

# **Whitireia Park Board**

**Standing Orders 2014**

Effective from 29 August 2014





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# 1. General

## 1.1 Status

These Standing Orders were adopted by the Whitireia Park Board on 29 August 2014 and are effective from 29 August 2014.

## 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
- **Board** means the Whitireia Park Board
- **Chairperson** means the Chairperson of the Whitireia Park Board and includes any person acting as the Chairperson
- **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
- **Greater Wellington Regional Council** means the Wellington Regional Council constituted by the Local Government (Wellington Region) Reorganisation Order 1989
- **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 appointed to the Whitireia Park Board
- **Minutes** means the record of the proceedings of any meeting of the Whitireia Park Board
- **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 Whireia Park Board, 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
- **Quorum** means the minimum number of members needing to be present to constitute a valid meeting
- **Toa Rangatira Trust** means the trust with that name established by a deed of trust dated 4 December 2012
- **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

*[Note that as of 1 January 2014 if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the term working day will include the following Monday.]*

**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.



## **2. Constitutional and legislative matters**

### **2.1 Introduction**

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

These Standing Orders apply to all meetings of the Board, 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 Board must abide by the Standing Orders adopted under section 155(1)(b) of the Ngati Toa Rangatira Claims Settlement Act 2014.

#### **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 Board and requires a vote of not less than 75 % of the members present.

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

The Board 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.

### **2.2 First meeting of the Whitireia Park Board**

#### **2.2.1 Business to be conducted**

The business to be conducted at the first meeting of the Board must include:

- a) Appoint a member to be the chairperson, and
- b) Adopt standing orders for the initial procedure of the joint board, and
- c) Agree on a schedule of initial meetings

#### **S155(1) Ngati Toa Rangatira Claims Settlement Act 2014**

#### **2.2.2 Election of Chairperson**

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

### **2.3 Chairperson of meetings**

#### **2.3.1 Chairperson of Whitireia Park Board to preside at meetings**

The Chairperson of the Board must preside at each meeting of the Whitireia Park Board 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 members of the Board who 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.

## **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.

### **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.

### **2.4.3 Definition of quorum for Board meetings**

The quorum for a meeting of the Whitireia Park Board consists of:

- a) Two members appointed by the trustee of the Toa Rangatira Trust, and,
- b) Two members appointed by Wellington Regional Council

#### **S155(2)(a) Ngati Toa Rangatira Claims Settlement Act 2014**

### **2.4.4 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.

### **2.4.5 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 and notified.

### **2.4.6 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**

The Board must make decisions only with the agreement of a majority of the members who are present and who vote at a meeting.

#### **S155(2)(b) Ngati Toa Rangatira Claims Settlement Act 2014**

### **2.5.2 Chairperson has deliberative vote**

For the purposes of Standing Order 2.5.1 the Chairperson or other person presiding at the meeting has a deliberative vote.

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

#### **S155(3) Ngati Toa Rangatira Claims Settlement Act 2014**

### **2.5.3 Open voting**

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

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

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

### **2.5.5 Method of voting**

The method of voting shall be as follows:

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.

## **2.6 Appointments and voting system**

### **2.6.1 Provisions for election or appointment of Chairperson of the Board**

This Standing Order applies to:

- a) The election of the Chairperson of the Board

The Board 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)

### **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 Board 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

### **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:

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

## **2.7 General provisions as to meetings**

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

A meeting of the Board must be called and conducted in accordance with Part 7 of the Local Government Official Information and Meetings Act, and these Standing Orders.

### **2.7.2 Agenda to be sent to members**

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.

### **2.7.3 Minutes of proceedings**

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

*[Standing Orders 3.7.1 – 3.7.3 set out what must be kept in minutes.]*

## **2.8 Qualified privilege**

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

Where any meeting of the Board 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**

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

Any oral statement made at any meeting of the Board in accordance with the rules that have been adopted by the Board 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**

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

The privilege conferred by Standing Order 2.8.3 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 the Board.

**s.53, LGOIMA**

## **2.9 Notification of meetings to members**

### **2.9.1 Schedule of meetings**

If the Board adopts a schedule of meetings:

- a) The schedule may cover any future period that the Board 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.

### **2.9.2 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.

## **2.10 Extraordinary meetings**

### **2.10.1 Public notification of extraordinary meetings**

Where any extraordinary meeting of the Board is called, and notice of that meeting cannot be given in the manner required or permitted by Standing Order 2.11.7, the Board 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 2.11.8 – 2.11.9.]*

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

Where any resolution is passed at an extraordinary meeting of the Board, the Board 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**

## **2.11 Public attendance at meetings, access to agendas etc.**

### **2.11.1 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 Board shall be open to the public.

**s. 47, LGOIMA**

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

The Chairperson presiding at any meeting of the Board 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**

### **2.11.3 Removal of members of public**

If any member of the public who is required, in accordance with Standing Order 2.11.3, 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 officer of the Board may, at the request of the Chairperson, remove or exclude that member of the public from the meeting.

**s. 50, LGOIMA**

### **2.11.4 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**

### **2.11.5 Information to be available to public**

All information provided to members at Board 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**

### **2.11.6 Qualified privilege**

*[See Standing Orders 2.8.1- 2.8.3.]*

#### 2.11.7 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 or less than five working days before the day on which the meeting is to be held.

