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Monday, 1 March 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council**

**Hastings District Rural Community Board Meeting**

*Kaupapataka*

# Open Agenda

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*Te Rā Hui:*  
Meeting date: **Monday, 1 March 2021**

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*Te Wā:*  
Time: **2.00pm**

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*Te Wāhi:*  
Venue: **Landmarks Room  
Ground Floor  
Civic Administration Building  
Lyndon Road East  
Hastings**

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*Te Hoapā:*  
Contact: **Democracy and Governance Services  
P: 06 871 5000 | E: [democracy@hdc.govt.nz](mailto:democracy@hdc.govt.nz)**

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*Te Āpiha Matua:*  
Responsible  
Officer: **Transportation Manager - Jag Pannu**

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**HASTINGS DISTRICT COUNCIL**  
207 Lyndon Road East, Hastings 4122 | Private Bag 9002, Hastings 4156  
Phone **06 871 5000** | [www.hastingsdc.govt.nz](http://www.hastingsdc.govt.nz)  
**TE KAUNIHERA Ā-ROHE O HERETAUNGA**

## Hastings District Rural Community Board – Terms of Reference

The Community Board is a separate entity to the Council. The role of the Community Board is set out in Section 52 of the Local Government Act 2002. The Council is authorised to delegate powers to the Community Board.

### **Membership (6 members)**

Chair (elected by the Board)

Deputy Chair (elected by the Board)

4 Elected Community Board Members

1 Mohaka Ward Councillor

1 Kahuranaki Ward Councillor

**Quorum** – 4 members

### **DELEGATED POWERS**

#### **General**

1. To maintain an overview of services provided by the Council within the Community Board's area.
2. To represent, and act as an advocate for, the interests of the community represented.
3. To consider and report on all matters referred to the Board by the Council, or any matter of interest or concern to the Community Board.
4. To communicate with community organisations and special interest groups within the community;
5. To undertake any other responsibilities that are delegated to it by the Council.
6. To appoint a member of the Community Board to organisations approved by the Council from time to time.

### **LONG TERM PLAN/ANNUAL PLAN/POLICY ISSUES**

7. Authority to make a submission to the Long Term Plan/Annual Plan process on activities, service levels and expenditure (including capital works priorities) within the Board's area or to make a submission in relation to any policy matter which may have an effect within the Board's area.

### **ROADING AND TRAFFIC**

8. Authority to exercise the Council's powers and functions in relation to roads within the Board's area under the following sections of the Local Government Act 1974:
  - Section 335 (vehicle crossings);
  - Section 344 (gates and cattle stops);
  - Section 355 (overhanging trees).
9. Authority to exercise the Council's statutory powers (including any relevant powers conferred by bylaw) over roads within the Board's area in respect of:
  - (i) Road user behaviour at intersections;
  - (ii) Controls on stopping or overtaking
  - (iii) Controls on turning
  - (iv) Pedestrian safety,
  - (v) Footpath maintenance and improvements.
  - (vi) Accident investigation studies, lighting and other safety works
10. For the avoidance of doubt, nothing in this delegation authorises a Community Board to deal with a matter, in the exercise of delegated authority, in a manner which is conflict with any policy or decision of the Council or any standing committee of the Council in relation to the same matter.

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Monday, 1 March 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council**

**Hastings District Rural Community Board Meeting**

*Kaupapataka*

# Open Agenda

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<i>Mematanga:</i>	<i>Heamana</i>
Committee Members:	<b>Chair:</b> Nick Dawson
	Marcus Buddo, Sue Maxwell and Jonathon Stockley
	Councillors Tania Kerr (Deputy Chair) and Sophie Siers

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<i>Tokamatua:</i>	
Quorum:	4 members

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<i>Apiha Matua:</i>	<i>Kaiwhakahaere Rōpū</i>
Officer Responsible:	Transportation Manager: Jag Pannu

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<i>Te Rōpū Manapori me te</i>	
<i>Kāwanatanga:</i>	
Democracy &	Jackie Evans (Ext 5018)
Governance Services:	

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## *Te Rārangī Take*

# Order of Business

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### **Apologies & Leave of Absence – Ngā Whakapāhatanga me te Wehenga ā-Hui**

- 1.0** At the close of the agenda no apologies had been received.  
 At the close of the agenda no requests for leave of absence had been received.
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### **2.0 Conflict of Interest – He Ngākau Kōnatunatu**

Members need to be vigilant to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Manager: Democracy and Governance (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

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### **Confirmation of Minutes – Te Whakamana i Ngā Minitī**

- 3.0** Minutes of the Hastings District Rural Community Board held Monday 30 November 2020.  
*(Previously circulated)*
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|------------|---|----------|
| <b>4.0</b> | <b>Long Term Plan 2021-2031 Update Report</b> | <b>7</b> |
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|------------|------------------------------|-----------|
| <b>5.0</b> | <b>Dog Registration Fees</b> | <b>29</b> |
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| <b>6.0</b> | <b>Rural Recycling - Summer Update Report</b> | <b>35</b> |
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| <b>7.0</b> | <b>NZ Rural Community Boards Conference 2021</b> | <b>39</b> |
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<b>8.0</b>	<b>Rural Transportation Activities Report</b>	<b>47</b>
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<b>9.0</b>	<b>Clifton to Tangoio Coastal Hazards Strategy Update</b>	<b>51</b>
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<b>10.0</b>	<b>Adoption of Amended Standing Orders</b>	<b>61</b>
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<b>11.0</b>	<b>Minor Items – <i>Ngā Take Iti</i></b>	
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<b>12.0</b>	<b>Urgent Items – <i>Ngā Take Whakahihiri</i></b>	
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Monday, 1 March 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Hastings District Rural  
Community Board**

**Item 4**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

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**Nā:**  
**From: Lex Verhoeven, Strategy Manager**

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**Te Take:**  
**Subject: Long Term Plan 2021-2031 Update Report**

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## **1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga***

1.1 The purpose of this report is to update the Board on the Draft Long Term Plan 2021-2031. This report follows the more comprehensive session held with the Board in 2020.

1.2 In summary:

- The draft budget position is in line with the direction given by the Board in 2020 and focuses on the transportation renewal priorities previously presented to the Board;
- The Council's strategic framework is complete and is attached for reference;
- Officers will be seeking guidance as to the preferred community engagement approach;
- Relevant parts of the Long Term Plan Consultation document will be circulated at the meeting.

## **2.0 Recommendations – *Ngā Tūtohunga***

- A) That the report of the Strategy Manager titled Long Term Plan 2021-2031 Update Report dated 1 March 2021 be received.
- B) That officers incorporate feedback from the Board into the 2021-2031 Long Term Plan and work with the Board on the preferred community engagement approach.

**Attachments:**

1 [↓](#) Draft LTP 2021-2031 Strategic Framework for RCB CG-16-7-00038





## SETTING THE SCENE



2020 threw more than a few curve balls at most of us – it was messy! The LTP story is no different, dealing with the fallout of COVID-19 (like everyone and it's not over yet), central government reviews and managing the ongoing impacts of climate change and growth.

### COVID-19

As this plan is coming together, we're all still adapting to the world with COVID-19 as a major influence. As we started transitioning back to 'normal' after lockdown, our councillors chose to reduce rates increases for the 2020/21 year from the original 4.6%, to 1.9% to support our community impacted by lockdown. This meant an employment freeze and reduction in training and related expenses at council – we do need to be able to get back to our normal operating environment in the near future.

We are lucky that most of our activities have been able to adapt without significant disruption. That said, Splash Planet and Toitū are our facilities most vulnerable to fluctuating alert levels. The reality is that any COVID-19 alert level beyond level one will have negative impacts on revenue and therefore rates for our community.

This is an uncertain environment which cannot be fully planned for but we do have a number of plans to find the best way to keep our facilities open while limiting rates exposure. Thankfully this recent summer season has gone without a hitch, with the Splash Planet facility providing endless fun for residents and visitors.





### THREE WATERS REVIEW AND GOVERNMENT REFORM

The Government's Three Waters Reform (drinking, waste and storm water services) is coming – this will bring new regulation forcing change in how we deliver these services. Council has signed a memorandum of understanding with the Crown committing to work together to identify the best future approach to water service delivery, along with the other four local Councils.

If the reform determines that council assets and delivery of key services should be transferred to a separate entity (one potential outcome) we may need to develop an amended Long Term Plan as that would be significant impact to the way we budget for, and deliver services.

Regardless of the reform outcome, delivering safe, resilient drinking, waste and storm water services remains a key priority for council. This plan assumes no change and that these activities will stay in local authority ownership. The reason for this approach being that regardless of the reform outcome, communities will need robust water services that underpin community wellbeing.

### GROWTH

Our district has experienced increased levels of population growth over recent years. This is expected to continue into the future, due both to our lifestyle attractions and the economic development opportunities that exist in our district. That growth along with existing housing pinch points makes the delivery of a range of housing types to fit the needs of our people a key issue.

The updated projections indicate the district's total population increasing by 1.2% over the year ended June 2021 (compared to an average annual 1.9% over the past two years) and then increasing overall by 6,180 residents or 6.9% over the next LTP period

Over the 10 year period, the total number of households in the district will need to increase by 2,330 homes or 7.4%.



### CLIMATE CHANGE

We can't deny that the climate is changing; this is the most uncertain aspect we face in planning for the future. The timing and degree of impact on our community, services and infrastructure remains unclear.

To battle this uncertainty and ensure we are prepared, we are planning around a likely scenario which is based on a range of expert predictions. The biggest predicted issues in the Hastings District will be security of water supply, impacts on the agriculture and horticulture sectors, and impacts on our coastal communities and Council infrastructure.

Whilst we have started preparing in some ways, such as the work being undertaken via the Regional Coastal Strategy and some targeted seawall investment, investment in sustainable transport such as our walking and cycling initiatives, building capacity resilience where practicable into our built infrastructure, and District Plan provisions which identify hazards and anticipate increased flooding - there is still much to do.

The impacts are likely to be significant and a key way of making sure we are resilient and able to respond is to ensure that we maintain considerable capacity in our Financial Strategy to respond to this uncertainty. It will be important to balance the community's expectations for continued investment in amenity in our communities whilst maintaining financial capacity to respond to the challenges of the future.









# HOW WE WORK

## STRATEGIC FRAMEWORK





Council's work sits under four pillars which collectively express our commitment to all aspects of community wellbeing: economic, environmental, social, and cultural.

The eight strategic priority work areas which fall under the pillars are detailed on the following pages.

VISION	Heretaunga whenua houkura, Heretaunga hapori ora - Fertile land, prosperous people			
COMMUNITY WELLBEING	 <b>Economic</b>	 <b>Environmental</b>	 <b>Social</b>	 <b>Cultural</b>
COMMUNITY OUTCOMES	Sufficient and supportive economy	Healthy environment and people	Safe and inclusive place	Vibrant place to live, play and visit
COUNCIL OBJECTIVES	<ul style="list-style-type: none"> <li>We enable employment and growth</li> <li>Housing supply matches need</li> <li>The transport network links people, goods and opportunities</li> </ul>	<ul style="list-style-type: none"> <li>Water and land resources are used wisely</li> <li>Sustainable development is encouraged and carbon emissions are reduced</li> <li>The natural environment is enhanced and protected</li> <li>Council services are green and healthy</li> </ul>	<ul style="list-style-type: none"> <li>Our communities are safe and resilient</li> <li>Smart innovation connects citizens and services</li> <li>Our youth have positive pathways</li> </ul>	<ul style="list-style-type: none"> <li>There are great spaces for all people</li> <li>Civic pride, cultural diversity and relationships are strong</li> </ul>
FOUNDATION STRATEGY	District Development Strategy	Eco District Strategy	Great Communities Strategy	

## STRATEGIC PRIORITY AREAS

Underneath the four pillars of our strategic framework are eight priority areas which provide focus for direction and work programmes.

COMMUNITY WELLBEING	 <b>Economic</b>	 <b>Environmental</b>	 <b>Social</b>	 <b>Cultural</b>
The economic powerhouse				
Homes for our people				
Getting around				
Rural living				
Our natural treasures				
Hastings alive				
Pathways for people				
Enhancing where we live				





## STRATEGIC PRIORITY AREAS

### The economic powerhouse

Hastings is the District's centre for employment and economic growth which is a position we will hold onto and develop in the future.

KEY FOCUS AREAS:

- Growing meaningful work and higher and valued jobs
- Becoming a leader in food and beverage innovation
- Diversifying to a knowledge-based economy
- Developing a Hastings Proud employers initiative
- Positioning as a centre for government relocations
- Enabling innovation in the primary sector

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## Homes for our people

The type of housing available in Hastings should match the diversity and needs of our people while also managing urban sprawl onto the productive Heretaunga Plains. Moving forward this will require a more compact community connected by a range of effective transport choices.



### KEY FOCUS AREAS:

- Protecting our good soils
- More compact housing choices, using available land
- Working with government and other partners on housing projects
- Rethinking and looking at future opportunities for Council housing



## Getting around

It is important to connect our people, places, products and markets by providing a safe, effective road network that allows people and goods to travel where they need to go, however they choose.

### KEY FOCUS AREAS:

- Investing in our ageing roading assets
- Progressing the use of freight hubs and road/rail/port integration
- Linking transport with future planned urban growth areas
- Advocating for improvement on our regional transport networks
- Developing our sustainable transport alternatives







## Rural living

Our economic success is linked to the success of our rural areas and rural communities who we will support while adapting to the changing environment.



### KEY FOCUS AREAS:

- Rural accessibility (a key priority)
- Adaptation to new land use and farming futures (including climate change, farm ownership, workforce challenges and water access)
- Enhancing rural connectivity (technology and communication)
- Planning for future settlement development (and population decline)





## Our natural treasures



Maximising output from the land by retaining versatile and productive soils for food production, managing land use, and managing human behaviour which impacts water quality (an essential resource) is one of the most important themes running through our strategic direction.

As a community we need to waste less and embrace a more sustainable way of living and look after our precious outstanding landscapes such as Te Mata Peak. We recognise that the environment cannot be traded for economic gain.

