



Standing Orders (2004)

Minute Number: CL/JULY/1267/04

Standing Orders adopted under Schedule 7 of the Local Government Act 2002 which provides:

- (1) A local authority must adopt a set of standing orders for the conduct of its meetings and those of its committees.
- (2) The standing orders of a local authority must not contravene the Act, the Local Government Official Information and Meetings Act 1987, or any other Act.
- (3) After the adoption of the first standing orders of the local authority, an amendment of the standing orders or the adoption of a new set of standing orders requires, in every case, a vote of not less than 75% of the members present.
- (4) A local authority or committee may temporarily suspend standing orders during a meeting by a vote of not less than 75% of the members present and voting, and the reason for the suspension must be stated in the resolution of the suspension."

A community board is not a committee. Community boards shall observe their own procedural and organisational rules.



Te Kaunihera o
MANUKAU
City Council

Standing Orders

Of the

Manukau City Council

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- (c) A joint committee appointed under clause 30 of Schedule 7 of the Act by the Council and any other Council or public body; and
- (d) Any special tribunals or any person given authority to conduct hearings under sections 33, 34, 117, 146 or 202 of the Resource Management Act 1991.
- (e) Any sub-committee of a committee described in paragraph (a) or paragraph (b) or paragraph (c) of this definition.

Council in these Standing Orders means The Manukau City Council being a local authority as defined in section 5 of the Act.

Meeting means any first, ordinary or extraordinary meeting of the Council; and any meeting of any committee or standing committee³.

Any meeting of the Council or of any committee at which no resolutions or decisions are made is not a meeting for the purpose of these Standing Orders⁴.

Member means any person elected or appointed to the Council or to any committee and includes the Mayor of the Council and Chairperson of any committee⁵.

Minutes means any minutes or other record of the proceedings of any meeting of the Council and its committees⁶.

Ordinary meeting means any meeting publicly notified by the Council in accordance with s.46 (1) or (2) of the Local Government Official Information and Meetings Act 1987 and clause 21 of Schedule 7 of the Local Government Act 2002 (see Orders 3.2.1 and 3.2.2).

Public excluded information includes⁷:

- (a) Information which:
 - (i) is currently before a public excluded session; or
 - (ii) is proposed to be considered at a public excluded session; or
 - (iii) had previously been considered at a public excluded session (other than information subsequently released by the Council as publicly available information); and
- (b) Any minutes (or portions of minutes thereof) of public excluded sessions (other than those subsequently released by the Council as publicly available information); and
- (c) Any other information which has not been released by the Council as publicly available information.

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

³ Section 45 of LGOIMA and clauses 19-22 of Schedule 7

⁴ Section 45 of LGOIMA

⁵ Section 2 LGOIMA

⁶ Section 45 LGOIMA

⁷ Section 2 of LGOIMA

Publicly notified means notified to members of the public by notice contained in some newspaper circulating in the district of the Council.

Working day means any day of the week other than:

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's Birthday, and Waitangi Day; and
- (b) A day in the period commencing with the 25th day of December in any year ending with the 2nd day of January in the following year; and
- (c) if 1 January falls on a Friday, the following Monday; and
- (d) if 1 January falls on a Saturday or a Sunday, the following Monday and Tuesday.⁸

**1.2
Application of standing orders**

1.2.1
These Standing Orders shall so far as possible, extend to the proceedings of all Council meetings and all committees, including public excluded sessions, except as provided for in Order 1.9.5.

1.2.2
All members of the Council shall abide by the Standing Orders adopted under clause 27 of Schedule 7 of the Act⁹.

**1.3
Chairperson's ruling final**

1.3.1
The Mayor or a Chairperson shall decide all questions where these Standing Orders make no provision or insufficient provision. (see Orders 2.19.1 regarding mode of address of the Mayor or a Chairperson and 2.1.1 regarding the Mayor or Chairperson to preside at meetings).

Dissent

1.3.2
In regard to Order 1.3.1, and subject to Order 2.19.3, the Mayor or Chairperson's ruling shall be final and not open to debate except where any member moves a "motion of dissent" immediately after the ruling is given. The Mayor or Chairperson shall step down from the Chair and his/her place shall be taken by the respective deputies or by a member chosen by the meeting, not being the mover of the dissent motion. The mover shall then detail the reasons for the motion without reference to any other matter and the Mayor or Chairperson shall respond giving the reason/s for the ruling. The motion shall immediately be put and a majority decision, will decide the matter. The Mayor or Chairperson shall then resume the Chair.

