

**Greater Wellington Regional Council:**

# **Standing Orders 2007**

**Draft Standing Orders for adoption by Council - June 2007**

**Proposed amendments to the Council's 2005 Standing Orders are shown in a box.**

**Draft**

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## Interpretation

In these standing orders, unless inconsistent with any enactment or the context:

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

**Chairperson** means the chairperson of the Wellington Regional Council and includes any person acting as the chairperson, and any person presiding at any meeting of a committee or subcommittee of the Council.

**Chief executive** means the chief executive of a the Council appointed under section 42 of the Local Government Act 2002 and includes any other officer acting under delegated authority as the chief executive or otherwise authorised by the Council.

**Clear working days** means the number of working days for the giving of notice and excludes the date of receipt of that notice and the date of the meeting.

**Committee** includes, in relation to the Council:

- (a) A committee comprising all the members of the Council;
- (b) A standing committee or special committee appointed by the Council; and
- (c) Any subcommittee of a committee described in items (a), (b) of this definition.

**Deputation** means a request from any person or interest group in the Community to make a presentation to the Council or any of its committees.

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

**The Council** means Wellington Regional Council.

**Greater Wellington Regional Council** means Wellington Regional Council.

<p><b>Joint Committee</b> means a committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002</p>
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**Local authority** has the same meaning as in the Local Government Act 2002.

**Local Government Act** means the Local Government Act 2002. The abbreviation **LGA** is also used to refer to this Act where specific statutory references are given.

**Local Government Official Information and Meetings Act** means the Local Government Official Information and Meetings Act 1987. The abbreviation **LGOIMA** is also used to refer to this Act where specific statutory references are given.



**Meeting** means any first, ordinary, or extraordinary meeting of the Council; and any meeting of any committee, standing committee, joint committee, special committee or subcommittee.

The provisions of these standing orders regarding public access and notification do not apply to any meeting the Council, or of any committee or subcommittee, at which no resolutions or decisions are made.

**Member** means any person elected or appointed to the Council or to any committee or subcommittee of the Council.

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

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

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

**Publicly notified** means notified to members of the public by notice contained in major daily newspapers circulating in Wellington region.

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

**RMA** means Resource Management Act 1991.

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

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

## **APPLICATION AND USE**

### **1. INTRODUCTION**

#### **1.1 Standing orders must be adopted**

The Council must adopt a set of standing orders for the conduct of its meetings and its committees.

27(1) & (2), Schedule 7, LGA

#### **1.2 Standing orders replace Greater Wellington Regional Council Standing Orders 2005**

These standing orders replace the Greater Wellington Regional Council Standing Orders 2005, which were repealed by resolution of the Council (refer to report 07.112).

#### **1.3 Standing Orders to be consistent with relevant enactments**

The standing orders of any local authority must not contravene or be inconsistent with any provisions of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

27(2), Schedule 7, LGA

#### **1.4 Amendments to standing orders**

An amendment of these standing orders or the adoption of new standing orders requires a vote of not less than 75 % of the members present.

27(3), Schedule 7, LGA

#### **1.5 Suspension of standing orders**

The Council or its committees may temporarily suspend these standing orders during a meeting by a vote of not less than 75 % of the members present and voting. The reason for the suspension of standing orders must be stated in the resolution.

27(4), Schedule 7, LGA

#### **1.6 Members must abide by standing orders**

Members of the Council and members of a committee must abide by these standing orders.

16(1), Schedule 7, LGA

## **1.7 Some standing orders contained in appendices**

Standing orders relating to the first meeting of the Council following a triennial election are contained in Appendix 1. Standing orders relating to public participation are contained in Appendix 7.

Other appendices provide summarised standing orders and are included as a useful reference.

## **2. CHAIRPERSON OF MEETINGS**

### **2.1 Chairperson to preside at meetings of the Council**

The chairperson of the Council must preside at each meeting of the Council at which he or she is present unless the chairperson vacates the chair for a particular meeting.

If the chairperson is absent from a meeting, the deputy chairperson must preside. If the deputy chairperson has not been appointed or if the deputy chairperson is also absent, the members of the Council that are present must elect one of their number to preside at that meeting. That person may exercise at that meeting the responsibilities, duties, and powers of the chairperson.

26(1), (5) & (6), Schedule 7, LGA

### **2.2 Committee chairperson to preside at committee meetings**

The chairperson of a committee must preside at each meeting of the committee at which he or she is present unless the chairperson vacates the chair for a particular meeting.

If the chairperson of a committee is absent from a meeting, the deputy chairperson (if any) of the committee must preside.

If a deputy chairperson has not been appointed, or if the deputy chairperson is also absent, the members of the committee that are present must elect one of their number to preside at that meeting. That person may exercise at that meeting the responsibilities, duties, and powers of the chairperson.

26(2), (5) & (6), Schedule 7, LGA

## **3. QUORUMS AT MEETINGS**

### **3.1 Requirement for a quorum**

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

23(1), Schedule 7, LGA

### 3.2 Quorum to be present during the whole meeting

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

23(2), Schedule 7, LGA

### 3.3 Definition of quorum for Council meetings

The quorum at a meeting of the Council consists of -

- (i) half of the members if the number of members (including vacancies) is even; or
- (ii) a majority of members if the number of members (including vacancies) is odd.

23(3), Schedule 7, LGA

### 3.4 Definition of quorum for committee meetings

The quorum at a meeting of a committee -

- (i) is not fewer than two members of the committee (as determined by the Council or committee that appoints the committee); and
- (ii) in the case of a committee other than a subcommittee, must include at least one member of the Council.

(iii) in the case of a joint-committee, must consist of at least:

- a) half the members if the number of members (including vacancies) is even; or
- b) a majority of members if the number of members (including vacancies) is odd.

(iv) in the case of the Wellington Regional Strategy Committee, must consist of at least:

- a) a member of the Council;
- b) the Chairperson or Deputy Chairperson of the committee; and
- c) at least half of the remaining committee members.

23(3), 30(9), Schedule 7 LGA

## 4. VOTING

### 4.1 Acts and decisions by majority vote at meetings

Unless otherwise provided in the Local Government Act or in standing orders, -  
the acts of the Council must be done, and the questions before the Council must be decided, at a meeting by -

- (i) vote; and
- (ii) the majority of members that are present and voting,

except in the case of the Wellington Regional Strategy Committee, where a three quarter majority is required for:

- a) decisions on the recommended quantum of funding required for the Wellington Regional Strategy;
- b) decisions on the recommended amendment to the Council's Revenue and Finance Policy;
- c) decisions on the recommended targeted rate;
- d) any decision resulting in a statutory consultation process under the LGA 2002 (such as establishing a new Council Controlled Organisation);
- e) adoption of the statement of corporate intent for the Economic Development Agency;
- f) appointment of directors of the Economic Development Agency;
- g) the following decisions relating to independent review of the Wellington Regional Strategy:

- i agreeing the terms of reference;
- ii selecting the independent reviewer; and
- iii decisions made on the recommendations following the review;  
and

- h) any significant amendments to the Wellington Regional Strategy.

24(1), Schedule 7, LGA

(See Standing Order 32.1)

## 4.2 Chairperson to have a casting vote

Unless otherwise provided for in the Local Government Act 2002 or elsewhere in Greater Wellington's standing orders, for the purposes of standing order 4.1 (above) the chairperson or other person presiding at the meeting –

- (a) has a deliberative vote; and
- (b) in the case of an equality of votes, has a casting vote;

except in the case of the Wellington Regional Strategy Committee where the Chair does not have a casting vote.

24(1), (2) & (4) Schedule 7, LGA

(See Standing Order 32.2)

## 5. APPOINTMENT OF CHAIRPERSONS AND DEPUTY CHAIRPERSONS

### 5.1 Provisions for election or appointment of chairpersons and deputy chairpersons

This Standing Order applies to –

- (a) the election or appointment of the chairperson and deputy chairperson of the Council, and
- (b) the election or appointment of the chairperson and deputy chairperson of a committee; and
- (c) the election or appointment of a representative of the Council.