### KEY FOCUS AREAS:

- Promoting water and energy efficiency
- Enhancing biodiversity
- Sustainable infrastructure and climate agility
- Nurturing iconic landscapes
- Managing healthy waterways





## Hastings alive



For successful business investment and expansion, and talent attraction and retention, we need to be a place where people want to be.

Encouraging people into Hastings requires an attractive urban environment and a vibrant, multi-functional city centre which is safe and offers a variety of things to do.

### KEY FOCUS AREAS:

- Getting more people into the city
- Enhanced CBD vibrancy through the CBD activation plan
- Growing the youth vibe
- Uplifting other town centres
- Telling our diverse stories to strengthen our identity



LONG TERM PLAN 2021-2031 HASTINGS DISTRICT COUNCIL 11 13





## Pathways for people



### KEY FOCUS AREAS:

- Development of a Rangitahi Co-lab
- Connecting people, skills and jobs through our connector programme
- Encouraging youth to stay in school
- Connecting the educational/professional sector link by looking at multiple career pathways
- Improving equity in jobs, income and health outcomes

Our people ultimately hold the key to our collective success.

The people of Hastings are changing in ethnic makeup, age and lifestyle preferences. We need to balance aspirations while meeting our community's varied educational and skill development needs to allow everyone to contribute to our society. Our environment and economy also depend on positive human behaviour and interactions. We want to develop our entrepreneurs who will help create economic sufficiency and growth.



## Enhancing where we live

Neighbourhoods nurture family and community: the safety, health, vibrancy and attractiveness of all neighbourhoods is fundamental to wellbeing in our district. Our urban areas also need to be resilient to the challenges of the future.

Enhancing where we live will address targeted interventions required for some of our communities.



### KEY FOCUS AREAS:

- Flaxmere Town Centre rejuvenation
- Masterplans for Flaxmere and Camberley
- Working with communities on focused initiatives in neighbourhood uplift areas
- Enhancing community safety
- Planning for coastal settlement futures
- Enabling marae-based settlement development

LONG TERM PLAN 2021-2031 HASTINGS DISTRICT COUNCIL // 15

# THE BIG ISSUES

Alongside the continued delivery of essential council services that our community should expect, we have identified the following key issue areas for discussion (these are outlined further within the supporting Long Term Plan Consultation Document).



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## Riding the infrastructure wave

This is about getting the basics right in our urban areas. Quality local infrastructure is vital to the survival of any region. Aged assets across the District require commitment to ongoing maintenance and renewal. Collectively these issues can best be addressed by catching them early and scaling up our investment in a staged way.

### ROADING

Like much of New Zealand many of our roads were constructed in the late 1950's and now require ongoing renewal.

### WASTEWATER

We have three key trunk mains leading from Hastings to the wastewater treatment plant that need renewal (we are about 20% through this programme). Our treatment plant also requires a range of renewal work.

### DRINKING WATER

We are in the final year of significant investment into safe drinking water (circa \$60m) however there are further future renewal needs, particularly in asbestos cement pipes that need to be replaced.

### STORMWATER

Our stormwater assets have not reached the end of their useful lives but we should be preparing for the renewal programme which will commence in about 10 years. Future environmental standards are likely to require more investment in this area which is another key consideration.



## Just give me my rural roads

Rural roading is a community life line, keeping our rural communities connected and ensuring goods can travel to market.

While the roading network is always a key priority for our rural communities we need to make further significant investment to keep on top of this ageing roading network including renewal of the road pavement, resealing of roads, and metalling of unsealed roads. We started on this work with the bridge strengthening programme in the 2018 Long Term Plan – this programme is on track and continues through the early years of this plan.

## Steady as we grow

The Hastings District is a great place to live. To keep it that way we need to carefully manage growth.

We remain committed to attracting jobs and investment in our district and have success such as the Kiwibank relocation, Police Headquarters, numerous largescale cool stores and medical centre developments, along with the development of the old Hawke's Bay Herald Tribune site in the CBD and other upcoming developments such as the Food Hub and CBD hotel to name a few.

Along with retaining and attracting people to our district we are working hard to meet the need for more homes for our people. These efforts are now on a roll and include:

- Additional public housing provision as part of a partnership with Kāinga Ora
- New residential subdivision across Flaxmere, Frimley, Havelock North and Te Awanga and future areas planned in Howard Street and Parkvale in Hastings, and Iona and Brookvale Road in Havelock North
- The Waingakau village housing development in West Flaxmere undertaken by Te Taiwhenua o Heretaunga
- A number of papakāinga housing projects in Waipatu, Waimārama, Te Haukē, Waiohiki and Bridge Pā.
- Inner city living choices within the Hastings central commercial zone

## Parking pinch-point

Our CBD areas continue to grow and evolve. There's a lot of momentum and development potential, with people wanting to invest to make these centres even better. With this momentum does also come challenges. Getting people to efficiently access our city centres and able to enjoy their stay is an immediate area of focus.

Whilst our sustainable transport objectives look to move us away from car dependency over time, the reality is that in the short-medium term we need to accommodate more vehicles in our CBD areas which requires access to good parking. In the longer term these parking areas can be transitioned to other uses.

In Hastings, paid parking via meters is proposed to increase to fund ongoing provision and linkages to car park areas. In Havelock North the acquisition of a strategic piece of land on Porter Drive will help to future proof parking requirements for the village. This is proposed to be achieved by increasing the Havelock North parking targeted rate.

## Finishing touches

We have already made significant investment into making our district a great place to live, work, and visit. Keeping in mind our need to invest in getting basic services right, now is the time to look at priorities and decide where we can add some finishing touches in an affordable way to continue to make Hastings beautiful.

There are a lot of projects we could take further and we hear community aspirations continue to grow, but we need to make choices to ensure we can all afford our future.

It's a balance, being able to look good but in an affordable way – prioritising and staging investment over time is key.

## LTP HIGH LEVEL WORK PROGRAMME

### The economic powerhouse



#### Hastings City Centre

- Inner City Living
- Parking Sensor Technology
- CBD Hotel

#### Havelock Village Centre

- Strategic Parking Acquisition
- Joll Rd upgrade
- Hospitality enhancements

#### Industrial Land Uptake

- Ōmahu, Irongate
- Development Assistance

#### Economic Development

- Business Enablement & Investment
- GTGH platform
- Food East
- Events Strategy
- RED's Actions

### Homes for our people



#### Residential Growth

- Residential Growth
- Lyndhurst, Iona, Howard, Havelock Hills, Brookvale
- Papakainga
- Medium Density
- Flaxmere Town Centre

#### Community Housing

- Affordable Housing, Tarbet, Irongate
- Other partnerships

### Getting around



#### Key Routes

- Karamu Road Corridor, St Aubyn & Pakowhai Corridors
- North Eastern Connector - longer term

#### Efficient Streets

- LED Street Light Conversion

#### Walking & Cycling

- Complete network development strategy

#### Ageing Roads

- Safety Improvements

#### Renewal Escalations:

- Sealed Road Pavement
- Footpaths
- Drainage
- Traffic Services

### Rural living



#### Bridge Strategy

- Completion of Bridge Strengthening programme

#### Ageing Roads

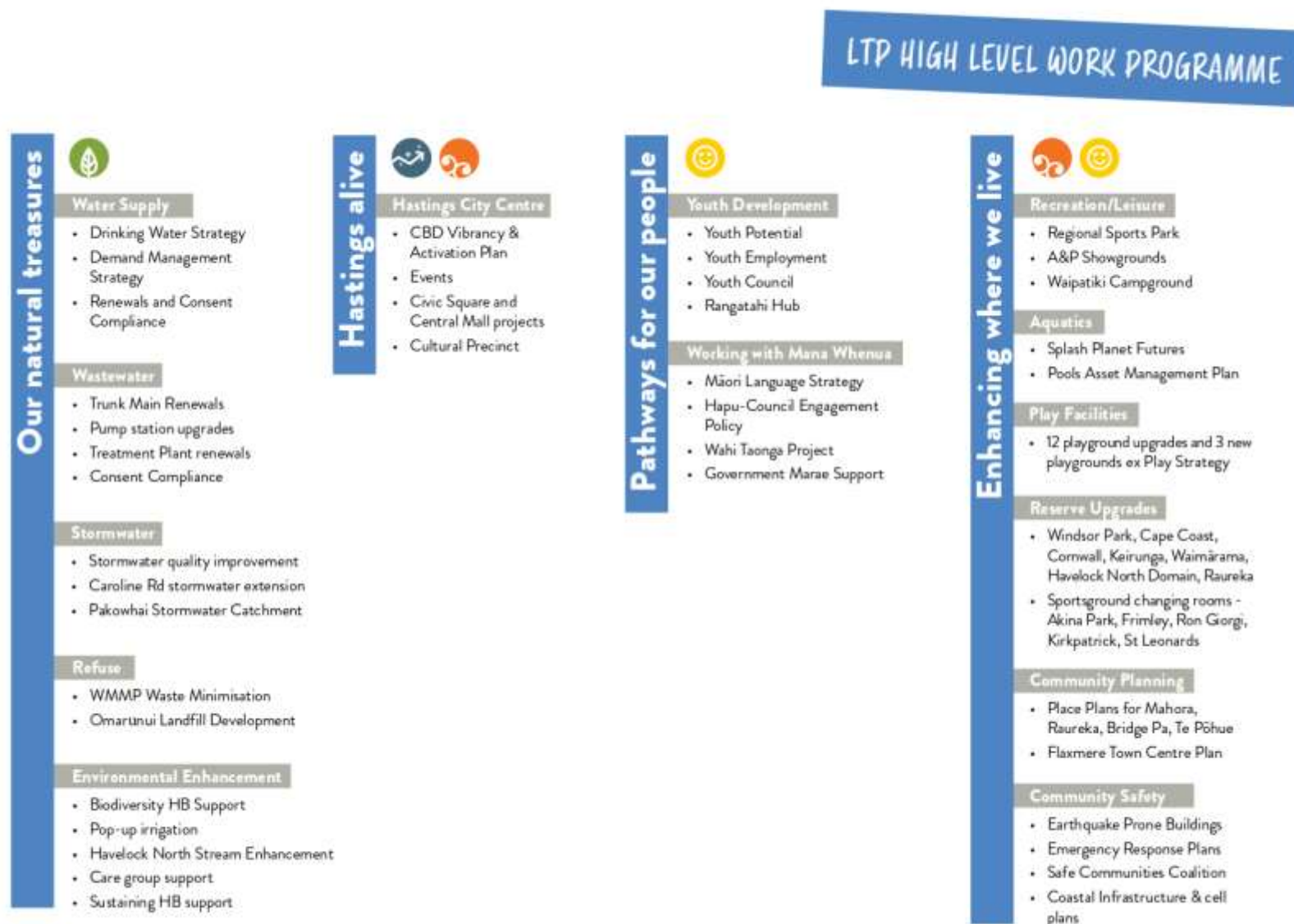
#### Renewal Escalations:

- Unsealed Road Metalling
- Maintenance Seals
- Sealed Road Pavement
- Drainage Improvements

#### Rural Support

- Government Rural Halls Support
- Government Marae Support

Underpinned by a great Council with great staff, with a can do and customer focused attitude, maximising partnership opportunities, utilising new technology and working hard for our community – Working for our people and our place, today and tomorrow.





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Monday, 1 March 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council:**

**Hastings District Rural Community Board**

**Item 5**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

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*Nā:*  
**From: John Payne, Regulatory Solutions Manager**

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*Te Take:*  
**Subject: Dog Registration Fees**

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## **1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 The purpose of this report is to seek feedback from the Board on a proposal to increase the dog registration fees to take effect from 1 July 2021.
- 1.2 This issue arises as the fees must be set by resolution for the registration and control of dogs under the Dog Control Act 1996.

## **2.0 Recommendations – *Ngā Tūtohunga***

- A) That the report of the Regulatory Solutions Manager titled Dog Registration Fees dated 1 March 2021 be received.
- B) That the Board supports the proposed increased Dog Control fees which will take effect from 1 July 2021: Note, all fees are inclusive of gst.

	Registration Fee	Fee if paid after 1 August
Urban fee	\$115.00	\$172.00
Rural/Working	\$56.00	\$84.00
SOP Fee	\$78.00	\$117.00
Special purpose	Nil	

**Other fees and charges:**

First Impounding	\$85.00
Second Impounding	\$127.50
Third & Subsequent Impounding	\$180.00
Animal Control Officer hourly rate	\$112.50
Sustenance per day	\$9.00
Microchip Implanting Fee	\$42.00
Adoption Fee	\$260.00
Seizure Fee	\$60.00
Destruction Fee	\$60.00
Relinquishment Fee	\$50.00
Application to keep more than 2 dogs	\$30.00
Application for selected Owner Policy	\$30.00
Replacement Tag	\$6.00
Vehicle rate (per km)	\$0.83

**Stock Control** (Note: The cost of retrieving stock will be charged actual costs)

Deer	\$40.00
Horses	\$40.00
Cattle	\$40.00
Pigs	\$20.00
Goats	\$10.00
Sheep	\$10.00

**3.0 Background – Te Horopaki**

- 3.1 Dog Control fees are set under section 37 of the Dog Control Act 1996 by Council resolution, there being no requirement for the proposed fees to pass through a public consultation process.
- 3.2 The fees need to be set in advance of the expiry of the registration year (June 30) to give dog owners sufficient time to apply for registration for the coming year. In practise this means the dog registration fee setting process has to be completed ahead of the Annual Plan process.
- 3.3 Council currently has a fee structure which reflects 73 percent private and 27 percent public benefit.
- 3.4 All dog owners contribute through their fees to a fair proportion of the costs of operating the dog control service. Fine recoveries, impound fees and application fees help to offset the remaining costs.
- 3.5 Unclaimed, impounded dogs with a suitable temperament/potential are adopted out. Dogs are registered, neutered, microchipped, dewormed and vet checked prior to placement. The current



adoption fee \$250 does not fully meet the costs and the registration income cross subsidises this activity.

- 3.6 Any dog which remains unregistered after 31 July incurs a penalty of an additional 50 percent of the registration fee, section 37(3) of the Dog Control Act 1996. Any person keeping an unregistered dog after 1 August are liable to an infringement notice in addition to the registration penalty fee.
- 3.7 There remains an increased focus of dangerous, menacing, roaming and unregistered dogs. There is a target to achieve 100 percent registration compliance of known dogs, accordingly Animal Control Officers will be making site visits across the district to determine why known dogs haven't been re-registered.

