



greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Taiao

# Greater Wellington Regional Council Standing Orders 2012

Democratic Services

Draft

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# 1. GENERAL

## 1.1 STATUS

These Standing Orders were adopted by the Council on [insert date] and are effective from [insert date]. These Standing Orders replace the Greater Wellington Regional Council Standing Orders 2007.

## 1.2 INTERPRETATION

The word “shall” identifies a mandatory requirement for compliance with these Standing Orders. The word “should” refers to practices which are advised or recommended.

Where an individual Standing Order reflects a legislative requirement the relevant statutory reference is stated.

Italicised words contained within square brackets provide commentary on the application of these Standing Orders, they do not constitute part of the Standing Orders.

In these Standing Orders, unless inconsistent with any enactment or the context:

**Agenda** means the list of items for consideration at a meeting.

**Chairperson** means the Chairperson of the 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 Greater Wellington appointed under section 42 of the Local Government Act, and includes any other officer authorised by the Chief Executive.

**Clear working days** means the number of working days between the issuing of a notice and the date of a meeting, excluding the date of issue 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) A subcommittee of a committee described in items a) or b) of this definition.

**Council** means the 13 elected members of the Wellington Regional Council meeting as the governing body.

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

**Greater Wellington** means the Wellington Regional Council constituted by the Local Government (Wellington Region) Reorganisation Order 1989.

**Joint committee** means a committee appointed under clause 30 of Schedule 7 of the Local Government Act.

**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.

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

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

**Order Paper** means the agenda for a meeting, together with reports and other attachments relating to those items.

**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.

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

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

**Quasi judicial** involves the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and/or the application of legal principles.

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

**RMA** means the 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.

**Workshop, advisory group, working party or briefing** means an informal forum held primarily for information and/or discussion purposes, and at which no resolutions or decisions are made.

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## **2. CONSTITUTIONAL AND LEGISLATIVE MATTERS**

### **2.1 INTRODUCTION**

#### **2.1.1 Application of Standing Orders**

These Standing Orders apply to all meetings of the Council and its committees including public excluded sessions.

These Standing Orders do not apply to workshops, briefings, or meetings of working parties and advisory groups.

*[Standing Orders must not contravene any legislative provisions. In the event that these Standing Orders are in conflict with legislation the legislative provisions take precedence.]*

#### **2.1.2 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.

cl. 16(1), Schedule 7, LGA

#### **2.1.3 Amendments to Standing Orders**

Any amendment of these Standing Orders or the adoption of new Standing Orders must be made by the Council and requires a vote of not less than 75 % of the members present.

cl. 27(3), Schedule 7, LGA

#### **2.1.4 Temporary suspension of Standing Orders**

The Council or a committee may temporarily suspend Standing Orders during a meeting by a vote of not less than 75 % of the members present and voting. The reason for the suspension must be stated in the resolution of suspension.

cl. 27(4), Schedule 7, LGA

#### **2.1.5 Additions to or substitution of Standing Orders for quasi-judicial hearings**

Notwithstanding the generality of Standing Order 2.1.1, for any quasi-judicial proceedings, the Council or a committee 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. These powers are set out at section 41 of the RMA.]*

## **2.2 FIRST MEETING OF THE COUNCIL FOLLOWING ELECTION**

### **2.2.1 Meeting 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.

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

### **2.2.2 Chief Executive to chair the meeting until Chairperson has made his/her 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.

cl. 21(4), Schedule 7, LGA.

### **2.2.3 Business to be conducted**

The business to be conducted at the first meeting of the Council 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
- 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
- c) A general explanation, given or arranged by the Chief Executive, of:
  - i) The Local Government Official Information and Meetings Act;  
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
- e) The election of the Deputy Chairperson in accordance with clause 17 of Schedule 7 of the Local Government Act.

cl. 21 (5), Schedule 7, LGA

*[See Standing Order 4.1.2 which precludes public participation at the first meeting of the Council.]*

## **2.2.4 Election of Council Chairperson and Deputy Chairperson**

The election of both a Council Chairperson and Deputy Chairperson must be made in accordance with the process set out at Standing Order 2.6.1 below.

## **2.2.5 Members to give notice of addresses**

Every member of the Council must give to the Chief Executive their residential or business address, together with (if desired) an email, 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.

## **2.3 CHAIRPERSON OF MEETINGS**

### **2.3.1 Chairperson of Council to preside at Council meetings**

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 of the Council 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.

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

### **2.3.2 Chairperson of committee 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 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.

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

## **2.4 QUORUM AT MEETINGS**

### **2.4.1 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.

cl. 23(1), Schedule 7, LGA

#### **2.4.2 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 over which business is transacted.

cl. 23(2), Schedule 7, LGA

#### **2.4.3 Definition of quorum for Council or joint committee meetings**

The quorum for a meeting of the Council or a joint committee consists of:

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

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

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

The quorum at a meeting of a committee:

- a) Is no fewer than two members of the committee (as determined by the Council or committee that appoints the committee); and
- b) In the case of a committee other than a subcommittee, must include at least 1 member of the Council.