The Council or a committee must determine by resolution that a person to whom this Standing Order applies be elected or appointed by using one of the following systems of voting:

- (a) the voting system described in standing order 5.2 (system A)
- (b) the voting system described in standing order 5.3 (system B)

25, Schedule 7, LGA

### 5.2 Voting system A

System A requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the Council or committee present and voting; and has the following characteristics:

- i. there is a first round of voting for all candidates; and
- ii. if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- iii. if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
- iv. in any round of voting, if two or more candidates tie for the lowest number of votes the person excluded from the next round is resolved by lot.

### **5.3 Voting system B**

System B requires that a person is elected or appointed if he or she receives more votes than any other candidate; and has the following characteristics:

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

## **6. APPOINTMENT OF COMMITTEES**

### **6.1 Appointment of committees and subcommittees**

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

30(1) & (2), Schedule 7, LGA

### **6.2 Discharge or reconstitution of committees**

Unless expressly provided otherwise in an Act –

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

30(5) & (7), Schedule 7 LGA

### **6.3 Committees subject to direction of the Council**

A committee 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 of the Council given in relation to the committee or other body or the affairs of the committee or other body. A subcommittee is subject in all things to the control of the committee that appointed it, and must carry out all general and special directions of the committee given in relation to the subcommittee or its affairs.

30(3) & (4), Schedule 7 LGA

### **6.4 Decisions made under delegated authority can not be rescinded or amended**

Nothing in standing order 6.3 entitles the Council or committee to rescind or amend a decision made under a delegation authorising the making of a decision by a committee, a subcommittee, or another subordinate decision-making body.

30(3), (4) & (6), Schedule 7, LGA

## **7. JOINT COMMITTEES**

### **7.1 Appointment of joint committees**

The Council may appoint a joint committee with another local authority or other public body.

30(1), Schedule 7, LGA

### **7.2 Status of joint committees**

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

30(8), Schedule 7, LGA

### **7.3 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 his or her stead must be exercised by the local authority or public body that made the appointment.

30(9), Schedule 7, LGA



**7.4 Joint committee may appoint its own chairperson and deputy chairperson**

A joint committee may appoint and remove its own chairperson or deputy chairperson.

30(9), Schedule 7, LGA

**7.5 Application of requirements to public bodies**

For the purposes of a public body that is not a local authority, standing orders 7.3 and 7.4 apply to the extent that they are not inconsistent with the law applicable to committees of the public body.

30(10), Schedule 7, LGA

**8. MEMBERSHIP OF COMMITTEES AND SUBCOMMITTEES**

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

The Council may appoint or discharge any member of a committee. Unless directed otherwise by the Council, a committee may appoint or discharge any member of a subcommittee appointed by the committee.

31(1) & (2), Schedule 7, LGA

**8.2 Elected members on committees and subcommittees**

The members of a committee or subcommittee may be, but need not be, elected members of the Council, and the Council or committee may appoint to a committee or subcommittee a person who is not a member of the Council or committee if, in the opinion of the Council or committee, that person has the skills, attributes or knowledge that will assist the work of the committee or subcommittee.

30(3), Schedule 7, LGA

**8.3 At least one member of a committee to be an elected member**

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

31(4), Schedule 7, LGA

**8.4 Employees may only be appointed to subcommittees**

An employee of the Council acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee.

31(4), Schedule 7, LGA

### **8.5 The Council may replace members if committee not discharged**

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

31(5), Schedule 7, LGA

### **8.6 Minimum numbers on committees and subcommittees**

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

31(6), Schedule 7, LGA

### **8.7 Chairperson of the Council an ex-officio member**

The Chairperson of the Council may be appointed an ex-officio member of any committee other than a quasi-judicial committee.

## **9. PROCEEDINGS NOT INVALIDATED BY VACANCIES OR IRREGULARITIES**

### **9.1 Proceedings not invalidated by vacancies or irregularities**

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

## **10. GENERAL PROVISIONS AS TO MEETINGS**

### **10.1 Meetings to be held**

The Council must hold the meetings that are necessary for the good government of the Wellington region.

19(1), Schedule 7, LGA

## **10.2 Right to attend meetings**

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

19(2), Schedule 7, LGA

## **10.3 Public notification and conduct of meetings**

A meeting of the Council must be called and conducted in accordance with Schedule 7 of the Local Government Act; and Part VII of the Local Government Official Information and Meetings Act; and these standing orders.

19(3), Schedule 7, LGA

## **10.4 Agenda to be sent to members**

In the case of each meeting to which Standing Order 10.1 applies, an agenda detailing the business to be brought before that meeting together with relevant attachments must be sent to every member not less than two clear working days before the day appointed for the meeting.

## **10.5 Meetings not invalid because notice not received**

A meeting of the Council is not invalid if notice of that meeting was not received, or not received in due time, by a member of the Council 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 the Council may waive any requirement regarding the giving of notice of a meeting to that member.

20(1), (2), Schedule 7, LGA

## **10.6 Minutes of proceedings**

The Council must keep minutes of its proceedings. Minutes of proceedings duly entered and authenticated as prescribed by the Council are prima facie evidence of those proceedings.

28(1), (2), Schedule 7, LGA

## **11. NOTIFICATION OF MEETINGS TO MEMBERS**

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

The chief executive must give notice in writing to each member of the time and place of a meeting that is not extraordinary-

- (a) not less than 14 days before the meeting; or
- (b) if the Council has adopted a schedule of meetings, not less than 14 days before the first meeting on the schedule.

19(5), Schedule 7, LGA

### **11.2 Schedule of meetings**

If the Council adopts a schedule of meetings, -

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

19(6), Schedule 7, LGA

### **11.3 Cancellation of scheduled meetings**

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

## **12. EXTRAORDINARY MEETINGS**

### **12.1 Extraordinary meetings may be called**

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

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

22(1), Schedule 7, LGA

## **12.2 Notification of extraordinary meetings**

Notice in writing of the time and place of the meeting called under Standing Order 12.1 and of the general nature of business 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; or if the meeting is called by a resolution, within such lesser period of notice that is specified in the resolution, being not less than 24 hours.

22(3), Schedule 7, LGA

## **12.3 Calling of extraordinary meetings at earlier time**

If the business to be dealt with requires a meeting to be held at a time earlier than is allowed by the notice requirements specified in Standing Order 12.2, a meeting may be called by the chairperson or, if the chairperson is unavailable, the chief executive.

22(2), Schedule 7, LGA

## **12.4 Notification of extraordinary meetings held at earlier time**

Notice of the time and place of a meeting called under Standing Order 12.3 and of the matters in respect of which the meeting is being called must be given by the person calling the meeting or by another person on that person's behalf, by whatever means is reasonable in the circumstances, to each member of the Council and to the chief executive at least 24 hours before the time appointed for the meeting.

22(4), Schedule 7, LGA

## **12.5 Public notice of resolutions of extraordinary meetings**

Where any resolution is passed at an extraordinary meeting of the Council, the Council must, as soon as practicable, publicly notify the resolution unless -

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

For the purposes of this standing order, resolution means the resolution on the matter for which the meeting was held.

51A LGOIMA

## **13. PUBLIC ATTENDANCE AND, ACCESS TO AGENDAS**

### **13.1 Meetings to be open to the public**

Except as otherwise provided by Part VII of the Local Government Official Information and Meetings Act every meeting of a the Council shall be open to the public

47 LGOIMA

### **13.2 News media entitled to attend meetings**

For the purposes of Part VII of the Local Government Official Information and Meetings Act bona fide members of the news media shall be deemed to be members of the public, and shall be entitled to attend any meeting or any part of a meeting for the purpose of reporting the proceedings for any news media.

49(a) LGOIMA

### **13.3 Information to be available to public**

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

49(d) LGOIMA

### **13.4 Public notification about meetings**

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than five days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held. Where any meeting is to be held on or after the 21st day of the month, such meetings may instead be publicly notified not more than 10 nor less than five working days before the day on which the meeting is to be held.