⁸ Section 2 of LGOIMA and Section 5 of the LGA

⁹ Clause 16(1) of Schedule 7 of the LGA

- 1.4
Suspension of Standing
Orders** Refer 1.1.1
- 1.5
Alteration of Standing
Orders** Refer 1.1.1
- 1.6
First meeting of Council
following election¹⁰** 1.6.1
- (1) The first meeting of the Council following a triennial general election shall be called by the Chief Executive Officer as soon as practicable after the results of the election are known.
 - (2) The Chief Executive Officer shall give the persons elected to the Council not less than 7 days notice of the meeting.
 - (3) Despite subclause (2), if an emergency exists, the Chief Executive Officer may give notice of the meeting as soon as practicable.
 - (4) The meeting shall be chaired by the Chief Executive Officer (or, in the absence of the Chief Executive Officer, a nominee of that officer), until the Mayor or Chairperson has made and attested the declaration required by clause 14 of Schedule 7 of the of the Act.
 - (5) The business that must be conducted at the meeting must include:
 - (a) The making and attesting of the declarations required of the Mayor and members under clause 14 of Schedule 7 of the Act;
 - (b) A general explanation (to be given or arranged by the Chief Executive Officer) of:
 - (i) The Local Government Official Information and Meetings Act 1987; and
 - (ii) Other laws affecting members including the appropriate provisions of the Local Authorities (Members' Interests) Act 1968, sections 99, 105, and 105A of the Crimes Act 1961, the Secret Commissions Act 1910; and the Securities Act 1978;
 - (c) The fixing of the date and time of the first ordinary meeting of the Council, or the adoption of a schedule of ordinary meetings;
 - (d) the election of the deputy mayor in accordance with clause 17 of schedule 7 of the Act;
 - (d) the appointment of members of community boards as required by section 50(b) of the Act and section 149 of the Electoral Act 2001:
 - (e) Items of general business, if any.

¹⁰ Clause 21 of Schedule 7 of the LGA

1.6.2

Every member of the Council shall give to the Chief Executive Officer a residential or business address (together with, if desired, an e-mail, facsimile, or other address) within the district of the Council at which notices and material relating to meetings and Council business may be sent or delivered.

1.7

Appointment of Deputy Mayor, Committees and Chairpersons

1.7.1

At the first meeting referred to in Standing Order 1.6.1, or at any later ordinary meeting of the Council, the Council shall elect a Deputy Mayor. Such election shall be conducted on the same basis as under clause 25 of Schedule 7 of the Act. The Council may also appoint standing or special committees and determine the duties of and the matters which shall normally be referred to such committees. Subject to Order 1.9.2 the Council may appoint the Chairperson of any such committee, in default of which Order 1.8.1 shall apply.

1.7.2

The Mayor may nominate a member for appointment as Deputy Mayor, and may nominate persons for appointment to committees and for Chairperson of any committee: Provided however, that nothing in this Order shall be construed as preventing any member from nominating a member for appointment as Deputy Mayor, or preventing any member from nominating persons for appointment to standing committees.

1.7.3

- (1) The Deputy Mayor or Deputy Chairperson shall perform all the functions and duties and may exercise all the powers of the Mayor or a Chairperson respectively (other than those conferred by section 41(4) of the Act):
 - (a) with the consent of the Mayor or relevant Chairperson, at any time during the temporary absence of the Mayor or the Chairperson, or
 - (b) Without that consent, at any time the Mayor or relevant Chairperson is prevented by illness or other cause from performing the functions and duties or exercising the powers of his or her office, or
 - (c) While there is any vacancy in the office of Mayor or such Chairperson¹¹.
- (2) In the absence of proof to the contrary, it shall be presumed that any Deputy Mayor or Deputy Chairperson acting as Mayor or Chairperson has authority to so act¹².

¹¹ Clause 17(3) of Schedule 7 of the LGA

¹² Clause 17(4) of Schedule 7 of the LGA

**1.8
Voting systems for
certain appointments¹³**

1.8.1
For the purposes of:

- (a) The election or appointment of the Deputy Mayor;
- (b) The election or appointment of the Chairperson or Deputy Chairperson of a committee; and
- (c) The election or appointment of a representative of the Council for any purpose,

the Council or committee (if the Council has so directed) must determine by resolution that a person be elected or appointed either by System A or System B:

System A

- (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
- (b) has the following characteristics:
 - (i) there is a first round of voting for all candidates; and
 - (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
 - (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
 - (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

System B

- (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
- (b) has the following characteristics:
 - (i) there is only 1 round of voting; and
 - (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

**1.9
Appointment of
committees¹⁴**

- 1.9.1
- (1) The Council may appoint such standing committees and special committees and sub-committees as it considers appropriate, provided that no appointment of any committee or of any person to a committee shall be made at any time after the day fixed for the election of a new Mayor until the new Mayor has come into office.
 - (2) A committee may appoint such sub-committees as it considers appropriate, unless prohibited from doing so by the Council.