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

*[Committee terms of reference set out individual committee quorum requirements.]*

#### **2.4.5 Failure of a quorum**

If a meeting is short of a quorum at its commencement, or falls short of a quorum during the meeting, business is to be suspended and, if no quorum is present within 30 minutes the meeting shall then lapse.

#### **2.4.6 Lapsed business**

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.

#### **2.4.7 Minutes to record failure of a 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.

## **2.5 VOTING AT MEETINGS**

### **2.5.1 Decisions to be decided by majority vote**

Unless otherwise provided for in the Local Government Act or other legislation, in Standing Orders, or in that committee's terms of reference, the acts of the Council or a committee must be done, and the questions before the Council or committee must be decided at a meeting by vote by the majority of members that are present and eligible to vote.

cl. 24, Schedule 7, LGA

#### *[Wellington Regional Strategy Committee*

*The Terms of Reference for the Wellington Regional Strategy Committee prescribe the following:*

*A three quarter majority is required for:*

- i) decisions on the recommended quantum of funding required for the Wellington Regional Strategy;*
- ii) decisions on the recommended amendment to the Council's Revenue and Finance Policy;*
- iii) decisions on the recommended targeted rate;*
- iv) any decision resulting in a statutory consultation process under the Local Government Act (such as establishing a new Council Controlled Organisation);*
- v) adoption of the statement of corporate intent for the Economic Development Agency;*
- vi) appointment of directors of the Economic Development Agency;*
- vii) the following decisions relating to independent review of the Wellington Regional Strategy:*
  - a) agreeing the terms of reference;*
  - b) selecting the independent reviewer; and*
  - c) decisions made on the recommendations following the review; and*
- viii) any significant amendments to the Wellington Regional Strategy.*

#### *Regional Transport Committee*

*Section 107(1) of the Land Transport Management Act 2003 states that members of the Regional Transport Committee appointed as objective members are not entitled to vote on matters related to the Regional Land Transport Programme.]*

### **2.5.2 Chairperson has casting vote**

For the purposes of Standing Order 2.5.1 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:

- i) The Wellington Regional Strategy Committee where the Chairperson does not have a casting vote; and
- ii) Te Upoko Taiao – Natural Resource Management Committee where the casting vote only applies when the Committee is meeting to make a recommendation to Council relating to:
  - the notification of proposed regional plans, proposed variations or proposed plan changes; or
  - the commencement of the preparation of a variation of a proposed regional plan, or
  - the commencement of the preparation of plan changes in relation to operative regional plans; and
- iii) The Regional Transport Committee where the Chairperson does not have a casting vote.

In the case of an equality of votes where the Chairperson does not have a casting vote the act or question is defeated and the status quo is preserved.

cl. 24, Schedule 7, LGA and s. 105(7), Land Transport Management Act 2003

### **2.5.3 Open voting**

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

cl. 24(3), Schedule 7, LGA

### **2.5.4 Members may abstain**

Any member may abstain from voting.

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

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

### **2.5.6 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 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 noting a show of hands.

### **2.5.7 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.

### **2.5.8 Second division**

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

## **2.6 APPOINTMENTS AND VOTING SYSTEM**

### **2.6.1 Provisions for election or appointment of Chairpersons and Deputy Chairpersons of the Council and committees, and representatives of the Council**

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 Chairpersons and Deputy Chairpersons of committees; 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:

- i) The voting system described in Standing Order 2.6.2 (system A)
- ii) The voting system described in Standing Order 2.6.3 (system B)

cl. 25, Schedule 7, LGA

### **2.6.2 Voting system A**

Voting 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:

- a) There is a first round of voting for all candidates; and
- b) 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
- c) 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
- d) 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.

cl. 25(3), Schedule 7, LGA

### **2.6.3 Voting system B**

Voting 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:

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

cl. 25(4), Schedule 7, LGA

## **2.7 ESTABLISHMENT OF COMMITTEES AND OTHER SUBORDINATE DECISION-MAKING BODIES**

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

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.

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

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

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.

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

### **2.7.3 Committees and subordinate decision-making bodies subject to the 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.

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

### **2.7.4 Decisions made under delegated authority cannot be rescinded or amended**

Nothing in Standing Order 2.7.3 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.

cl. 30(6), Schedule 7, LGA

## **2.8 JOINT COMMITTEES**

### **2.8.1 Appointment of joint committees**

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

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

### **2.8.2 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.

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

### **2.8.3 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 Council or public body that made the appointment.

cl. 30(9), Schedule 7, LGA

#### **2.8.4 Joint committee may appoint its own Chairperson and Deputy Chairperson**

The joint committee may appoint and remove its own Chairperson or Deputy Chairperson.

cl. 30(9), Schedule 7, LGA

### **2.9 MEMBERSHIP OF COMMITTEES AND SUBCOMMITTEES**

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

Subject to Standing Order 2.8.3, 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.