#### 4.0 Discussion – *Te Matapakitanga*

- 4.1 There are about 13,525 dogs on the Council database. There is about a 1.5 percent dog population increase annually.
- 4.2 In 2019/2020 the animal control activity was increased by one full time equivalent staff member to meet the service levels required, in particular due to an increase in public hostility, requiring staff to work more frequently in pairs.
- 4.3 In 2019/2020 there was a spate of stock worrying incidents resulting in more than 300 sheep killed and several more badly injured. Several of these incidents resulted in summary prosecution involving multiple dogs and multiple offences. Legal costs exceeded \$34,000.
- 4.4 The dog registration fees have remained unchanged for five years, since the 2015/2016 registration year.
- 4.5 There are five categories of dog registration:
- Urban
  - Urban Selected Owner
  - Rural/Working
  - Dangerous Dogs
  - Special, which covers disability assist and special purpose dogs.

**Table 1. The proportion in each category**

Urban	Urban Selected	Rural/Working	Dangerous	Special	Total
2,687	4,247	6,546	30	15	13,525
19.9%	31.4%	48.4%	0.2%	0.1%	

**Table 2. The current fees**

Urban	Urban Selected	Rural/Working	Dangerous	Special
\$110.00	\$73.50	\$48.00	150%	No fee

**Table 3. The proposed fees**

Urban	Urban Selected	Rural/Working	Dangerous	Special
\$115.00	\$78.00	\$56.00	150%	No fee

## 5.0 Options – *Ngā Kōwhiringa*

**Option One** - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

5.1 Support the proposed fees as set out in table 3:

Advantages

- Helps to meet the increased costs associated with the Animal Control function.

Disadvantages

- Increases the costs for dog owners.

**Option Two** – Status Quo - Te Kōwhiringa Tuarua – Te Āhuetanga o nāiane

5.2 Leave the fees as they currently are, as identified in table 2, or recommend a different fee structure:

Advantages

- No increase for dog owners

Disadvantages

- No increase would create a budget shortfall resulting in either the level of service be adjusted or funding will need to be found from another source

## 6.0 Next steps – *Te Anga Whakamua*

6.1 The Rural Community Board's position on this issue will be reflected in a report to Council next month.

6.2 If Council adopts the proposed fees, these will be publically advertised the month preceding the start of the dog registration year and will apply from the start of the 2021/2022 registration year.

### Attachments:

There are no attachments for this report.

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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### Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

### Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal promotes the performance of regulatory functions for the purpose of reducing public nuisance and threats to public health and safety through appropriate animal control activities for the wellbeing of communities in the present and for the future.

---

### Māori Impact Statement - *Te Tauākī Kaupapa Māori*

---



No known impacts for mana whenua / iwi / tangata whenua above and beyond the general community population.

#### **Sustainability - *Te Toitūtanga***

Fees are charged each year pursuant to section 37 of the Dog Control Act 1996 to reflect the costs associated with the Animal Control activity.

#### **Financial considerations - *Ngā Whakaarohanga Ahumoni***

The fees are reviewed annually.

#### **Significance and Engagement - *Te Hiranga me te Tūhonotanga***

This report has been assessed under the Council's Significance and Engagement Policy and does not trigger the threshold of Council's Significance and Engagement Policy.

#### **Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho***

N/A:

#### **Risks**

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
The revenue from registration fees funds the dog control activity.	Insufficient funds would result in a drop in the level of service which would likely have an impact on community safety.

#### **Rural Community Board – *Te Poari Tuawhenua-ā-Hāpori***

48 percent of the district's dogs are in the rural communities:



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Monday, 1 March 2021

---

Item 6

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council:**

**Hastings District Rural Community Board**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

*Nā:* **Danny McClure, Solid Waste Operations & Contract Manager**  
*From:*

---

*Te Take:* **Rural Recycling - Summer Update Report**  
*Subject:*

---

## **1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 The purpose of this report is to provide the Rural Community Board with a general update on the rural recycling facilities over the 2020/2021 summer.
- 1.2 The decision-making framework to temporarily close rural recycling facilities when incidents of misuse occur was not used during the summer.
- 1.3 All sites; Tūtira, Waipātiki, Pukehamoamo, Maraekākaho, Poukawa and Waimārama, were fully operational over the summer.
- 1.4 The Pukehamoamo facility was reopened on Monday 14 December 2020.
- 1.5 A third bin for paper/cardboard only was set up at Waimārama for an eight week period from mid-December to mid-February. This meant that the facility had dedicated bins for colour-sorted glass, plastics/cans and paper/cardboard. The facility has now been reverted back to the original set up – one bin for colour-separated glass and a second bin for separated plastics/cans and paper/card.
- 1.6 A resource consent application for the proposed new Te Pōhue facility is expected to be submitted in early March for processing.
- 1.7 Generally the facilities were used correctly over summer with no major dumping or contamination issues reported. There was an attempt by an unknown party to remove a platform from the Waimārama facility which resulted in damage to the steps. This was repaired as soon as it was reported to Council.

- 1.8 The data below provides a breakdown of the volumes and servicing of the facilities over the summer.

Rural Recycling Tonnage Breakdown - Summer 2020/2021										
Site		Tonnes				Loads				
total tonnes	Month	Glass	Comingled	Fibre	Total tonnes	Glass	Comingled	Fibre	Total Loads	
Maraekākaho 68.96	Nov	8.28	0.70	1.80	10.78	1	1	2	4	
	Dec	7.08	0.68	2.80	10.56	1	1	4	6	
	Jan	7.98	1.34	3.82	13.14	1	2	5	8	
Poukawa 19.3	Nov	1.04	0.18	0.52	1.74	-	-	1	1	
	Dec	2.34	0.49	0.82	3.65	1	-	1	2	
	Jan	3.24	0.34	0.68	4.26	-	-	2	2	
Pukehāmoa 29.32	Nov	-	-	-	-	-	-	-	-	
	Dec	4.30	0.58	1.10	5.98	1	1	2	4	
	Jan	5.84	0.56	2.28	8.68	1	1	3	5	
Tūtira 26.08	Nov	2.10	0.20	1.68	3.98	1	-	-	1	
	Dec	3.30	0.23	0.52	4.05	1	1	-	2	
	Jan	3.72	0.41	0.88	5.01	-	2	-	2	
Waimārama 72.72	Nov	6.18	0.44	1.56	8.18	1	2	1	4	
	Dec	6.74	0.66	2.68	10.08	1	1	3	5	
	Jan	13.68	1.82	2.60	18.10	2	2	4	8	
Waipātiki 15.2	Jan	-	-	-	-	-	-	-	-	
	Dec	3.14	0.34	0.88	4.36	-	1	1	2	
		2.62	0.26	0.36	3.24	-	-	1	1	
Monthly Total		81.58	9.23	24.98	115.79	12	15	30	57	

- 1.9 New sign artwork is being put up at each of the sites to ensure the signs contain up to date information. Example below.



## 2.0 Recommendations – *Ngā Tūtohunga*

That the report of the Solid Waste Operations & Contract Manager titled Rural Recycling - Summer Update Report dated 1 March 2021 be received.

### Attachments:

There are no attachments for this report.



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Monday, 1 March 2021

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Item 7

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council:**

**Hastings District Rural Community Board**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

*Nā:*  
**From: Jackie Evans, Manager: Democracy and Governance**

---

*Te Take:*  
**Subject: NZ Rural Community Boards Conference 2021**

---


## **1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 The purpose of this report is to seek a decision from the Board of the members who wish to attend the 2021 New Zealand Community Boards Conference to be held on 22-24 April 2021 in Gore.
- 1.2 The theme of the 2021 conference is “Interconnected Communities”. The Conference programme is attached.
- 1.3 Costs associated with conference attendance are registration costs plus travel and accommodation. Conference registration costs (including GST) are listed below. Early Bird Registrations are due to close on 1 March 2021.
  - Full Registration – Cost \$755.00
  - Standard Registration after 1 March 2021 – Cost \$855.00
  - Day Registration – Cost \$425.00
  - Standard Day Registration after 1 March 2021 – Cost \$425.00
- 1.4 The 2019 Community Boards Conference in New Plymouth was attended by Community Board members Sue Maxwell, Lesley Wilson and Cr George Lyons.
- 1.5 It is recommended that the Board approve up to two Board members to attend the 2021 NZ Community Boards Conference.

## 2.0 Recommendations – *Ngā Tūtohunga*

- A) That the report of the Manager: Democracy and Governance titled NZ Rural Community Boards Conference 2021 dated 1 March 2021 be received.
- B) That the Rural Community Board approve the attendance of the following Board member/s at the NZ Community Boards Conference 2021:

### Attachments:

- 1  NZ Community Boards Conference Programme 22- CG-16-7-00037  
24 April 2021 in Gore



2/17/2021

NZCB 2021 | Programme



## Programme

*Programme subject to change*

### Day 1 — Thursday 22 April 2021 ▼

Time	Session
3:00pm	Registration open <i>Venue: Heartland Hotel Croydon</i>
6:00pm	Welcome function <i>Venue: Heartland Hotel Croydon</i>
7:30pm	Free evening

◀ [View the full programme for the conference](#) ▶

---

<https://www.nzcbconference.nz/programme>

1/2

2/17/2021

NZCB 2021 | Programme



## Programme

*Programme subject to change*

### Day 2 — Friday 23 April 2021 ▾

Time	Session
8:00am	Registration open <i>Venue: Heartland Hotel Croydon</i>
8.00am	Māori caucus breakfast <i>Venue: Heartland Hotel Croydon</i>
9.00am	Conference opening <i>Tracy Hicks, Gore Mayor</i>
9.30am	School Strike 4 Climate NZ <i>Sophie Handford, Councillor</i>
10.15am	From 'inconvenient truths' to disastrous misconceptions meaning of 'sustainability' <i>Ken Ross</i>

<https://www.nzcbconference.nz/programme>

1/3

2/17/2021	NZCB 2021   Programme	
11.00am	Morning tea	
11.30am	Hokonui Huanui <i>Lisa McKenzie, Project Lead, Hokonui Huanui</i>	
12.15pm	Waka Kotahi update <i>Jim Harland, Director, Waka Kotahi NZ Transport Age</i>	
1.00pm	Lunch   ZONE Meetings	
1.45pm	Snap shot presentations	
3.00pm	Engaging iwi <i>Matu-Taera Coleman-Clarke</i>	
3.45pm	Afternoon tea	
4.15pm	Concurrent session	
	Safer Communities	Engaging iwi
	<i>Mike Mills</i>	<i>Matu-Taera Coleman-Clarke</i>
5.15pm	Close	
7:00pm - 11:00pm	Conference Dinner <i>Venue: Heartland Hotel Croydon</i>	

Heartland Hotel Croydon, Gore

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2/17/2021

NZCB 2021 | Programme



## Programme

*Programme subject to change*

### Day 3 — Saturday 24 April 2021 ▾

Time	Session
8:00am	Registration open
9:00am	NZCBC update <i>Alexandra Davids, Chair of NZ Community Boards</i>
9:15am	LGNZ update <i>Stuart Crosby, President of LGNZ</i>
9:45am	Bead and Proceed <i>Bridget Williams, Founder, Bead and Proceed</i>
10:45am	Morning tea
11:15am	Localism <i>Malcolm Alexander</i>

<https://www.nzcbconference.nz/programme>

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2/17/2021

NZCB 2021 | Programme

12.00pm

Concurrent session

Session one

Session two

1.00pm

Lunch

1.30pm

Sarah Colcord

2:15pm

Taste of Gore

*Jim Geddes, District Curator, Eastern Southland Gall*

3:00pm

Conference wrap up

4:30pm

Taste of Gore

*Venue: Eastern Southland Gallery*

5:30pm

Farewell dinner

*Venue: Thomas Green Public House and Dining Room*

« 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 »

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Monday, 1 March 2021

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Item 8

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council:**

**Hastings District Rural Community Board**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

*Nā:*  
**From: Adam Jackson, Transportation Operations Manager**

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*Te Take:*  
**Subject: Rural Transportation Activities Report**

---

## **1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 This report is to update the Rural Community Board with the Rural Transportation Programmed Project Status and Activities Report.
- 1.2 This report concludes by recommending that the report be received.

## **2.0 Recommendations – *Ngā Tūtohunga***

That the Hastings District Rural Community Board receives the report of the Transportation Operations Manager titled Rural Transportation Activities Report dated 1 March 2021.

## **3.0 2020/2021 Major Works Programme**

- 3.1 The 2020/21 financial year is the final portion of the 2018-21 LTP programme.
- 3.2 Projects able to be completed in 2020/21 are often a result of programme changes during the first 2 years of the LTP programme and that has been the case during this LTP.
- 3.3 The following is the status of the final Area Wide Pavement Treatment programme for the 2020/21 financial year.

Road	Section	Status/Comment
Kererū Road	Kererū Road – Section 2	Construction 95% complete. Small shoulder areas needing sealed.
Kererū Road	Kererū Road – Section 3	Design complete. Construction on hold until 21/22 season

#### 4.0 Bridge Update

- 4.1 Mangatahi Low Level (Mangatahi Road) bridge replacement has been tendered and the enabling works have been completed. The contractor is expected to be on site late February.
- 4.2 Kuripapango bridge strengthening tendering process is complete. Work is commencing on 1 March 2021. Additional consultation has been done prior to work starting as bridge will be weight restricted during the contract period. During the stakeholder meeting some ideas were suggested to ease the impact of closure and most of the ideas have been implemented. Signage for the closure and opening times has been advertised on various platforms as well as on Taihape Road to inform the road users.
- 4.3 Rissington bridge designs are nearing completion to remove the vertical restriction.
- 4.4 Next round of bridge evaluations are underway with further material testing being planned for the coming months.
- 4.5 Turamoe No. 2 Bridge project has now gone over the deadline imposed by the Council Officers with the landowner failing to meet the requirements set by Council. Landowner has asked for a discussion with the officers.

