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**Ngā Tikanga Whakahaere Hui e te  
Poari ā Hapori o Ōtaki  
Ōtaki Community Board Standing  
Orders**

*As adopted by Waikanae Community Board on 7 March 2023*

*I whakamanahia e te Poari ā-Hapori o Waikanae 7 Poutū-te-rangi 2023*



## **Kupu whakapuaki | Preface**

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

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

These standing orders have been designed specifically for community boards. They fulfil, with regard to the conduct of meetings, the requirements of the Local Government Act 2002 (LGA 2002) and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Although it is mandatory that local authorities adopt standing orders for the conduct of their meetings, it is not necessary that they are adopted every triennium. However, Local Government New Zealand (LGNZ) recommends that community board's review their standing orders within the first six months following an election to ensure that they fully meet their needs for effective and inclusive meetings (see cl. 27, Schedule 7, LGA 2002).

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

All members of a community board must abide by standing orders.

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

# Contents | Ihirangi

<b>1. Kupu whakataki   Introduction</b>	<b>12</b>
1.1 Ngā mātāpono   Principles	12
1.2 Ngā tohutoro ā-ture   Statutory references	13
1.3 Ngā kupu rāpoto   Acronyms	13
1.4 Te hāngaitanga   Application	13
<b>2. Ngā whakamārama   Definitions</b>	<b>13</b>
<b>Ngā take whānui   General matters</b>	<b>18</b>
<b>3. Ngā tikanga whakahaere hui   Standing orders</b>	<b>18</b>
3.1 Te kawenga ki te whakatū tikanga whakahaere hui   Obligation to adopt standing orders	18
3.2 Te tukanga mō te whakatū me te whakahou i ngā tikanga whakahaere hui   Process for adoption and alteration of standing orders	18
3.3 Me whai ngā mema i ngā tikanga whakahaere hui   Members must obey standing orders	18
3.4 Te whakahāngai i ngā tikanga whakahaere hui   Application of standing orders	18
3.5 Te tārewa taupua i ngā tikanga whakahaere hui   Temporary suspension of standing orders	18
3.6 Ngā whakawā a te kaunihera   Quasi-judicial proceedings	19
3.7 Ngā wāhi noho o ngā mema   Physical address of members	19
<b>4. Ngā hui   Meetings</b>	<b>19</b>
4.1 Te tikanga ā-ture ki te whakahaere hui   Legal requirement to hold meetings	19
4.2 Te roa o ngā hui   Meeting duration	19
4.3 Te reo   Language	19
4.4 Te pāho mataora i ngā hui   Livestreaming meetings	20
4.5 Te hui tuatahi   First meeting (inaugural)	20
4.6 Ngā tikanga mō te hui tuatahi   Requirements for the first meeting	20
<b>5. Ngā kopounga me ngā pōtitanga   Appointments and elections</b>	<b>20</b>
5.1 Te pūnaha pōti mō ngā ūpoko, ngā Koromatua tuarua me ngā ūpoko komiti   Elections of chairpersons and deputy chairpersons	20
5.2 Te whakakore a te Kaunihera i tētahi tūranga i kopoua e te Koromatua   Voting system for chairs and deputy chairs	21
<b>6. Te tuku mana   Delegations</b>	<b>21</b>
6.1 Te haepapa ki te tuku mana ki ngā poari hapori   Duty to consider delegations to community boards	21
6.2 Ngā tepenga o te tuku mana   Community board may delegate	21
6.3 Ka taea e ngā komiti te tuku mana   Use of delegated powers	22
6.4 Te whakamahi i ngā mana tuku   Decisions made under delegated authority cannot be rescinded or amended	22

6.5	E kore e taea te whakakore, te whakahou rānei i ngā whakatau i raro i te mana tuku   Committees and subcommittees subject to the direction of the community board	22
<b>7.</b>	<b>Ngā komiti   Committees</b>	<b>22</b>
7.1	Te kopounga o ngā komiti me ngā komiti āpiti   Appointment of committees and subcommittees	22
7.2	Te whakakore, te whakahou rānei i ngā komiti me ngā komiti āpiti   Discharge or reconstitution of committees and subcommittees	22
7.3	Te kōpounga, te whakakore rānei i ngā mema komiti me ngā mema komiti āpiti   Appointment or discharge of committee members and subcommittee members	23
7.4	Te tū a ngā mema pōti ki ngā komiti me ngā komiti āpiti   Elected members on committees and subcommittees	23
7.5	Ka āhei te mana ā-rohe ki te whakakapi i ngā mema mēnā kāore i whakakorehia te komiti   Community board may replace members if committee not discharged	23
7.6	Kāore e whakanautia te whakataunga ahakoa harangotengote te tae mai o ngā mema   Decision not invalid despite irregularity in membership	23
7.7	Kāore e noho manakore tētahi whakatau ahakoa i rangirua te mematanga   Appointment of joint committees	24
7.8	Te kopounga o ngā komiti hono   Status of joint committees	24
7.9	Te tūnga o ngā komiti hono   Power to appoint or discharge individual members of a joint committee	24
	<b>I mua i te hui   Pre-meeting</b>	<b>25</b>
<b>8.</b>	<b>Te tuku pānui   Giving notice</b>	<b>25</b>
8.1	Te pānui tūmatanui – ngā hui noa   Public notice – ordinary meetings	25
8.2	Te pānui ki ngā mema – ngā hui noa   Notice to members – ordinary meetings	25
8.3	Ka āhei ki te karanga hui Motuhake   Extraordinary meeting may be called	25
8.4	Te pānui ki ngā mema – ngā hui Motuhake   Notice to members – extraordinary meetings	25
8.5	Ka āhei ki te karanga hui ohotata   Emergency meetings may be called	26
8.6	Te pūnaha mō te karanga hui ohotata   Process for calling an emergency meeting	26
8.7	Te pānui tūmatanui – ngā hui ohotata me te motuhake   Public notice – emergency and extraordinary meetings	26
8.8	Kāore e manakore ngā hui   Meetings not invalid	26
8.9	Ngā tatūnga i whakamanahia i te hui motuhake   Resolutions passed at an extraordinary meeting	27
8.10	Ngā hōtaka hui   Meeting schedules	27
8.11	Te kore e whiwhi pānui a ngā mema   Non-receipt of notice to members	27
8.12	Te whakakore hui   Meeting cancellations	27
<b>9.</b>	<b>Te rārangi take o ngā hui   Meeting agenda</b>	<b>28</b>

9.1	Te whakarite i te rārangi take   Preparation of the agenda	28
9.2	Te pūnaha mō te whakatakoto take hei whakatau   Process for raising matters for a decision	28
9.3	Ka āhei te tumu whakarae ki te whakaroa, whakakore rānei i tētahi tono   Chief executive may delay or refuse request	28
9.4	Te raupapatanga o ngā mahi   Order of business	28
9.5	Te marohi a te ūpoko   Chairperson’s recommendation	28
9.6	Te pūrongo a te ūpoko   Chairperson may prepare report	28
9.7	Te wātea o te rārangi take ki te marea   Public availability of the agenda	29
9.8	Te tiro tiro a te marea i te rārangi take   Public inspection of agenda	29
9.9	Te tango take i te rārangi take   Withdrawal of agenda items	29
9.10	Te tuari i te rārangi take   Distribution of the agenda	29
9.11	Te tūnga o te rārangi take   Status of agenda	29
9.12	Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa   Items of business not on the agenda which cannot be delayed	29
9.13	Te kōrerorero i ngā take iti kāore i runga i te rārangi take   Discussion of minor matters not on the agenda	30
9.14	Ngā take o te rārangi take kāore e whārikihia ki te marea   Public excluded business on the agenda	30
9.15	Te maru whāiti e pā ana ki te rārangi take me ngā meneti   Qualified privilege relating to agenda and minutes	30
	<b>Ngā tikanga hui   Meeting Procedures</b>	<b>31</b>
<b>10.</b>	<b>Te whakatuwhera me te whakakapi   Opening and closing</b>	<b>31</b>
<b>11.</b>	<b>Kōrama   Quorum</b>	<b>31</b>
11.1	Ngā hui kaunihera   Community board meetings	31
11.2	Ngā hui komiti me te komiti āpiti   Committees and subcommittee meetings	31
11.3	Ngā komiti hono   Joint committees	31
11.4	Te herenga mō te kōrama   Requirement for a quorum	31
11.5	Ka tārewa te hui mēnā karekau he kōrama   Meeting lapses where no quorum	32
11.6	Ngā take mai i ngā hui tārewa   Business from lapsed meetings	32
<b>12.</b>	<b>Te urunga a te marea me te hopunga   Public access and recording</b>	<b>32</b>
12.1	E tuwhera ana ngā hui ki te marea   Meetings open to the public	32
12.2	Ngā take e panaia ai te marea   Grounds for removing the public	32
12.3	Ka āhei te mana ā-rohe ki te hopu i ngā hui   Community board may record meetings	32
12.4	Ka āhei te marea ki te hopu i ngā hui   Public may record meetings	32
<b>13.</b>	<b>Te taenga   Attendance</b>	<b>33</b>
13.1	Te mōtika a ngā mema ki te tae ki ngā hui   Members right to attend meetings	33