46(1) & (2) LGOIMA

### **13.5 Public notification about extraordinary meetings**

Where any extraordinary meeting of the Council is called and notice of that meeting cannot be given in the manner required or permitted by Standing Order 13.4 as appropriate, the Council shall cause that meeting and the general nature of business to be transacted at that meeting to be publicly notified or otherwise advertised as soon as practicable before the meeting is to be held as is reasonable in the circumstances.

46(3) & (4) LGOIMA

### **13.6 Public notification additional requirements**

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

### **13.7 Meetings not invalid because not publicly notified**

No meeting of the Council is invalid merely because that meeting was not publicly notified in accordance with Standing Orders 13.4 – 13.6.

46(5) LGOIMA

### **13.8 Public notice of meetings not notified**

Where the Council becomes aware that any meeting of the Council has not been publicly notified in accordance with Standing Orders 13.4 -13.6, the Council shall, as soon as practicable, give public notice that that meeting was not so notified, and shall, in that notice, state the general nature of the business transacted at that meeting; and give the reasons why that meeting was not so notified.

46(6) LGOIMA

### **13.9 Availability of agendas and reports**

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

- (a) shall be available for inspection at the public offices of the Council (including service delivery centres), and
- (b) shall be accompanied by either -
  - (i) the associated reports; or
  - (ii) a notice specifying the places at which the associated reports may be inspected.

The associated reports shall be available for inspection at the public offices of the Council. Any member of the public may take notes from any agenda or report inspected by that member of the public.

Every member of the public who inspects an agenda or report made available and who requests a copy of any part of any such agenda or report and tenders the prescribed amount (if any) shall be given such a copy as soon as practicable.

Where a meeting is an extraordinary meeting called pursuant to a resolution of the Council, the agenda and any associated reports shall be made available as soon as is reasonable in the circumstances.

46A(1) - (6) LGOIMA

### **13.10 Exclusion from reports to be discussed with public excluded**

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

46A(8) - LGOIMA

### **13.11 Agenda to be made available to public who are at meetings**

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

49 LGOIMA

### **13.12 List of committee members publicly available**

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

### **13.13 Public entitled to inspect minutes**

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

51(1) & (2) LGOIMA

### **13.14 Requests for minutes of public excluded sessions**

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

51(3) LGOIMA

## **14. REASONS TO EXCLUDE PUBLIC**

### **14.1 Lawful reasons to exclude public**

The Council may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the grounds specified in



section 48 of the Local Government Official Information and Meetings Act (see Appendix 3).

48 LGOIMA

#### **14.2 Form of resolutions to exclude public**

Any resolution to exclude the public must be in the form set out in Schedule 2A to the Local Government Official Information and Meetings Act and state the general subject of each matter to be considered while the public is excluded, the reason for passing that resolution in relation to that matter, and the grounds on which the resolution is based. (For an example resolution refer to Appendix 3).

48(3) - LGOIMA

#### **14.3 Motion to exclude public to be put with the public present**

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

48(4) LGOIMA

#### **14.4 Provision for persons to remain after public excluded**

A resolution in accordance with Standing Order 14.3 may provide for one or more specified persons to remain after the public has been excluded if those persons have, in the opinion of the Council, knowledge that will assist the Council. Any such resolution is required to state the knowledge possessed by those persons that will be of assistance in relation to the matter to be discussed and how it is relevant to the matter. No such resolution is necessary in respect of the attendance of the chief executive and relevant staff during a public excluded session.

48(5) & (6) LGOIMA

#### **14.5 Release of public excluded information**

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

### **15. APPLICATION OF STANDING ORDERS TO PUBLIC EXCLUDED SESSIONS**

#### **15.1 Standing orders to apply**

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

## **16. USE OF PUBLIC EXCLUDED INFORMATION**

### **16.1 Public excluded business not to be disclosed**

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

## **MEETING PROCEDURES**

### **17. APPLICATION OF STANDING ORDERS**

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

A member of the Council or a committee must abide by the standing orders adopted under clause 27 of Schedule 7 of the Local Government Act.

16(1), Schedule 7, LGA

#### **17.2 Additions to or substitution of standing orders for quasi-judicial proceedings**

Notwithstanding the generality of standing order 17.1, for any quasi-judicial proceedings, the Council may adopt meeting procedures and practices additional to, or in substitution of these standing orders for the conduct of the business to be transacted.

For example, committees appointed to hear applications under the Resource Management Act 1991 have powers under the Commissions of Inquiry Act 1908.

41 RMA

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

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

## **18. SUSPENSION OF STANDING ORDERS**

### **18.1 Temporary suspension**

The Council or its committees may temporarily suspend these standing orders during a meeting by a vote of not less than 75 % of the members present and voting. The reason for the suspension of standing orders must be stated in the resolution (see Standing Order 1.5).

27(4), Schedule 7, LGA

## **19. CONDUCT OF MEETINGS**

### **19.1 Mode of address for chairperson**

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

### **19.2 Chairperson to decide**

The chairperson is to decide all questions where these standing orders make no provision or insufficient provision, and all points of order, and any member who refuses to obey any order or ruling of the chairperson shall be held guilty of contempt (see Appendix 4).

### **19.3 Chairperson rising**

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

### **19.4 Members to speak in places and address the chair**

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

### **19.5 Priority of speakers**

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

- (a) Raise a point of order (see Standing Order 29.1), including any request to obtain a time extension for the previous speaker;

- (b) Move a motion to terminate or adjourn the debate (see Standing Order 28.1); or
- (c) Make a point of explanation or request an indulgence of the chairperson (see Standing Order 24.13).

#### **19.6 Speeches in English or Māori**

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

#### **19.7 Duration of meetings and time limits**

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

#### **19.8 Reporting of meetings**

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

- (a) Members of the public including bona fide members of the news media are entitled to attend any meeting or any part of a meeting and to report on the proceedings.
- (b) Any recording of meetings must be carried out in an unobtrusive manner, and must not be distracting to members.
- (c) Any recording of meetings must be notified to the chairperson at the commencement of the meeting.

49(a) LGOIMA

#### **19.9 Disorderly members to withdraw**

Members called to order by the chairperson are to resume their seats and/or stop speaking, as the case may be. Should any member refuse to obey, such member may be directed by the chairperson to withdraw from the meeting. Upon such direction, any such member is to withdraw and must not be permitted to return during the meeting, or any period of that meeting that the chairperson may determine (see Appendix 4).

#### **19.10 Members not to be disrespectful**

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

#### **19.11 Retraction of, or apology for, offensive or malicious language**

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

#### **19.12 Withdrawal from meeting**

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.

#### **19.13 Disorder in meeting**

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

#### **19.14 Adjournment of meeting following disorder**

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

#### **19.15 Contempt to be recorded in minutes**

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

#### **19.16 Removal from meeting**

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

- (a) refuses or fails to leave the meeting; or
- (b) having left the meeting, attempts to re-enter the meeting without the permission of the chairperson.

16(2), Schedule 7, LGA

## **20. QUORUM AT MEETINGS**

### **20.1 Requirement for a quorum**

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

23(1), Schedule 7, LGA

### **20.2 Quorum to be present throughout meeting**

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

23(2), Schedule 7, LGA

### **20.3 Definition of quorum for the Council meetings**

The quorum at a meeting of the Council consists of -

- (i) half of the members if the number of members (including vacancies) is even; or
- (ii) a majority of members if the number of members (including vacancies) is odd.

23(3), 30(9), Schedule 7, LGA

### **20.4 Definition of quorum for committee meetings**

The quorum at a meeting of a committee -

- (i) is not fewer than two members of the committee (as determined by the Council or committee that appoints the committee); and
- (ii) in the case of a committee other than a subcommittee, must include at least one member of the Council.

(iii) in the case of a joint-committee, must consist of at least:

- a) half the members if the number of members (including vacancies) is even; or
- b) a majority of members if the number of members (including vacancies) is odd.

(iv) in the case of the Wellington Regional Strategy Committee, must consist of at least:

- a) a member of the Council;
- b) the Chairperson or Deputy Chairperson of the committee; and
- c) half of the remaining committee members.