#### 5.0 Provincial Growth Fund Projects (PGF)

- 5.1 PGF has allocated \$1.4M for roading projects in DRA2. These are 100% funded by the PGF, so do not have any impact on rates. These projects are ones that were considered shovel ready, and have been assigned to Contractors to start in Q3 of 2020. The projects are:

Road	Project	Status/Comment
Tukituki Road	AWPT	Complete
Taihape Road	Passing Lanes 1-4	Complete
Taihape Road	Bridge Guardrail Package 1 – 3.	Tender has been let and works have commenced. Project is due for completion by end of April.

#### 6.0 Speed Limit Review

- 6.1 The review into the speed limits of about 77 roads across the district has concluded, with Council approving most of the proposals.
- 6.2 The new signs will be installed the week prior to 1 March 2021 with the new speed limits being enforceable from 1 March 2021 onwards.
- 6.3 A total of 72 new signs are being installed over this period.

#### 7.0 Works Update

- 7.1 **Attachment 1 (to be circulated separately)** provides the Rural Community Board with a photographic snapshot of activities undertaken between November 2020 and February 2021.



**Attachments:**

There are no attachments for this report.

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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### **Fit with purpose of Local Government** - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

### **Link to the Council's Community Outcomes** – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This report promotes the performance of regulatory functions for the purpose of providing safe, reliable and efficient transport networks.

---

### **Māori Impact Statement** - *Te Tauākī Kaupapa Māori*

No known impacts for tangata whenua over and above the impact on the rural district as a whole:

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### **Sustainability** - *Te Toitūtanga*

This is a progress report and sustainability issues are not addressed.

---

### **Financial considerations** - *Ngā Whakaarohanga Ahumoni*

The works identified within this report are within existing budgets.

---

### **Significance and Engagement** - *Te Hiranga me te Tūhonotanga*

This report has been assessed under the Council's Significance and Engagement Policy as being of minor significance. Individual projects will have been addressed under the significance and engagement policy during the planning and decision making phase of those projects.

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### **Consultation – internal and/or external** - *Whakawhiti Whakaaro-ā-roto / ā-waho*

No consultation is required as part of this report.

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### **Risks**

Risk management and mitigation issues have been addressed in project planning and organisational health and safety policies.

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### **Rural Community Board** – *Te Poari Tuawhenua-ā-Hapori*

The Rural Community Board will have an interest in the operations and transportation activities within the DRA2 rating area.

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Monday, 1 March 2021

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Item 9

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council:**

**Hastings District Rural Community Board**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

**Nā:** Mark Clews, Principal Advisor: District Development  
**From:**

---

**Te Take:** Clifton to Tangoio Coastal Hazards Strategy Update  
**Subject:**

---

## **1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga**

- 1.1 This report provides an update to the Rural Community Board about the Clifton to Tangoio Coastal Hazards Strategy.
- 1.2 The report concludes by recommending that the update be received.

## **2.0 Recommendations – Ngā Tūtohunga**

That the Hastings District Rural Community Board receive the report of the Principal Advisor: District Development titled Clifton to Tangoio Coastal Hazards Strategy Update dated 1 March 2021.

## **3.0 Background – Te Horopaki**

- 3.1 The coastline between Tangoio and Clifton is defined by a gravel barrier ridge, which acts as a vital defence from the sea, without which large areas of the coast would be regularly inundated. Sea level rise and climate change present an increasing threat to the integrity of the ridge and therefore increased risk of beach erosion and inundation through sea level rise and overtopping.
- 3.2 In 2014 a joint committee comprising the three affected Councils and Iwi representatives was set-up to recommend a strategy for managing these coastal hazard risks over the period 2016-2120.

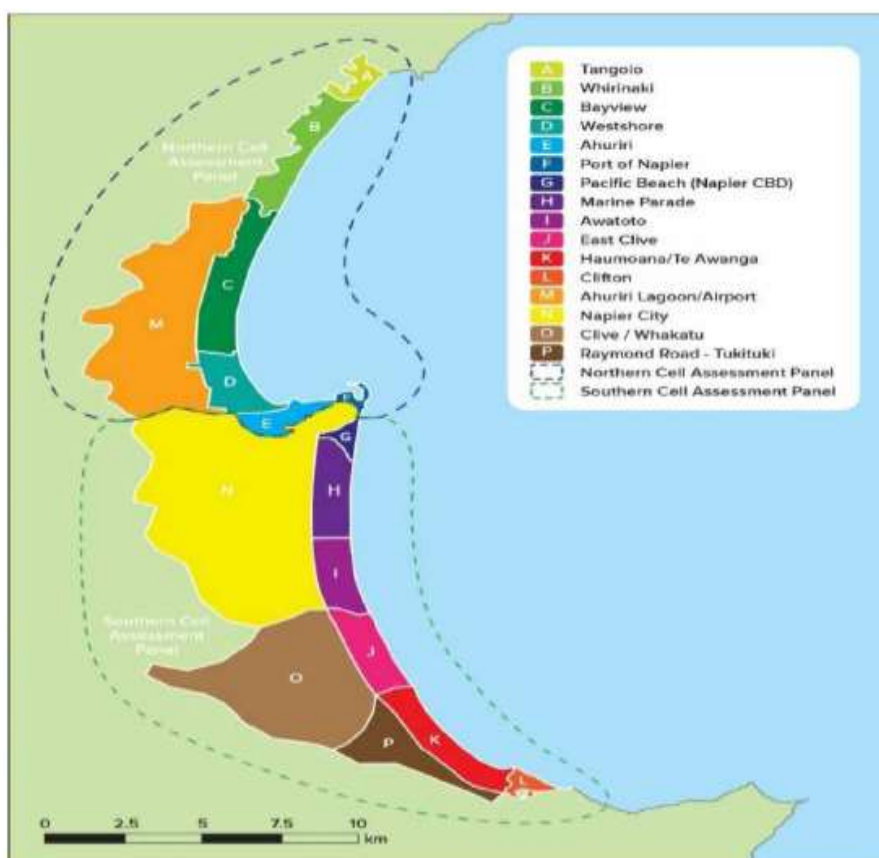
- 3.3 The Strategy has been progressed in four key stages as shown in **figure 1** below.

**Figure 1 Clifton to Tangoio Coastal Hazard Strategy Process Stages**



- 3.4 Stage 1 commenced in 2014 with two reports being prepared – “Coastal Hazard Assessment” and “Coastal Risk Assessment”. These estimated the extent and probability of coastal hazards occurring and the likely scale of damage that could be caused to physical assets, people and communities and the environment. The coast was broken down into 16 assessment cells as shown in Figure 2 to provide a finer grained analysis.

- 3.5 **Figure 2 Clifton to Tangoio Coast Hazard Assessment Cells**



- 3.6 While the effects of erosion on land and physical assets is one of the more visible impacts of sea level rise, the stage 1 work clearly showed that recurrent inundation by storm surge overtopping of the beach barrier was likely to affect far more members of the community and inflict greater financial losses than the erosion aspect alone. With sea level rise and increased storminess associated with climate change, these impacts are likely to be felt further inland and at a greater frequency, particularly with erosion or roll back of the ridge.
- 3.7 Stage 2 commenced in 2016 and developed a framework to support a collaborative decision making forum for a community led response to the issues, rather than the more traditional and previously

used 'top down' planned approach. The framework also used latest guidance material that prompts communities to consider combinations of different management strategies or pathways (combining/switching different approaches over time and known as Dynamic Adaptive Pathways Planning or DAPP approach) to prevent "lock in" and allow flexibility to adapt to change in the light of significant uncertainty about the scale and pace of change.

- 3.8 **Stage 3** two assessment panels (one southern and one northern) reflecting the Coastal Hazard Assessment Cells used in Stage 1 and shown in Figure 2 were formed with community representatives from Tangoio/Whirinaki, Bay View, Westshore/Ahuriri, Marine Parade, Clive/East Clive, Haumoana/Te Awanga/Clifton. Along with selected other participants representing other aspects of the wider public interests the panels were charged with developing and evaluating response options in Stage 3.
- 3.9 The two Assessment Panels both met in 11-12 three hour workshops throughout 2017. At the end of 2017 they recommended to the Joint Committee their preferred response options for the 100 year timeframe, as required by the NZ Coastal Policy Statement, focussing at that stage on priority areas deemed most at risk in the short term.

**Table 1 Summary of Recommended Pathways**

<b>UNIT E1: AHURIRI – PATHWAY 6</b>			
Short term (0 – 20 years)	→	Medium term (20 – 50 years)	→ Long term (50 – 100 years)
Status quo	→	Sea wall	→ Sea wall
<b>UNIT E2: PANDORA – PATHWAY 3</b>			
Short term (0 – 20 years)	→	Medium term (20 – 50 years)	→ Long term (50 – 100 years)
Inundation Protection	→	Inundation Protection	→ Inundation Protection
<b>UNIT D: WESTSHORE – PATHWAY 3</b>			
Short term (0 – 20 years)	→	Medium term (20 – 50 years)	→ Long term (50 – 100 years)
Renourishment	→	Renourishment + Control Structures	→ Renourishment + Control Structures
<b>UNIT C: BAY VIEW – PATHWAY 3</b>			
Short term (0 – 20 years)	→	Medium term (20 – 50 years)	→ Long term (50 – 100 years)
Status Quo / Renourishment	→	Renourishment + Control Structures	→ Renourishment + Control Structures
<b>UNIT B: WHIRINAKI – PATHWAY 4</b>			
Short term (0 – 20 years)	→	Medium term (20 – 50 years)	→ Long term (50 – 100 years)
Status Quo / Renourishment	→	Renourishment + Control Structures	→ Sea wall
<b>UNIT L: CLIFTON – PATHWAY 5</b>			
Short term (0 – 20 years)	→	Medium term (20 – 50 years)	→ Long term (50 – 100 years)
Sea wall	→	Sea wall	→ Managed Retreat
<b>UNIT K2: TE AWANGA – PATHWAY 3</b>			
Short term (0 – 20 years)	→	Medium term (20 – 50 years)	→ Long term (50 – 100 years)
Renourishment + Groynes	→	Renourishment + Groynes	→ Renourishment + Groynes
<b>UNIT K1: HAUMOANA – PATHWAY 2</b>			
Short term (0 – 20 years)	→	Medium term (20 – 50 years)	→ Long term (50 – 100 years)
Renourishment + Groynes	→	Renourishment + Groynes	→ Managed Retreat
<b>UNIT J: CLIVE/EAST CLIVE – PATHWAY 1</b>			
Short term (0 – 20 years)	→	Medium term (20 – 50 years)	→ Long term (50 – 100 years)
Status Quo	→	Renourishment + Groynes	→ Retreat the Line / Managed Retreat

- 3.10 Table 1 summarises the recommendations while Table 2 provides a summary of the total costs estimated in range from high to low, including capital, operations and maintenance allowances.

**Table 2 Summary of Total costs (Capital, Operations, and Maintenance)**

Pathway	Description	ST (0-20)		MT (20-50)		LT (50-100)		TOTAL	
		Low	High	Low	High	Low	High	Low	High
Whirinaki									
4	PW4: SQ/R+RCS+SW	\$ 2,380,200	\$ 5,855,400	\$ 10,048,500	\$ 26,250,000	\$ 20,370,000	\$ 32,707,500	\$ 32,798,700	\$ 64,812,900
Bayview									
3	PW3: SQ/R+RCS+RCS	\$ 2,125,200	\$ 5,560,400	\$ 7,314,000	\$ 21,880,000	\$ 4,590,000	\$ 15,050,000	\$ 14,029,200	\$ 42,490,400
Westshore									
3	PW3: R+RCS+RCS	\$ 10,427,200	\$ 16,098,400	\$ 9,272,000	\$ 23,306,000	\$ 8,451,900	\$ 27,439,500	\$ 28,151,100	\$ 66,843,900
Pandora									
3	PW3: IP+IP+IP	\$ 1,539,560	\$ 2,460,680	\$ 4,519,920	\$ 7,352,820	\$ 8,306,464.00	\$ 13,473,864	\$ 14,365,944	\$ 23,287,364
Ahuriri									
6	PW6: SQ+SW+SW	\$ 193,200	\$ 380,400	\$ 3,290,000	\$ 6,020,000	\$ 4,756,000	\$ 8,113,450	\$ 8,239,200	\$ 14,513,850
Clive									
1	PW1: SQ+RCS+MR	\$ 986,000	\$ 1,722,000	\$ 4,492,500	\$ 10,952,500	\$ -	\$ -	\$ 5,478,500	\$ 12,674,500
Haumoana									
2	PW2: RCS+RCS+MR	\$ 6,552,000	\$ 19,240,000	\$ 2,250,000	\$ 3,750,000	\$ -	\$ -	\$ 8,802,000	\$ 22,990,000
Te Awanga									
3	PW3: RCS+RCS+RCS	\$ 5,182,000	\$ 12,770,000	\$ 2,250,000	\$ 3,750,000	\$ 7,560,000	\$ 14,940,000	\$ 14,992,000	\$ 31,460,000
Clifton									
5	PW5: SW+SW+MR	\$ 3,850,000	\$ 6,600,000	\$ 525,000	\$ 900,000	\$ -	\$ -	\$ 4,375,000	\$ 7,500,000

**Key**

1-5 = Pathway Number e.g. PW1-5

Pathway Description: SQ = Status Quo, R = Renourishment, RCS = Renourishment & control structures, IP = Inundation protection, SW = Sea wall, MR = Managed Retreat

Time Frame: ST = Short Term (0-20 years), MT = Medium Term (20-50 years), LT = Long Term (50-100 years)

- 3.11 In February 2018 the Joint Committee recommended to the partner Councils that they endorse and adopt the recommendations. While the Councils endorsed the recommended pathways for further consideration, this was on the basis (at least in Hastings District Council's case) that the scope of Stage 4 of the Strategy development (Respond) needed to first also enquire into issues around:

- Legal and Environment
- Benefits and Costs
- Funding and Responsibilities
- Wider community consultation

with all four stages needing to be fully developed before the Strategy could be adopted and implemented.



#### 4.0 Discussion – Te Matapakitanga

- 4.1 The Joint Committee has been actively engaged in Stage 4 over the past two and half years. The activities in Stage 4 can be divided into three key steps:

Step 1: Concept Development, Testing and Planning; (NOW)

Step 2: Community Consultation and Approvals; and (NEXT)

Step 3: Pathway Implementation Projects (multiple). (OVER TIME)

- 4.2 The adoption of each Stage in an incremental manner is intended to provide decision “gateways” at logical hold-points throughout Strategy development.