13.2	Te tae ki ngā hui ina whakahaere whakawā te komiti   Attendance when a committee is performing judicial or quasi-judicial functions	33
13.3	Te tuku tamōtanga   Leave of absence	33
13.4	Whakapāha   Apologies	33
13.5	Ngā whakapāha   Recording apologies	33
13.6	Te hopu whakapāha   Absent without leave	34
13.7	Te tamōtanga kāore i whakaaetia   Right to attend by audio or audiovisual link	34
13.8	Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei   Member's status: quorum	34
13.9	Te tūnga a te mema: kōrama   Member's status: voting	34
13.10	Te tūnga a te mema: te pōti   Chairperson's duties	34
13.11	Ngā mahi a te ūpoko   Conditions for attending by audio or audiovisual link	34
13.12	Ngā tikanga mō te taenga mā te hononga ā-oro, ataata-rongo rānei   Request to attend by audio or audiovisual link	35
13.13	Te tono kia tae mā te hononga ā-oro, ataata-rongo rānei   Chairperson may terminate link	35
13.14	Ka āhei te ūpoko ki te whakakore i te hononga   Giving or showing a document	35
13.15	Te tuku, te whakaatu rānei i tētahi tuhinga   Link failure	35
13.16	Ina mūhore te hononga   Confidentiality	36
<b>14.</b>	<b>Te mahi a te ūpoko i roto i ngā hui   Chairperson's role in meetings</b>	<b>36</b>
14.1	Ngā hui kaunihera   Community board meetings	36
14.2	Ētahi atu hui   Addressing the chairperson	36
14.3	Me pēhea te whakaingoa i te ūpoko   Chairperson's rulings	36
14.4	Ngā whakataunga a te ūpoko   Chairperson standing	36
14.5	Ina tū te ūpoko   Member's right to speak	36
14.6	Te mōtika a te mema ki te kōrero   Chairperson may prioritise speakers	36
<b>15.</b>	<b>He wā kōrero ki te marea   Public speaking time</b>	<b>37</b>
15.1	Ngā tepenga wā   Time limits	37
15.2	Ngā herenga   Restrictions	37
15.3	Ngā pātai He wā kōrero ki te marea   Questions at public speaking time	37
15.4	Kāore he tatūnga   No resolutions	37
<b>16.</b>	<b>Ngā teputeihana   Deputations</b>	<b>38</b>
16.1	Ngā tepenga wā   Time limits	38
16.2	Ngā Herenga   Restrictions	38
16.3	Te pātai i ngā teputeihana   Questions of a deputation	38
16.4	Ngā tatūnga   Resolutions	38
<b>17.</b>	<b>Ngā petihana   Petitions</b>	<b>38</b>
17.1	Te āhua o ngā petihana   Form of petitions	38

17.2	Te petihana ka whakatakotohia e te kaipetihana   Petition presented by petitioner	39
17.3	Te petihana ka whakatakotohia e tētahi mema   Petition presented by member	39
<b>18.</b>	<b>Te aukati i te marea   Exclusion of public</b>	<b>39</b>
18.1	Ngā mōtini me ngā tatūnga ki te aukati i te marea   Motions and resolutions to exclude the public	39
18.2	Ka āhei ngā tāngata ka tohua ki te noho mai   Specified people may remain	39
18.3	Ngā take e aukatihia ana ki te marea   Public excluded items	40
18.4	Te kore e whāki i ngā mōhiohio   Non-disclosure of information	40
18.5	Te tuku i ngā mōhiohio nō te nohoanga aukati ki te marea   Release of information from public excluded session	40
<b>19.</b>	<b>Te pōti   Voting</b>	<b>40</b>
19.1	Mā te nuinga e whakatau   Decisions by majority vote	40
19.2	Te pōti tuwhera   Open voting	40
19.3	Kei te ūpoko te pōti whakatau   Chairperson has a casting vote	40
19.4	Te tikanga pōti   Method of voting	41
19.5	Te tono i te wehenga   Calling for a division	41
19.6	Te tono kia tuhi i ngā pōti   Request to have votes recorded	41
19.7	Ka āhei ngā mema ki te noho puku   Members may abstain	41
<b>20.</b>	<b>Ngā whanonga   Conduct</b>	<b>42</b>
20.1	Te tono kia tau ngā mema   Calling to order	42
20.2	Ngā whanonga e hāngai ana ki te Tikanga Whakahaere   Behaviour consistent with code of conduct	42
20.3	Te tango kōrero me te whakapāha   Retractions and apologies	42
20.4	Ngā whanonga kino   Disorderly conduct	42
20.5	Te whakahāwea   Contempt	42
20.6	Te pana i te tangata i te hui   Removal from meeting	42
20.7	Ngā take taharua ahumoni   Financial conflicts of interests	43
20.8	Ngā take taharua ahumoni-kore   Non-financial conflicts of interests	43
20.9	Te maru whāiti mō ngā whakaritenga hui   Qualified privilege for meeting proceedings	43
20.10	He āpitihanga te maru whāiti ki ētahi atu whakaritenga   Qualified privilege additional to any other provisions	43
20.11	Ngā pūrere hiko i ngā hui   Electronic devices at meetings	43
<b>21.</b>	<b>Ngā tikanga whānui mō te tautohetohe   General rules of debate</b>	<b>44</b>
21.1	Kei te ūpoko te tikanga   Chairperson may exercise discretion	44
21.2	Te tepenga wā mā ngā kaikōrero   Time limits on speakers	44
21.3	Ngā pātai ki ngā kaimahi   Questions to staff	44
21.4	Ngā pātai whakamārama   Questions of clarification	44



21.5	Kotahi noa iho te wā e āhei ai te mema ki te korero   Members may speak only once	44
21.6	Ngā tepenga mō te maha o ngā kaikōrero   Limits on number of speakers	44
21.7	Ka āhei te kaitautoko ki te whakatārewa i tana kōrero   Secunder may reserve speech	45
21.8	Me hāngai ngā kōrero ki ngā take whai pānga   Speaking only to relevant matters	45
21.9	Te whakahua anō i te mōtini   Restating motions	45
21.10	Te whakahē i ngā tatūnga   Criticism of resolutions	45
21.11	Te whakahē kupu   Objecting to words	45
21.12	Te mōtika ki te whakautu   Right of reply	45
21.13	E kore e āhei tētahi atu mema ki te kōrero   No other member may speak	46
21.14	Ngā mōtini hei hiki i te hui   Adjournment motions	46
21.15	Te whakaae a te ūpoko ki ngā mōtini whakakapi   Chairperson's acceptance of closure motions	46
<b>22.</b>	<b>Ngā tikanga whānui mō te kōrero me te mōtini   General procedures for speaking and moving motions</b>	<b>46</b>
22.1	Ngā kōwhiringa mō te kōrero me te mōtini   Options for speaking and moving	46
22.2	Kōwhiringa A   Option A	46
22.3	Kōwhiringa B   Option B	47
22.4	Kōwhiringa C   Option C	47
<b>23.</b>	<b>Ngā mōtini me ngā whakahoutanga   Motions and amendments</b>	<b>47</b>
23.1	Te whakatakoto me te tautoko mōtini   Proposing and seconding motions	47
23.2	Te tuhi i ngā mōtini   Motions in writing	48
23.3	Ngā mōtini i whakawehea   Motions expressed in parts	48
23.4	Te whakakapi mōtini   Substituted motion	48
23.5	Me hāngai ngā whakahoutanga me kaua e whakahē i te mōtini   Amendments to be relevant and not direct negatives	48
23.6	Ngā whakahoutanga kua kōrerotia kētia   Foreshadowed amendments	48
23.7	Ngā whakahoutanga i whakahēngia   Lost amendments	48
23.8	Ngā whakahoutanga i whakaaetia   Carried amendments	48
23.9	Ina whakahēngia tētahi mōtini   Where a motion is lost	49
23.10	Te tango i ngā mōtini me ngā whakahoutanga   Withdrawal of motions and amendments	49
23.11	Kāore e āhei he kaikōrero i muri i te whakautu a te kaimōtini, i te tono rānei i te pōti   No speakers after reply or motion has been put	49
<b>24.</b>	<b>Te whakakore, te whakahou rānei i ngā tatūnga   Revocation or alteration of resolutions</b>	<b>49</b>
24.1	Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga   Member may move revocation of a decision	49

24.2	Mā te rōpū nāna te whakatau e whakakore   Revocation must be made by the body responsible for the decision	49
24.3	Te herenga ki te tuku pānui   Requirement to give notice	50
24.4	Ngā herenga mō ngā mahi i raro i te tatūnga whai pānga   Restrictions on actions under the affected resolution	50
24.5	Te whakakore, te whakahou rānei mā te tatūnga i taua hui tonu   Revocation or alteration by resolution at same meeting	50
24.6	Te whakakore, te whakahou rānei mā te marohi ki rō pūrongo   Revocation or alteration by recommendation in report	50
<b>25.</b>	<b>Ngā mōtini whakahaere   Procedural motions</b>	<b>51</b>
25.1	Me pōti ngā mōtini whakahaere i taua wā tonu   Procedural motions must be taken immediately	51
25.2	Ngā mōtini whakahaere ki te whakakapi, whakatārewa rānei i tētahi tautohetohe   Procedural motions to close or adjourn a debate	51
25.3	Te pōti mō ngā mōtini whakahaere   Voting on procedural motions	51
25.4	Te tautohetohe i ngā take i whakatārewatia   Debate on adjourned items	51
25.5	Ngā take e toe ana i ngā hui i whakatārewatia   Remaining business at adjourned meetings	51
25.6	Ngā take e tukuna ana ki te kaunihera, komiti, poari hapori rānei   Business referred to the community board	52
25.7	Etahi atu momo mōtini whakahaere   Other types of procedural motions	52
<b>26.</b>	<b>Te tono ki te whakatika hapa   Points of order</b>	<b>52</b>
26.1	Ka āhei ngā mema ki te tono ki te whakatika hapa   Members may raise points of order	52
26.2	Ngā kaupapa mō te whakatika hapa   Subjects for points of order	52
26.3	Ngā whakahē   Contradictions	52
26.4	Te tono whakatika hapa i te wā o te wehenga   Point of order during division	52
26.5	Te whakatau a te ūpoko mō ngā tono whakatika hapa   Chairperson's decision on points of order	53
<b>27.</b>	<b>Te pānui i ngā mōtini   Notices of motion</b>	<b>53</b>
27.1	Me tuhi te pānui mō te mōtini e takune ana   Notice of intended motion to be in writing	53
27.2	Te whakahē i te pānui mōtini   Refusal of notice of motion	53
27.3	Te kaimōtini o te pānui mōtini   Mover of notice of motion	53
27.4	Te whakarerekē i te pānui mōtini   Alteration of notice of motion	54
27.5	Ka tārewa te pānui mōtini   When notices of motion lapse	54
27.6	Te tuku i ngā pānui mōtini   Referral of notices of motion	54
27.7	Ngā pānui mōtini tārua   Repeat notices of motion	54
<b>28.</b>	<b>Ngā meneti   Minutes</b>	<b>54</b>