23(3), Schedule 7, LGA

## **21. FAILURE OF A QUORUM**

### **21.1 Meeting lapses if no quorum**

If a meeting is short of a quorum at its commencement, or falls short of a quorum, the business is to stand suspended and, if no quorum is present within 30 minutes, the chairperson is to vacate the chair and the meeting shall lapse.

### **21.2 Lapsed business**

The business remaining to be disposed of following the lapsing of a meeting is to stand adjourned until the next meeting unless an earlier meeting is fixed by the chairperson and notified by the chief executive.

### **21.3 Minutes to record failure of quorum**

If a meeting lapses by reason of failure of a quorum, the names of the members then in attendance, and the fact of the lapse, are to be recorded in the minutes.

## **22. LEAVE OF ABSENCE AND APOLOGIES**

### **22.1 Granting leave of absence**

The Council may grant leave of absence to a member from a meeting or other meetings of the Council or its committees upon application by the member.

### **22.2 Apologies at meetings**

If a member has not obtained leave of absence an apology may be tendered on behalf of the member and the apology may be accepted or declined by the Council. Acceptance of the apology shall be deemed to be a granting of leave of absence for that meeting.

### **22.3 Recording of apologies**

The chairperson of each meeting must invite apologies at the beginning of each meeting, including apologies for lateness and early departure, and these and

subsequent apologies during the meeting shall be recorded in the minutes, including whether they were accepted or declined, and the time of arrival and departure of all members.

#### **22.4 Absence without leave**

An extraordinary vacancy is created where any member is absent without leave of the Council from four consecutive meetings (other than extraordinary meetings) of the Council.

5, Schedule 7, LGA

### **23. ORDER OF BUSINESS**

#### **23.1 Adoption of order of business**

The order of business is to be determined by the Council.

#### **23.2 Agenda**

The chief executive is to prepare for each meeting an agenda listing and attaching information on the items of business to be brought before the meeting so far as is known. At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the meeting or the chairperson accord precedence to any business set down on the agenda.

#### **23.3 Public excluded items**

The chief executive must place on a public excluded agenda any matters for which he/she considers the Council or committee of the Council is likely in his/her opinion to wish to exclude the public in terms of the Local Government Official Information and Meetings Act, provided that an indication of the subject matter likely to be considered with the public excluded is placed on the agenda available to the public.

#### **23.4 Chairperson's report**

The chairperson, by report, has the right to direct the attention of the Council or the relevant committee as the case may be, to any matter or subject within the role or function of the Council or committee respectively.

#### **23.5 Items not on the agenda may be dealt with**

Where an item is not on the agenda for a meeting, that item may be dealt with at that meeting if –

- (a) The Council by resolution so decides; and



- (b) The presiding member explains at the meeting at a time when it is open to the public, -
  - (i) the reason why the item is not on the agenda; and
  - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

### **23.6 Items not on the agenda may be discussed**

Where an item is not on the agenda for a meeting, -

- (a) That item may be discussed at that meeting if -
  - (i) that item is a minor matter relating to the general business of the Council; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the Council for further discussion.

46A(7) & 46A(7A) LGOIMA

### **23.7 Chairperson's recommendation**

The chairperson of any meeting may include on the agenda for that meeting a chairperson's recommendation regarding any item brought before the meeting.

## **24. RULES OF DEBATE**

NOTE - Standing Order 24.7 provides that members may ordinarily speak more than once at committee meetings.

### **24.1 Reserving speech**

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

### **24.2 Irrelevant matter and needless repetition**

In speaking to any motion or amendment, members are to confine their remarks strictly to such motion or amendment, and shall not introduce irrelevant matters or indulge in needless repetition. In this matter, the chairperson's ruling is final and not open to challenge.

### **24.3 Limitation on speakers**

If three speakers have spoken consecutively in support of, or in opposition to a motion, the chairperson may call for a speaker to the contrary. If no such speaker is forthcoming and after the mover has had the right of reply, the motion must be put. Members speaking must, if so called upon by the chairperson, announce whether they are speaking in support of, or against the motion or amendment being debated.

### **24.4 Taking down words**

When any member objects to words used and desires his/her objection to be recorded in the minutes, the chairperson may order the objection to be recorded, provided such objection be made at the time the words were used and not after any other members have spoken.

### **24.5 Reading of speeches**

Members shall not read their speeches, except with the permission of the chairperson, but may refresh their memory by reference to notes.

### **24.6 Time limits on speakers**

The following time limits apply to members speaking at Council meetings, unless extended by a majority vote of members present:

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

(See also Standing Order 35.6.)

### **24.7 Member speaking more than once**

Other than at meetings of committees, a member may not speak more than once to a motion.

### **24.8 Restating of motion**

Members may request the chairperson to restate the motion for their information at any time during the debate, but not so as to interrupt.

### **24.9 Right of reply**

The mover of an original motion (not an amendment) has a right of reply. After the mover has commenced such reply, or has intimated the wish to forego this right, or having spoken to an amendment to the motion and the chairperson has intimated his intention to put the motion, no other member of the Council may

speak on the motion. Movers in reply are not to introduce any new matter and must confine themselves strictly to answering previous speakers.

#### **24.10 When right of reply may be exercised**

The right of reply is governed as follows:

- (a) Where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion;
- (b) If there is an amendment, the mover of the original motion may make such reply at the conclusion of the debate on such amendment, and this reply exhausts their rights as mover of the original motion, provided that the mover may reserve such right of reply. The mover may, however, take part in the discussion upon subsequent amendments.

NOTE - A right of reply can be exercised at either the end of the debate on an original motion or at the end of the debate on an amendment. Only the mover of an original motion has a right of reply and that right can only be used once. In addition to a right of reply, the mover of an original motion may reserve a right of reply and speak once to an original motion and once to each amendment without losing that right of reply.

#### **24.11 Speaking only to relevant matters**

Members may speak to any matter before the meeting or upon a motion or amendment to be proposed by them, or upon a point of order arising out of debate, but not otherwise.

#### **24.12 Personal explanation**

Notwithstanding Standing Order 24.7, members may make a personal explanation with the permission of the chairperson, but such matters may not be debated.

#### **24.13 Explanation of previous speech**

With the permission of the chairperson, explanation of some material part of a previous speech in the same debate may be given by a member who has already spoken, but new matter may not be introduced.

### **25. MOTIONS AND AMENDMENTS**

#### **25.1 Requirement for a seconder**

All motions and amendments moved in debate (including notices of motion) must be seconded, and thereupon the chairperson shall state the matter raised and propose it for discussion.

## **25.2 Withdrawal of motions and amendments**

Once motions or amendments have been seconded and put to the meeting by the chairperson, they cannot be withdrawn without the consent of the majority of the members present and voting. A motion to which an amendment has been moved and seconded, cannot be withdrawn until the amendment is withdrawn or lost.

## **25.3 Substituted motion by amendment**

The meeting may allow a motion, which is subject to an amendment, to be withdrawn and replaced by the amendment as the substituted motion, provided the mover and seconder of the original motion agree to the withdrawal of the original motion. In such circumstances, members who have spoken to the original motion may speak again to the substituted motion.

## **25.4 Motions in writing**

The chairperson may require movers of motions or amendments to provide them in writing signed by the mover.

## **25.5 Motions expressed in parts**

The chairperson or any member may require a motion expressed in parts to be decided part by part.

## **25.6 Amendment once moved**

When a motion has been moved and seconded, then proposed by the chairperson for discussion, an amendment may be moved or seconded by any member who has not spoken to the motion, whether an original motion or a substituted motion.

The mover or seconder of a motion for the adoption of the report of a committee, who desires to amend any item in the report, may also propose or second an amendment.

## **25.7 Amendments and motions not seconded**

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

## **25.8 Further amendments**

No further amendment may be allowed until the first amendment is disposed of, although members may notify the chairperson of their intention to move further amendments and the tenor of their content.

## **25.9 Where amendment lost**

Where an amendment is lost, another may be moved and seconded by any members who have not spoken to the motion, whether an original motion or substituted motion. Movers of previous amendments which were lost are regarded as having spoken to the motion only and are entitled to speak to the new amendment, but are not entitled to move or second the new amendment.