##### Step 1: Concept Development, Testing and Planning

- 4.3 Step 1 of Stage 4 involves multiple, interrelated work streams as discussed further below (and shown diagrammatically in Figure 3). The key outcome is to develop sufficient detail on the recommended pathways to enable an informed Council gateway decision and allow effective community consultation in Step 2. To be effective, consultation must also include discussion on the alternative to the recommended pathway, likely a do-minimum or managed retreat option (where appropriate), and these alternate options also need to be developed in Step 1.

**Figure 3: Workstreams forming Step 1 - Concept Development, Testing and Planning**



## Technical Design

- 4.4 Each pathway had been designed to a high-level concept plan stage. Those concept plans required refinement and further development to detailed concept plan stage, in order to effectively communicate what each pathway will actually look like if implemented, develop more accurate costings, and to assess environmental effects. Detailed design sufficient to support resource consent applications / construction was not required at this stage, but it was expected to mean some recommended pathways would need to be revisited where the design work and/or new information came to light and this occurred with the Pandora Pathway. The design options have recently been shared with the Assessment Panels for feedback and further revision.

## Assessment of Environmental Effects and Mitigation including likely costs

- 4.5 With the benefit of detailed concept plans, a high-level assessment of actual and potential environmental effects was undertaken, including consideration of necessary mitigations and costs. It was also necessary at this point to consider the collective and cumulative effect on the environment of implementing all pathways. This will be an important element for community consultation purposes, but again this did not need to be at the level needed for a resource consent application.
- 4.6 A report completed last year on the consentability of the pathways found no obvious red flags, but did recommend that baseline ecological studies be undertaken to support applications later on in the process and these are programmed for the 2021-2022 financial year.

## Detailed Costings

- 4.7 The pathway costs developed in stage 3 were highly indicative, with a large estimate range, amounting to several hundred million dollars across the region, but the cost of doing nothing was also estimated to run into the hundreds of millions of dollars. The comparative benefits and socio/environmental effects were also indicative.
- 4.8 Informed by the detailed design work and refinement of the pathways, likely costs structures and any associated benefits are better able to be assessed to underpin the funding propositions. Similarly the do-minimum/retreat option (Plan B) also needed some refinement and more targeted cost estimating to satisfy the public consultation requirements at the end of the stage 4 process. In this respect a report on Managed Retreat is due to be considered by the Joint Committee at its next meeting.

## Priority and order of Works

- 4.9 In Stage 3, seven priority units were identified along the coast within the Strategy area. However, it will be impractical to commence pathway implementation in all seven units concurrently. Recognising that of those seven units, some will require more urgent action than others, a process of prioritising and staging of works is required to detail the order, timing and duration of the physical works programmes that form the first step of the recommended pathways in each priority unit. This work has yet to commence.

## Signals and Triggers

- 4.10 In order for the pathways to be adaptive, signals and triggers are required. These will provide both the early warning **signals** that things are changing, and the ultimate **trigger** point when a decision will be made to shift to the next step in the pathway, or potentially shift to an entirely new action if necessary. Signals and triggers will be developed in a collaborative way with members from the Stage 3 Assessment Panels as a starting point, assisted by the “Deep South” National Science



Challenge programme developing methodologies for this work. Engagement with the panels on the signals and triggers development work is scheduled to start in the next few weeks.

### **LGA S101 Analysis**

- 4.11 The Strategy is expected to set out a 100 year approach to responding to coastal hazards and will require significant expenditure over that time period to implement. While the strategy cost benefit analysis helps to demonstrate from an economy-wide perspective the value for money of the recommended pathways versus the do-minimum, this does not necessarily make them affordable to those who are expected to pay for the works.
- 4.12 Before setting its funding policies and structures Council must first apply Section 101 (3) of the Local Government Act ("LGA"), which sets the process and considerations a local authority must consider in developing its funding approach. A key part of this analysis is determining the apportionment of costs (public / private) in accordance with the benefits of each works programme, while considering the affordability of such measures.
- 4.13 This analysis will determine how a targeted and general rating system could be applied to fund implementation. Affordability then needs to be tested with the private beneficiaries for their share and also with the public agencies (largely Councils) responsible for raising the public share. This work is underpinned by the more detailed design and costing work.

### **Funding Policies and Structures**

- 4.14 A funding framework that is durable and able to survive through future successive political cycles over the long timeframes associated with climate change and sea level rise is needed to implement the strategy. Discussions have occurred between the partner Councils regarding the development of a funding model to implement the recommended pathways, but some key questions remain open, including how/which Councils rate for the public good portion of the costs.
- 4.15 The development of a Coastal Contributory Fund has been agreed to in principle by the Partner Councils; this will likely involve regular contributions being made by the Partner Councils, or directly by Regional Ratepayers, into a fund ahead of time to offset the future (public) costs of implementation. The detail on how that fund would operate, including how it would be governed, whether it could borrow, its legal structure, is part of the current work programme.

### **Planning and Regulatory Review**

- 4.16 Implementation of the Strategy will likely involve the need for resource consents to be obtained. The recommended pathways need to be assessed against the current policy framework and any necessary recommended changes to the Regional Coastal Environment Plan and District Plans to facilitate pathway implementation identified. These in turn need to be assessed as to their compatibility with the Resource Management Act (RMA).
- 4.17 Reports on these matters were completed last year and assessed the following:
  - 1. Whether the existing framework require changes to improve consistency across jurisdictions;
  - 2. How supportive / restrictive is the existing framework in terms of Strategy implementation and what changes could be made to better facilitate implementation while appropriately managing adverse effects; and
  - 3. How can the moral hazard risk associated with implementing coastal defence measures be managed; i.e. the risk of inadvertently encouraging further development / investment in an area only temporarily protected by a coastal defence.

## Council Roles

- 4.18 While the Partner Councils have embarked on a collaborative process with Iwi to develop the Strategy, the detail of each Partner Council's role through implementation is yet to be agreed. Responsibilities for seeking and holding consents, implementing physical works programmes, monitoring of triggers, and the collection of rates (among other matters), are all details that require an agreed position before implementation can commence. Retired High Court Judge Raynor Asher has recently been engaged to give an independent view on the funding and ownership roles and responsibilities of the respective Councils to assist in resolving these issues.

### Step 2: Community Consultation and Approvals

- 4.19 While the development of pathways in Stage 3 was a consultative and collaborative process, the full package of detailed information including concept plans, costs and who pays, still requires full consultation with all members of the Napier and Hastings communities.
- 4.20 This consultation process is expected to occur formally under the LGA as a standalone special consultative process, following the next Long Term Plan revision. The scope for this step will be further developed by the Joint Committee over the next year, including the development of a full community engagement plan.

### Step 3: Pathway Implementation Projects

- 4.21 At the conclusion of consultation (which will likely include hearings held under the LGA), a further decision gateway will be presented to the Partner Councils to seek approval to commence actual implementation of the Strategy. This will include:
- Identifying and scheduling Implementation Projects;
  - Making provision in Long Term Plans and Thirty Year Infrastructure Strategies;
  - Establishment of the Coastal Contributory Fund;
  - Commencement of general and targeted rating;
  - Implementing changes to the Regional Policy Statement / Regional Coastal Environment Plan / Regional Plan / District Plans;
  - Confirming detailed design;
  - Seeking resource consents; and
  - Commence construction of coastal structures / nourishment programmes in order of priority.

## 5.0 Options – Ngā Kōwhiringa

- 5.1 As this is an information report there are no options to consider.

## 6.0 Next steps – Te Anga Whakamua

- 6.1 Over the course of this year there will be reports back to the Joint Committee on each work stream and where required, particularly in relation to funding arrangements, workshops and report backs to the each of the partner Councils individually or collectively. This will culminate in the production of an integrated Draft or Proposed Strategy Document which will form the basis of the wider community consultation programme tentatively slotted for October, but potentially, not until early next year, given the need for all three Councils to sign off on the strategy document and the consultation process.

**Attachments:**

There are no attachments for this report.





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Monday, 1 March 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Hastings District Rural  
Community Board**

Item 10

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

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*Nā:*  
**From: Jackie Evans, Manager: Democracy and Governance**

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*Te Take:*  
**Subject: Adoption of Amended Standing Orders**

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## **1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 In accordance with clause 27 of Schedule 7 of the Local Government Act (LGA) 2002, a local authority must adopt a set of standing orders for the conduct of its meetings and those of its committees. The standing orders must not contravene the Local Government Act, the Local Government Official Information and Meetings Act 1987 (LGOIMA), or any other Act.
- 1.2 Standing Orders provide a framework of rules for open, fair and transparent decision making which inspires public confidence in local democracy. It is therefore important that the Board's Standing Orders are not only fully compliant with legislation and best practice in the conduct of meetings, but that they are also easy to use.
- 1.3 The current version of Standing Orders was first adopted in January 2017. This version of Standing Orders was based on Local Government New Zealand Model Standing Orders which had undergone a thorough review and rewriting to make it easier to follow, encompass legislative changes and reflect technological changes which have had an impact on the running of local council meetings such as live streaming and remote access via audio visual means. Since adopted in 2017, Local Government New Zealand has provided an updated version of Standing Orders which has been expanded to include legislative changes and matters identified by practitioners over the past three years.
- 1.4 At its meeting on 28 January 2021, the Council adopted revised Standing Orders.
- 1.5 The Board's approval is sought to adopt the revised Community Boards Standing Orders as set out in **Attachment 1** to this report and to confirm the inclusion of the following optional clauses in line with status quo:-

- member's right to attend by audio or audiovisual link (clauses 13.11 – 13.16)  
*NB - currently extended to count towards a quorum until 22 March 2021 under Epidemic Preparedness (COVID-19) Notice 2020, and*
- a casting vote for the Chair (clause 19.3)

1.6 The Board is also asked to consider a default option for speaking and moving motions – it

- A – formal (cl.22.2);
- B – medium (cl 22.3); or
- C – informal (cl.22.4)

1.7 An amendment of standing orders or the adoption of a new set of standing orders requires, in every case, a vote of no less than 75% of the members present.

## 2.0 Recommendations – Ngā Tūtohunga

- A) That the Hastings District Rural Community Board receive the report titled Adoption of Amended Standing Orders dated 1 March 2021.
- B) That the Rural Community Board adopts the Standing Orders appended (**Attachment 1**) to the report at A above with the inclusion of the following optional clauses:
  - i. Retaining a casting vote for the Chair (clause 19.3);
  - ii. Including Member's right to attend by audio or audiovisual link (noting the current provisions which allow for attendance via audio/audiovisual link to count towards a quorum until 22 March 2021) (clauses 13.11 – 13.16); and
  - iii. Adding the choice of Option C (informal) (clause 22.4) as the default provision for speaking and moving motions unless a Chair, or meeting, agree to apply one of the other two options (clauses 22.2. and 22.3) at specific meetings.

### 3.0 Background – *Te Horopaki*

- 3.1 Current Standing Orders were adopted by the Board on 27 February 2017 and have not been reviewed during this triennium, although a number of amendments have been approved to reflect procedural changes, such as attendance by audiovisual link and webcasting. In late 2019 a committee of practitioners appointed by LGNZ issued an updated version of Standing Orders for community boards which has been expanded to include matters identified by practitioners over the previous three years. This report presents these Standing Orders for adoption (**Attachment 1**) and as part of the adoption process members are asked to confirm which options to include with regard to attendance via audio/audiovisual link, Chair's casting vote and the choice of a default option for speaking to and moving motions.

### 4.0 Discussion – *Te Matapakitanga*

- 4.1 These Standing Orders have been amended throughout for clarification and to update some minor changes to legislation which notably includes:
- provision for a new type of meeting referred to as Emergency meetings (clause 8.5). The difference between extraordinary and emergency is the timeframe involved and the process for calling them. An emergency meeting can be called by the mayor or chair (or in their absence the chief executive not less than 24 hours before the meeting; and
  - reducing the length of time a meeting may sit continuously without a break from 3 hours to 2 hours in compliance with health and safety legislation (clause 4.2).
- 4.2 The Board's attention is specifically drawn to the following optional provisions.

#### **The Chair's casting vote**

- 4.3 Standing Order 19.3 allows the Chair to exercise a casting vote where there is an equality of votes. Incorporating a casting vote in a council's Standing Orders is optional under cl. 24 (2) & (4)(b) Schedule 7, LGA 2002. The Council has chosen to adopt the casting vote provision up to present, unless the terms of reference of the committee or subcommittee provides otherwise (eg Heretaunga Takota Noa: Māori Standing Committee). This provision enables a meeting to conduct and conclude important business in a timely manner without the risk that a vote might be tied and as a result a significant statutory timeframe might be exceeded.
- 4.4 However, there are three options open to the Board:-
- The casting vote provisions are left as they are in the default standing orders.
  - The casting vote provision is removed, and Standing Order 19.3 is replaced with cl 24(2)(a) and (b) of Schedule 7 LGA 2002 before the standing orders are adopted.
  - The standing orders are amended to provide for a "limited casting vote" that would be limited to a prescribed set of decisions only such as statutory decisions, for example: where the meeting is required to make a statutory decision e.g. adopt a Long Term Plan, the Chair has a casting vote where there is an equality of votes.

#### **Joining meetings by audio and audio visual means**

- 4.5 The Local Government Act 2002 Amendment Act 2014 gave local authorities the option to include in their standing orders a provision to enable members to join meetings by audio or audiovisual means and these standing orders include this provision (13.7 – 13.16). Over the past 18 months audiovisual improvements to the Council's meeting rooms and the requirement to hold meetings remotely during lockdown has embedded this provision as business as usual.

- 4.6 These Standing Orders make it as clear as possible that while a member can take part in discussions and vote while joining a meeting electronically, they are not part of the quorum. However for the period covering the COVID -19 pandemic the Government issued an Epidemic Preparedness (COVID-19) Notice, which included arrangements for Council decision making to continue during periods of lockdown. At the time of writing any member attending a meeting electronically counts towards the quorum until 22 March 2021 and this directive overrides both standing orders and the Local Government Act 2002. Should the legislation change at a future date to make this arrangement permanent, the Board's Standing Orders will require further amendment.

