluded.

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

27.3 No discussion on minutes / Kāore e āhei te whakawhiti kōrero mō ngā meneti

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

27.4 Minutes of last meeting before election / Ngā meneti o te hui whakamutunga i mua i te pōtitanga

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 before the next election of members.

28 Keeping a record/ Te whakarite mauhanga

28.1 Maintaining accurate records/ Te whakarite i ngā mauhanga tika

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

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

s. 17 Public Records Act 2005

28.2 Method for maintaining records/ Te tikanga mō te tiaki i ngā mauhanga

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:

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

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

28.3 Inspection/ Te tiroiro

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

s. 51 LGOIMA.

28.4 Inspection of public excluded matters/ Te tiroiro i ngā take aukati marea

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 a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

29 Referenced documents / Ngā tohutoro tuhinga

- Commissions of Inquiry Act 1908
- Sale of Alcohol Act 2012
- Crimes Act 1961
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971

- Resource Management Act 1991 (RMA)
- Secret Commissions Act 1910
- Securities Act 1978

Appendix 1: Grounds to exclude the public / Āpitianga 1: Ngā take e aukatihia ai te marea

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

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - (b) to endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) Protect information where the making available of the information would:
 - i. disclose a trade secret; or
 - ii. be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
 - (c) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or
 - (d) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:
 - i. be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - ii. be likely otherwise to damage the public interest; or
 - (e) Avoid prejudice to measures protecting the health or safety of members of the public; or
 - (f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or

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

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

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

Appendix 2: Sample resolution to exclude the public / Āpitianga 2: He tauira mō te tatūnga ki te aukati i te marea

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:

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

- *Name of report(s)*

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

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"> • be contrary to the provisions of a specified enactment; or • constitute contempt of court or of the House of Representatives (s.48(1)(b)).
		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"> • a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or • the council is required, by an enactment, to make a recommendation in respect of the

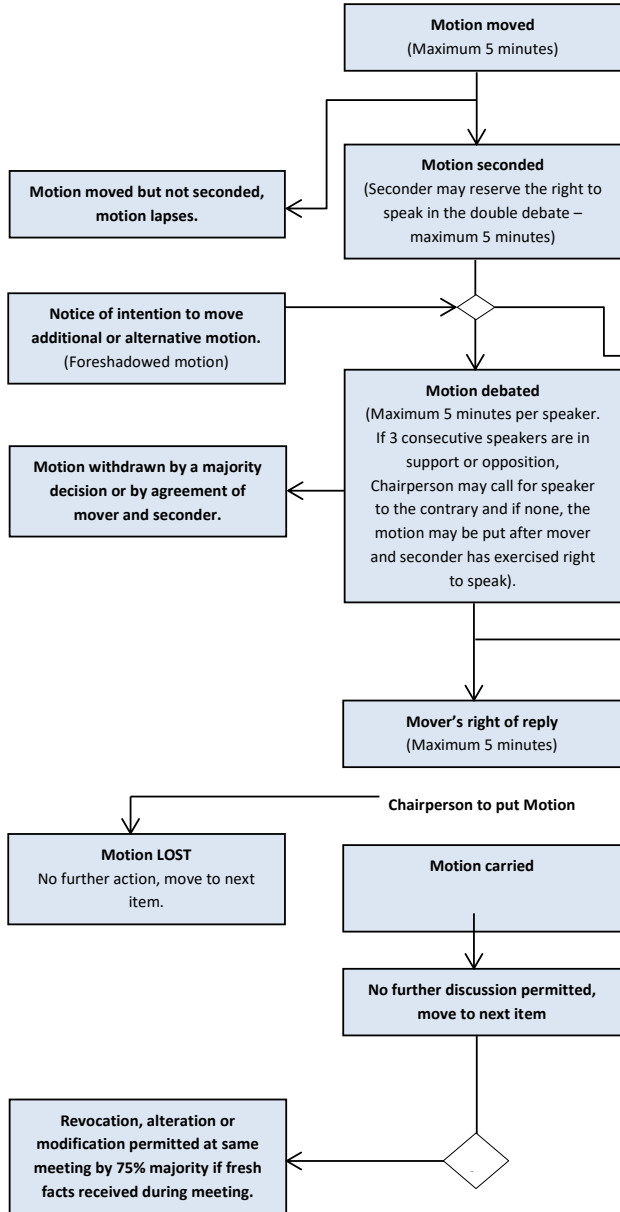
		matter that is the subject of those proceedings (s.48(1)(d)).
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).
		To protect information which if public would; <ul style="list-style-type: none"> • disclose a trade secret; or • 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"> • a resource consent, or • a water conservation order, or • a requirement for a designation or • an heritage order, (s 7(2)(ba)).