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

*[Standing Order 2.10.1 deals with public notification of extraordinary meetings.]*

#### 2.11.8 Meetings not invalid because not publicly notified

No meeting of the Board is invalid merely because that meeting was not publicly notified in accordance with Standing Order 2.11.7.

**s. 46(5), LGOIMA**

#### 2.11.9 Public notice of meetings not notified

Where any meeting of the Board has not been publicly notified in accordance with Standing Order 2.11.7, public notice shall be given, as soon as practicable, 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**

#### 2.11.10 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 principal office of Greater Wellington Regional Council and Porirua City Council, 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 principal office of Greater Wellington Regional Council and Porirua City 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 Board, the agenda and any associated reports shall be made available as soon as is reasonable in the circumstances.

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

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

The Board 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**

**2.11.12 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**

**2.11.13 List of Board members publicly available**

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

**2.11.14 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**

**2.11.15 Requests for minutes of public excluded sessions**

The Board's office manager 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**



## **2.12 Reasons to exclude public**

### **2.12.1 Lawful reasons to exclude public**

The Board 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.]*

### **2.12.2 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.]*

### **2.12.3 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 Board.

#### **s. 48(4), LGOIMA**

### **2.12.4 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 Board, knowledge that will assist the Board. 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 relevant officers of the Board during a public excluded session.]*

### **2.12.5 Release of public excluded information**

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

**2.13 Application of standing orders to public excluded sessions**

2.13.1 Standing Orders to apply

*[See Standing Order 2.1.1.]*

**2.14 Use of public excluded information**

2.14.1 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 – 2.1.4.]*

#### **3.2 Conduct of meetings**

##### **3.2.1 Chairperson to decide**

The Chairperson is to decide all questions where these Standing Orders make no provision or insufficient provision.

##### **3.2.2 Reporting of meetings**

When a meeting of the Board 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.

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

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

##### **3.2.4 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.

##### **3.2.5 Declaration of conflicts of 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 or non-pecuniary interest as defined in law, other than an interest in common with the public.

Every member present when any matter is raised in which they directly or indirectly have a pecuniary or non-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.

*[Non-pecuniary conflicts of interest include, amongst other things, bias and predetermination. Members who have declared a pecuniary or non-pecuniary 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- 2.4.6.]*

### **3.4 Leave of absence and apologies**

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

The Board may grant leave of absence to a member from a meeting or meetings of the Board 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 Board. 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.

### **3.5 Order of business**

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

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

#### **3.5.2 Agenda**

An agenda listing and attaching information on the items of business to be brought before the meeting so far as is known is to be prepared for each meeting. 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**

Any matters that the Board is likely to wish to exclude the public in terms of the Local Government Official Information and Meetings Act must be placed on a public excluded agenda, 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 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 Board 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**

### 3.5.5 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 Board, 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 Board for further discussion

#### **s. 46A(7A), LGOIMA**

## **3.6 Motions and amendments**

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

### 3.6.1 Requirement for a seconder

All motions and amendments moved in debate must be seconded, and thereupon the Chairperson shall state the matter raised and propose it for discussion.

### 3.6.2 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.

### 3.6.3 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.

#### 3.6.4 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.

#### 3.6.5 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.

#### 3.6.6 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.

#### 3.6.7 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.

#### 3.6.8 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.

#### 3.6.9 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 Minutes of proceedings**

#### 3.7.1 Minutes to be evidence of proceedings

#### 3.7.2 Keeping of minutes

The Board's office manager 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 2.4.4*];
- 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;
- Names of any members requesting the recording of their abstentions or votes [*See Standing Order 2.5.4*];
- Declarations of conflicts of interest [*See Standing Order 3.2.6*];
- Resolutions to exclude members of the public [*See Standing Order 2.12.3*]; and
- The time that the meeting concludes or adjourns.

### **3.7.3 No discussion on minutes**

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

## **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 Board 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 Board sits in a quasi-judicial capacity.

#### **4.1.3 Public input not permitted in relation to certain items on the agenda**

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

- Minutes being presented to a meeting for authentication
- Reports that set out recommendations arising from a hearing process

#### **4.1.4 The use of data show equipment to support public input**

No data show presentation shall be allowed unless an electronic copy of that presentation has been received by officers of the Board by 12noon on the working day prior to the Board 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 Board 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 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.

#### 4.2.4 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 Board's officer manager 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 Board may be made in English, Māori or New Zealand Sign Language. 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 2.8.2 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 2.8.2 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 Board, 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 2.8.2 regarding qualified privilege.]*

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

A petition presented to the Board may be in English or Māori. 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 Board 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 2.8.2 and 2.8.3 regarding qualified privilege.]*

## Appendix A: Grounds to exclude public from meetings

The Board 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 authority holding the information to carry out, without prejudice or disadvantage, commercial activities, or
  - (j) enable the 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 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 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 authority in those proceedings, or
    - (ii) The 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 an 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 Board*

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

1. *[Report title]*

*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. [Report title]</i> | <i>The information contained in this report relates to [outline of subject matter]. Release of this information would prejudice the proposed appointees' privacy by disclosing the fact [what is being disclosed?]. Officers have 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> |
|--------------------------|--|---|

*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