28.1	Ka noho ngā meneti hei taunakitanga mō te hui   Minutes to be evidence of proceedings	54
28.2	Ngā take ka tuhi ki ngā meneti   Matters recorded in minutes	54
28.3	Kāore e āhei te whakawhiti kōrero mō ngā meneti   No discussion on minutes	55
28.4	Ngā meneti o te hui whakamutunga i mua i te pōtitanga   Minutes of last meeting before election	55
<b>29.</b>	<b>Te whakarite mauhanga   Keeping a record</b>	<b>56</b>
29.1	Te whakarite i ngā mauhanga tika   Maintaining accurate records	56
29.2	Te tikanga mō te tiaki i ngā mauhanga   Method for maintaining records	56
29.3	Te tiroiro   Inspection	56
29.4	Te tiroiro i ngā take aukati marea   Inspection of public excluded matters	56
	<b>Ngā tohutoro tuhinga   Referenced documents</b>	<b>57</b>
	<b>Āpitihianga 1: Ngā take e aukatihia ai te marea   Appendix 1: Grounds to exclude the public</b>	<b>58</b>
	<b>Āpitihianga 2: He tauira mō te tatūnga ki te aukati i te marea   Appendix 2: Sample resolution to exclude the public</b>	<b>60</b>
	<b>Āpitihianga 3: Ngā mōtini me ngā whakahoutanga (Kōwhiringa A)   Appendix 3: Motions and amendments (Option A)</b>	<b>63</b>
	<b>Āpitihianga 4: Ngā mōtini me ngā whakahoutanga (Kōwhiringa B)   Appendix 4: Motions and amendments (Option B)</b>	<b>64</b>
	<b>Āpitihianga 5: Ngā mōtini me ngā whakahoutanga (Kōwhiringa C) (Option C)   Appendix 5: Motions and amendments</b>	<b>65</b>
	<b>Āpitihianga 6: Tūtohi mō ngā mōtini whakahaere   Appendix 6: Table of procedural motions</b>	<b>66</b>
	<b>Āpitihianga 7: Ngā tikanga mō te pāhotanga mataora   Appendix 7: Livestreaming protocols</b>	<b>68</b>
	<b>Āpitihianga 8: Ngā mana whakahaere a te ūpoko   Appendix 8: powers of a chairperson</b>	<b>69</b>
	<b>Āpitihianga 9: Te pūnaha mō te whakakore i te tūranga a te ūpoko, te koromatua tuarua rānei   Appendix 9: Process for removing a chairperson from office</b>	<b>73</b>
	<b>Āpitihianga 10: He tauira mō te whakaraupapatanga o ngā take   Appendix 10: Sample order of business</b>	<b>74</b>
	<b>Āpitihianga 11: Te pūnaha mō te whakatakoto take hei whakatau   Appendix 11: Process for raising matters for a decision</b>	<b>75</b>

# 1. Kupu whakataki | Introduction

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

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

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

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

## 1.1 Ngā mātāpono | Principles

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

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

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

## 1.2 Ngā tohutoro ā-ture | Statutory references

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

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

## 1.3 Ngā kupu rāpoto | Acronyms

LGA 2002      Local Government Act 2002

LGOIMA      Local Government Official Information and Meetings Act 1987

LAMIA      Local Authorities (Members' Interests) Act 1968

## 1.4 Te hāngaitanga | Application

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

## 2. Ngā whakamārama | Definitions

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

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

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

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

**Appointed member** means a member of a committee, or subsidiary organisation of a community board, who is not elected.

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

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

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

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

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

**Committee** includes, in relation to a community board:

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

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

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

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

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

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

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

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

**Electronic link** means both an audio and audiovisual link.

**Emergency meeting** has the same meaning as defined in cl. 22A of Schedule 7 of the LGA 2002.

**Extraordinary meeting** has the same meaning as defined in cl. 22 of Schedule 7 of the LGA 2002.

**Foreshadowed motion** means a motion that a member indicates their intention to move once the debate on a current motion or amendment is concluded.

**Internet site** means, in relation to a local authority or other person or entity, an internet site that is maintained by, or on behalf of, the local authority, person, or entity and to which the public has free access.

**Item** means a substantive matter for discussion at a meeting.

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

**Karakia timatanga** means an opening prayer.

**Karakia whakamutunga** means a closing prayer.

**Lawfully excluded** means a member of a community board who has been removed from a meeting due to behaviour that a chairperson has ruled to be contempt.

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

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

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

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

**Meeting** means any first, inaugural, ordinary, extraordinary, or emergency meeting of a community board convened under the provisions of LGOIMA.

**Member** means any person elected or appointed to the community board.

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

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

**Minutes** means the record of the proceedings of any meeting of the community board.

**Motion** means a formal proposal to a meeting.

**Mover** means the member who initiates a motion.

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

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

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

**Open voting** means voting that is conducted openly and in a transparent manner (i.e. enables an observer to identify how a member has voted on an issue) and may be conducted by electronic means. The result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

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

**Ordinary meeting** means any meeting, other than the first meeting, of a community board publicly notified in accordance with sections 46(1) and (2) of LGOIMA.

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

**Petition** means a request to a community board which contains at least 20 signatures.

**Powhiri** means a formal welcome involving a karanga from the tangata whenua (the home people) followed by formal speech making. A powhiri is generally used for formal occasions of the highest significance.

**Present at the meeting to constitute quorum** means the member is to be physically present in the room.

**Presiding member** means the chairperson.

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

**Subcommittee** means a subordinate decision-making body established by a community board. See the definition of "committee".

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

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

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

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

**Workshop** means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the community board at which no decisions are made and to which these standing orders will not apply, unless required by the community board. Workshops may include non-elected members. Workshops may also be described as briefings.

## Ngā take whānui | General matters

### 3. Ngā tikanga whakahaere hui | Standing orders

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

A community board is required to operate in accordance with standing orders for the conduct of its meetings. Standing orders must not contravene any Act.

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

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

The adoption of standing orders and any amendment to standing orders must be made by the community board and by a vote of not less than 75 percent of the members present. Similarly, in the case of a local and community board, the adoption of standing orders and any amendments also requires a vote of not less than 75 percent of the members of the specific board.

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

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

All members of a community board which has adopted these standing orders must also comply with them.

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

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

These standing orders apply to all meetings of a community board and its committees and subcommittees. This includes meetings and parts of meetings that the public are excluded from.

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

Any member of a community board may move a motion to suspend specified standing orders at a meeting of which they are a member. Any such motion must also include the reason for the suspension. If seconded, the chairperson must put the motion without debate and at least 75 percent of the members present and voting must support the motion for it to be carried.

*cl. 27(4), Schedule 7, LGA 2002.*

A motion to suspend standing orders may be taken before or during a debate. The motion to suspend standing orders must also identify the specific standing orders to be suspended.

Please note: in the event of suspension, those standing orders prescribed in statute will continue to apply, such as the quorum requirements.

### **3.6 Ngā whakawā a te kaunihera | Quasi-judicial proceedings**

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

### **3.7 Ngā wāhi noho o ngā mema | Physical address of members**

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

## **4. Ngā hui | Meetings**

### **4.1 Te tikanga ā-ture ki te whakahaere hui | Legal requirement to hold meetings**

The local authority must hold meetings for the good government of its community. Meetings must be called and conducted in accordance with:

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

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

### **4.2 Te roa o ngā hui | Meeting duration**

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

No meeting can sit for more than two hours continuously without a break of at least 10 minutes unless the meeting resolves to extend the time before a break.

### **4.3 Te reo | Language**

A member may address a meeting in English, te reo Māori or New Zealand Sign Language. A chairperson may require that a speech is translated and printed in English or te reo Māori.

If a member intends to address the meeting in New Zealand Sign Language, or in te reo Māori, when the normal business of the meeting is conducted in English, they must give prior notice to the chairperson not less than two working days before the meeting.

Where the normal business of the meeting is conducted in te reo Māori then prior notice of the intention to address the meeting in English must also be given to the chairperson not less than two working days before the meeting.

#### **4.4 Te pāho mataora i ngā hui | Livestreaming meetings**

When meetings are livestreamed, they should be provided in accordance with the protocols contained in Appendix 7.

#### **4.5 Te hui tuatahi | First meeting (inaugural)**

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

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

#### **4.6 Ngā tikanga mō te hui tuatahi | Requirements for the first meeting**

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

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

- (a) the making and attesting of the declarations required of members under cl.14, Schedule7, (LGA 2002);
- (b) the election of the chairperson and the making and attesting of the declaration required of the chairperson under cl. 14 Schedule7, (LGA 2002);
- (c) a general explanation, given or arranged by the chief executive, of:
  - i. LGOIMA; and
  - ii. other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
- (d) the fixing of the date and time of the first meeting of the community board, or the adoption of a schedule of meetings.

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

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

### **5. Ngā kopounga me ngā pōtitanga | Appointments and elections**

#### **5.1 Te pūnaha pōti mō ngā ūpoko, ngā Koromatua tuarua me ngā ūpoko komiti | Elections of chairpersons and deputy chairpersons**

The community board must decide by resolution to use one of two voting systems (see standing order 5.6) when electing the chairperson and deputy chairperson.

*cl. 25, Schedule 7, LGA 2002.*

## **5.2 Te whakakore a te Kaunihera i tētahi tūranga i kopoua e te Koromatua | Voting system for chairs and deputy chairs**

When electing a community board chairperson, the meeting must resolve to use one of the following two voting systems.

### **System A**

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

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

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

### **System B**

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

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

*cl. 25, Schedule 7, LGA 2002.*

## **6. Te tuku mana | Delegations**

### **6.1 Te haepapa ki te tuku mana ki ngā poari hapori | Duty to consider delegations to community boards**

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

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

### **6.2 Ngā tepenga o te tuku mana | Community board may delegate**

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

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

### **6.3 Ka taea e ngā komiti te tuku mana | Use of delegated powers**

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

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

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

Nothing in these standing orders allows a community board to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation authorising the making of that decision.

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

### **6.5 E kore e taea te whakakore, te whakahou rānei i ngā whakatau i raro i te mana tuku | Committees and subcommittees subject to the direction of the community board**

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

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

## **7. Ngā komiti | Committees**

### **7.1 Te kopounga o ngā komiti me ngā komiti āpiti | Appointment of committees and subcommittees**

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

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

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

Unless expressly provided otherwise in legislation or regulation:

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

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

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

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

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

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

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

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

At least one member of a committee must be an elected member of the community board. In the case of a committee established by a community board, at least one member must be a member of that board. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

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

### **7.5 Ka āhei te mana ā-rohe ki te whakakapi i ngā mema mēnā kāore i whakakorehia te komiti | Community board may replace members if committee not discharged**

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

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

### **7.6 Kāore e whakanautia te whakataunga ahakoa harangotengote te tae mai o ngā mema | Decision not invalid despite irregularity in membership**

For the purpose of these standing orders, a decision of a community board is not invalidated if:

- (a) there is a vacancy in the membership of the community board at the time of the decision;  
or
- (b) following the decision, some defect in the election or appointment process is discovered and/or that the membership of a person on the committee at the time is found to have been ineligible.