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

#### **2.9.2 Appointed members on committees and subcommittees**

The members of a committee or subcommittee may, 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.

cl. 31(3), Schedule 7, LGA

#### **2.9.3 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.

cl. 31(4), Schedule 7, LGA

#### **2.9.4 Employees may only be appointed to subcommittees**

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

cl. 31(4), Schedule 7, LGA

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

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

cl. 31(6), Schedule 7, LGA

## **2.9.6 Replacement of 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 decision-making body after the next triennial election of members.

cl. 31(5), Schedule 7, LGA

## **2.10 PROCEEDINGS NOT INVALIDATED BY VACANCIES OR IRREGULARITIES**

An act or proceeding of the Council or committee, or of a person acting as a member of the Council or 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.

cl. 29, Schedule 7, LGA

## **2.11 GENERAL PROVISIONS AS TO MEETINGS**

### **2.11.1 Meetings to be held**

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

cl. 19(1), Schedule 7, LGA

### **2.11.2 Members' right to attend meetings**

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

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

### **2.11.3 Members' participation at committee meetings**

Any member of the Council may put a question through the Chairperson to elicit information. A member of the Council who is not a member of the committee may take part in the discussion of any committee meeting, except in the following instances:

- a) when a committee is performing any quasi-judicial function; or
- b) when the Wellington Regional Strategy and Regional Transport Committees are meeting.

A member of the Council who is not a member of the committee may not move or second a motion, or vote on any matter before that committee (except when Standing Order 3.9.6 applies).

#### **2.11.4 Calling, public notification and conduct of meetings**

A meeting of the Council or its committees 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.

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

#### **2.11.5 Agenda to be sent to members**

In the case of each meeting to which Standing Order 2.11.1 applies, an agenda detailing the business to be brought before that meeting, together with relevant attachments, must be made available to every member not less than two clear working days before the day appointed for the meeting.

In the case of extraordinary meetings, agendas together with relevant attachments, will be made available to every member as soon as is reasonable in the circumstances.

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

A meeting of the Council or committee is not invalid if notice of that meeting was not received, or not received in due time, by a member of the Council or committee unless -

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

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

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

#### **2.11.7 Minutes of proceedings**

The Council and its committees 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.

cl. 28, Schedule 7, LGA

*[Standing Orders 3.14.1 – 3.15.3 set out what must be kept in minutes and the procedure for their authentication.]*

### **2.12 QUALIFIED PRIVILEGE**

#### **2.12.1 Qualified privilege relating to agenda and minutes**

Where any meeting of the Council or committee is open to the public during the proceedings or any part thereof, and a member of the public is supplied with a copy of the agenda for the meeting or any part of the minutes of that meeting are provided, the publication of any defamatory matter included in the

agenda or in the minutes is privileged unless the publication is proved to have been made with ill will or taking improper advantage of the publication.

s.52, LGOIMA

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

Any oral statement made at any meeting of the Council or committee 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.

s. 53, LGOIMA

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

The privilege conferred by Standing Order 2.12.2 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 or committee.

s.53, LGOIMA

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

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

The Chief Executive must give notice in writing to each Council or committee member of the time and place of a meeting -

- 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.

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

### **2.13.2 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.

cl. 19(6), Schedule 7, LGA



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

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

## **2.14 EXTRAORDINARY MEETINGS**

### **2.14.1 Extraordinary meetings may be called**

If a resolution or requisition specifies the time and place at which a 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 a committee; 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) or the relevant committee.

cl. 22(1), Schedule 7, LGA

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

Notice in writing of the time and place of a meeting called under Standing Order 2.14.1 and of the general nature of business must be given by the Chief Executive to each member of the Council or a committee at least three working days before the day of the meeting. If the meeting is called by resolution, the meeting may not be held with less than 24 hours notice.

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

*[See Standing Order 2.14.5 for notification of extraordinary meetings to the public.]*

### **2.14.3 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 allowed by the notice requirements specified in Standing Order 2.14.2, a meeting may be called by the Chairperson or, if the Chairperson is unavailable, the Chief Executive.

cl. 22(2), Schedule 7, LGA

### **2.14.4 Notification of extraordinary meetings to be held at earlier time**

Notice of the time and place of a meeting called under Standing Order 2.14.3, and of the reasons why the meeting is being called, must be given by the person calling the meeting, by whatever means is reasonable in the circumstances, to each member of the Council or committee, and to the Chief Executive at least 24 hours before the time appointed for the meeting.

cl. 22(4), Schedule 7, LGA

### **2.14.5 Public notification of extraordinary meetings**

Where any extraordinary meeting of the Council or a committee is called, and notice of that meeting cannot be given in the manner required or permitted by Standing Order 2.15.7, the Council shall publicly notify or otherwise advertise that meeting and the general nature of business, as soon as practicable before the meeting as is reasonable in the circumstances.