## **25.10 Where amendment carried**

Where an amendment is carried, the motion as amended becomes the substantive motion, and any member, other than previous movers or seconders in the debate, may then propose a further amendment.

## **25.11 Amendments relevant**

Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment that has been lost.

## **25.12 Direct negatives not allowed**

No amendment which amounts to a direct negative, is to be allowed which, if carried, would have the same effect as negating the motion.

## **25.13 Procedure until resolution**

The procedures in Standing Orders 25.6 and 25.8 must be repeated until a resolution is adopted.

## **25.14 Flow chart of motions and amendments**

A flow chart illustrating the process regarding motions and amendments is included in these standing orders as Appendix 5.

## **25.15 Revocation or alteration of resolutions**

A notice of motion for the revocation or alteration of all or part of a previous resolution of the Council is to be given to the chief executive by the member intending to move such a motion.

- (a) Such notice is to set out:
  - (i) The resolution or part thereof which it is proposed to revoke or alter;
  - (ii) The meeting date when it was passed; and
  - (iii) The motion, if any, that is intended to be moved in substitution thereof.

- (b) Such notice is to be given to the chief executive at least five clear working days before the meeting at which it is proposed to consider such a motion and is to be signed by not less than one third of the members of the Council, including vacancies.
- (c) The chief executive must then give members at least two clear working days notice in writing of the intended motion and of the meeting at which it is proposed to move such.

#### **25.16 Restriction on action to be taken on previous resolution**

Where a notice of motion has been given in terms of Standing Order 25.15, no action which is irreversible may be taken under the resolution which is proposed for revocation or alteration until the proposed notice of motion has been dealt with by the Council, provided that if, in the opinion of the chairperson:

- (a) the practical effect of the delay would be equivalent to a revocation of the resolution, or if;
- (b) by reason of repetitive notices the effect of the notice is an attempt by a minority to frustrate the will of the Council;

then, in either case, action may be taken as though no such notice to the chief executive had been given or signed.

#### **25.17 Revocation or alteration of resolution at same meeting**

If, during the course of a meeting of the Council, fresh facts or information are received concerning a matter already resolved at the meeting, the previous resolution may be revoked or altered by the consent of 75 % of the members then present and voting.

#### **25.18 The Council may revoke or alter any previous resolution**

The Council meeting may, on a recommendation contained in a report by the chairperson or chief executive, or the report of any committee, revoke or alter all or part of resolutions previously passed at meetings. At least two clear working days notice of any meeting to consider such a proposal must be given to members, accompanied by details of the proposal to be considered.

#### **25.19 Restating the motion**

The chairperson may, immediately prior to any division being taken, request the chief executive to restate the motion upon which the division is to be taken.

#### **25.20 No speakers after reply or question has been put**

Members may not speak on any motion once the mover has commenced replying or where the chairperson has commenced putting the question.

## **25.21 Reflections on resolutions**

In speaking in any debate no member may unduly criticise the validity of any resolution of the Council except by a notice of motion to amend or revoke the same.

## **26. NOTICES OF MOTION**

### **26.1 Notices of motion to be in writing**

Notices of motion must be in writing signed by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and must be delivered to the chief executive at least five clear working days before such meeting.

### **26.2 Refusal of notice of motion**

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

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the Council; or
- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive may make; or
- (d) Is concerned with matters that 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.

### **26.3 Mover of notice of motion**

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

### **26.4 Alteration of notice of motion**

Only the mover with the consent of the meeting may alter a notice of motion.

### **26.5 When notices of motion lapse**

Notices of motion not moved on being called for by the chairperson, shall lapse.

## **26.6 Referral of notices of motion to committees**

Any notice of motion referring to any matter ordinarily dealt with by a Committee of the Council may be referred to that committee by the chief executive. Where such notices are so referred, the mover of the motion shall, if not a member of that committee, have the right to move that motion, and of reply, as if a committee member.

## **27. REPEAT NOTICES OF MOTION**

### **27.1 First repeat where notice of motion rejected**

When a motion which is the subject of a notice of motion has been considered and rejected by the Council, no similar notice of motion which, in the opinion of the chairperson, is substantially the same in purport and effect may be accepted within the next six months unless signed by not less than one third of all members, including vacancies.

### **27.2 Second repeat where notice of motion rejected**

If such a repeat notice of motion as provided for in Standing Order 27.1 is also rejected by the Council, any further notice prior to the expiration of the original period of six months must be signed by a majority of all members, including vacancies.

### **27.3 No repeats where notice of motion adopted**

Where a notice of motion has been considered and adopted by the Council, 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.

## **28. PROCEDURAL MOTIONS TO TERMINATE OR ADJOURN DEBATE**

### **28.1 Members may move procedural motions to terminate or adjourn debate**

Any member who has not spoken on the matter under debate, may move any one of the following procedural motions to terminate or adjourn debate, but not so as to interrupt a member speaking:

- (a) That the meeting be adjourned to the next meeting, unless an alternative time and place is stated; or
- (b) That the item of business being discussed be adjourned to a time and place to be stated; or
- (c) That the motion under debate be now put (a “closure motion”); or



- (d) That the meeting move directly to the next business, superseding the item under discussion; or
- (e) That the item of business being discussed does lie on the table, and not be further discussed at that meeting; or
- (f) That the item of business being discussed be referred (or referred back) to the relevant committee of the Council.

## **28.2 Chairperson may accept closure motions**

The chairperson may accept a closure motion if there have been no less than two speakers for and two speakers against the motion, or, if there are no such speakers, in the chairperson's opinion, it is reasonable to do so.

## **28.3 Procedural motions to terminate or adjourn debate to take precedence**

Procedural motions to terminate or adjourn debate take precedence over other business, other than points of order, and shall, if seconded, be put to the vote immediately without discussion or debate.

## **28.4 Voting on procedural motions to terminate or adjourn debate**

All procedural motions to terminate or adjourn debate must be determined by a majority of those members present and voting. If lost, a further procedural motion to terminate or adjourn debate, may not be moved by any member within the next 15 minutes.

## **28.5 Closure motion to be put if no further speaker**

Notwithstanding Standing Order 28.4, a closure motion shall be put if there is no further speaker in the debate.

## **28.6 Closure motion on amendment**

When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the motion.

## **28.7 Right of reply following closure**

If a closure motion is carried, the mover of the motion then under debate is entitled to the right of reply, and the motion or amendment under debate is then to be put.

## **28.8 Debate on items previously adjourned**

The debate on adjourned items of business is to be resumed with the mover of such adjournment being entitled to speak first in the debate. Members who have already spoken in the debate may not speak again.

### **28.9 Adjourned items taken first**

Adjourned items of business are to be taken first at the subsequent meeting in the class of business to which they belong.

### **28.10 Other business not superseded**

The carrying of any motion to adjourn a meeting shall not supersede other business before the meeting remaining to be disposed of, and such other business is to be considered at the next meeting.

### **28.11 Referral or referred back to committee**

Business referred, or referred back, to a specified committee is to be considered at the next meeting of that committee, unless otherwise specified.

### **28.12 Table of procedural motions**

A table of procedural motions is included in these standing orders as Appendix 6.

## **29. POINTS OF ORDER**

### **29.1 Members rising to points of order**

Any member may rise to speak to a point of order upon any breach of these Standing Orders and the member previously speaking is to be seated and stop speaking.

### **29.2 Stating subject matter of point of order**

The member rising is to state without explanation precisely the subject matter of the point of order.

### **29.3 Points of order during division**

No point of order may be raised during a division except by the permission of the chairperson.

### **29.4 Types of points of order**

The following are recognised as substance for points of order:

- (a) Where disorder is drawn to the attention of the chairperson; or
- (b) Use of disrespectful, offensive or malicious language; or
- (c) Discussion of a question not before the Council; or

- (d) Misrepresentation of any statement made by a member or by an officer or employee of the Council; or
- (e) The breach of any standing order; or
- (f) A request that words objected to be recorded in the minutes.

### **29.5 Contradiction not point of order**

Rising to express a difference of opinion or to contradict a statement of a previous speaker, does not constitute a point of order.