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

## **7.7 Kāore e noho manakore tētahi whakatau ahakoa i rangirua te mematangā | Appointment of joint committees**

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

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

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

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

## **7.8 Te kopounga o ngā komiti hono | Status of joint committees**

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

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

## **7.9 Te tūnga o ngā komiti hono | Power to appoint or discharge individual members of a joint committee**

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

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



## I mua i te hui | Pre-meeting

### 8. Te tuku pānui | Giving notice

Please note: the processes described in this section (standing orders 8.1 – 8.12) apply as appropriate to local boards and community boards.

#### 8.1 Te pānui tūmatanui – ngā hui noa | Public notice – ordinary 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 the current month, together with the dates, the times and places on and at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification may be given not more than 10 nor less than five working days before the day on which the meeting is to be held. (*See the LGNZ Guide to Standing Orders for more information*).

s. 46, LGOIMA.

#### 8.2 Te pānui ki ngā mema – ngā hui noa | Notice to members – ordinary meetings

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

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

#### 8.3 Ka āhei ki te karanga hui Motuhake | Extraordinary meeting may be called

An extraordinary community board meeting may be called by:

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

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

#### 8.4 Te pānui ki ngā mema – ngā hui Motuhake | Notice to members – extraordinary meetings

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

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

## **8.5 Ka āhei ki te karanga hui ohotata | Emergency meetings may be called**

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

- (a) the chairperson; or
- (b) if the chairperson is unavailable, the chief executive.

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

## **8.6 Te pūnaha mō te karanga hui ohotata | Process for calling an emergency meeting**

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

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

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

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

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

- (a) to be publicly notified as soon as practicable before the meeting is to be held; or
- (b) if it is not practicable to publish a notice in newspapers before the meeting, to be notified as soon as practicable on the local authority's website and in any other manner that is reasonable in the circumstances.

*s. 46(3), LGOIMA.*

## **8.8 Kāore e manakore ngā hui | Meetings not invalid**

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

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

*s. 46(6), LGOIMA.*

## **8.9 Ngā tatūnga i whakamanahia i te hui motuhake | Resolutions passed at an extraordinary meeting**

A community board must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the community board 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.

*s. 51A, LGOIMA.*

## **8.10 Ngā hōtaka hui | Meeting schedules**

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

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

## **8.11 Te kore e whiwhi pānui a ngā mema | Non-receipt of notice to members**

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

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

A member of a community board may waive the need to be given notice of a meeting.

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

## **8.12 Te whakakore hui | Meeting cancellations**

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

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

## **9. Te rārangi take o ngā hui | Meeting agenda**

### **9.1 Te whakarite i te rārangi take | Preparation of the agenda**

It is the chief executive's responsibility, on behalf of the chairperson, to prepare an agenda for each meeting listing and attach information on the items of business to be brought before the meeting, so far as is known, including the names of the relevant members.

When preparing business items for an agenda, the chief executive must consult, unless impracticable, such as in the case of the inaugural meeting, the chairperson, or the person acting as chairperson for the coming meeting.

### **9.2 Te pūnaha mō te whakatakoto take hei whakatau | Process for raising matters for a decision**

Requests for reports may be made by a resolution of the community board and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations.

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

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

Where a chief executive refuses a member's request to prepare a report, an explanation for that refusal should be provided to the member.

### **9.4 Te raupapatanga o ngā mahi | Order of business**

At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the chairperson, or the meeting, decides otherwise. An example of a default order of business is set out in Appendix 10.

The order of business for an extraordinary meeting must be limited to items that are relevant to the purpose for which the meeting has been called.

### **9.5 Te marohi a te ūpoko | Chairperson's recommendation**

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

### **9.6 Te pūrongo a te ūpoko | Chairperson may prepare report**

The chairperson of a meeting has the right to prepare a report to be included in the agenda on any matter which falls within the responsibilities of that meeting, as described in its terms of reference.

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

### **9.7 Te wātea o te rārangi take ki te marea | Public availability of the agenda**

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

s. 5 & 46A, LGOIMA.

### **9.8 Te tirotiro a te marea i te rārangi take | Public inspection of agenda**

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

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

s. 46A(1), LGOIMA.

### **9.9 Te tango take i te rārangi take | Withdrawal of agenda items**

If justified by circumstances, an agenda item may be withdrawn by the chief executive. In the event of an item being withdrawn, the chief executive should inform the chairperson.

### **9.10 Te tuari i te rārangi take | Distribution of the agenda**

The chief executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting or an emergency meeting (see Standing Orders 8.4 and 8.10).

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

### **9.11 Te tūnga o te rārangi take | Status of agenda**

No matter on a meeting agenda, including recommendations, may be considered final until determined by a formal resolution of that meeting.

### **9.12 Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa | Items of business not on the agenda which cannot be delayed**

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the chairperson provides the following information during the public part of the meeting:

- (a) the reason the item is not on the agenda; and
- (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A(7), LGOIMA.

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the chairperson.

Please note: nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.

### **9.13 Te kōrerorero i ngā take iti kāore i runga i te rārangi take | Discussion of minor matters not on the agenda**

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision, or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

s. 46A(7A), LGOIMA.

### **9.14 Ngā take o te rārangi take kāore e whārikihia ki te marea | Public excluded business on the agenda**

Items that are likely to be discussed under public-excluded business must be indicated on each agenda, including the general subject of the item. The chief executive, however, may exclude public access to any reports, or parts of reports, which are reasonably expected to be discussed with the public excluded.

s. 46A(9), LGOIMA.

### **9.15 Te maru whāiti e pā ana ki te rārangi take me ngā meneti | Qualified privilege relating to agenda and minutes**

Where any meeting is open to the public and a member of the public is supplied with a copy of the agenda, or the minutes of that meeting, the publication of any defamatory matter included in the agenda or in the minutes is privileged. This does not apply if the publication is proved to have been made with ill will, or improper advantage has been taken of the publication.

s. 52, LGOIMA.

## Ngā tikanga hui | Meeting Procedures

### 10. Te whakatuwhera me te whakakapi | Opening and closing

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

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

### 11. Kōrama | Quorum

#### 11.1 Ngā hui kaunihera | Community board meetings

The quorum for a meeting of the community board is:

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

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

#### 11.2 Ngā hui komiti me te komiti āpiti | Committees and subcommittee meetings

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

In the case of subcommittees, the quorum will be two members, unless otherwise stated. In the case of committees, at least one member of the quorum must be a member of the community board or, if established by a local board or community board, the relevant board.

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

#### 11.3 Ngā komiti hono | Joint committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 11.1. Community boards participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each community board or any party.

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

#### 11.4 Te herenga mō te kōrama | Requirement for a quorum

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

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

## **11.5 Ka tārewa te hui mēnā karekau he kōrama | Meeting lapses where no quorum**

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

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

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

## **11.6 Ngā take mai i ngā hui tārewa | Business from lapsed meetings**

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

## **12. Te urunga a te marea me te hopunga | Public access and recording**

### **12.1 E tuwhera ana ngā hui ki te marea | Meetings open to the public**

Except as otherwise provided by Part 7 of LGOIMA, every meeting of the community board must be open to the public.

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

### **12.2 Ngā take e panaia ai te marea | Grounds for removing the public**

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

*s. 50(1), LGOIMA*

### **12.3 Ka āhei te mana ā-rohe ki te hopu i ngā hui | Community board may record meetings**

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

### **12.4 Ka āhei te marea ki te hopu i ngā hui | Public may record meetings**

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

Where circumstances require, the chairperson may direct the recording to stop for a period of time.



## **13. Te taenga | Attendance**

### **13.1 Te mōtika a ngā mema ki te tae ki ngā hui | Members right to attend meetings**

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

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

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

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

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

### **13.2 Te tae ki ngā hui ina whakahaere whakawā te komiti | Attendance when a committee is performing judicial or quasi-judicial functions**

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

### **13.3 Te tuku tamōtanga | Leave of absence**

A community board may grant a member leave of absence following an application from that member. The community board may delegate the power to grant a leave of absence to the chairperson in order to protect a members' privacy and the community board may approve an application from the chairperson. The chairperson will advise all members of the community board whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

### **13.4 Whakapāha | Apologies**

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

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

### **13.5 Ngā whakapāha | Recording apologies**

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

### **13.6 Te hopu whakapāha | Absent without leave**

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

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

### **13.7 Te tamōtanga kāore i whakaaetia | Right to attend by audio or audiovisual link**

Provided the conditions in standing orders 13.11 and 13.12 are met, members of the local authority and its committees (and members of the public for the purpose of a deputation approved by the chairperson), have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

### **13.8 Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei | Member's status: quorum**

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

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

### **13.9 Te tūnga a te mema: kōrama | Member's status: voting**

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

### **13.10 Te tūnga a te mema: te pōti | Chairperson's duties**

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

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

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

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

### **13.11 Ngā mahi a te ūpoko | Conditions for attending by audio or audiovisual link**

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

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

### **13.12 Ngā tikanga mō te taenga mā te hononga ā-oro, ataata-rongo rānei | Request to attend by audio or audiovisual link**

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

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

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

### **13.13 Te tono kia tae mā te hononga ā-oro, ataata-rongo rānei | Chairperson may terminate link**

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

- (a) use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) the behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) it is distracting to the members who are physically present at the meeting;
- (d) the quality of the link is no longer suitable;
- (e) information classified as confidential may be compromised (see also Standing Order 13.16).

### **13.14 Ka āhei te ūpoko ki te whakakore i te hononga | Giving or showing a document**

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

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

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

### **13.15 Te tuku, te whakaatu rānei i tētahi tuhinga | Link failure**

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

### **13.16 Ina mūhore te hononga | Confidentiality**

A member who is attending a meeting by audio or audiovisual link must ensure that the meeting's proceedings remain confidential during any time that the public is excluded. At such a time, the chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings. If the chairperson is not satisfied by the explanation they may terminate the link.