¹³ Clause 25 of Schedule 7 of the LGA as amended by the Local Government Act 2002 Amendment Act 2004

¹⁴ Clause 30 of Schedule 7 of the LGA

- Committees subject to direction of Council*
- (3) Every committee shall be subject in all things to the control of the Council, and shall carry out all directions, general or special, of the Council given in relation to the committee or its affairs.
- (4) Every sub-committee shall be subject in all things to the control of the committee that appointed it, and shall carry out all directions, general or special, given by that committee in relation to the sub-committee or its affairs.
- (5) Subject to any provision to the contrary in the Act or any other Act, the Council, and a committee with respect to a sub-committee appointed by that committee, may at any time and from time to time discharge or reconstitute any committee or sub-committee.
- Composition of Committees*¹⁵
- 1.9.2 “The composition of Standing Committees will be as contained in Schedule A to the Standing Orders - Delegated Functions and Power of Committees.
- Ex officio members are not included in determining the composition but are included in determining the quorums.”
- Standing Committees*¹⁶
- 1.9.3 “The Standing Committees of Council shall be as contained in Schedule A to the Standing Orders - Delegated Functions and Power of Committees.
- Councillor Representation*
- 1.9.4 Every endeavour will be made to ensure that Ward representation on every committee is equitable as between each Ward.
- 1.9.5 “Forums
- Forums will be called in accordance with Schedule A to the Standing Orders - Delegated Functions and Power of Committees. A Forum is not a committee of Council. The conduct of a Forum shall be determined by the Chairperson of the Forum in his or her absolute discretion”
- Emergency Sub-Committee Christmas/New Year Period and post election*¹⁷
- 1.9.6 (a) An Emergency Sub-Committee will be formed with power to act, to consider any urgent matter that may arise between Council meetings from December to January each year and from the final Council meeting of a triennial term to the time that members leave office. This committee will comprise of the Mayor, the Chief Executive Officer and the Chairperson of the committee which has delegated authority to deal with the matter and will be deemed to be a sub-committee of that committee.
- (b) The quorum of the Emergency Sub-Committee shall be two members of the Emergency Sub-Committee.
- 1.9.7
- The Mayor shall be ex officio member of every committee.

¹⁵ Amended under Minute No. CL/OCT/1718/04 on 27 October 2004

¹⁶ Amended under Minute No. CL/OCT/1718/04 on 27 October 2004

¹⁷ Amended 26 August 2004 by Minute No. CL/AUG/1423/04

1.10 Powers of delegation¹⁸

1.10.1 Except as otherwise provided in the Act or any other Act, the Council may delegate to any committee any of its functions, duties, or powers except:

- (a) the power to make a rate; or
- (b) the power to make a bylaw; or
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-term Council Community plan; or
- (d) the power to adopt a Long-Term Council Community Plan, annual plan, or annual report; or
- (e) the power to appoint a chief executive; or
- (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the Long Term Council Community Plan or developed for the purpose of the local governance statement; or
- (g) the power to warrant enforcement officers other than in accordance with clause 32A of the Act.

Committee use of delegated powers

1.10.2 Every committee to which any powers or duties are delegated may, without confirmation by the Council, exercise or perform the same in like manner and with the same effect as the Council could itself have exercised or performed the same.

Functions and Delegations of Power to Committees, Community Boards and Officers

1.10.3 Functions and delegations of powers to committees Community Boards and officers (clause 32 of Schedule 7 of the Act and s.34(4) of the Resource Management Act 1991) shall be conferred by the Council, by resolution from time to time, and attached as Schedules to these Standing Orders as under:

- Schedule A - All Standing Committees
- Schedule B - Community Boards
- Schedule C - Officers

Delegation to sub-committees

1.10.4 Any committee may, with the consent of the Council, delegate any of the functions, duties or powers of the committee to any sub-committee appointed by the committee.

Delegation to committees and officers

1.10.5 In respect of any power or authority delegated or sub-delegated in terms of these Standing Orders or pursuant to clause 32 of Schedule 7 of the Act, the committee or sub-committee to which, or officer to whom the delegation has been made, may in respect of any specific matter so delegated refer it back to the Council or committee which, or officer who made the delegation.

¹⁸ Clause 32 of Schedule 7 of the LGA as amended by the Local Government Act 2002 Amendment Act 2004
Clause 1.10.2 updated February 2008

Expenditure Limitations

1.10.6
“Nothing in these Standing Orders shall be deemed to confer on any committee the power to authorise any expenditure or the incurring of any liability except in accordance with provision made in the Long Term Council Community Plan and Annual Plans adopted by the Council. However the Policy and Activities Committee may approve expenditure not provided for in such a Plan not exceeding \$100,000 in respect of any one item.”

Recommendations to Council

1.10.7
Notwithstanding anything contained elsewhere in these Standing Orders any committee, having before it a matter which, in the opinion of such committee, is likely to be controversial or likely to affect adversely the Council's relationship with any Government Department or any other Council, shall deal with such matter only in the form of a recommendation to Council.

Furthermore, any committee, having before it a matter which in the opinion of such committee is a matter affecting policy, shall deal with such matter only in the form of a recommendation to Council.