		<p>To protect information which is subject to an obligation of confidence where the making available of the information would be likely to:</p> <ul style="list-style-type: none"> • 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 • would be likely otherwise to damage the public interest (s 7(2)(c)).
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

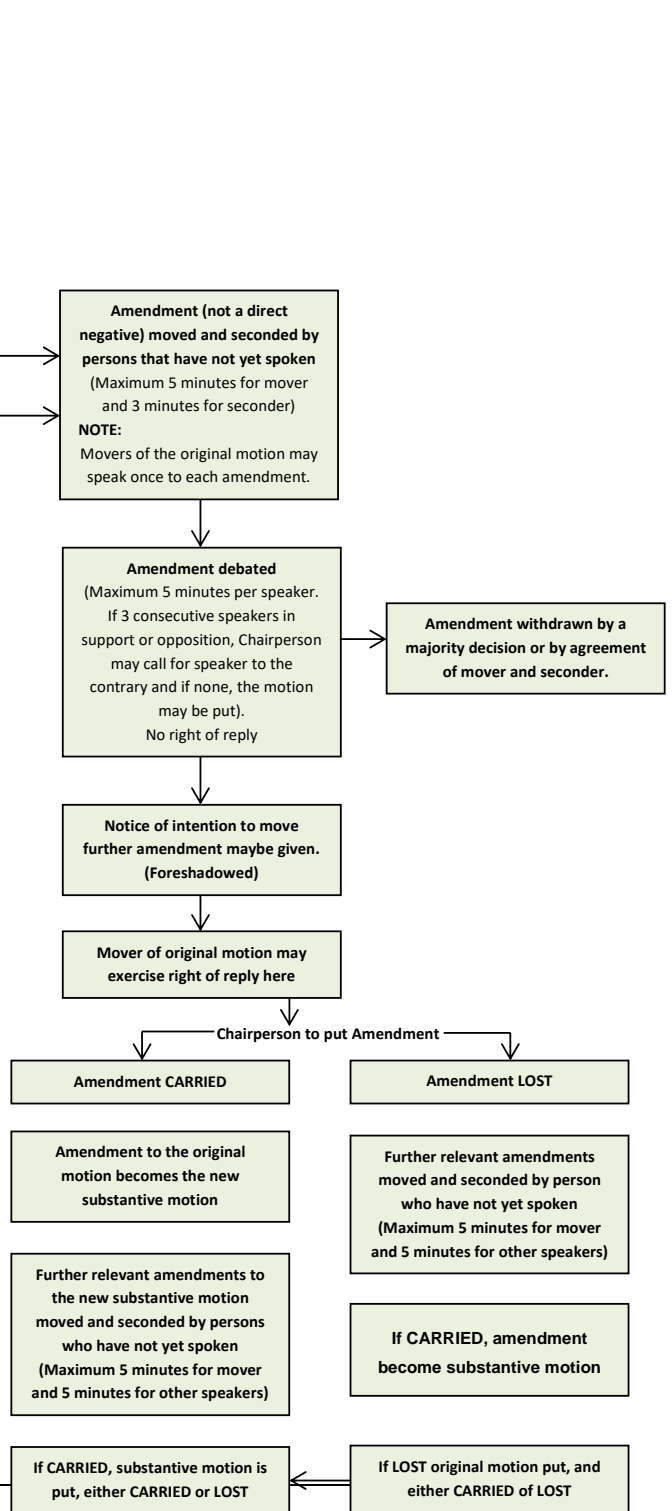
THAT XXXX be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of XXXX. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because XXXX.