## **14. Te mahi a te ūpoko i roto i ngā hui | Chairperson's role in meetings**

### **14.1 Ngā hui kaunihera | Community board meetings**

The appointed chairperson must preside at each meeting unless they vacate the chair for all or part of a meeting. If the chairperson is absent from a meeting or vacates the chair, the deputy chairperson (if any) will act as chairperson. If the deputy chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as chairperson. This person may exercise the meeting responsibilities, duties and powers of the chairperson.

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

### **14.2 Ētahi atu hui | Addressing the chairperson**

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

### **14.3 Me pēhea te whakaingoa i te ūpoko | Chairperson's rulings**

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

### **14.4 Ngā whakataunga a te ūpoko | Chairperson standing**

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

### **14.5 Ina tū te ūpoko | Member's right to speak**

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

### **14.6 Te mōtika a te mema ki te kōrero | Chairperson may prioritise speakers**

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

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

## **15. He wā kōrero ki te marea | Public speaking time**

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

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

### **15.1 Ngā tepenga wā | Time limits**

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

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

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

### **15.2 Ngā herenga | Restrictions**

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

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

### **15.3 Ngā pātai He wā kōrero ki te marea | Questions at public speaking time**

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

### **15.4 Kāore he tatūnga | No resolutions**

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

## **16. Ngā teputehana | Deputations**

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

### **16.1 Ngā tepenga wā | Time limits**

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

### **16.2 Ngā Herenga | Restrictions**

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

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

### **16.3 Te pātai i ngā teputehana | Questions of a deputation**

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

### **16.4 Ngā tatūnga | Resolutions**

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

## **17. Ngā petihana | Petitions**

### **17.1 Te āhua o ngā petihana | Form of petitions**

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

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least five working days before the meeting at which they will be presented; however this requirement may be waived by the chairperson.

Petitions must not be disrespectful, use offensive language or include malicious, inaccurate or misleading statements (see Standing Order 20.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to present their petition in te reo or sign language should advise the chief executive in time to allow translation services to be arranged.

## **17.2 Te petihana ka whakatakotohia e te kaipetihana | Petition presented by petitioner**

A petitioner who presents a petition to the community board may speak for five minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

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

## **17.3 Te petihana ka whakatakotohia e tētahi mema | Petition presented by member**

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

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

## **18. Te aukati i te marea | Exclusion of public**

### **18.1 Ngā mōtini me ngā tatūnga ki te aukati i te marea | Motions and resolutions to exclude the public**

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

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

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

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

*s. 48, LGOIMA.*

### **18.2 Ka āhei ngā tāngata ka tohua ki te noho mai | Specified people may remain**

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

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

s.48 (6) LGOIMA.

### **18.3 Ngā take e aukatihia ana ki te marea | Public excluded items**

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

s.46A(8), LGOIMA.

### **18.4 Te kore e whāki i ngā mōhiohio | Non-disclosure of information**

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

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

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

### **18.5 Te tuku i ngā mōhiohio nō te nohoanga aukati ki te marea | Release of information from public excluded session**

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

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

## **19. Te pōti | Voting**

### **19.1 Mā te nuinga e whakatau | Decisions by majority vote**

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

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

### **19.2 Te pōti tuwhera | Open voting**

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

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

### **19.3 Kei te ūpoko te pōti whakatau | Chairperson has a casting vote**

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

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



## **19.4 Te tikanga pōti | Method of voting**

The method of voting must be as follows:

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

## **19.5 Te tono i te wehenga | Calling for a division**

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

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

## **19.6 Te tono kia tuhi i ngā pōti | Request to have votes recorded**

If requested by a member, immediately after a vote, the minutes must record the member's vote or abstention. Recording any other matters, such as a members' reason for their vote or abstention, is not permitted.

## **19.7 Ka āhei ngā mema ki te noho puku | Members may abstain**

Any member may abstain from voting.

## **20. Ngā whanonga | Conduct**

### **20.1 Te tono kia tau ngā mema | Calling to order**

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

### **20.2 Ngā whanonga e hāngai ana ki te Tikanga Whakahaere | Behaviour consistent with code of conduct**

At a meeting, no member may act inconsistently with their code of conduct, or speak or act in a manner which is disrespectful of other members, staff or the public.

### **20.3 Te tango kōrero me te whakapāha | Retractions and apologies**

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

### **20.4 Ngā whanonga kino | Disorderly conduct**

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

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

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

### **20.5 Te whakahāwea | Contempt**

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

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

### **20.6 Te pana i te tangata i te hui | Removal from meeting**

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

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

## **20.7 Ngā take taharua ahumoni | Financial conflicts of interests**

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

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

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

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

s. 6 & 7, LAMIA.

## **20.8 Ngā take taharua ahumoni-kore | Non-financial conflicts of interests**

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

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

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

## **20.9 Te maru whāiti mō ngā whakaritenga hui | Qualified privilege for meeting proceedings**

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

s. 53, LGOIMA.

## **20.10 He āpitihanga te maru whāiti ki ētahi atu whakaritenga | Qualified privilege additional to any other provisions**

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

s. 53, LGOIMA.

## **20.11 Ngā pūrere hiko i ngā hui | Electronic devices at meetings**

Electronic devices and phones can only be used to advance the business of a meeting. Personal use may only occur at the discretion of the chairperson. A chairperson may require that an electronic device is switched off if:

- (a) its use is likely to distract a meeting from achieving its business, or,
- (b) a member is found to be receiving information or advice from sources not present at the meeting that may affect the integrity of the proceedings.

## **21. Ngā tikanga whānui mō te tautohetohe | General rules of debate**

### **21.1 Kei te ūpoko te tikanga | Chairperson may exercise discretion**

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

### **21.2 Te tepenga wā mā ngā kaikōrero | Time limits on speakers**

The following time limits apply to members speaking at meetings:

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

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

### **21.3 Ngā pātai ki ngā kaimahi | Questions to staff**

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

### **21.4 Ngā pātai whakamārama | Questions of clarification**

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

### **21.5 Kotahi noa iho te wā e āhei ai te mema ki te korero | Members may speak only once**

A member, depending on the choice of options for speaking and moving set out in Standing Orders. 22.2 - 22.4, may not speak more than once to a motion at a meeting of the community board, except with permission of the chairperson. Members can speak more than once to a motion at a committee or subcommittee meeting with the chairperson's permission.

### **21.6 Ngā tepenga mō te maha o ngā kaikōrero | Limits on number of speakers**

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

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

## **21.7 Ka āhei te kaitautoko ki te whakatārewa i tana kōrero | Seconder may reserve speech**

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

## **21.8 Me hāngai ngā kōrero ki ngā take whai pānga | Speaking only to relevant matters**

Members may only speak to;

- (a) any matter before the meeting
- (b) a motion or amendment which they propose, and
- (c) to raise a point of order arising out of debate,

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

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

## **21.9 Te whakahua anō i te mōtini | Restating motions**

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

## **21.10 Te whakahē i ngā tatūnga | Criticism of resolutions**

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

## **21.11 Te whakahē kupu | Objecting to words**

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

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

## **21.12 Te mōtika ki te whakautu | Right of reply**

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

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

The original mover may speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried, the mover of the motion may use their right of reply before the motion or amendment is put to the vote. The mover of the original motion may choose to indicate that they wish to reserve their right of reply until the closure motion.

## **21.13 E kore e āhei tētahi atu mema ki te kōrero | No other member may speak**

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

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

## **21.14 Ngā mōtini hei hiki i te hui | Adjournment motions**

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

## **21.15 Te whakaae a te ūpoko ki ngā mōtini whakakapi | Chairperson's acceptance of closure motions**

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

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

## **22. Ngā tikanga whānui mō te kōrero me te mōtini | General procedures for speaking and moving motions**

### **22.1 Ngā kōwhiringa mō te kōrero me te mōtini | Options for speaking and moving**

This subsection provides three options for speaking and moving motions and amendments at a meeting of a community board and its committees or subcommittees.

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

### **22.2 Kōwhiringa A | Option A**

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case, the original mover or seconder may also propose or second the suggested amendment).
- Only members who have not spoken to the original, or substituted, motion may move or second an amendment to it.
- The mover or seconder of an amendment, whether it is carried (in which case it becomes the substantive motion) or lost, cannot move or second a subsequent amendment.

- Members can speak to any amendment and, provided they have not spoken to the motion or moved or seconded an amendment, they can move or second further amendments.
- The meeting, by agreement of the majority of members present, may amend a motion with the agreement of the mover and seconder.

### **22.3 Kōwhiringa B | Option B**

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

### **22.4 Kōwhiringa C | Option C**

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

## **23. Ngā mōtini me ngā whakahoutanga | Motions and amendments**

### **23.1 Te whakatakoto me te tautoko mōtini | Proposing and seconding motions**

All motions and amendments moved during a debate, must be seconded (including notices of motion). The chairperson may then state the motion and propose it for discussion. A motion should be moved and seconded before debate, but after questions.

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

Please note: Members who move or second a motion are not required to be present for the entirety of the debate.

## **23.2 Te tuhi i ngā mōtini | Motions in writing**

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

## **23.3 Ngā mōtini i whakawehea | Motions expressed in parts**

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

## **23.4 Te whakakapi mōtini | Substituted motion**

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

## **23.5 Me hāngai ngā whakahoutanga me kaua e whakahē i te mōtini | Amendments to be relevant and not direct negatives**

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

- (a) not directly relevant
- (b) in conflict with a carried amendment
- (c) similar to a lost amendment
- (d) would negate a committee decision if made under delegated authority
- (e) in conflict with a motion referred to the governing body by that meeting
- (f) direct negative.

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

## **23.6 Ngā whakahoutanga kua kōrerotia kētia | Foreshadowed amendments**

The meeting must dispose of an existing amendment before a new amendment can be moved. However, members may foreshadow to the chairperson that they intend to move further amendments as well as the nature of the content of those amendments.

## **23.7 Ngā whakahoutanga i whakahēngia | Lost amendments**

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 – 22.4, speak to it and may move or second a further amendment.

## **23.8 Ngā whakahoutanga i whakaaetia | Carried amendments**

Where an amendment is carried, the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original



motion may, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 – 22.4, speak to the substantive motion, and may move or second a further amendment to it.

### **23.9 Ina whakahēngia tētahi mōtini | Where a motion is lost**

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

### **23.10 Te tango i ngā mōtini me ngā whakahoutanga | Withdrawal of motions and amendments**

Once a motion or amendment has been seconded, the mover cannot withdraw it without the agreement of the majority of the members who are present and voting.