**1.11
Membership of
committees and sub-
committees¹⁹**

- 1.11.1
- (1) The Council may at any time and from time to time appoint or discharge any member of a committee (other than a sub-committee).
 - (2) Unless directed otherwise by the Council, a committee may at any time and from time to time appoint or discharge any member of a sub-committee appointed by the committee.
 - (3) Every committee shall, unless sooner discharged, be deemed to be discharged on the coming into office of the members of the Council elected or appointed, as the case may be, at or following the general election next after the appointment of the committee.
 - (4) The Council or committee may appoint to any committee or sub-committee, as the case may be, any person who is not a member of the Council, or committee, if, in the opinion of the Council, that person has knowledge that will assist the work of the committee or sub-committee.
 - (5) Notwithstanding paragraph (4) of this Order, and Order 1.9.6, no Council employee acting in the course of his or her employment, may act as a member of any committee unless that committee is a sub-committee.
 - (6) At least one member of every committee, other than a subcommittee, shall be an elected member of the Council.
 - (7) The minimum number of members of a committee, apart from Standing Committees, shall be three, and the minimum number of members of a sub-committee shall be two.
 - (8) A member proposing a committee shall be considered to be one of the persons nominated for such a committee unless otherwise ordered.

¹⁹ Clause 31 of Schedule 7 of the LGA

**1.12
Joint committees²⁰**

1.12.1

- (1) The Council may unite with any one or more local authorities or other public bodies in appointing a joint standing committee or joint special committee for any purpose in which the public bodies are jointly interested, and all such public bodies are authorised to unite with the Council.
- (2) The Council may agree with the other public bodies participating in the joint committee on the number of members to be appointed by each participating public body.
- (3) Any committee appointed under this Order shall be deemed to be both a committee of the Council and (subject to the law for the time being applicable to committees of any other participating public body) a committee of the other public body.
- (4) So far as the committee is a committee of the Council, Part 1 of Schedule 7 of the Act shall apply to that committee, except that the powers to discharge any individual member and appoint another in his or her stead shall be exercisable by the public body that made the appointment.
- (5) The power conferred upon the Council by clause 26 of Schedule 7 of the Act to appoint a Chairperson or Deputy Chairperson of a committee shall not apply to a committee appointed under this section, but the committee may from time to time appoint and remove its own Chairperson or Deputy Chairperson.
- (6) The quorum at a meeting consists of:
 - (i) half of the members if the number of members (including vacancies) is even; or
 - (ii) a majority of members if the number of members (including vacancies) is odd.

**1.13
Proceedings not
invalidated by
vacancies,
irregularities²¹**

1.13.1

- (1) No act or proceedings of the Council or of any person acting as a member of the Council shall be invalidated in consequence of there being any vacancy in the membership of the Council or committee at the time of that act or proceeding, or of the subsequent discovery that there was some defect in the election or appointment of any person so acting, or that he or she was or is incapable of being a member.

**1.14
General provisions as to
meetings²²**

1.14.1

- (1) The Council shall hold such meetings as are necessary for the good government of its district.
- (2) Every committee may meet at such times and place as it thinks fit, but in default of any direction by the committee the Chairperson may convene meetings.

²⁰ Clause 30(8-10) of Schedule 7 of the LGA as amended by the Local Government Act 2002 Amendment Act 2004

²¹ Clause 29 of Schedule 7 of the LGA

²² Clause 19 of Schedule 7 of the LGA

- (3) Every meeting of the Council shall be called, publicly notified, and conducted in accordance with:
 - (a) Schedule 7 of the Act; and
 - (b) Part VII of the Local Government Official Information and Meetings Act 1987; and
 - (c) These Standing Orders.

1.14.2

Members Attendance at all Committee Meetings

- (1) Except when a committee is performing any judicial or quasi-judicial function, any member of the Council may attend any meeting of any committee, and may put a question to the Chairperson to elicit information and may take part in the discussion of the committee meeting²³.
- (2) A member of the Council who is not a member of the committee may not vote on any matter before the committee.
- (3) When a committee is performing any judicial or quasi-judicial function, a member of the Council who is not a member of the committee shall not be entitled to take any part in the proceedings by virtue of his or her office.
- (4) While a committee is deliberating its decision on any matter in the performance of any judicial or quasi-judicial function, no member of the Council shall be entitled to be present unless such member is a member of the committee, and unless, where the committee is conducting an oral hearing of the matter on which it is deliberating, the member was present throughout the course of that hearing.

1.15 Notification of ordinary meetings to members²⁴

1.15.1

- (1) The Council shall hold ordinary meetings at such times and at such places as it from time to time appoints.
- (2) Unless Standing Order 1.16 applies the Chief Executive Officer shall give notice in writing to each member the time and place of the ordinary meeting not less than 14 days before the meeting and the notice shall be deemed to have been duly served when delivered to a member personally or posted in the ordinary course of post to or left by messenger at each member's last known or recorded address.
- (3) Where a Council adopts a schedule of ordinary meetings:
 - (a) The schedule may cover such future period as the Council considers appropriate and may be amended from time to time; and
 - (b) Notification of the schedule or any amendment will conform to the public notice requirements of the Local Government Official Information and Meetings Act 1987 and shall constitute notification of every meeting on the schedule or amendment.