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

*[See also Standing Orders 2.15.9 – 2.15.10.]*

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

Where any resolution is passed at an extraordinary meeting of the Council or committee, the Council or committee 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.

s. 51A, LGOIMA

## **2.15 PUBLIC ATTENDANCE AT MEETINGS, ACCESS TO AGENDAS ETC**

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

Except as otherwise provided by Part 7 of the Local Government Official Information and Meetings Act, every meeting of the Council and its committees shall be open to the public.

s. 47, LGOIMA

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

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

s. 50, LGOIMA

### **2.15.3 Removal of members of public**

If any member of the public who is required, in accordance with Standing Order 2.15.2, 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 Greater Wellington may, at the request of the Chairperson, remove or exclude that member of the public from the meeting.

s. 50, LGOIMA

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

For the purposes of Part 7 of the Local Government Official Information and Meetings Act, bona fide members of the news media shall be deemed to be members of the public, and shall be entitled to attend any meeting or any part of a meeting for the purpose of reporting the proceedings for any news media.

s. 49(a), LGOIMA

#### **2.15.5 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.

s. 49(d), LGOIMA

#### **2.15.6 Qualified privilege**

*[See Standing Orders 2.12.1- 2.12.3.]*

#### **2.15.7 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.

s. 46(1) & (2), LGOIMA

*[Standing Order 2.14.5 deals with public notification of extraordinary meetings.]*

#### **2.15.8 Public notification additional requirements**

The Chief Executive is to make any other arrangement for the notification of meetings, including extraordinary meetings, as the Council or relevant committee may from time to time determine.

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

No meeting of the Council or committee is invalid merely because that meeting was not publicly notified in accordance with Standing Orders 2.14.5 or 2.15.7.

s. 46(5), LGOIMA

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

Where Greater Wellington becomes aware that any meeting of the Council or committee has not been publicly notified in accordance with Standing Orders 2.14.5 or 2.15.7, Greater Wellington shall, as soon as practicable, give public notice that that meeting was not so notified, and shall, in that notice, state the general nature of the business transacted at that meeting; and give the reasons why that meeting was not so notified.

s. 46(6), LGOIMA

### **2.15.11 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 and relating to that meeting. The agendas:

- a) Shall be available for inspection at the public offices of Greater Wellington (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 Greater Wellington. 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 or committee, the agenda and any associated reports shall be made available as soon as is reasonable in the circumstances.

s. 46A(1) - (6), LGOIMA

### **2.15.12 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.

s. 46A(8), LGOIMA

### **2.15.13 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).

s. 49, LGOIMA

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

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

### **2.15.15 Public entitled to inspect minutes**

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

Every member of the public so inspecting any such minutes who requests a copy of any part thereof and tenders the prescribed amount (if any) shall be given such a copy.

s. 51(1) & (2), LGOIMA

### **2.15.16 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.

s. 51(3), LGOIMA

## **2.16 REASONS TO EXCLUDE PUBLIC**

### **2.16.1 Lawful reasons to exclude public**

The Council or a committee 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.

s. 48, LGOIMA

*[Appendix A sets out grounds specified in section 48 of the Local Government Official Information and Meetings Act.]*

### **2.16.2 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.

s. 48(3), LGOIMA

*[For an example resolution refer to Appendix B.]*

### **2.16.3 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 or committee.

s. 48(4), LGOIMA

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

A resolution in accordance with Standing Order 2.16.1 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 or committee, knowledge that will assist the Council or committee. 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.

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

*[No such resolution is necessary in respect of the attendance of the Chief Executive and relevant officers during a public excluded session.]*

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

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

## **2.17 APPLICATION OF STANDING ORDERS TO PUBLIC EXCLUDED SESSIONS**

### **2.17.1 Standing Orders to apply**

*[See Standing Order 2.1.1.]*

## **2.18 USE OF PUBLIC EXCLUDED INFORMATION**

### **2.18.1 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.

## **3. MEETING PROCEDURES**

### **3.1 APPLICATION OF STANDING ORDERS**

*[See Standing Orders 2.1.2 – 2.1.5.]*

## **3.2 CONDUCT OF MEETINGS**

### **3.2.1 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.

### **3.2.2 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.

### **3.2.3 Contempt**

Any member who refuses to obey any order or ruling of the Chairperson shall be held guilty of contempt.

The minutes must record that a member is in contempt.

### **3.2.4 Chairperson rising**

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

### **3.2.5 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 Council and committee meetings.

### **3.2.6 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, including any request to obtain a time extension for the previous speaker [*See Standing Order 3.13.4.*];
- b) Move a motion to terminate or adjourn the debate [*See Standing Order 3.11.1.*]; or
- c) Make a point of explanation or request an indulgence of the Chairperson [*See Standing Order 3.6.8.*].

### **3.2.7 Speeches in English, Māori or New Zealand sign language**

A member may address the Chairperson in English, Māori or New Zealand sign language. The Chairperson may order that a speech be translated and printed in English or Māori. 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 New Zealand sign language or 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.