Appendix 3: Motions and amendments (Option A)/ Āpitianga 3: Ngā mōtini me ngā whakahoutanga (Kōwhiringa A)

Motions without amendments



Motions with amendments





Appendix 4: Table of procedural motions / Āpitihanga 4: Tūtohi mō ngā mōtini whakahaere

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 5: Webcasting protocols / Āpitihanga 5: Ngā tikanga mō te pāhotanga mataora

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

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

Appendix 6: Powers of a Chairperson / Āpitianga 6: Ngā Mana Whakahaere a te Ūpoko

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

Chairperson to decide all questions

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

Chairperson to decide points of order (SO. 26.5)

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

Items not on the agenda (SO.9.12)

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

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

Chairperson's report (SO.9.6)

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

Chairperson's recommendation (SO.9.5)

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

Chairperson's voting (SO.19.3)

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

Motion in writing (SO.23.2)

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

Motion in parts (SO.23.3)

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

Notice of motion (SO.27.2)

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 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 (SO.27.7)

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

Revocation or alteration of previous resolution

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

Chairperson may call a meeting

The Chairperson:

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

Irrelevant matter and needless repetition (SO.21.8)

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

Taking down words (SO.21.11)

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

Explanations

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

Chairperson rising (SO.14.5)

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

Members may leave places (SO.14.6)

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

Priority of speakers (SO.14.7)

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

Minutes (SO.28.1)

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 (SO.16.3)

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

Withdrawal of offensive or malicious expressions (SO.20.3)

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

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

Chairperson's rulings (SO.14.4)

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

Disorderly behaviour (SO.20.4)

The Chairperson may:

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

Failure to leave meeting (SO. 20.6)

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

Audio or audio visual attendance (SO.13.10)

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

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

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

Appendix 7: Process for removing a Chairperson and deputy Chairperson from office / Āpitiḡanga 7: Te pūnaha mō te whakakore i te tūranga a te ūpoko, te Koromatua tuarua rānei

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

cl. 18 Schedule 7, LGA 2002.

Appendix 8: Workshops / Āpitianga 8: Awheawhe

Definition of workshop

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

Application of standing orders to workshops

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

Calling a workshop

Workshops, briefings and working parties may be called by:

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

Process for calling workshops

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

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

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

Appendix 9: Sample order of business / Āpitihanga 9: He tauira mō te whakaraupapatanga o ngā take

Open section

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

Public excluded section

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

Appendix 10: Process for raising matters for a decision / Āpitianga 10: Te pūnaha mō te whakatakoto take hei whakatau

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

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

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

- report of chief executive
- report of Chairperson

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



Date 8 November 2022

Subject: **Proposed Taranaki Regional Council Meeting Schedule 2023**

Approved by: M J Nield, Director - Corporate Services
S J Ruru, Chief Executive

Document: 3120249

Purpose

1. The purpose of this memorandum is for the Council to receive and note the proposed Taranaki Regional Council 2023 Meeting Schedule for Council and Committee meetings.

Recommendations

That the Taranaki Regional Council:

- a) receives the proposed *Taranaki Regional Council Meeting Schedule 2023*
- b) adopts the dates of the various Ordinary and Committee meetings.

Financial considerations—LTP/Annual Plan

2. This memorandum and the associated recommendations are consistent with the Council's adopted Long-Term Plan and estimates. Any financial information included in this memorandum has been prepared in accordance with generally accepted accounting practice.

Policy considerations

3. This memorandum and the associated recommendations are consistent with the policy documents and positions adopted by this Council under various legislative frameworks including, but not restricted to, the *Local Government Act 2002*, the *Resource Management Act 1991* and the *Local Government Official Information and Meetings Act 1987*.