²³ Clause 19(2) of Schedule 7 of the LGA

²⁴ Clause 19(4) of Schedule 7 of the LGA

**1.16
Extraordinary Meetings**

1.16.1

- (1) The Council or committee may hold extraordinary meetings.
- (2) An 'extraordinary meeting' means a meeting called pursuant to:
 - (a) A resolution of the Council or committee; or
 - (b) A requisition in writing delivered to the Chief Executive Officer and signed by:
 - (i) The Mayor or chairperson; or
 - (ii) Not less than one-third of the total membership of the Council (including vacancies),

which resolution or requisition shall specify the time and place at which the meeting is to be held and the general nature of the business to be brought before the meeting.

- (3) Notice in writing of the time and place of the meeting, and of the general nature of business, shall be given by the Chief Executive Officer to every member of the Council
 - (a) At least 3 working days before the day appointed for the meeting, or
 - (b) Where the meeting is called pursuant to a resolution, within a lesser period of notice that is specified in the resolution, being not less than 24 hours.
- (4) If the business to be dealt with requires a meeting to be held at a time earlier than is allowed by the notice requirements specified in (3) above, a meeting may be called by:
 - (a) the mayor or chairperson; or
 - (b) if the mayor or chairperson are unavailable, the Chief Executive Officer.

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

1.16.2

Where any resolution relating to the matter or matters for which the extraordinary meeting was held is passed at an extraordinary meeting of a Council, the Council shall cause the resolution to be publicly notified as soon as practicable, unless the resolution was passed at a meeting or part of a meeting from which the public was excluded, or the extraordinary meeting was publicly notified at least 5 working days before the day on which the meeting was held.²⁵

²⁵ Section 51A of LGOIMA as amended by the Local Government Official Information and Meetings Amendment Act 2004

**1.17
Agenda papers to be
sent to members**

1.17.1
In the case of each ordinary meeting:

- (1) An agenda detailing the business to be brought before that meeting, together with relevant agenda papers necessary for the meeting to make informed decisions, shall be sent to every member not less than two clear working days before the day appointed for the meeting (see 2.3.1 and 2.3.2).
- (2) The meeting shall resolve whether to admit additional written material, which was not provided at the time the agenda papers were produced.

**1.18
Meetings not invalid
because notice not
received²⁶**

1.18.1

- (1) No ordinary meeting or extraordinary meeting of the Council shall be invalid because notice of that meeting was not received or was not received in due time by any member of the Council unless
 - (a) It is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and
 - (b) The member concerned did not attend the meeting.
- (2) A member of Council may waive any requirement regarding the giving of notice of a meeting to that member.

(See Order 1.6).

²⁶ Clause 20 of Schedule 7 of the LGA

2 MEETINGS

2.1 Chairperson to preside at meetings²⁷

- 2.1.1
- (1) The Mayor shall preside at every meeting of the Council at which he or she is present unless the mayor vacates the chair for a particular meeting.
 - (2) The Chairperson of any committee shall preside at every meeting of the committee at which he or she is present unless the chairperson vacates the chair for a particular meeting.
 - (3) If the Mayor of the Council or the Chairperson of any committee, as the case may be, is absent from any meeting, the Deputy Mayor of the Council or Deputy Chairperson of a committee, as the case may be, shall preside, but, if no Deputy Mayor or Deputy Chairperson has been appointed or if the Deputy Mayor or Deputy Chairperson, as the case may be, is also absent, the members of the Council, or, as the case may be, of the committee, present shall elect one of their number to preside at that meeting, and that person shall have and may exercise at that meeting all the functions, duties, and powers of the Mayor, or Chairperson of the committee, as the case may be, at that meeting, but not otherwise.

2.2 Order of business

2.2.1
The order of business at every ordinary meeting of the Council shall be as follows or as near as circumstances permit:

Opening/Prayer/Karakia
Apologies
Confirmation of Minutes of Council Meetings
Urgent Business - Authorised to be taken Under Standing Order 2.5
Extraordinary Business
Questions in accordance with Standing Order 4.1
Reception of Committee, Workshop and Community Board Minutes
Adoption of Committee recommendations
Notice of Motion
Correspondence
Sealing of Documents
Announcements by the Mayor.

2.3 Agenda *Order of business*

2.3.1
The Chief Executive Officer shall prepare for each meeting an agenda setting forth the items of business to be brought before the meeting so far as is known. At the meeting the business shall be dealt with in the order in which it stands on the said agenda unless the meeting determines otherwise (see Order 2.6.1).

Embargo of agenda

2.3.2
An agenda detailing business to be considered by a meeting may be issued to members of the news media on the basis of being embargoed until the commencement of the relevant meeting, or such earlier time as is stated in the agenda (see Order 3.2.6 and 3.3.6).

²⁷ Clause 26 of Schedule 7 of the LGA

**2.4
Mayor's report**

2.4.1
The Mayor shall, by report, have the right to direct the attention of the Council to any matter or subject within the role or function of the Council.

**2.5
Urgent business at
ordinary meetings²⁸**

2.5.1
Where an item subject to item 2.5.2 is not on the agenda for a meeting, that item may be dealt with at that meeting if:

- (a) The Council or Committee so decides; and
- (b) The presiding member explains at the meeting at a time when it is open to the public:
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.
- (c) Any matter coming before any committee under this Order, that is not a committee of the whole, shall be dealt with only by way of a 'Recommendation to Council'."