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

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

A member may not speak to any motion once:

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

## **24. Te whakakore, te whakahou rānei i ngā tatūnga | Revocation or alteration of resolutions**

### **24.1 Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga | Member may move revocation of a decision**

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

- (a) the resolution or part of the resolution which the member proposes to revoke or alter;
- (b) the meeting date when the resolution was passed;
- (c) the motion, if any, which the member proposes to replace it with; and
- (d) sufficient information to satisfy the decision-making provisions of s. 77 – 82, Part 6, LGA 2002.

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

### **24.2 Mā te rōpū nāna te whakatau e whakakore | Revocation must be made by the body responsible for the decision**

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

This provision does not prevent the body that made the delegation from removing or amending a delegation given to a subordinate body or local board or community board.

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

### **24.3 Te herenga ki te tuku pānui | Requirement to give notice**

A member must give notice to the chief executive at least five working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the community board, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next 12 months.

### **24.4 Ngā herenga mō ngā mahi i raro i te tatūnga whai pānga | Restrictions on actions under the affected resolution**

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

Exceptions apply where, in the opinion of the chairperson:

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

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

### **24.5 Te whakakore, te whakahou rānei mā te tatūnga i taua hui tonu | Revocation or alteration by resolution at same meeting**

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

### **24.6 Te whakakore, te whakahou rānei mā te marohi ki rō pūrongo | Revocation or alteration by recommendation in report**

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

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

## **25. Ngā mōtini whakahaere | Procedural motions**

### **25.1 Me pōti ngā mōtini whakahaere i taua wā tonu | Procedural motions must be taken immediately**

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

### **25.2 Ngā mōtini whakahaere ki te whakakapi, whakatārewa rānei i tētahi tautohetohe | Procedural motions to close or adjourn a debate**

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

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

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

### **25.3 Te pōti mō ngā mōtini whakahaere | Voting on procedural motions**

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

### **25.4 Te tautohetohe i ngā take i whakatārewatia | Debate on adjourned items**

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

### **25.5 Ngā take e toe ana i ngā hui i whakatārewatia | Remaining business at adjourned meetings**

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

## **25.6 Ngā take e tukuna ana ki te kaunihera, komiti, poari hapori rānei | Business referred to the community board**

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

## **25.7 Etahi atu momo mōtini whakahaere | Other types of procedural motions**

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

## **26. Te tono ki te whakatika hapa | Points of order**

### **26.1 Ka āhei ngā mema ki te tono ki te whakatika hapa | Members may raise points of order**

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

### **26.2 Ngā kaupapa mō te whakatika hapa | Subjects for points of order**

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

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

### **26.3 Ngā whakahē | Contradictions**

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

### **26.4 Te tono whakatika hapa i te wā o te wehenga | Point of order during division**

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

## **26.5 Te whakataua a te ūpoko mō ngā tono whakatika hapa | Chairperson's decision on points of order**

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

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

## **27. Te pānui i ngā mōtini | Notices of motion**

### **27.1 Me tuhi te pānui mō te mōtini e takune ana | Notice of intended motion to be in writing**

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

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

### **27.2 Te whakahē i te pānui mōtini | 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
- (b) is not related to the role or functions of the community board or meeting concerned
- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make
- (d) is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned
- (e) fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002. If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the chief executive for consideration and report
- (f) concerns a matter where decision-making authority has been delegated to a subordinate body or a local or community board.

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

### **27.3 Te kaimōtini o te pānui mōtini | Mover of notice of motion**

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

## **27.4 Te whakarerekē i te pānui mōtini | Alteration of notice of motion**

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

## **27.5 Ka tārewa te pānui mōtini | When notices of motion lapse**

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

## **27.6 Te tuku i ngā pānui mōtini | Referral of notices of motion**

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

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

## **27.7 Ngā pānui mōtini tārua | Repeat notices of motion**

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

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

## **28. Ngā meneti | Minutes**

### **28.1 Ka noho ngā meneti hei taunakitanga mō te hui | Minutes to be evidence of proceedings**

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

*cl. 28, Schedule 7, LGA 2002.*

### **28.2 Ngā take ka tuhi ki ngā meneti | Matters recorded in minutes**

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

- (a) the date, time and venue of the meeting
- (b) the names of the members present
- (c) the chairperson
- (d) any apologies or leaves of absences
- (e) member absent without apology or leave of absence
- (f) member absent on council business
- (g) the arrival and departure times of members
- (h) any failure of a quorum
- (i) a list of any external speakers and the topics they addressed

- (j) a list of the items considered
- (k) items tabled at the meeting
- (l) the resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders
- (m) the names of all movers, and seconders
- (n) any objections made to words used
- (o) all divisions taken and, if taken, a record of each member's vote
- (p) the names of any members requesting that their vote or abstention be recorded;
- (q) any declarations of financial or non-financial conflicts of interest
- (r) the contempt, censure and removal of any members
- (s) any resolutions to exclude members of the public
- (t) the time at which the meeting concludes or adjourn
- (u) the names of people permitted to stay in public excluded.

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

### **28.3 Kāore e āhei te whakawhiti kōrero mō ngā meneti | No discussion on minutes**

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

### **28.4 Ngā meneti o te hui whakamutunga i mua i te pōtitanga | Minutes of last meeting before election**

The chief executive and the relevant chairpersons must sign, or agree to have their digital signature inserted, the minutes of the last meeting of the community board before the next election of members.

## **29. Te whakarite mauhanga | Keeping a record**

### **29.1 Te whakarite i ngā mauhanga tika | Maintaining accurate records**

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

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

*s. 17, Public Records Act 2005.*

### **29.2 Te tikanga mō te tiaki i ngā mauhanga | Method for maintaining records**

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

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

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

### **29.3 Te tiroiro | Inspection**

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

*s. 51, LGOIMA.*

### **29.4 Te tiroiro i ngā take aukati marea | Inspection of public excluded matters**

The chief executive must consider any request for the minutes of a meeting, or part of a meeting, from which the public was excluded as if it is a request for official information in terms of LGOIMA.



## Ngā tohutoro tuhinga | Referenced documents

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

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

A community 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 following grounds:

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

s.7, LGOIMA.

*Under A2 (above) the public may be excluded unless, in the circumstances of a particular case, the exclusion of the public is outweighed by other considerations which render it desirable and in the public interest that the public not be excluded.*

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

s. 48, *LGOIMA*.

## ĀpitiHanga 2: He tauira mō te tatūnga ki te aukati i te marea | Appendix 2: Sample resolution to exclude the public

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

1 that the public is excluded from:

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

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

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To prevent the disclosure of information which would— <ol style="list-style-type: none"> <li>be contrary to the provisions of a specified enactment; or</li> <li>constitute contempt of court or of the House of Representatives (s.48(1)(b)).</li> </ol>
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where: <ol style="list-style-type: none"> <li>a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or</li> <li>the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).</li> </ol>
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).

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

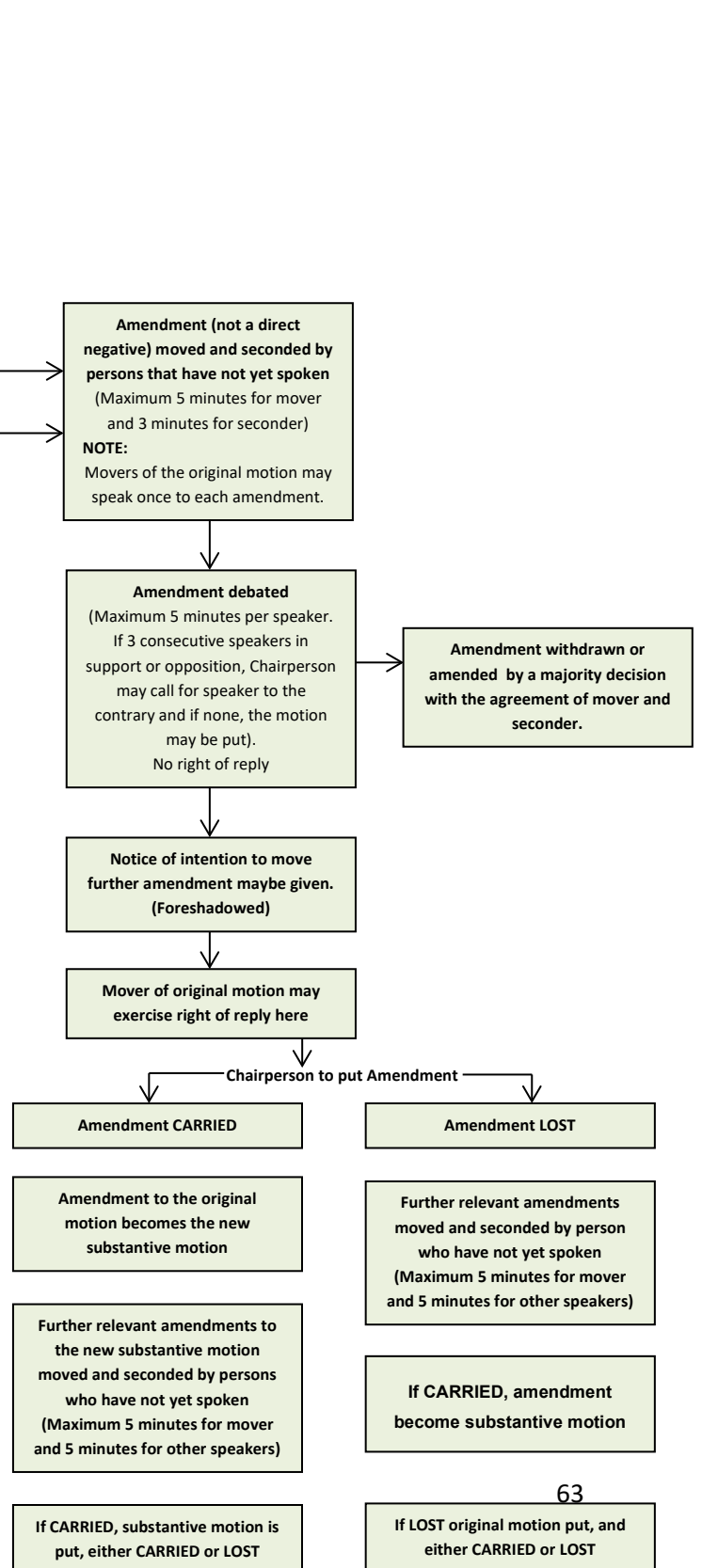
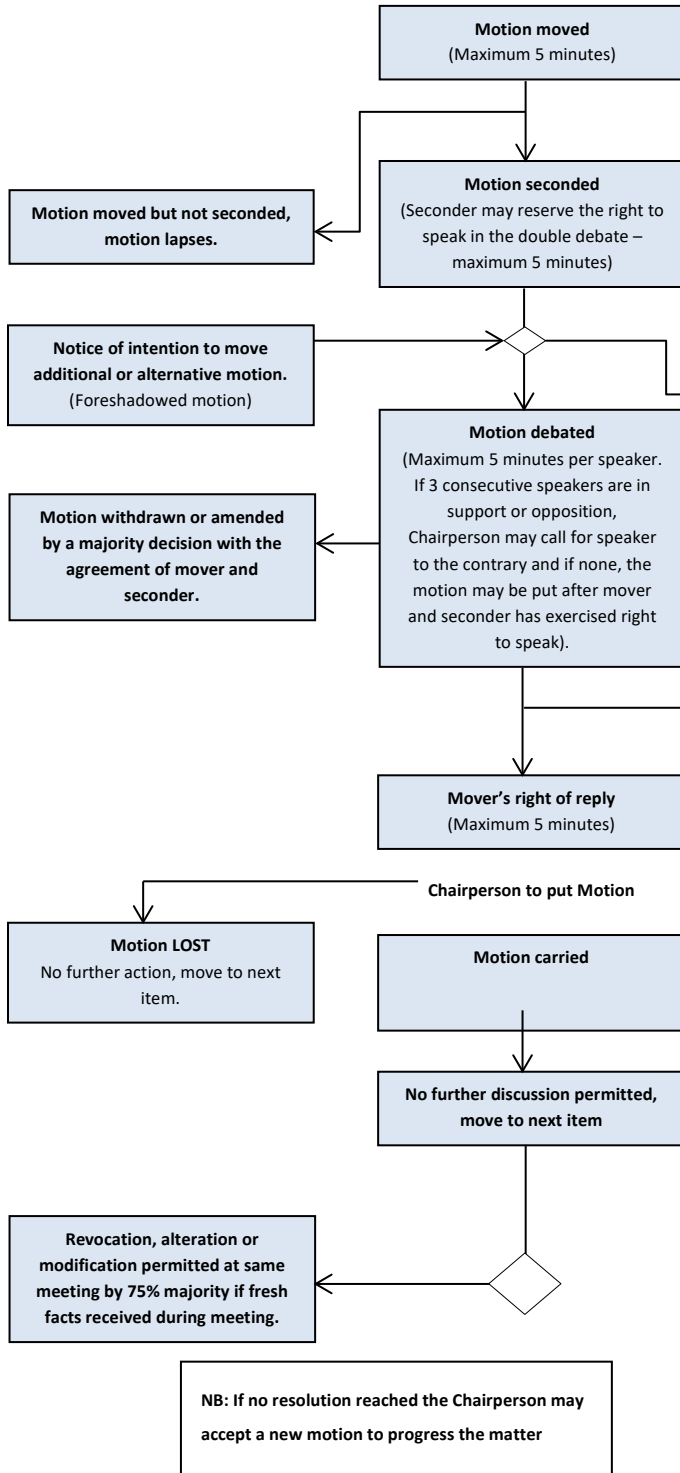
2. That (*name of person(s)*) is permitted to remain at this meeting after the public has been excluded because of their knowledge of (*specify topic under discussion*). This knowledge,