### **29.6 Decision of chairperson final**

The chairperson may decide on any point of order immediately after it has been raised by any member, or may first hear further argument before deciding. The ruling of the chairperson upon any point of order is not open to any discussion and is final.

## **30. VOTING**

### **30.1 Decisions to be decided by majority votes**

Unless otherwise provided in the Local Government Act or in standing orders, - the acts of the Council must be done, and the questions before the Council must be decided, at a meeting by -

- (i) vote; and
- (ii) the majority of members that are present and voting;

except in the case of the Wellington Regional Strategy Committee, where a three quarter majority is required for:

- a) decisions on the recommended quantum of funding required for the Wellington Regional Strategy;
- b) decisions on the recommended amendment to the Council's Revenue and Finance Policy;
- c) decisions on the recommended targeted rate;
- d) any decision resulting in a statutory consultation process under the LGA 2002 (such as establishing a new Council Controlled Organisation);
- e) adoption of the statement of corporate intent for the Economic Development Agency;

- f) appointment of directors of the Economic Development Agency;
- g) the following decisions relating to the independent review of the Wellington Regional Strategy:

- i) agreeing the terms of reference,
- ii) selecting the independent reviewer,
- iii) decisions made on the recommendations following the review; and

- h) any significant amendments to the Wellington Regional Strategy.

24, Schedule 7, LGA

(See Standing Orders 4.1 and 4.2)

### **30.2 Chairperson's voting**

The chairperson at any meeting has a deliberative vote and, in case of equality of votes, has a casting vote except in the case of the Wellington Regional Strategy Committee, where the Chair does not have a casting vote.

24, Schedule 7, LGA

### **30.3 Open voting**

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

24(3), Schedule 7, LGA

### **30.4 Members may abstain**

Any member may abstain from voting.

### **30.5 Members may have their votes recorded**

Any member's vote or abstention must be recorded in the minutes if so requested by that member.

### **30.6 Method of voting**

The method of voting shall be as follows:

- (a) The chairperson in putting the motion shall call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the chairperson, shall be conclusive unless such announcement is questioned immediately by any member, in which event the chairperson shall call a division.

- (b) The chairperson or any member may call for a division instead of or after receiving opinion on the voices and taking a show of hands.
- (c) Where a suitable electronic voting system is available, that system may be used instead of a show of hands, vote by voices or division, and the result displayed shall be notified to the chairperson who shall declare the result.

### **30.7 Division**

When a division is called, the chief executive shall take down the names of the members voting for and against the motion and abstentions and is to hand the list to the chairperson to declare the result. The result of the division shall be entered into the minutes.

### **30.8 Second division**

The chairperson may call a second division where there is confusion or error in the original division, unless the same can be otherwise corrected.

### **30.9 Pecuniary interest**

No members may vote or take part in the discussion of any matter at any meeting where they, directly or indirectly, have any pecuniary interest as defined in law, other than an interest in common with the public.

6(1) Local Authorities (Members' Interests) Act

### **30.10 Declaration of pecuniary interest**

Every member present when any matter is raised in which they directly or indirectly have a pecuniary interest, apart from any interest in common with the public, is under a duty to fully declare any such interest to the meeting. This disclosure and the subsequent abstention of such members from both discussion and voting on the item, is to be recorded in the minutes.

6(1) Local Authorities (Members' Interests) Act

### **30.11 Pecuniary interest a reason for leaving room**

Members who have declared a pecuniary interest in matters to be discussed under Standing Order 30.10, should consider leaving the meeting room for the full duration of discussion on such matters.

## **31. QUALIFIED PRIVILEGE**

### **31.1 Qualified privilege relating to agenda and minutes .**

Where any meeting of Council is open to the public during the proceedings or any part thereof, and a member of the public is supplied with a copy of the

agenda for the meeting or any part of the minutes of that meeting are provided, the publication of any defamatory matter included in the agenda or in the minutes is privileged unless the publication is proved to have been made with ill will or taking improper advantage of the publication.

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### **31.2 Qualified privilege relating to oral statements**

Any oral statement made at any meeting of the Council in accordance with the rules that have been adopted by the Council for the guidance and order of its proceedings, is privileged, unless the statement is proved to have been made with ill will or taking improper advantage of the publication.

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

The privilege conferred by Standing Order 31.2 is in addition to, and not in substitution for, or derogation of any other privilege, whether absolute or qualified, that applies, by virtue of any other enactment or rule of law, to the proceedings of any meeting of Council.

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## **32. MAINTENANCE OF PUBLIC ORDER AT MEETINGS**

### **32.1 Chairperson may require members of the public to leave meeting**

The chairperson presiding at any meeting of the Council may require any member of the public to leave the meeting if it is believed on reasonable grounds that the behaviour of that member of the public is likely to prejudice the orderly conduct of the meeting if that person is permitted to remain.

50 LGOIMA

### **32.2 Removal of members of public**

If any member of the public who is required in accordance with Standing Order 32.1 to leave a meeting, refuses or fails to leave the meeting or, having left the meeting, attempts to re-enter the meeting without the permission of the chairperson, any police officer or employee of the Council may, at the request of the chairperson, remove or exclude that member of the public from the meeting.

## **33. MINUTES OF PROCEEDINGS**

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

- (1) The Council must keep minutes of its proceedings.
- (2) Minutes of proceedings duly entered and authenticated as prescribed by the Council are prima facie evidence of those proceedings.

28, Schedule 7, LGA

### **33.2 Keeping of minutes**

The chief executive or his/her designated representative must keep the minutes of meetings. The minutes must record the date, time and venue of the meeting; the names of those members present; identification of the chairperson; apologies tendered and accepted; arrival and departure times of members; any failure of a quorum; a list of speakers in the public forum and the topics they cover; a list of items considered; resolutions and amendments pertaining to those items; any objections to words used; all divisions taken; names of any members requesting the recording of their abstentions or votes; declarations of pecuniary interest; contempt, censure and removal of any members; resolutions to exclude members of the public; and the time that the meeting concludes or adjourns (see Standing Orders 14.3, 19.15, 21.3, 22.3, 24.4, 30.4, 30.5 and 30.11).

### **33.3 No discussion on minutes**

No discussion may arise on the substance of minutes at any succeeding meeting, except as to their correctness.

## **34. MINUTE BOOKS**

### **34.1 Inspection of minute books**

The minute books of the Council must be kept by the chief executive and be open to inspection in accordance with the Local Government Official Information and Meetings Act 1987 (see Standing Order 13.13 and 13.14).

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

The chairperson and the chief executive shall authenticate the minutes of the last meeting of the Council prior to the next election of members.

## **35. DEPUTATIONS AND PRESENTATIONS**

### **35.1 Deputations where heard**

Deputations may be received by the Council or any of its committees provided an application for admission setting forth the subject, has been lodged with the chief executive at least two working days before the date of the meeting concerned, and has been subsequently approved by the chairperson. The chairperson may refuse requests for deputations that are repetitious or offensive.

### **35.2 Urgency or major public interest**

Notwithstanding Standing Order 35.1, where in the opinion of the chairperson the matter which is the subject of a deputation is one of urgency or major public interest, the chairperson may determine that the deputation be received.

### **35.3 Deputations and presentations in English or Māori**

A deputation or presentation to the Council or any of its committees, may be made in English or Māori. Prior arrangement with the chairperson must be sought at least two working days before the meeting if the address is not in English. The chairperson may order that any speech or document presented be translated and/or printed in another language.

### **35.4 Procedures for deputations**

Except with the approval of the Council or committee, not more than two members of a deputation may address the meeting. After a presentation is received, members may put to the deputation any question pertinent to the subject heard, but no member may express an opinion upon, or discuss the subject, until the deputation has completed making its submissions and answering questions.

(see Standing Order 31.2 regarding qualified privilege).

### **35.5 Termination of presentation if disrespectful**

The chairperson may terminate a presentation in progress which is disrespectful or offensive, or where the chairperson has reason to believe that statements have been made with malice (see Standing Order 31.2 regarding qualified privilege).