#### Options for speaking and moving motions

- 4.7 One of the new features in these standing orders is the ability to use different rules for speaking to and moving motions so as to give greater flexibility when dealing with different situations.
- **Option A** is the most formal of the three and limits the number of times members can speak and move amendments, for example, members who have moved and seconded a motion cannot then move and second an amendment to the same motion and only members who have not spoken to a motion or substituted motion may move or second an amendment to it. (This is the framework currently adopted in the Council's Standing Orders.)
  - **Option B** is less formal than Option A. While limiting the ability of movers and seconders of motions to move amendments it allows any other members, regardless of whether they have spoken to the motion or substituted motion, to move or second an amendment.
  - **Option C** provides substantial flexibility by removing the limitations placed on movers and seconders by the other two options.
- 4.8 The Board is asked to agree on a default option which will apply to all meetings unless a Chair, or meeting, agree to apply one of the other two options at specific meeting. It is recommended that the default option be marked as Default in the adopted standing orders.

## 5.0 Options – Ngā Kōwhiringa

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 5.1 To adopt the Standing Orders with the following optional clauses:-

- retain a casting vote for the Chair (Clause 19.3);
- include the Member's right to attend by audio or audiovisual link (noting the current provisions which allow for attendance via audio/audiovisual link to count towards a quorum until 22 March 2021) (Clauses 13.11 – 13.16); and
- add the choice of Option C (informal) (clause 22.4) for speaking and moving motions.

#### Advantages

- The revised Standing Orders are up to date with legislative changes at the time of writing. The suggested changes provide greater clarity, provide full compliance with current legislation and best practice and are easier to understand and use.
- The Chair's casting vote has been very rarely used by this Board. However, the provision does enable a meeting if necessary, to conduct and conclude important business in a timely manner without the risk that a vote might be tied and as a result a significant statutory timeframe might be exceeded. It is therefore proposed to retain this provision to cover the rare occasions when a decision is needed within a defined timeframe. These decisions may be covered by statute or for other reasons. Therefore the option to limit the use of Chair's casting vote to specified statutory decisions such as the Long Term Plan is not recommended.
- Over the past 12- 18 months attendance via audiovisual link and webcasting has been become business as usual. This partially due to investment in audiovisual hardware and



software technology in the Council meeting rooms and the necessity for remote decision making during the COVID -19 pandemic lockdown. Remote access to meetings, especially with the additional ability to count toward quorum offers greater flexibility for decision makers to participate in meetings. Hopefully the long-term legislative provisions will catch up with established custom and practice adopted during the pandemic. A decision not to adopt the provisions for audiovisual attendance at meetings would decrease the flexibility for decision makers to participate in meetings and make governance arrangements less resilient and agile, particularly during an emergency.

- When moving and speaking to motions the strict interpretation and limitation of movers and speakers as set out in Option A is not suitable for a Board of 6 members. Option B provides greater flexibility for members of the meeting to contribute and for the Chair to control the proceedings and has been adopted by Council as the default. However it is still overly formal for small meetings such as the Rural Community Board. Option C is the recommended default for moving and speaking to motions.

#### Disadvantages

- The casting vote provision could be open to abuse in a divided Council.
- There is a risk that officers and members and Chairs are not sufficiently familiar with the changes proposed in the revised Standing Orders. This risk can be mitigated by providing training sessions on the new Standing Orders.

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuetanga o nāiane

- 5.2 A decision not to adopt the amended Standing Orders would mean that the Board's current Standing Orders are not fully compliant with current legislation and best practice in New Zealand.

## 6.0 Next steps – *Te Anga Whakamua*

- 6.1 If adopted, the revised Standing Orders will replace existing Standing Orders from the date of this meeting.

### Attachments:

1  Draft Standing Orders Hastings District RCB 2021 CG-16-7-00041

# Draft Standing Orders

Adopted 1 March 2021

Hastings District Rural Community Board

COMMUNITY BOARD STANDING ORDERS // PAGE 0 OF 54

Schedule of Amendments, Additions and Deletions

Date	Page	Amendment/Addition/Deletion	Authorisation

## Preface

Standing orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and 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, their committees and subcommittees. They fulfil the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 with regard to the conduct of meetings.

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

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

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

COMMUNITY BOARD STANDING ORDERS // PAGE 2 OF 54

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## 1. Introduction

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

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

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

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

### 1.1. 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 local authority should:

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

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

### 1.2. 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. 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. 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. 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 local authority for the purpose of providing advice or information that is not a committee or subcommittee. These standing orders do not apply to such groups. This definition also applies to workshops, working parties, working 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 or proposed change to the original or substantive motion.

**Audio link** means facilities that enable audio communication between participants at a meeting when 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.

**Chair** means the person presiding at a meeting – 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 authorized by the chief executive.

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

**Committee** includes, in relation to a local authority:

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

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

**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.

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

**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.

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

**Karakia whakatūwheratanga** means an opening prayer.

**Karakia whakamutunga** means a closing prayer.

**Lawfully excluded** means a member of a local authority who has been removed from a meeting due to behaviour that a Chair has ruled to be contempt.

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

**Local authority** means in the context of these standing orders a regional council 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, or extraordinary meeting of a local authority, subordinate decision-making bodies and any community or local board of the local authority convened under the provisions of LGOIMA.

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

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

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

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

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

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

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

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

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

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

**Petition** means a request to a local authority which contains at least 20 signatures.

**Powhiri** means a formal welcome involving a Karanga (call of welcome) 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 person chairing a meeting.

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

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

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

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

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

**Public notice** in relation to a notice given by a local authority, 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 Internet site. And in addition, is published in at least one daily newspaper circulating in the region or district of the local authority.



or one or more other newspapers that have a combined circulation in that region or district which is at least equivalent to that of a daily newspaper circulating in that region or district.

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

**Qualified privilege** means the privilege conferred on members 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 Chair** means the member of the governing body of a regional council elected as Chair of that regional council under cl.25 Schedule 7 LGA 2002.

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

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

**Seconder** means the member who seconds a motion.

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

**Subordinate decision-making body** means committees, subcommittees, and any other bodies established by a local authority that have decision-making authority, but not 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 council, or a committee of a council, local board or community board. See definition of "Committee".

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

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

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

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

**Workshop**, means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these standing orders do not apply. Workshops may include non-elected members. See definition of "advisory group". Workshops are also described as briefings.

## General matters

### 3. Standing orders

#### 3.1. Obligation to adopt standing orders

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

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

#### 3.2. Process for adoption and alteration of standing orders

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% of the members present.

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

#### 3.3. Members must obey standing orders

All members of the community board must obey these standing orders.

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

#### 3.4. Application of standing orders

These standing orders apply to all meetings of community boards unless stated otherwise. This includes meetings and parts of meetings that the public are excluded from.

#### 3.5. Temporary suspension of standing orders

Any member of a community board, committee or subcommittee 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 Chair must put the motion without debate and at least 75 per cent of the members present and voting must support the motion for it to be carried.

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

A motion to suspend standing orders may also identify the specific standing orders to be suspended. In the event of suspension those standing orders prescribed in statute will continue to apply, such as the quorum requirements.

#### 3.6. Quasi-judicial proceedings

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

#### 3.7. Physical address of members

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

## 4. Meetings

### 4.1. Legal requirement to hold meetings

The local authority must hold meetings for the good government of its city, district or region. The same requirement applies to local boards and community boards in respect of their communities. Meetings must be called and conducted in accordance with:

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

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

### 4.2. Meeting duration

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

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

### 4.3. Language

A member may address a meeting in English, te reo Māori or New Zealand Sign Language. A Chair 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 Chair not less than 2 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 Chair not less than 2 working days before the meeting.

### 4.4. Webcasting meetings

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

### 4.5. First meeting (inaugural)

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

cl. 21(1) – (4), Schedule 7, LGA 2002

### 4.6. Requirements for the first meeting

The chief executive (or, in the absence of the chief executive, their nominee) must chair the first meeting until the Chair 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 the members under cl.14, Schedule 7, (LGA 2002);
- b) The election of the Chair and the making and attesting of the declaration required of the Chair under cl. 14 Schedule 7, (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; and
- e) The election of the Deputy Chair in accordance with cl.17 Schedule 7, (LGA 2002).

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. Appointments and elections

### 5.1. Elections of Chairs and Deputy Chairs

The community board must decide by resolution to use one of two voting systems (see standing order 5.3) when electing people to the following positions:

- The Chair and Deputy Chair of a community board;
- The Chair and Deputy Chair of a committee; or
- A representative of a local authority.

cl. 25 Schedule 7, LGA 2002.

### 5.2. Removal of a Chair or Deputy Chair

A Chair or Deputy Chair, can only be removed in accordance with cl. 18, Schedule 7, of the LGA 2002. See Appendix 9.

cl. 18, Schedule 7, LGA 2002.

### 5.3. Voting system for Chair, Deputy Chair and committee chairs

When electing a community board Chair, a Deputy Chair or a committee chair the community board must resolve to use one of the following two voting systems.

#### System A

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

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

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

#### System B

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

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

cl. 25 Schedule 7, LGA 2002.



## 6. Delegations

### 6.1. Limits on delegations

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

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

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

### 6.2. Committees may delegate

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

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

### 6.3. Use of delegated powers

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

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

### 6.4. Decisions made under delegated authority cannot be rescinded or amended

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

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

### 6.5. Committees and subcommittees subject to the direction of the local authority

A committee, subcommittee established by 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 community board.

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

### 6.6. Duty to consider delegations to community boards

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

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



## 7. Committees

### 7.1. Appointment of committees and subcommittees

A community board may appoint the committees and subcommittees 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. 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; and
- b) A committee may discharge or reconstitute a subcommittee.

A committee or subcommittee 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.

**Please note:** s.12(2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election. This may also apply to District Licensing Committees (see SO Guide).

### 7.3. 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. 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 or committee may appoint a person who is not a member of the local authority to a committee or subcommittee if, in the opinion of the community board or committee, the person has the skills, attributes or knowledge to assist the committee or subcommittee.

At least one member of a committee must be an elected member of the community 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. Local authority may replace members if committee not discharged

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

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

### 7.6. Decision not invalid despite irregularity in membership

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

- 1) There is a vacancy in the membership of the community board or committee at the time of the decision; or
- 2) Following the decision some defect in the election or appointment process is discovered and/or that the membership of a person on the community board at the time is found to have been ineligible.

cl. 29, Schedule 7, LGA 2002.

### 7.7. 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 Chair and Deputy Chair 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. 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. 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.

## Pre-meeting

### 8. Giving notice

#### 8.1. Public notice – ordinary meetings

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of 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 5 working days before the day on which the meeting is to be held.

s. 46, LGOIMA.

#### 8.2. 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 community board has adopted a schedule of meetings, in which case notice must be given at least 14 days before the first meeting on the schedule.

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

#### 8.3. Extraordinary meeting may be called

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 Mayor or Chair; 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. Notice to members – extraordinary meetings

The chief executive must give notice, in writing, of the time and place of an extraordinary meeting called under Standing Order 8.3, and the general nature of business to be considered, to each member of the community board at least 3 working days before the day appointed for the meeting. If the meeting is called by a resolution then notice must be provided within such lesser period as is specified in the resolution, as long as it is not less than 24 hours.

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

#### 8.5. 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 Chair; or
- b) If the Chair is unavailable, the chief executive.

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

#### 8.6. Notice to members – 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. 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 parent local authority's Internet site and in any other manner that is reasonable in the circumstances.

s. 46 (3) LGOIMA.

### 8.8. 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 (5) & (6), LGOIMA.

### 8.9. 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 5 working days before the day on which the meeting was held.

s. 51A, LGOIMA.

### 8.10. 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. 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. Meeting cancellations

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

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



## **9. Meeting agenda**

### **9.1. Preparation of the agenda**

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

When preparing business items for an agenda the chief executive should consult the Chair.

### **9.2. Process for raising matters for a decision**

Requests for reports may be made by a resolution of the community board, committee or subcommittee and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 13.

### **9.3. 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 Chair and report back to a subsequent meeting with an estimate of the cost involved and seek direction on whether the report should still be prepared.

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

### **9.4. Order of business**

At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the Chair, or the meeting, decides otherwise. An example of a default order of business is set out in Appendix 12.

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. Chair's recommendation**

A Chair, 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 Chair's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained.

### **9.6. Chair's report**

The Chair of a meeting has the right, through a report, to direct the attention of a meeting to any matter which is on the agenda or which falls within the responsibilities of that meeting, as described in its terms of reference.

### **9.7. 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, LGDIMA.

### **9.8. 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 2 working days before a meeting, all agendas and associated reports circulated to members of the local authority and local and community boards relating to that meeting. The agenda:

- a) Shall 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) Shall 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), LGDIMA.



#### 9.9. 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 Chair.

#### 9.10. 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 8.6).

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. Status of agenda

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

#### 9.12. Items of business not on the agenda which cannot be delayed

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 Chair 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 Chair.

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

#### 9.13. Discussion of minor matters not on the agenda

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 Chair explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

s. 46A (7A), LGOIMA.

#### 9.14. Public excluded business on the agenda

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

s. 46A (8) & (9), LGOIMA.

#### 9.15. 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.

## Meeting Procedures

### 10. 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 whakatūwheratanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

### 11. Quorum

#### 11.1. 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. 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 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.

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

#### 11.3. 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. 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. Meeting lapses where no quorum

A meeting must lapse, and the Chair vacate the chair, if a quorum is not present within 30 minutes of the advertised start of the meeting. Where members are known to be travelling to the meeting, but are delayed due to extraordinary circumstance, the Chair 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. 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 Chair sets an earlier meeting and this is notified by the chief executive.

## 12. Public access and recording

### 12.1. Meetings open to the public

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

s.47 & 49(a), LGOIMA.

### 12.2. Grounds for removing the public

The Chair may require any member of the public whose conduct is disorderly, or who is creating a disturbance, to be removed from the meeting.

### 12.3. Local authority may record meetings

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

### 12.4. 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 must be notified to the Chair at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business.