### **3.2.8 Time limits for meetings**

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

### **3.2.9 Reporting of meetings**

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

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

s. 49(a), LGOIMA

- b) Any recording of meetings (including the intention to take still or moving photography) must be notified to the Chairperson at the commencement of the meeting.
- c) Any recording of meetings (including still or moving photography) must be carried out in an unobtrusive manner, and must not be distracting to members.

### **3.2.10 Disorder at meetings by members**

Members called to order by the Chairperson are to stop speaking and, if standing to resume their seats. Should any member refuse to obey, the Chairperson may require that member to withdraw immediately from the meeting for a time specified by the Chairperson.

### **3.2.11 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.

### **3.2.12 Disturbance at meetings by members**

The Chairperson may require any member who is creating a disturbance to withdraw immediately from the meeting for a time specified by the Chairperson.



### **3.2.13 Members not to be disrespectful in speech**

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

### **3.2.14 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.

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.

### **3.2.15 Removal from meeting**

A member of the police, or an officer or employee of Greater Wellington, may, at the request of the Chairperson, remove or exclude a member from a meeting if that member is required to leave the meeting by a ruling made under the Standing Orders and that member:

- a) refuses or fails to leave the meeting; or
- b) having left the meeting, attempts to re-enter the meeting without the permission of the Chairperson.
- cl. 16(2), Schedule 7, LGA

### **3.2.16 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.

s. 6(1), Local Authorities (Members' Interests) Act

### **3.2.17 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.

s. 6(5), Local Authorities (Members' Interests) Act

*[Members who have declared a pecuniary interest in matters to be discussed should consider leaving the meeting for the full duration of discussion on such matters.]*

### **3.2.18 Non-pecuniary conflicts of interest**

No members may vote or take part in the discussion of any matter at any meeting where they have identified a non-pecuniary conflict of interest.

*[Non-pecuniary conflicts of interest include, amongst other things, bias and predetermination. For guidance on these types of conflicts refer to Part 5 of the Guidance for members of local authorities about the Local Authorities (Members' Interests) Act 1968 published by the Office of the Auditor-General.]*

### **3.2.19 Declaration of non-pecuniary conflicts of interest**

Every member who has identified a non-pecuniary conflict of interest shall declare that interest to the meeting. This disclosure and abstention from discussion and voting on the matter is to be recorded in the minutes.

*[Members who have declared a non-pecuniary conflict of interest in matters to be discussed should consider leaving the meeting for the full duration of discussion on such matters.]*

## **3.3 QUORUM AT MEETINGS**

*[See Standing Orders 2.4.1- 2.4.7.]*

## **3.4 LEAVE OF ABSENCE AND APOLOGIES**

### **3.4.1 Granting leave of absence**

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

A committee may grant leave of absence to a member from a meeting or meetings of the committee upon application by the member.

### **3.4.2 Apologies at meetings**

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

### **3.4.3 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.

#### **3.4.4 Absence without leave – elected members**

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.

cl. 5, Schedule 7, LGA

#### **3.4.5 Absence without leave – appointed members**

Appointed members who are absent from three consecutive committee meetings without an accepted apology or leave of absence, are deemed to have vacated their position.

### **3.5 ORDER OF BUSINESS**

#### **3.5.1 Adoption of order of business**

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

#### **3.5.2 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 accords precedence to any business set down on the agenda.

#### **3.5.3 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.

#### **3.5.4 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.

#### **3.5.5 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 or committee by resolution so decides; and
- b) The presiding member explains at the meeting at a time when it is open to the public, -
  - i) the reason why the item is not on the agenda; and

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

s. 46A(7), LGOIMA

### **3.5.6 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.

s. 46A(7A), LGOIMA

## **3.6 RULES OF DEBATE**

### **3.6.1 Questions to officers during debate**

In the course of any debate at any Council or committee 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.

### **3.6.2 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.

### **3.6.3 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.

### **3.6.4 Time limits on speakers**

The following time limits apply to members speaking at 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 Section 4 of these Standing Orders for time limits for members of the public speaking at meetings.]*

### **3.6.5 Reserving speech**

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

### **3.6.6 Member speaking more than once**

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

### **3.6.7 Personal explanation**

Notwithstanding Standing Order 3.6.6, members may make a personal explanation with the permission of the Chairperson, but such matters may not be debated.

### **3.6.8 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.

### **3.6.9 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 is made at the time the words were used and not after any other members have spoken.

### **3.6.10 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.

### **3.6.11 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.

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.

### **3.6.12 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 or

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

### **3.6.13 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.

*[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.]*

### **3.6.14 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.

### **3.6.15 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.

### **3.6.16 Reflections on resolutions**

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

## **3.7 MOTIONS AND AMENDMENTS**

*[A flow chart illustrating the process regarding motions and amendments is included in these standing orders as Appendix C.]*

### **3.7.1 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.

### **3.7.2 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.

### **3.7.3 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.

### **3.7.4 Motions in writing**

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

### **3.7.5 Motions expressed in parts**

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

### **3.7.6 Amendment after motion proposed**

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.

### **3.7.7 Motions and amendments not seconded**

Motions and amendments that are proposed but not seconded are not in order and are not entered in the minutes.