### **35.6 Time limit on presentation**

Unless the meeting determines otherwise in any particular case, a limit of 10 minutes is placed on a speaker making a presentation, or if there are two members of the deputation addressing the meeting 10 minutes in total for the two speakers.

## **36. PETITIONS**

### **36.1 Form of petitions**

Every petition presented to the Council or to any of its committees, must comprise fewer than 50 words (not including signatories) and not be disrespectful, nor use offensive language or include statements made with malice



### **36.2 Petition where presented by members**

Any member of the Council, who presents a petition on behalf of the petitioners, is to confine himself/herself to reading the petition and the statement of the parties from which it comes, and the number of signatures attached to it.

### **36.3 Petition in English or Maori**

A petition presented to a the Council or any of its committees may be in English or Maori. Prior arrangement with the chairperson must be sought at least two working days before the meeting if the petition is not in English. The chairperson may order that any petition be translated and/or printed in another language.

### **36.4 Petition where presented by petitioner**

Where a petitioner presents a petition, unless the Council determines otherwise, a limit of five minutes is placed on that person (see Standing Orders 31.1 and 31.2 regarding qualified privilege). If the chairperson has reason to believe that the petitioner is disrespectful or offensive, or has made statements with malice, the chairperson shall terminate presentation of the petition.

## **37. QUESTIONS**

### **37.1 Questions to officers during debate**

In the course of any debate at any Council meeting, any member may, at the chairperson's discretion, ask any question of the relevant officer on any matter under debate. Such questions are to be directed through the chair.

## **APPENDIX 1**

### **A1. FIRST MEETING OF THE COUNCIL FOLLOWING TRIENNIAL ELECTION**

#### **A1.1 First meeting must be called by Chief Executive**

The first meeting of the Council following a triennial general election of members must be called by the Chief Executive as soon as practicable after the results of the election are known.

The Chief Executive must give the persons elected to the Council not less than seven days' notice of the meeting. However, if an emergency exists, the chief executive may give notice of the meeting as soon as practicable.

21(1), 21(2) & 21(3), Schedule 7, LGA

#### **A1.2 Chief Executive to chair meeting until Chairperson has made declaration**

The Chief Executive (or, in the absence of the Chief Executive, a nominee of that officer) must chair the meeting until the chairperson has made and attested the declaration required under clause 14 of Schedule 7 of the Local Government Act.

21(4), Schedule 7, LGA

#### **A1.3 Business to be conducted at first meeting**

The business to be conducted at the meeting must include -

- (a) the making and attesting of the declarations required of members of the Council under clause 14 of Schedule 7 of the Local Government Act and standing order A1.4, and
- (b) the election of the chairperson and the making and attesting of the declaration required of the chairperson under clause 14 of Schedule 7 of the Local Government Act and standing order A1.5; and
- (c) a general explanation, given or arranged by the chief executive, of -
  - (i) the Local Government Official Information and Meetings Act 1987; and
  - (ii) other laws affecting members, including - the appropriate provisions of the Local Authorities (Members' Interests) Act 1968; and sections 99, 105 and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Securities Act 1978; and

- (d) the fixing of the date and time of the first meeting of the Council, or the adoption of a schedule of meetings; and
- (d) the election of the deputy chairperson in accordance with clause 17 of Schedule 7 of the Local Government Act.

21 (5), Schedule 7, LGA

#### **A1.4 Members to make declaration before acting**

A person may not act as a member of the Council until they have at a meeting of the Council following their election or appointment made and attested to in writing the following declaration:

“I, AB, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform in the best interests of the Wellington region, the powers, authorities, and duties vested in, or imposed upon, me as member of the Wellington Regional Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.”

14(3), Schedule 7, LGA

#### **A1.5 Chairperson to make declaration before acting as chairperson**

A member may not act as the Chairperson of Council until they have made and attested to the following declaration:

“I, AB, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform in the best interests of the Wellington region, the powers, authorities, and duties vested in or imposed upon, me as member of the Wellington Regional Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.”

14(3), Schedule 7, LGA

#### **A1.6 Written declarations to be witnessed**

The written declaration required by standing orders A1.4 and A1.5 must be signed by the member and witnessed by -

- (a) the chief executive
- (b) in the absence of the chief executive, some other officer appointed by the chief executive

14(2), Schedule 7, LGA

### **A1.7 Members to provide addresses for service**

Every member of the Council must give to the chief executive their residential or business address together with, if desired, a facsimile or other address within the Wellington Region to which notices and material relating to meetings and council business may be sent or delivered.

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## APPENDIX 2

### Grounds to exclude the public from meetings

The Council or its committees may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on the following grounds:

**A2.1** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where such disclosure would be likely:

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

**A2.2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

- (a) protect the privacy of natural persons, including that of deceased natural persons; or
- (b) protect information where the making available of the information:
  - (i) would disclose a trade secret, or
  - (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
- (c) in the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Maori, or to avoid the disclosure of the location of wahi tapu; or
- (d) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information:
  - (i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied, or
  - (ii) would be likely otherwise to damage the public interest; or
- (e) avoid prejudice to measures protecting the health or safety of members of the public; or

- (f) avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
- (g) maintain the effective conduct of public affairs through the protection of such members, officers, employees, and persons from improper pressure or harassment; or
- (h) maintain legal professional privilege; or
- (i) enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or
- (j) enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (k) prevent the disclosure or use of official information for improper gain or improper advantage.

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

**A2.3** 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.

**A2.4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to the local authority by an Ombudsman under section 30(1) or section 38(3) of the Local Government Official Information and Meetings Act 1987 (in the case of a local authority named or specified in the First Schedule to this Act).

**A2.5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in:

- (a) Any proceedings before a local authority where:
  - (i) A right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings, or

- (ii) The local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
- (b) Any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.

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## APPENDIX 3

### Example: resolution to exclude the public

#### Exclusion of the Public

Report 07.262

*That the Committee*

*Exclude the public from the following part of the proceedings of this meeting namely:*

*Trolley Bus Operating Contract With Wellington City Transport Limited*

*The general subject of each matter to be considered while the public is excluded, the reasons 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:*

<b><i>General subject of each matter to be considered:</i></b>	<b><i>Reason for passing this resolution in relation to each</i></b>	<b><i>Ground under section 48(1) for the passing of this resolution</i></b>
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<i>Trolley Bus Operating Contract With Wellington City Transport Limited</i>	<i>The information contained in this report relates to Greater Wellington entering into a trolley bus operating contract with Wellington City Transport Limited. The contract has not yet been entered into. The report outlines terms of the proposed contract which may still be negotiated. Having this part of the meeting open to the public would disadvantage the Council if further negotiations were to take place as it would reveal the Council's negotiation strategy. The Council has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override this prejudice.</i>	<i>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 for which good reason for withholding would exist under section 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e to enable Greater Wellington to carry on, without prejudice or disadvantage, negotiations).</i>
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*This resolution is made in reliance on 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 which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as specified above.*

## **APPENDIX 4**

### **POWERS OF THE CHAIRPERSON**

This Appendix is intended to separately set out the chairperson's powers which are contained in various parts of the Standing Orders. *The provisions in the Standing Orders are authoritative.*

Relevant Standing Orders are referred to in brackets.

#### **A4.1 Chairperson to decide all questions**

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

(See Standing Order 19.2)

#### **A4.2 Chairperson to decide points of order**

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

(See Standing Orders 29.3 and 29.6)

#### **A4.3 Items not on the agenda may be dealt with**

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.

#### **A4.3 Items not on the agenda may be discussed**

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 of the local authority for further discussion.

(See Standing Orders 23.5 and 23.6)

#### **A4.5 Chairperson's report**

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

(See Standing Order 23.4)

#### **A4.6 Chairperson's recommendation**

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

(See Standing Order 23.7)

#### **A4.7 Chairperson's voting**

The chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote, except in the case of the Wellington Regional Strategy Committee, where the chairperson does not have a casting vote.