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

## 13. Attendance

### 13.1. Members' right to attend meetings

A member of a community board has, unless lawfully excluded, the right to attend any meeting of the community board or committees or subcommittees established by the board.

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

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

A community board member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of s.48 LGOIMA. Consequently, if the meeting resolves to exclude the public any members of the 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 local authority.

### 13.2. Attendance when a committee is performing judicial or quasi-judicial functions

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

### 13.3. Leave of absence

A community board may grant a member leave of absence following an application from that member. The council may delegate the power to grant a leave of absence to the Chair in order to protect a member's privacy.

The Chair may approve a member's application, and the community board may approve an application from the Chair. The Chair 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. 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 Chair (or acting Chair) must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as



absent on 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. 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. 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 (1) (d) Schedule 7, LGA 2002.

### 13.7. Right to attend by audio or audiovisual link

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

### 13.8. 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. 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. Chair's duties

Where the technology is available and a member is attending a meeting by audio or audiovisual link, the Chair 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 LGDIMA are met; and
  - iv) The requirements in these standing orders are met.

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

cl. 25A (3) schedule 7, LGA 2002.

### 13.11. Conditions for attending by audio or audiovisual link

Noting standing order 13.7, the Chair 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. Request to attend by audio or audiovisual link

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

### 13.13. Chair may terminate link

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

- a) Use of the link is increasing, or may unreasonably increase, the length of the meeting;
- b) The behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- c) It is distracting to the members who are physically present at the meeting; and
- d) The quality of the link is no longer suitable.

### 13.14. 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 audiovisual link; or
- c) Any other manner that the Chair thinks fit.

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

### 13.15. 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. Confidentiality

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

## 14. Chair's role in meetings

### 14.1. Community board meetings

The Mayor must preside at meetings of the community board unless they vacate the chair for a part or all of a meeting. If the Chair is absent from a meeting or vacates the chair, the Deputy Chair must act as Chair. If the Deputy Chair is also absent the community board members who are present must elect a member to be the Chair at that meeting. This person may exercise the meeting responsibilities, duties and powers of the Chair for that meeting.

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

### 14.2. Other meetings

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

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

### 14.3. Addressing the Chair

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

#### 14.4. Chair's rulings

The Chair will decide all procedural questions where insufficient provision is made by these standing orders and with regard to all points of order. Any refusal to obey a Chair's ruling or direction constitutes contempt.

#### 14.5. Chair standing

Whenever the Chair 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 Chair without interruption.

#### 14.6. Member's right to speak

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

#### 14.7. Chair may prioritise speakers

When two or more members want to speak the Chair 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. Public Forums

Public forums are a defined period of time, usually at the start of an ordinary meeting, which, at the discretion of a meeting, is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters, not necessarily on the meeting's agenda, to the attention of the local authority.

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

#### 15.1. Time limits

A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled community board meeting. Requests must be made to the chief executive (or their delegate) at least one clear day before the meeting; however this requirement may be waived by the Chair. Requests should also outline the matters that will be addressed by the speaker(s).

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

#### 15.2. Restrictions

The Chair 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 local authority or committee sits in a quasi-judicial capacity.

#### 15.3. Questions at public forums

At the conclusion of the presentation, with the permission of the Chair, 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. 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 2019 Guide to Standing Orders for suggestions of good practice in dealing with issues raised during a forum).

### 16. 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 Chair, or an official with delegated authority, five working days before the meeting. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered.

#### 16.1. Time limits

Speakers can speak for up to 5 minutes, or longer at the discretion of the Chair. No more than two speakers can speak on behalf of an organisation's deputation.

#### 16.2. Restrictions

The Chair 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 local authority or committee sits in a quasi-judicial capacity.

#### 16.3. Questions of a deputation

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

#### 16.4. 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. Petitions

#### 17.1. Form of petitions

Petitions may be presented to the local authority or any of its committees, local boards or community boards, 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 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious 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. Petition presented by petitioner

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

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

### 17.3. 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. Exclusion of public

### 18.1. 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 section 48 of LGOIMA (see Appendix 1).

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

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

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

s. 48 LGOIMA.

### 18.2. 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 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. 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. 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. Release of information from public excluded session

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

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

### 19. Voting

#### 19.1. Decisions by majority vote

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

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

#### 19.2. 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. Chair has a casting vote

The Mayor, Chair 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. Method of voting

The method of voting must be as follows:

- a) The Chair 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 Chair, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chair will call a division;
- b) The Chair or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and
- c) Where a suitable electronic voting system is available that system may be used instead of a show of hands, vote by voices, or division, and the result publicly displayed and notified to the Chair who must declare the result.

#### 19.5. 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 Chair 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 Chair may call a second division where there is confusion or error in the original division.

#### 19.6. 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 e.g. reason for the vote or abstention is not permitted.

#### 19.7. Members may abstain

Any member may abstain from voting.



## **20. Conduct**

### **20.1. Calling to order**

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

### **20.2. Behaviour consistent with Code of Conduct**

No member, at any meeting, 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. 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 (if adopted), the Chair 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 Chair 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. Disorderly conduct**

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

If the disorder continues the Chair 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 Chair may also adjourn the meeting if other people cause disorder or in the event of an emergency.

### **20.5. Contempt**

Where a member is subject to repeated cautions by the Chair 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.

### **20.6. Removal from meeting**

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

This standing order will apply where the Chair 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 Chair's permission.

### **20.7. 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 Chair 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. Non-financial conflicts of interests**

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

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

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

#### **20.9. Qualified privilege for meeting proceedings**

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

s. 53, LGOIMA.

#### **20.10. 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. 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 chair. A Chair may require that an electronic device is switched off if its use is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of the proceedings.

### **21. General rules of debate**

#### **21.1. Chair 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 chair can accept a procedural motion to close or adjourn a debate, is subject to the discretion of the Chair.

#### **21.2. 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 5 minutes;
- b) Movers of motions when exercising their right of reply – not more than 5 minutes; and
- c) Other members – not more than 5 minutes.

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

#### **21.3. Questions to staff**

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

#### **21.4. Questions of clarification**

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

#### **21.5. Members may speak only once**

A member may not speak more than once to a motion at a meeting of the community board, except with permission of the Chair. Members can speak more than once to a motion at a committee or subcommittee meeting with the Chair's permission.



#### 21.6. Limits on number of speakers

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

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

#### 21.7. Seconded may reserve speech

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

#### 21.8. Speaking only to relevant matters

Members may speak to any matter before the meeting; a motion or amendment which they propose; and to raise a point of order arising out of debate, but not otherwise. Members must confine their remarks strictly to the motion or amendment they are speaking to.

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

#### 21.9. Restating motions

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

#### 21.10. 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. 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 Chair must order the minutes to record the objection.

#### 21.12. 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.

However, the original mover may reserve their right of reply and speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried the mover of the motion has the right of reply before the motion or amendment is put to the vote.

#### 21.13. 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 Chair has indicated that he or she intends to put the motion.

#### 21.14. 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. Chair's acceptance of closure motions

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

However, the Chair 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 Chair puts the motion or amendment to the vote.

### 22. General procedures for speaking and moving motions

#### 22.1. Options for speaking and moving

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

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

#### 22.2. 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 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. 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. Option C – Default Option for Rural Community Board)

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

- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

#### **22.5. Procedure if no resolution reached**

If no resolution is reached the Chair may accept a new motion to progress the matter under discussion.

### **23. Motions and amendments**

#### **23.1. Proposing and seconding motions**

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

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

#### **23.2. Motions in writing**

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

#### **23.3. Motions expressed in parts**

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

#### **23.4. 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. 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.

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

#### **23.6. Chair may recommend amendment**

A Chair, when moving the adoption of a recommendation from a committee or sub-committee to the community board can include in the motion an amendment to the committee or sub-committee's recommendation.

#### **23.7. Foreshadowed amendments**

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

#### **23.8. 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 speak to it, and may move or second a further amendment.

#### **23.9. 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 speak to the substantive motion, and may move or second a further amendment to it.

#### **23.10. Where a motion is lost**

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



### **23.11. Withdrawal of motions and amendments**

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

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

### **23.12. 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 Chair has started putting the motion.

## **24. Revocation or alteration of resolutions**

### **24.1. 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 council, subordinate body, local or 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 sections 77-82 of the LGA 2002.

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

### **24.2. Revocation must be made by the body responsible for the decision**

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

This provision does not prevent a community board that made the delegation from removing or amending a delegation given to a committee or subcommittee.

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

### **24.3. Requirement to give notice**

A member must give notice to the chief executive at least 5 working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the 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 twelve months.

### **24.4. 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 Chair:

- a) The practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked; or
- 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. 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 per cent of the members present and voting must agree to the revocation or alteration.

#### **24.6. Revocation or alteration by recommendation in report**

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

cl. 30 (6) Schedule 7, LGA 2002

### **25. Procedural motions**

#### **25.1. 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 Chair 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 Chair's opinion, it is reasonable to accept the closure motion.

#### **25.2. 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); and
- 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. 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. 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. 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. Business referred to the council, committee or local or community board**

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



### 25.7. Other types of procedural motions

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

## 26. Points of order

### 26.1. 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. 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 Chair;
- 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; and
- f) **Recording of words** – to request that the minutes record any words that have been the subject of an objection.

### 26.3. Contradictions

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

### 26.4. Point of order during division

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

### 26.5. Chair's decision on points of order

The Chair 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 Chair's ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

## 27. Notices of motion

### 27.1. 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 5 clear working days before such meeting. [Notice of an intended motion can be sent via email and include the scanned electronic signature of the mover].

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

### 27.2. Refusal of notice of motion

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

- a) Is disrespectful or which contains offensive language or statements made with malice; or
- b) Is not related to the role or functions of the local authority or meeting concerned; or
- c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- e) Fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or

- 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. 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. 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. When notices of motion lapse

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

### 27.6. Referral of notices of motion

Any notice of motion received that refers to a matter ordinarily dealt with by a committee of the community board must be referred to that committee 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. Repeat notices of motion

When a motion has been considered and rejected by the community board or a committee, no notice of motion which is similar, in the opinion of the Chair, 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 Chair has the same effect, may be put while the original motion stands.

## 28. Minutes

### 28.1. Minutes to be evidence of proceedings

The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chair'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. 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 Chair;
- d) Any apologies or leaves of absences;
- e) The arrival and departure times of members;
- f) Any failure of a quorum;
- g) A list of any external speakers and the topics they addressed;
- h) A list of the items considered;
- i) The resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders;
- j) The names of all movers, and seconders;
- k) Any objections made to words used;
- l) All divisions taken and, if taken, a record of each members' vote;
- m) The names of any members requesting that their vote or abstention be recorded;
- n) Any declarations of financial or non-financial conflicts of interest;
- o) The contempt, censure and removal of any members;
- p) Any resolutions to exclude members of the public;

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- q) The time at which the meeting concludes or adjourns; and
- r) The names of people permitted to stay in public excluded.

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

### 28.3. 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. Minutes of last meeting before election

The chief executive and the relevant Chairs must sign, or agree to have their digital signature inserted, the minutes of the last meeting of the local authority and any local and community boards before the next election of members.

## 29. Keeping a record

### 29.1. Maintaining accurate records

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

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

s. 17 Public Records Act 2005.

### 29.2. 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. Inspection

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

s. 51 LGOIMA.

### 29.4. 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 the Local Government Official Information and Meetings Act 1987.

### Referenced documents

- Commissions of Inquiry Act 1908
- Crimes Act 1961
- Contract and Law Act 2017
- 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



## Appendix 1. Grounds to exclude the public

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

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
  - b) To endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
  - (b) Protect information where the making available of the information would:
    - i. Disclose a trade secret; or
    - ii. Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
  - (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 holding the information to carry out, without prejudice or disadvantage, commercial activities; or
  - (i) Enable any Council 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.
- See s.7 LGOIMA 1987.
- Where A2 of this Appendix applies 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 by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).
- A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
- (a) Any proceedings before a Council where:
- i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings;
  - 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.

See s. 48 LGO/MA.



## 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**:

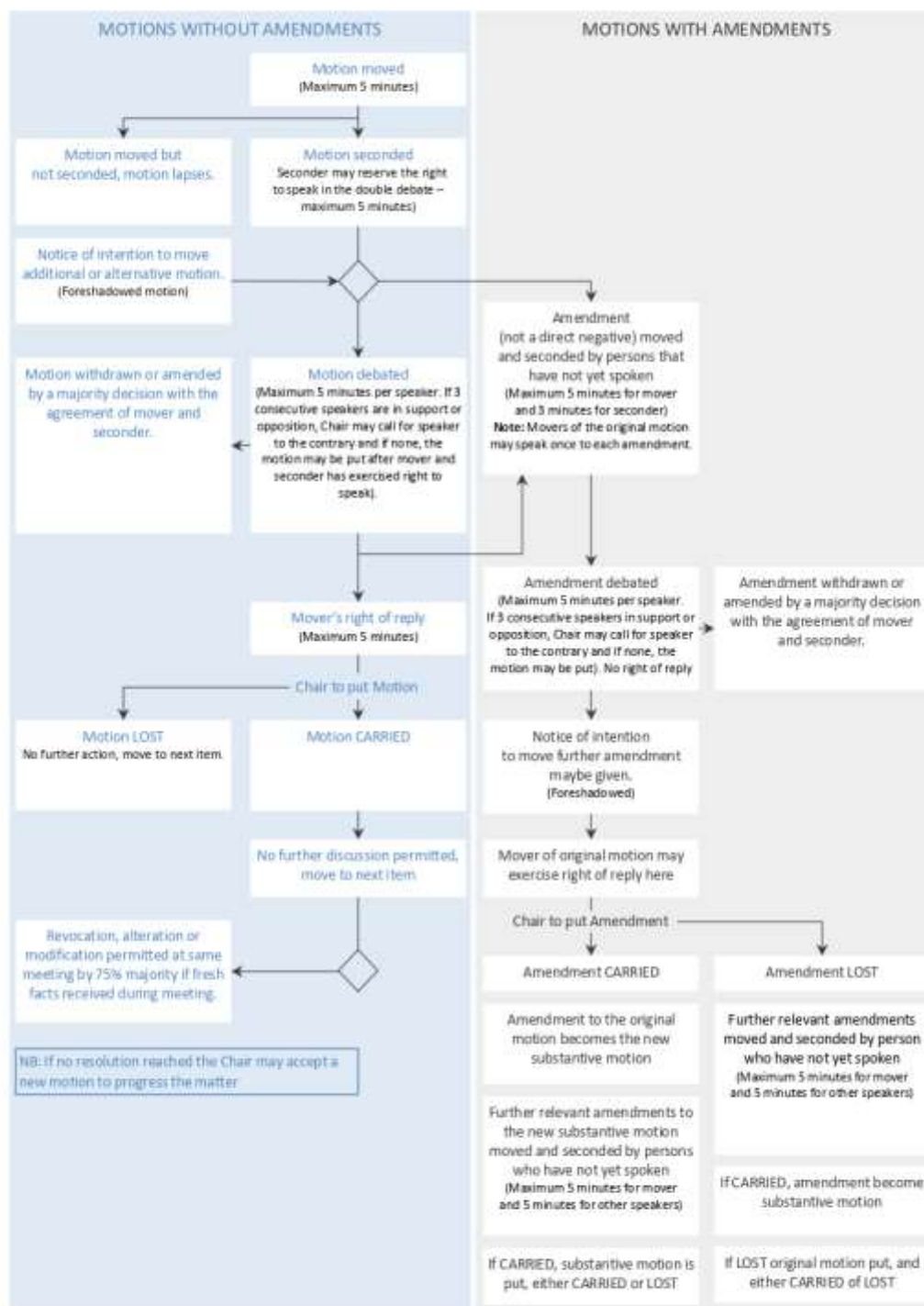
- 1 that the public is excluded from:
  - The whole of the proceedings of this meeting; *(deleted if not applicable)*
  - The following parts of the proceedings of this meeting, namely; *(delete if not applicable)*