which will be of assistance in relation to the matter to be discussed, is relevant to that matter because *(specify)*. *(Delete if inapplicable.)*

# Āpitihanga 3: Ngā mōtini me ngā whakahoutanga (Kōwhiringa A) | Appendix 3: Motions and amendments (Option A)

## Motions without amendments

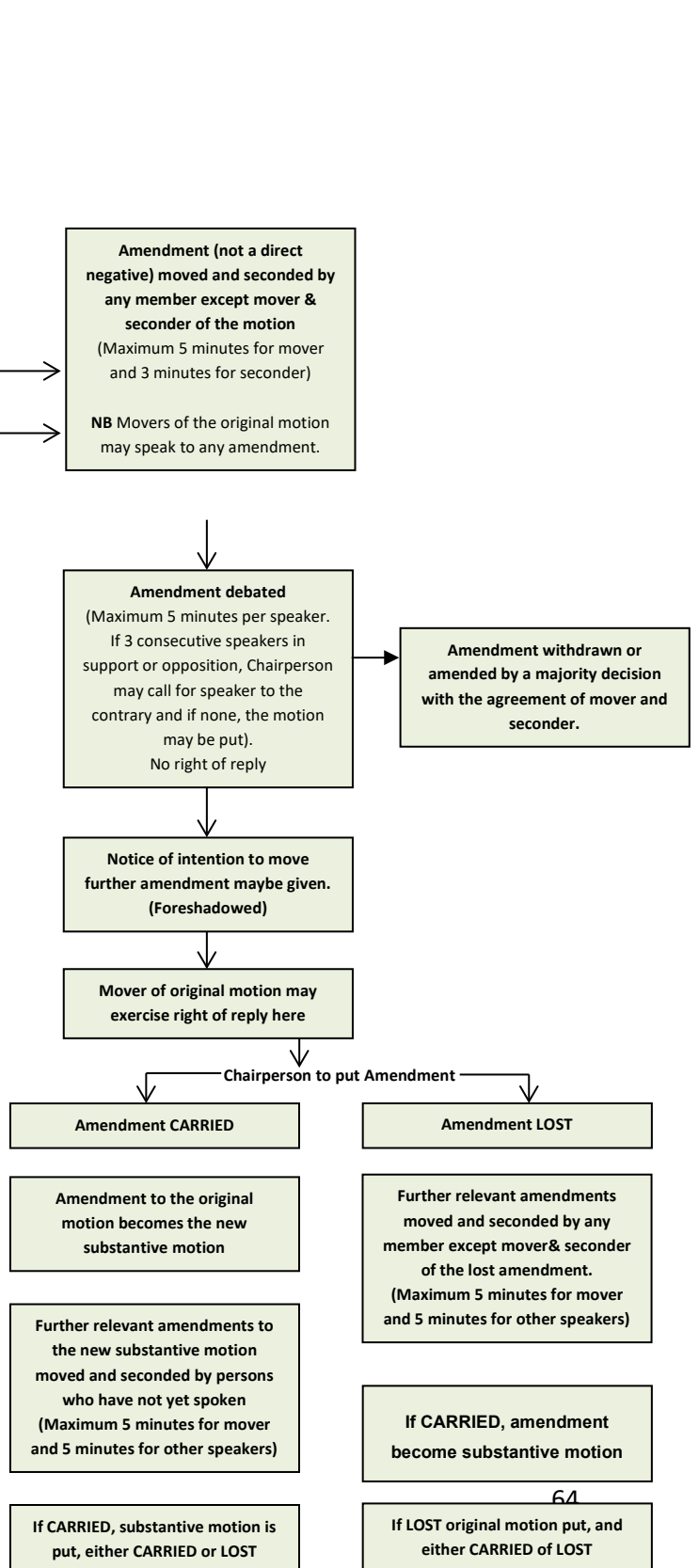
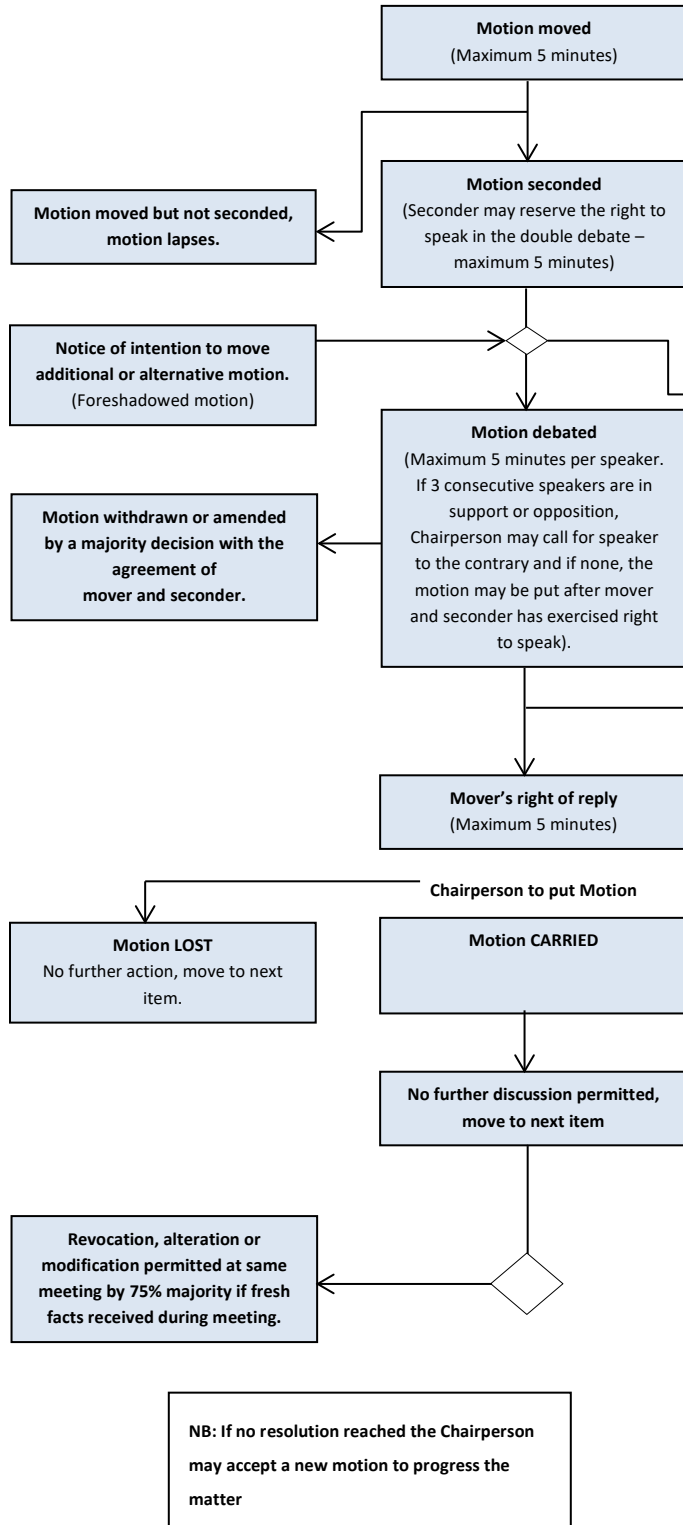
## Motions with amendments