Iwi considerations

4. This memorandum and the associated recommendations are consistent with the Council's policy for the development of Māori capacity to contribute to decision-making processes (schedule 10 of the *Local Government Act 2002*) as outlined in the adopted long-term plan and/or annual plan. Similarly, iwi involvement in adopted work programmes has been recognised in the preparation of this memorandum.

Community considerations

5. This memorandum and the associated recommendations have considered the views of the community, interested and affected parties and those views have been recognised in the preparation of this memorandum.

Legal considerations

6. This memorandum and the associated recommendations comply with the appropriate statutory requirements imposed upon the Council.

Appendices/Attachments

Document 3119643: Taranaki Regional Council Meeting Schedule 2023

Ordinary Council Meeting - Proposed 2023 Meeting Schedule

Taranaki Regional Council 2023 Meeting Schedule

	January	February	March	April	May	June	July	August	September	October	November	December
1	S- New Year's Day- Observed 3 January	W	W	S	M	Th	S	T	F	S	W	F
2	M- Day after New Year's Day	Th	Th	S	T	F	S	W	S	M	Th	S
3	T- New Year's Day	F	F	M	W	S	M	Th	S	T	F	S
4	W	S	S	T	Th	S	T	F	M	W	S	M
5	Th	S	S	W	F	M- Queen's birthday	W	S	T	Th	S	T
6	F	M- Waitangi Day	M	Th	S	T	Th	S	W	F	M	W
7	S	T	T	F- Good Friday	S	W	F	M	Th	S	T	Th
8	S	W	W	S	M	Th	S	T	F	S	W	F
9	M	Th	Th	S	T	F	S	W	S	M	Th	S
10	T	F	F	M- Easter Monday	W	S	M	Th	S	T	F	S
11	W	S	S	T	Th	S	T	F	M	W	S	M
12	Th	S	S	W	F	M	W	S	T	Th	S	T
13	F	M	M- Taranaki Anniversary	Th	S	T	Th	S	W	F	M	W
14	S	T	T	F	S	W- Matariki	F	M	Th	S	T	Th
15	S	W	W	S	M	Th	S	T	F	S	W	F
16	M	Th	Th	S	T	F	S	W	S	M	Th	S
17	T	F	F	M	W	S	M	Th	S	T	F	S
18	W	S	S	T	Th	S	T	F	M	W	S	M
19	Th	S	S	W	F	M	W	S	T	Th	S	T
20	F	M	M	Th	S	T	Th	S	W	F- Labour Day	M	W
21	S	T	T	F	S	W	F	M	Th	S	T	Th
22	S	W	W	S	M	Th	S	T	F	S	W	F
23	M	Th	Th	S	T	F	S	W	S	M	Th	S
24	T	F	F	M	W	S	M	Th	S	T	F	S
25	W	S	S	T- ANZAC Day	Th	S	T	F	M	W	S	M- Christmas Day
26	Th	S	S	W	F	M	W	S	T	Th	S	T- Boxing Day
27	F	M	M	Th	S	T	Th	S	W	F	M	W
28	S	T	T	F	S	W	F	M	Th	S	T	T
29	S		W	S	M	Th	S	T	F	S	W	F
30	M		Th	S	T	F	S	W	S	M	Th	S
31	T		F		W		M	Th		T		S

Ordinary Council	8
Executive, Audit and Risk	8
Policy and planning	8
Operations and Regulatory	8
Taranaki Regional Transport Committee	4
Taranaki Civil Defence Emergency Management- JC	4
Taranaki Civil Defence Emergency Management- CEG	4
Taranaki Solid Waste Management Joint Committee	4
weekend	

AGENDA AUTHORISATION

Agenda for the Ordinary Meeting of the Taranaki Regional Council held on Tuesday
8 November 2022.

Approved:

Not Cast

M J Nield
Director - Corporate Services

Not Cast

S J Ruru
Chief Executive