*Extraordinary business at
ordinary meetings*

2.5.2
Where an item is not on the agenda for a meeting:

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

²⁸ Section 46A(7) & (7A) Local Government Official Information and Meetings Act 1987

**2.6
Precedence of business**

2.6.1
Notwithstanding anything to the contrary contained in these Standing Orders, and after the confirmation of the minutes of the previous meeting, the presiding member as a matter of urgency, or the Council or committee, as the case may be, on a motion duly passed without debate, may accord precedence to any business set down on the agenda for consideration.

**2.7
Time limit at meetings**

2.7.1
Unless pursuant to a resolution of the Council or committee to other effect, no meeting shall sit for more than six hours nor beyond 11.30 pm. Any business on the agenda not dealt with shall be listed for attention at the next ordinary meeting or extraordinary meeting.

**2.8
Quorum at meetings²⁹**

2.8.1
(1) A meeting shall be duly constituted if a quorum is present whether or not all of the members present are voting or entitled to vote.

(2) No business shall be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted.

Quorum at Full Council meeting

(3) The quorum at any meeting of the Council shall consist of half the members (including vacancies) if the number of members is even, and a majority if the number is odd.

Quorum at committee meetings

(4) The quorum at any meeting of a committee:

- (a) Shall be in accordance with Order 1.9.3. as to Standing Committees, and
- (b) Shall be not less than two members of the committee as determined by the Council or committee that appoints the committee, and
- (c) In the case of a committee (other than a sub committee) shall include at least one member of the Council, and
- (d) The presence of the Mayor or in his/her absence the Deputy Mayor, at a meeting of a Council committee in an ex-officio capacity, shall be taken into account in calculating whether a quorum is present.

Duty to notify absence

(5) Members have a duty to notify a meeting's Committee Advisor, before the meeting day, of any pending absence by them of all or part of a meeting, so that any implications regarding a quorum are known prior to the meeting.

A member intending to leave a meeting early and who has not already advised the Committee Advisor as above must advise the meeting's Chairperson accordingly at the commencement of the meeting.

²⁹ Clause 23 of Schedule 7 of the LGA

2.9

Failure of a quorum

Insufficient to commence meeting

2.9.1

If a quorum of the Council or any committee is not present within half an hour after the time appointed for holding the meeting, such meeting shall thereupon lapse, and the names of the members who attended and the fact of such lapse shall be recorded in the minutes and signed by the secretary.
(see Order 2.11.2)

Failure of after meeting commences

2.9.2

If, after business at a meeting of the Council or committee has commenced, a want of quorum occurs, the business shall be suspended, and if no quorum is present within five minutes thereafter the Mayor or Chairperson shall vacate the chair and the remainder of the meeting shall lapse. The business remaining to be disposed of shall stand adjourned until the next ordinary meeting unless an earlier meeting is fixed by the Mayor or Chairperson and notified by the Chief Executive Officer. A fresh notice of motion is required for the renewal of any motion.

Lack of quorum following adjournment

2.9.3

If any meeting of the Council or committee is adjourned temporarily, and if a quorum is not present within half an hour after the time appointed for the meeting to reconvene the members or member if there is only one present, or the Chief Executive Officer if no member is present, may adjourn such meeting to another day not later than seven days thereafter, and notice of such adjourned meeting shall be given to each member.

Provided that, where the meeting is not adjourned in this manner, the remaining business shall be carried forward to the next ordinary meeting of the Council or committee.

2.10

Leave of absence and apologies

Granting leave of absence

2.10.1

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

Apologies at Meetings

2.10.2

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

Recording of apologies

2.10.3

The Chairperson of each meeting shall invite apologies at the beginning of each meeting and these and subsequent apologies during the meeting shall be recorded in the minutes, including whether they were accepted or declined.

Extraordinary Vacancies³⁰

2.10.4

The Chief Executive Officer will advise any member in writing if he/she has missed three consecutive ordinary Council meetings without leave of absence being previously granted. On the fourth consecutive occasion the office of the member will become vacant.

2.11

Minutes of proceedings³¹

2.11.1

The Council shall keep minutes of all its proceedings and minutes of proceedings duly entered and authenticated as prescribed by the Council shall be prima facie evidence of those proceedings.

³⁰ Clause 5 of Schedule 7 of the LGA

- 2.11.2
- Keeping of minutes - Council and Committees*
- (1) The Chief Executive Officer shall ensure the minutes of meetings are kept. The minutes shall record the names of members attending each meeting, the names of those voting in each division called, and every resolution, order, or other proceeding of the meeting. The names of any members absent shall also be recorded, together with the arrival and departure times of any members not present at the beginning or end of the meeting, or during the course of the meeting (see Orders 2.9.1, 2.19.5, 2.20.10, 2.22.2, 2.22.8 and 3.3.6).
- Keeping of minutes - Committees*
- (2) There shall not be recorded in any minutes or reports of the proceedings of any Standing or special committee, the movers of motions or amendments, or the text of motions or amendments, or, save where a division has been taken pursuant to Orders 2.22.3 & 2.22.4, the manner in which any member of the committee voted on any matter.