# Āpitianga 4: Ngā mōtini me ngā whakahoutanga (Kōwhiringa B) | Appendix 4: Motions and amendments (Option B)

## Motions without amendments

## Motions with amendments

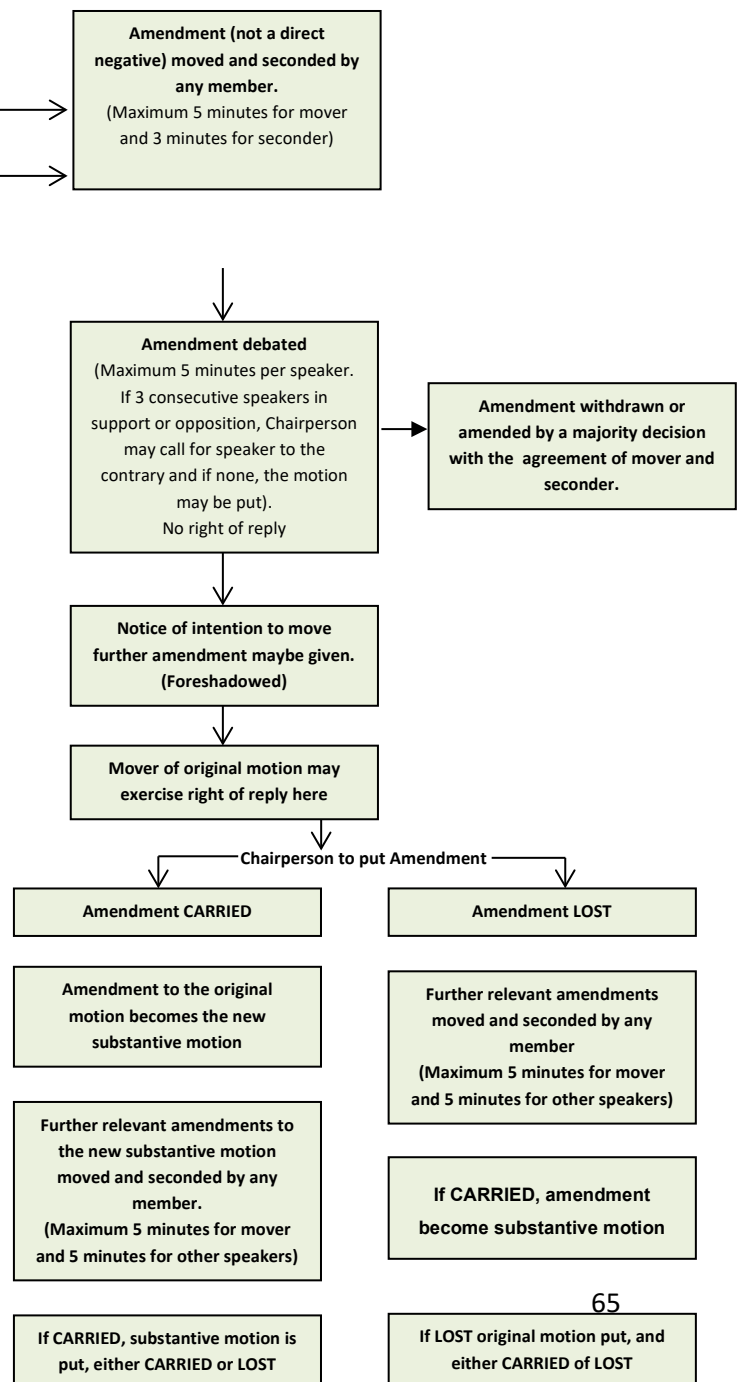
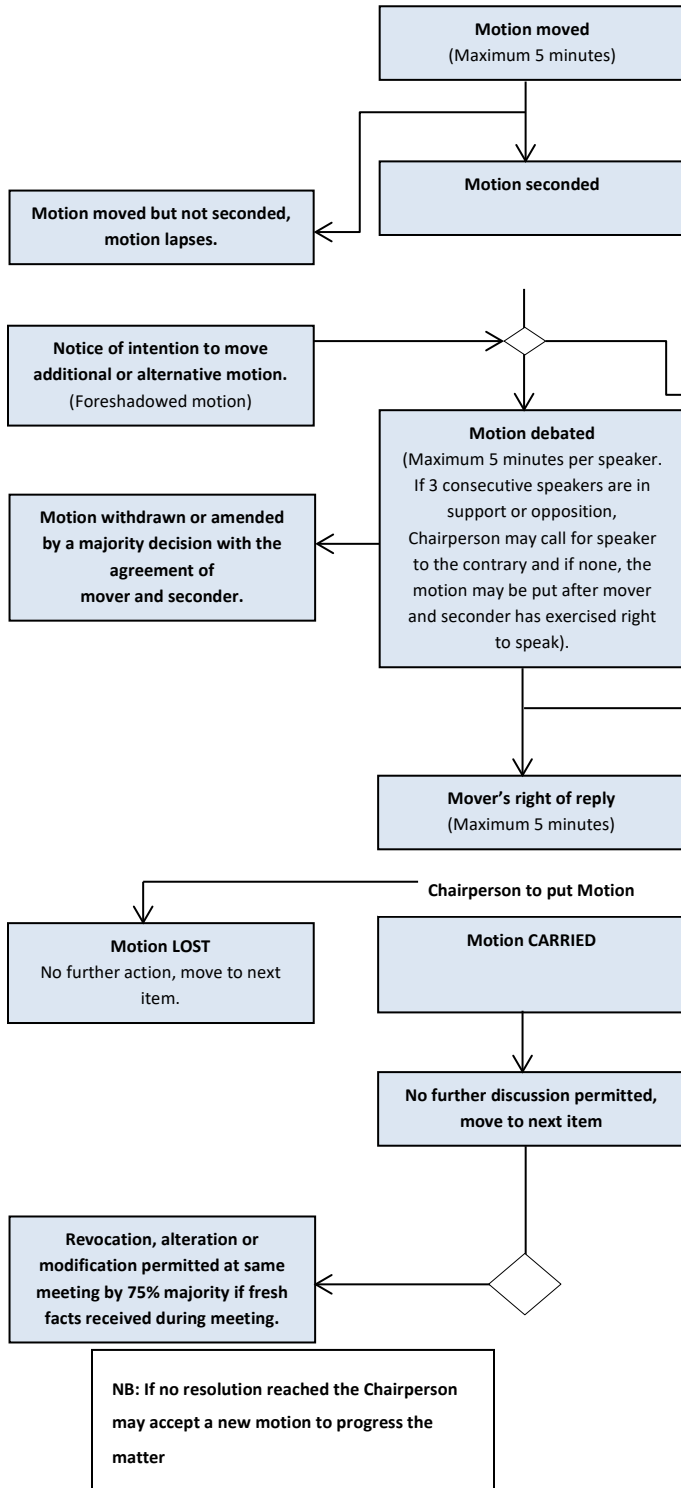




# Āpitihanga 5: Ngā mōtini me ngā whakahoutanga (Kōwhiringa C) (Option C) | Appendix 5: Motions and amendments

## Motions without amendments

## Motions with amendments



## Āpitianga 6: Tūtohi mō ngā mōtini whakahaere | Appendix 6: Table of procedural motions

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

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

## **ĀpitiHanga 7: Ngā tikanga mō te pāhotanga mataora | Appendix 7: Livestreaming protocols**

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

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

## **Āpitianga 8: Ngā mana whakahaere a te ūpoko | Appendix 8: powers of a chairperson**

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

### **Chairperson to decide all questions**

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

### **Chairperson to decide points of order (Standing Order. 26.5)**

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

### **Items not on the agenda (Standing Order.9.12)**

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

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

### **Chairperson's report (Standing Order.9.6)**

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

### **Chairperson's recommendation (Standing Order.9.5)**

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

### **Chairperson's voting (Standing Orders 19.3)**

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

### **Motion in writing (Standing Orders .23.2)**

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

### **Motion in parts (Standing Orders.23.3)**

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

### **Notice of motion (Standing Orders .27.2)**

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

- (a) is disrespectful or which contains offensive language or statements made with malice
- (b) is not within the scope of the role or functions of the community board
- (c) contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution, and the mover has declined to comply with such requirements as the chief executive may have made
- (d) is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

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

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

### **Action on previous resolutions**

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

### **Repeat notice of motion (Standing Orders 27.7)**

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

### **Revocation or alteration of previous resolution**

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

### **Chairperson may call a meeting**

The chairperson:

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

### **Irrelevant matter and needless repetition (Standing Orders 21.8)**

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

### **Taking down words (Standing Order 21.11)**

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

### **Explanations**

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

### **Chairperson rising (Standing Order 14.5)**

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

### **Members may leave places (Standing Order.14.6)**

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

### **Priority of speakers (Standing Order 14.7)**

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

### **Minutes (Standing Order 28.1)**

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

### **Questions of speakers (Standing Order 16.3)**

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

### **Withdrawal of offensive or malicious expressions (Standing Order 20.3)**

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

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

### **Chairperson's rulings (Standing Order 14.4)**

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

### **Disorderly behaviour (Standing Order 20.4)**

The chairperson may:

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

### **Failure to leave meeting (Standing Order 20.6)**

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

### **Audio or audio visual attendance (Standing Order 13.10)**

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

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

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



## **ĀpitiHanga 9: Te pūnaha mō te whakakore i te tūranga a te ūpoko, te koromatua tuarua rānei | Appendix 9: Process for removing a chairperson from office**

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

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

## **Āpitianga 10: He tauira mō te whakaraupapatanga o ngā take | Appendix 10: Sample order of business**

### **Open section**

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

### **Public excluded section**

- (n) Reports of committees
- (o) Reports of the chief executive and staff
- (p) Chairperson's report (information)

## **Āpitianga 11: Te pūnaha mō te whakatakoto take hei whakatau | Appendix 11: Process for raising matters for a decision**

Matters requiring a decision at a meeting may be placed on the meeting's agenda by a:

- (a) report of the chief executive;
- (b) report of the chairperson;
- (c) report of a committee;
- (d) report of a community or local board; or
- (e) notice of motion from a member.

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

- (a) report of the chief executive; or
- (b) report of the chairperson.

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