(See Standing Order 4.2)

#### **A4.8 Motion in writing**

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

(See Standing Order 25.4)

#### **A4.9 Motion in parts**

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

(See Standing Order 25.5)

#### **A4.10 Notice of motion**

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

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not within the scope of the role or functions of the local authority; or

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

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

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

(See Standing Orders 26.2 and 27.3)

#### **A4.11 Action on previous resolutions**

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

(See Standing Order 25.16)

#### **A4.12 Repeat notice of motion**

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

(See Standing Order 27.1)

#### **A4.13 Revocation or alteration of previous resolution**

A chairperson may recommend in a report to the local authority the revocation or alteration of all or part of any resolution previously passed, and the local authority meeting may act on such a recommendation.

(See Standing Order 25.18)

#### **A4.14 Chairperson may call a meeting**

The chairperson:

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

(See Standing Order 12.1, 12.4)

#### **A4.15 Irrelevant matter and tedious repetition**

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

(See Standing Order 24.2)

#### **A4.16 Taking down words**

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

(See Standing Order 24.4)

#### **A4.17 Reading of speeches**

The chairperson may permit members who request permission to do so, to read their speeches.

(See Standing Order 24.5)

#### **A4.18 Explanations**

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

(See Standing Orders 24.12 and 24.13)

#### **A4.19 Chairperson rising**

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

(See Standing Order 19.3)

#### **A4.20 Members may leave places**

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

(See Standing Order 19.4)

#### **A4.21 Priority of speakers**

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

(See Standing Order 19.5)

#### **A4.22 Minutes**

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

(See Standing Orders 33.1 and 33.2)

#### **A4.23 Questions of speakers**

The chairperson may permit members to ask questions of speakers under public forum or tangata whenua participation, for the purpose of obtaining information or clarification on matters raised by the speaker.

(See Appendix 7)

#### **A4.24 Withdrawal of offensive or malicious expressions**

- (a) The chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

(See Standing Order 19.11)

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

(See Standing Order 19.12)

#### **A4.25 Chairperson's rulings**

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

(See Standing Orders 17.1 and 19.2)

#### **A4.26 Disorderly behaviour**

The chairperson may:

- (a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the chairperson.

(See Standing Orders 19.13 and 32.1)

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

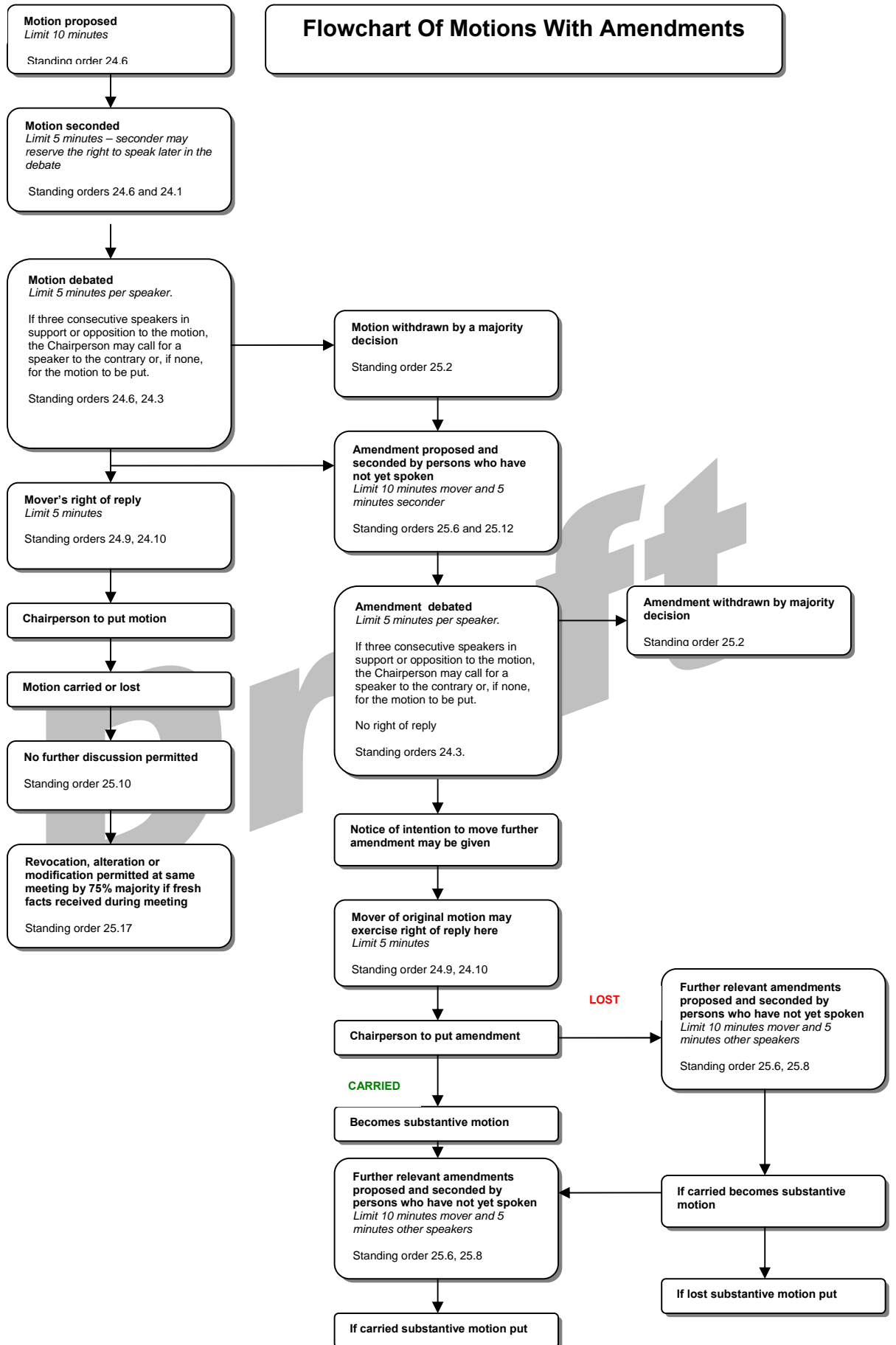
(See Standing Orders 19.9, 19.14 and 19.15)

#### **A4.27 Failure to leave meeting**

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

(See Standing Orders 19.16 and 19.2)

Appendix 5.





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**Appendix 6: Procedural Motions**

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

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
(e) "That the item of business being discussed does lie on the table and not be further discussed at this meeting."	No	Yes	No	No	No	No	No	Yes - 15 minutes	If carried, the original motion and amendment are both laid on the table.	Motion not in order.	
(f) "That the item of business being discussed be referred to the relevant committee."	No	Yes	No	As to committee, time for reporting back etc. only	No	No	No	Yes - 15 minutes	If carried, the original motion and all amendments are referred to the committee.	If carried, the procedural motion is deemed disposed of.	
(g) "Points of order."	No - but may rule against.	No	Yes - at discretion of Chairperson.	No	No	Yes	Yes	No	Point of order takes precedence.	Point of order takes precedence.	See Standing Orders 29.1 to 29.6

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## **APPENDIX 7**

### **Public participation**

#### **A7.1 Public participation**

Except where a meeting of the Council is immediately preceded by a meeting of its Policy, Finance & Strategy Committee, a period of up to 15 minutes will be set aside for public participation at the commencement of meetings of the Council, committees and subcommittees that are open to the public. Each speaker during the public participation section of a meeting may speak for three minutes.

Where a meeting of the Council is immediately preceded by a meeting of its Policy, Finance & Strategy Committee, a period of up to 15 minutes will be set aside for a public participation at the commencement of a meeting of the Policy, Finance & Strategy Committee but not the subsequent meeting of the Council.

#### **A7.2 Time extension**

Standing orders may be suspended on a vote of not less than 75 % of those present, to extend the period of public participation or the period any speaker is allowed to speak.

#### **A7.3 Public participation to relate to items on the agenda**

Public participation is to be confined to those items listed on the agenda provided the matter is not sub-judice.

#### **A7.4 Questions of speakers during public forum**

With the permission of the chairperson, members may ask questions of speakers during the period reserved for public participation. If permitted by the chairperson, questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

#### **A7.5 No public participation in certain forums**

The public participation procedure does not apply in respect of any hearing, including the hearing of submissions where the local authority, committee or subcommittee sits in a quasi-judicial capacity.