### **3.7.8 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.

### **3.7.9 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.

### **3.7.10 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.

### **3.7.11 Where amendment lost another amendment may be proposed**

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.

### **3.7.12 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.

### **3.7.13 Procedure until resolution**

The procedures in Standing Orders 3.7.6 and 3.7.10 must be repeated until a resolution is adopted.

## **3.8 REVOCATION OR ALTERATION OF RESOLUTIONS**

### **3.8.1 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 or a committee 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 or committee that made the previous resolution, 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.

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

Where a notice of motion has been given in terms of Standing Order 3.8.1, 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 or the committee that made the previous resolution, 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 or the committee that made the previous resolution;

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

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

If, during the course of a meeting, 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.

### **3.8.4 The Council or its committees may revoke or alter any previous resolution**

The Council or a committee 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.

## **3.9 NOTICES OF MOTION**

### **3.9.1 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.

*[It is sufficient for a notice of motion to be sent via email and include the electronic signature of the mover.]*

### **3.9.2 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 relevant committee; 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.

### **3.9.3 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.

### **3.9.4 Alteration of notice of motion**

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

### **3.9.5 When notices of motion lapse**

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

### **3.9.6 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.

## **3.10 REPEAT NOTICES OF MOTION**

### **3.10.1 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 or a committee, 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 of the Council or relevant committee, including vacancies.

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

If such a repeat notice of motion as provided for in Standing Order 3.10.1 is also rejected by the Council or a committee, any further notice prior to the expiration of the original period of six months must be signed by a majority of all members of the Council or relevant committee, including vacancies.

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

Where a notice of motion has been considered and adopted by the Council or a committee, no notice of any other motion which is, in the opinion of the

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

### **3.11 PROCEDURAL MOTIONS TO TERMINATE OR ADJOURN DEBATE**

*[A table of procedural motions is included in these Standing Orders at Appendix D.]*

#### **3.11.1 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.

#### **3.11.2 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.

#### **3.11.3 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.

#### **3.11.4 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.

#### **3.11.5 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.

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

Notwithstanding Standing Order 3.11.5, a closure motion shall be put if there is no further speaker in the debate.

### **3.11.7 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.

## **3.12 ITEMS PREVIOUSLY ADJOURNED OR REFERRED BACK TO COMMITTEE**

### **3.12.1 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.

### **3.12.2 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.

### **3.12.3 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.

## **3.13 POINTS OF ORDER**

### **3.13.1 Members raising points of order**

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

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

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

### **3.13.3 Points of order during division**

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

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

### **3.13.5 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.

### **3.13.6 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.

*[See Standing Order 3.2.2 and 3.2.3 also.]*

## **3.14 MINUTES OF PROCEEDINGS**

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

*[See Standing Order 2.11.7.]*

### **3.14.2 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 or declined *[See Standing Order 3.4.3];*
- Arrival and departure times of members;
- Any failure of a quorum *[See Standing Order 2.4.7];*
- 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 *[See Standing Order 3.6.9];*
- All divisions taken *[See Standing Order 2.5.7];*
- Names of any members requesting the recording of their abstentions or votes *[See Standing Order 2.5.5];*
- Declarations of conflicts of interest *[See Standing Orders 3.2.17 and 3.2.19];*

- Contempt, censure and removal of any members [*See Standing Order 3.2.3*];
- Resolutions to exclude members of the public [*See Standing Order 2.16.3*]; and
- The time that the meeting concludes or adjourns.

### **3.14.3 No discussion on minutes**

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

## **3.15 MINUTE BOOKS**

### **3.15.1 Inspection of minute books**

*[See Standing Order 2.15.15.]*

### **3.15.2 Minutes of final committee meeting**

Minutes of a committee meeting when the committee has ceased to exist or is not meeting again during a triennium are to be presented to the committee's parent body for authentication. If the parent body is not meeting prior to the next election then Standing Order 3.15.3 shall apply.

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

The Chairperson and the Chief Executive shall authenticate the minutes of the last meeting of the Council or relevant committee prior to the next election of members.

*[Authentication of minutes of committee meetings by the Chairperson and Chief Executive should only take place in the event that the committee's parent body is not scheduled to meet prior to the end of the triennium.]*

## **4. PUBLIC INPUT AT MEETINGS**

### **4.1 PUBLIC FORUM**

#### **4.1.1 Public input**

There are three processes, referred to as "public input", by which a member of the public may participate in Council or committee meetings. The term "public input" refers to:

- Public participation
- Presentations
- Petitions.

The term "public input" does not relate to any right to participate in a hearing process.

*[The Standing Orders relating to "public participation", "presentations" and "petitions" are set out below.]*

#### **4.1.2 No public input in certain forums**

There is to be no public input at any hearing, including the hearing of submissions where the local authority, committee or subcommittee sits in a quasi-judicial capacity.

No public input is permitted at the first meeting of the Council following its election.