³¹ Clause 28 of Schedule 7 of the LGA

Approval of minutes

2.11.3

(1) The minutes and proceedings of every meeting shall be circulated to members.

(2) The minutes circulated to members must be either:

(a) Considered at the next meeting succeeding, and, if approved by that meeting, or amended as directed by that meeting, shall be signed by the Mayor as to Council minutes or by the Chairperson of such succeeding meeting.

Or

(b) In the case of a committee, subcommittee or panel of Commissioners:

(i) that does not meet on a regular basis, or

(ii) that does not have a meeting scheduled in the next calendar month following the date of its last meeting, or

(iii) where the members of the committee or subcommittee at the succeeding meeting will differ from those that attended the meeting to which the minutes relate, -

the Chief Executive Officer may direct that the minutes be circulated to all members for approval within such period as the Chief Executive Officer may specify. Where any member of the committee, subcommittee or panel seeks any amendment to the minutes, the chairperson of the meeting to which the minutes relate shall determine whether or not that amendment is made, provided that the chairperson must first consult the other members of the committee, subcommittee or panel who attended that meeting before making the determination. Once the minutes are determined as a correct record of proceedings, they shall be signed by the chairperson.

Or

(c) In the case of a Commissioner conducting a hearing and acting alone, the minutes of the hearing will be approved and signed by the Commissioner as soon as possible following the conclusion of the hearing.

(3) The chairperson and the Chief Executive Officer shall authenticate the minutes of the last meeting of a local authority prior to the next election of members.

(4) In the event of a committee being discharged or becoming defunct, the minutes of the last meeting if not signed at such meeting shall be signed by the committee advisor.”

2.11.4

No discussion on minutes

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

2.12
Minute books³²

2.12.1
The minute books of the Council shall be kept by the Chief Executive Officer and shall be open to inspection in accordance with the Local Government Official Information and Meetings Act 1987 and the Act (see 3.3.6).

Public entitled to inspect

2.12.2
The minutes of any meeting or part of a meeting of the Council or committee that was required to be open to the public under the provisions of the Local Government Official Information and Meetings Act 1987 may be inspected by any member of the public without payment of fee at the office of the Council during ordinary office hours and any such member of the public may take notes therefrom:

PROVIDED THAT the Council or any officer of the Council may take such precautions as are deemed necessary to ensure that in inspecting the minutes of the meeting, no member of the public shall inspect or sight the minutes of a meeting or part of a meeting that was not open to the public.

2.13
Deputations and Presentations

2.13.1
Deputations

2.13.1.1
Deputations may be received by the Council (or any committee) provided an application for admission setting forth the subject has been lodged with the Chief Executive Officer at least fourteen (14) clear days before the date of the meeting concerned and has been subsequently approved by the Mayor or Chairperson of the relative committee. The Mayor or such Chairperson may refuse requests for deputations where there is repetition of subject matter, or where they are likely to give offence, or are not within the scope of the role of functions of the Council.

In the case of a deputation from a Community Board, authorised by a resolution of the Board and about a matter affecting the Board's community area, the period of notice shall be two (2) clear days.

2.13.1.2
Notwithstanding Order 2.13.1, where in the opinion of the Mayor or Chairperson the deputation brings to Council a matter which is one of urgency or major public interest, the Mayor or Chairperson may determine that the deputation be received by the Council, or Committee.

Procedures of deputations

2.13.1.3
Except with the approval of the Council (or committee), not more than two members of a deputation may address the meeting. After a deputation is received members may put any question pertinent to the subject heard, but no member shall express an opinion upon, or discuss the subject, nor move a motion until the deputation has completed making its submissions and answering questions (see Order 2.23.1 regarding qualified privilege).

Closure of time allocated

2.13.1.4
The Mayor or Chairperson may end the time allocated for a deputation in progress where it is judged that the behaviour is disrespectful or offensive, or where the Mayor or Chairperson has reason to believe that statements have been made with malice (see Order 2.23.1 regarding qualified privilege).