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: <ul style="list-style-type: none"><li>i) be contrary to the provisions of a specified enactment; or</li><li>ii) constitute contempt of court or of the House of Representatives (s.48(1)(b)).</li></ul>
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where: <ul style="list-style-type: none"><li>i) a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or</li><li>ii) 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></ul>
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).
		To protect information which if public would; <ul style="list-style-type: none"><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>

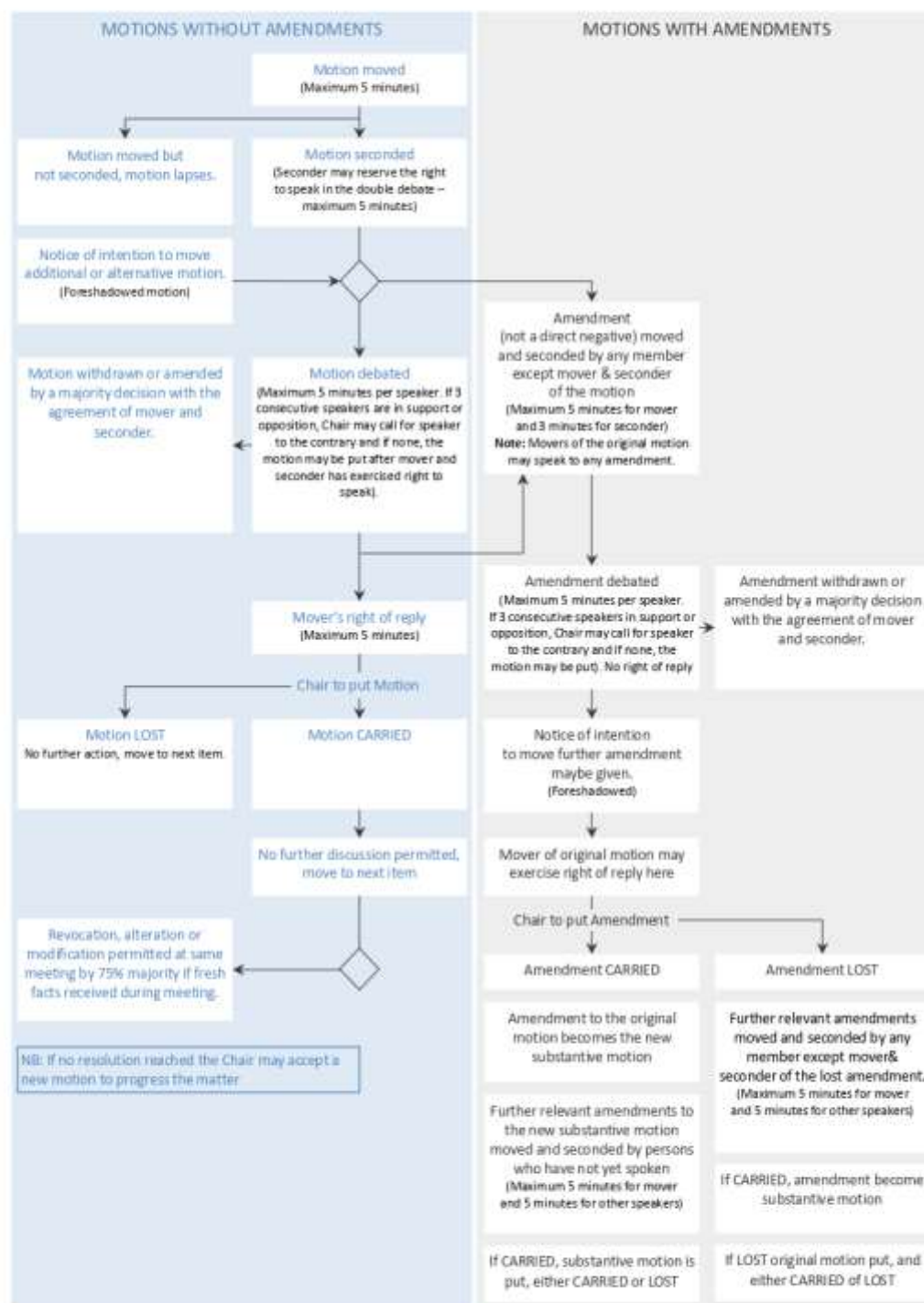
Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		<p>To avoid serious offence to Tikanga Māori, or the disclosure of the location of waahi tapu in relation to an application under the RMA 1991 for;</p> <ul style="list-style-type: none"> <li>• a resource consent, or</li> <li>• a water conservation order, or</li> <li>• a requirement for a designation or</li> <li>• an heritage order,</li> </ul> <p>(s 7(2)(ba)).</p>
		<p>To protect information which is subject to an obligation of confidence where the making available of the information would be likely to:</p> <ul style="list-style-type: none"> <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>
		<p>To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).</p>
		<p>To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).</p>
		<p>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)).</p>
		<p>To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).</p>
2.	<p>That <i>(name of person(s))</i> is permitted to remain at this meeting after the public has been excluded because of their knowledge of <i>(specify topic under discussion)</i>. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because <i>(specify)</i>. <i>(Delete if inapplicable.)</i></p>	

## Appendix 3. Motions and amendments (Option A)

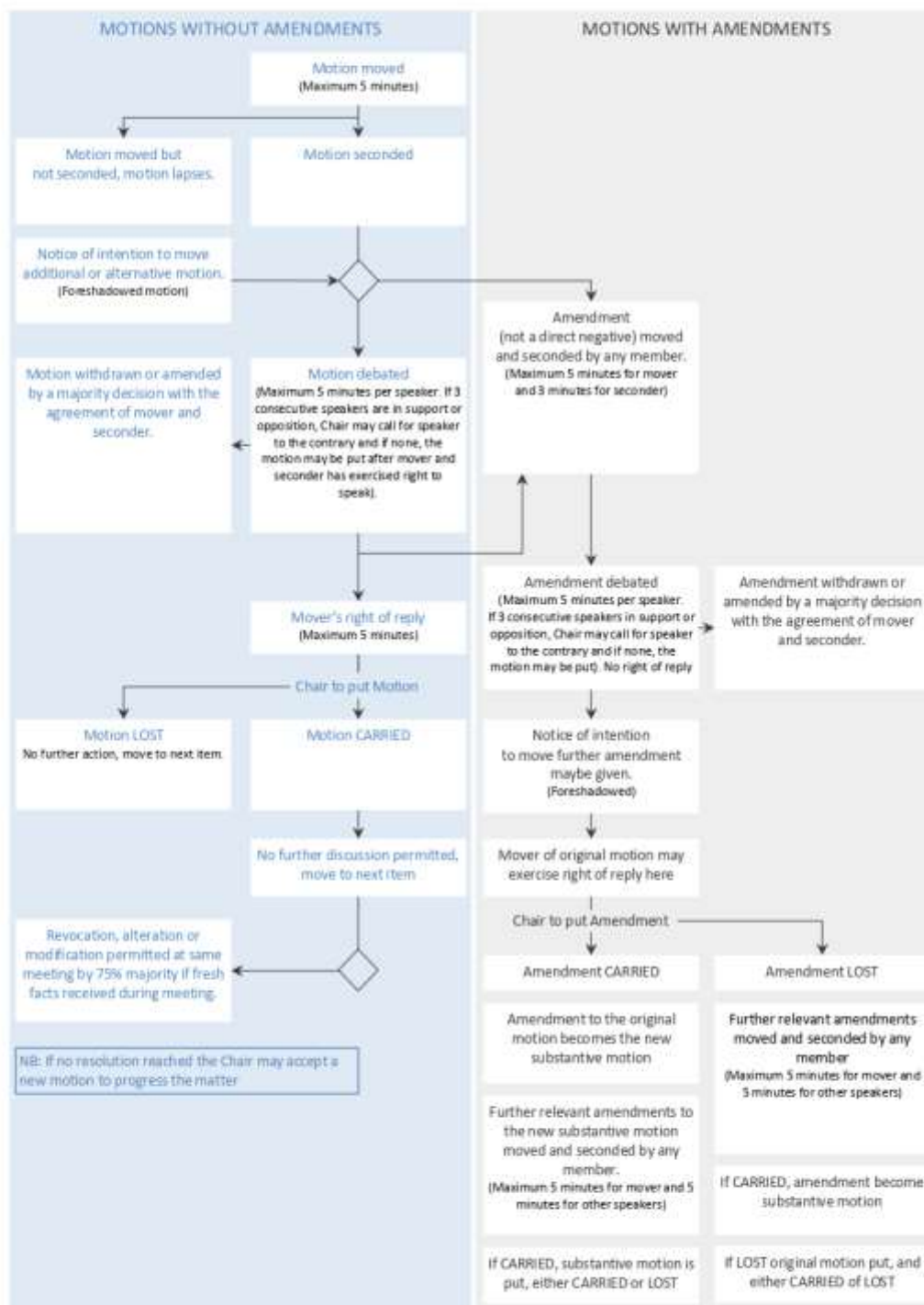


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## Appendix 4. Motions and amendments (Option B)



## Appendix 5. Motions and amendments (Option C) Default Option





## Appendix 6. Table of procedural motions

Motion	Has the Chair discretion to refuse this Motion?	Is a second required?	Is discussion in order?	Are amendments in order?	Is a mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again.
b) "That the motion under debate be now put (closure motion)"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, only the amendment is put.	If carried, only the procedural motion is put.	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put.
c) "That the item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	
d) "That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table.	Motion not in order.	
e) "That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee.	If carried, the procedural motion is deemed disposed of.	
f) "Points of order"	No – but may rule against	No	Yes – at discretion of Chair	No	No	Yes	Yes	No	Point of order takes precedence.	Point of order takes precedence.	See standing order 3.14.

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## Appendix 7. Webcasting protocols

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

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

## Appendix 8. Powers of a Chair

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

### Chair to decide all questions

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

### Chair to decide points of order

The Chair 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 Chair 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 Chair.

### Items not on the agenda

Major items not on the agenda may be dealt with at that meeting if so resolved by the community board and the Chair 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 Chair 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.

### Chair's report

The Chair, 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 local authority.

### Chair's recommendation

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

### Chair's voting

The Chair 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

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

### Motion in parts

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

### Notice of motion

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

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

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

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

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#### Action on previous resolutions

If, in the opinion of the Chair 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 Chair 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

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

#### Revocation or alteration of previous resolution

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

#### Chair may call a meeting

The Chair:

- a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum, if such business cannot be delayed until the next meeting; 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

The Chair'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

The Chair 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 Chair 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.

#### Chair rising

Whenever the Chair 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 Chair may be heard without interruption.

#### Members may leave places

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

#### Priority of speakers

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

#### Minutes

The Chair is to sign the minutes and proceedings of every meeting once confirmed. The Chair 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

The Chair 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

The Chair 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 Chair, can be directed to withdraw from the meeting for a time specified by the Chair.

### Chair's rulings

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

### Disorderly behaviour

The Chair 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 Chair.
- 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

If a member or member of the public who is required, in accordance with a Chair'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 Chair, any member of the police or officer or employee of the local authority may, at the Chair's request, remove or exclude that person from the meeting.

### Audio or audio visual attendance

Where the technology is available and a member is attending a meeting by audio or audiovisual link, the Chair 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 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 Chair is attending by audio or audiovisual link then chairing duties will undertaken by the Deputy Chair or a member who is physically present.



## Appendix 9. Process for removing a Chair or Deputy Chair from office

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

## Appendix 10. Workshops

### Definition of workshop

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

### Application of standing orders to workshops

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

### Calling a workshop

Workshops, briefings and working parties may be called by:

- a) A resolution of the local authority or its committees;
- b) The community board Chair; or
- c) The chief executive.

### Process for calling workshops

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

- a) State that the meeting is a workshop;
- b) Advise the date, time and place; and
- c) Confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

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

### Record of workshop

A written record of the workshop should be kept and include:

- Time, date, location and duration of workshop;
- Persons present; and
- General subject matter covered.

## Appendix 11. 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 local and/or community boards
- m) Reports of the chief executive and staff
- n) Chair and elected members' reports (information)

### Public excluded section

- o) Reports of committees
- p) Reports of the chief executive and staff
- q) Chair, Deputy Chair and elected members' reports (information)

## Appendix 12. Process for raising matters for a decision

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

- Report of chief executive;
- Report of a Chair;
- Report of a committee;
- Report of a community and/or local board; or
- Notice of motion from a member.

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

- Report of chief executive; or
- Report of Chair.

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

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