#### **4.1.3 The use of datashow equipment to support public input**

No datashow presentation shall be allowed unless an electronic copy of that presentation has been received by the Chief Executive by 12noon on the working day prior to the Council or committee meeting.

### **4.2 PUBLIC PARTICIPATION**

#### **4.2.1 Period set aside for public participation**

A period will be set aside for public participation at the commencement of meetings of the Council and committees that are open to the public. Each speaker during the public participation section of a meeting may speak for three minutes.

#### **4.2.2 Time extension**

Standing Order 4.2.1 may be suspended on a vote of not less than 75 % of those present, to extend the period any speaker is allowed to speak.

#### **4.2.3 Public participation to relate to items on the agenda**

Subject to Standing Order 4.2.4, public participation is to be confined to those items listed on the agenda provided the matter is not sub-judice.

#### **4.2.4 Public participation not permitted in relation to certain items on the agenda**

Public participation is not permitted in relation to the following items listed on the agenda for a meeting:

- i) Minutes being presented to a meeting for authentication
- ii) Reports on business conducted at concluded committee meetings, which are for information only
- iii) Reports that set out recommendations arising from a hearing process.

#### **4.2.5 Questions of speakers during public participation 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.

#### **4.2.6 Public participation where presented by members**

Any member who presents on behalf of a person, is to confine himself/herself to reading the statement of the party from which it comes.

### **4.3 PRESENTATIONS**

#### **4.3.1 Requests to make a presentation**

A request to make a presentation to a meeting must be lodged with the Chief Executive at least two working days before the date of the meeting concerned. The request must set out the general subject of the presentation. After lodgement, the request must be subsequently approved by the Chairperson. The Chairperson may refuse requests, including for presentations that are repetitious or offensive.

#### **4.3.2 Urgency or major public interest**

Notwithstanding Standing Order 4.3.1, where in the opinion of the Chairperson the matter which is the subject of a presentation is one of urgency or major public interest, the Chairperson may determine that the presentation be received.

#### **4.3.3 Presentations in English, Māori or New Zealand sign language**

A presentation to the Council or a committee, may be made in English, Māori or New Zealand sign language. 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.

#### **4.3.4 Procedures for presentations**

Except with the approval of the Chairperson, not more than two persons may address the meeting for a single presentation. After a presentation is received, members may put to the presenters any question pertinent to the subject heard, but no member may express an opinion upon, or discuss the subject, until the presenters have completed making their submissions and answering questions.

*[See Standing Order 2.12.2 regarding qualified privilege.]*

#### **4.3.5 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 2.12.2 regarding qualified privilege.]*

#### **4.3.6 Time limit on presentation**

Unless the meeting determines otherwise in any particular case, a limit of 10 minutes is placed on a presentation.



## **4.4 PETITIONS**

### **4.4.1 Form of petitions**

Every petition presented to the Council or to any of its committees, must comprise fewer than 150 words (not including signatories) and not be disrespectful, nor use offensive language or include statements made with malice.

*[See Standing Order 2.12.2 regarding qualified privilege.]*

### **4.4.2 Petition in English or Māori**

A petition presented to the Council or any of its committees may be in English or Māori. 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.

### **4.4.3 Petition where presented by members**

Any member 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.

### **4.4.4 Petition where presented by petitioner**

Where a petitioner presents a petition, unless the Council or the committee determines otherwise, a limit of ten minutes is placed on that person. 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.

*[See Standing Orders 2.12.2 and 2.12.3 regarding qualified privilege.]*

## **APPENDIX A: Grounds to exclude 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:

- A1** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where such disclosure would be likely:
- (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
  - (b) to endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) protect the privacy of natural persons, including that of deceased natural persons; or
  - (b) protect information where the making available of the information:
    - (i) would disclose a trade secret, or
    - (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
  - (c) in the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Maori, or to avoid the disclosure of the location of waahi tapu; or
  - (d) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information:
    - (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.

- A3** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
  - (a) be contrary to the provisions of a specified enactment; or
  - (b) constitute contempt of Court or of the House of Representatives.
- A4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to the local authority by an Ombudsman under section 30(1) or section 38(3) of the Local Government Official Information and Meetings Act 1987 (in the case of a local authority named or specified in the First Schedule to this Act).
- A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in:
  - (a) Any proceedings before a local authority where:
    - (i) A right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings, or
    - (ii) The local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
  - (b) Any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.

# APPENDIX B: Example resolution to exclude the public

## Exclusion of the Public

Report xx.xxx

*That the Council*

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

1. *Grow Wellington Board appointments*

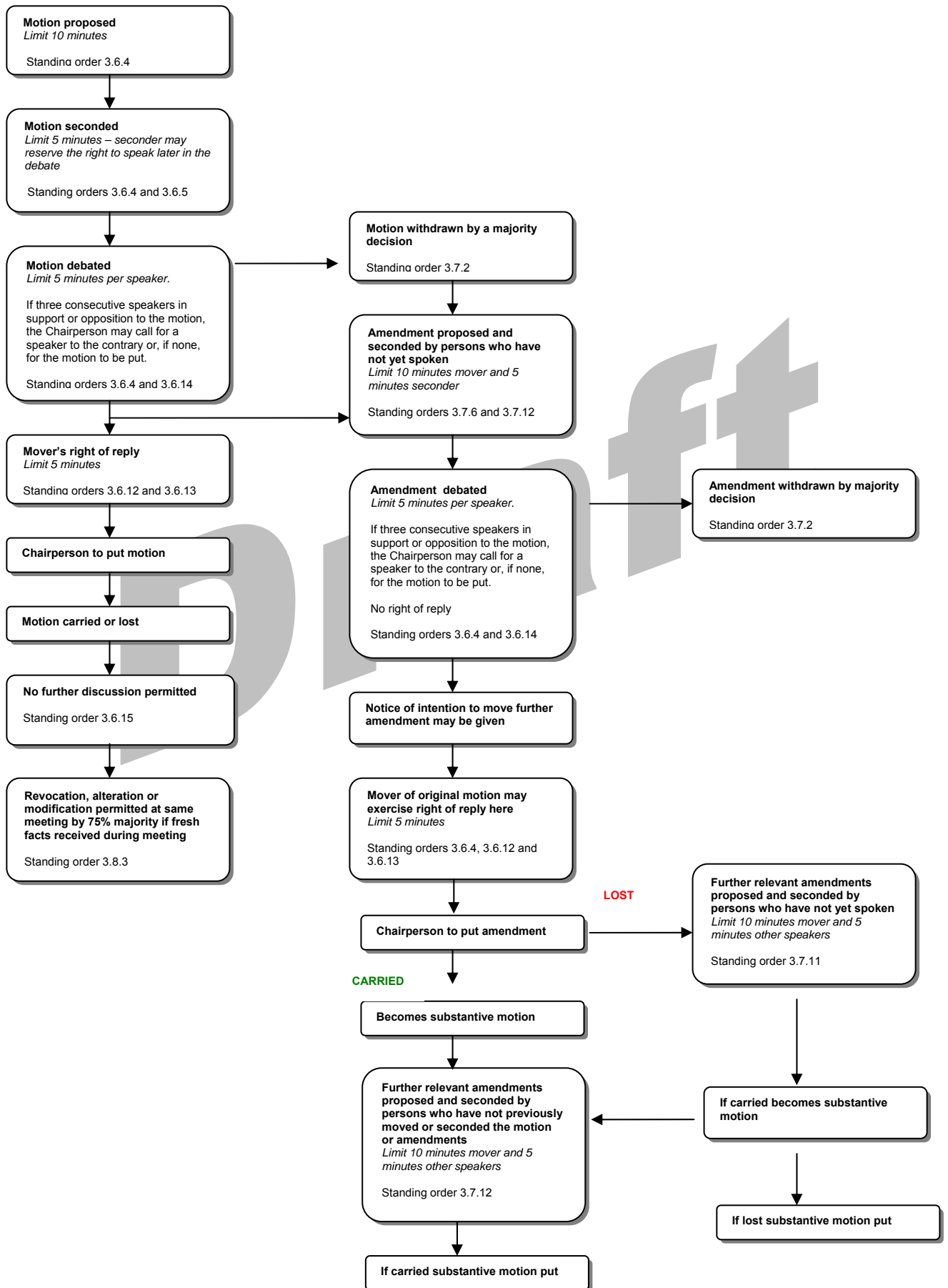
*The general subject of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are 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 matter</i></b>	<b><i>Ground under section 48(1) for the passing of this resolution</i></b>
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<i>1. Grow Wellington Board appointments</i>	<i>The information contained in this report relates to the proposed appointment of directors to Grow Wellington. Release of this information would prejudice the proposed appointees' privacy by disclosing the fact that they are being considered as directors of the region's economic development agency. Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the privacy of the individuals concerned.</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)(a) of the Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons).</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 C: Flow chart of motions and amendments



## APPENDIX D: List of procedural motions

Motion	Has the Chair discretion to refuse this motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(a) "That the meeting be adjourned to the next 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.

Motion	Has the Chair discretion to refuse this motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(d) "That the meeting move directly to the next business, superseding the item under discussion."	No	Yes	No	No	No	No	No	Yes - 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	
(e) "That the item of business being discussed does lie on the table and not be further discussed at this meeting."	No	Yes	No	No	No	No	No	Yes - 15 minutes	If carried, the original motion and amendment are both laid on the table.	Motion not in order.	
(f) "That the item of business being discussed be referred to the relevant committee."	No	Yes	No	As to committee, time for reporting back etc. only	No	No	No	Yes - 15 minutes	If carried, the original motion and all amendments are referred to the committee.	If carried, the procedural motion is deemed disposed of.	
(g) "Points of order."	No - but may rule against.	No	Yes - at discretion of Chairperson.	No	No	Yes	Yes	No	Point of order takes precedence.	Point of order takes precedence.	See Standing Orders 3.13.1-3.13.6