³² s.51 Local Government Official Information and Meetings Act 1987

<i>Time limit on deputation</i>	2.13.1.5 Unless the meeting determines otherwise in any particular case, a limit of twenty minutes in total shall be placed on a deputation addressing meeting.
<i>Clarification of Deputation</i>	2.13.1.6 For definition purposes, a “Deputation” is classified as an individual, community group or organisation that comes to Council requesting an action to be taken.
2.13.2 Presentations	
	2.13.2.1 Presentations may be given to the Council (or committees) provided an application for admission detailing the subject, has been lodged with the Director at least fourteen (14) clear days before the date of the meeting concerned and has been subsequently approved by the Mayor or Chairperson. The Mayor or Chairperson may refuse requests for presentations where there is repetition of subject matter, or where they are likely to give offence, or are not within the scope of the role of functions of the Council.
<i>Procedures for presentations</i>	2.13.2.2 Except with the approval of the Council (or committee) a presentation may be given by not more than two people. After a presentation has been made, members may put to the presenters any question(s) pertinent to the subject, but no member shall express an opinion upon, or discuss the subject, nor move a motion until the presenters have completed making their presentation and answering questions (see 2.23.1 regarding qualified privilege).
<i>Termination of presentation if disrespectful</i>	2.13.2.3 The Mayor or Chairperson may terminate a presentation in progress which is disrespectful or offensive, or where the Mayor or Chairperson has reason to believe that statements have been made with malice (see 2.23.1 regarding qualified privilege).
<i>Time limit of presentation</i>	2.13.2.4 Unless the meeting determines otherwise in any particular case, a limit of twenty (20) minutes in total shall be placed on the presentation.
<i>Clarification of a presentation</i>	For definition purposes, a “presentation” is classified as a performance or action by an individual, community group, or organisation delivering information only.
2.14 Petitions	
<i>Receiving and referral</i>	2.14.1 The Chief Executive Officer will receive all petitions and refer the petition to the appropriate Standing Committee or officer for consideration under their respective delegated powers.
<i>Composition of Petition</i>	2.14.2 A petition shall comprise less than 500 words and shall not be disrespectful, nor use offensive language or make statements made with malice (see Order 2.23.1 regarding qualified privilege). The Chief Executive Officer may accept or decline receipt of any petition received under this clause.

Petition where presented by members

2.14.3

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

Petition where presented by petitioner

2.14.4

Where a petition is presented by a petitioner, unless the Council or Committee determines otherwise, a limit of five minutes shall be placed on that person (see Order 2.23.1 regarding qualified privilege). If the Mayor or Chairperson has reason to believe that the petitioner is disrespectful or offensive, or has made statements with malice, the provisions of Order 2.13.2.3 shall apply.

2.15 Procedural motions to terminate or adjourn debate

Members who may move procedural motions to terminate or adjourn debate

2.15.1

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

- (a) That the meeting be adjourned to the next ordinary meeting, unless an alternative time and place is stated; or
- (b) That the item of business being discussed be adjourned to a time and place to be stated; or
- (c) That the motion under debate be now put (a "closure motion"); or
- (d) That the meeting move directly to the next business, superseding the item under discussion; or
- (e) That the item of business being discussed does lie on the table, and not be further discussed at that meeting, or
- (f) That the item of business being discussed be referred (or referred back) to the relevant committee of the Council.

Procedural motions to terminate or adjourn debate to take precedence

2.15.2

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

Voting on procedural motions to terminate or adjourn debate

2.15.3

All procedural motions to terminate or adjourn debate shall be determined by two-thirds of those members present and voting. If lost, a further procedural motion to terminate or adjourn debate may not be moved by any member within quarter of an hour.

Closure motion to be put if no further speaker

2.15.4

Notwithstanding Order 2.15.3 a closure motion shall be put if there is no further speaker in the debate.

Closure motion on amendment

2.15.5

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

<i>Right of reply following closure</i>	<p>2.15.6 If a closure motion is carried, the mover of the motion then under debate is entitled to the right of reply, and the motion or amendment under debate shall then be put.</p>
<i>Debate on items previously adjourned</i>	<p>2.15.7 The debate on adjourned items of business shall be resumed with the mover of such adjournment being entitled to speak first in the debate. Members who have already spoken in the debate may not speak again.</p>
<i>Adjourned items taken first</i>	<p>2.15.8 Adjourned items of business shall be taken first at the subsequent meeting in the class of business to which they belong.</p>
<i>Other business not superseded</i>	<p>2.15.9 The carrying of any motion to adjourn a meeting shall not supersede other business before the meeting remaining unaddressed, and such other business shall be considered at the next meeting.</p>
<i>Referral or referred back to committee</i>	<p>2.15.10 Business referred, or referred back, to a specified committee shall be considered at the next ordinary meeting of that committee.</p>
<p>2.16 Notices of motion <i>Notices of motion to be in writing</i></p>	<p>2.16.1 Notices of motion shall be in writing signed by the mover, stating the Council or Committee meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive Officer at least seven clear days before such meeting (see Order 2.18.14).</p> <p>Note: Seven clear days means seven days excluding the day proposed for bringing on such motion and excluding the day on which the notice of motion is delivered to the Chief Executive Officer.</p>
<i>Refusal of notice of motion</i>	<p>2.16.2 The Mayor may direct the Chief Executive Officer to refuse to accept any notice of motion which is:</p> <ul style="list-style-type: none"> (a) Disrespectful or which contains offensive language or statements made with malice; or (b) Not, in subject, within the scope of the role or functions of the Council; or (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the Chief Executive Officer may make.
<i>Mover of notice of motion to be present</i>	<p>2.16.3 No notice of motion shall proceed in the absence of the mover, unless moved by another member authorised in writing by the mover to do so.</p>
<i>Alteration of notice of motion</i>	<p>2.16.4 A notice of motion may only be altered by the mover with the consent of the meeting.</p>

<i>When notices of motion lapse</i>	2.16.5 Notices of motion not moved on being called for by the Mayor or Chairperson shall lapse.
<i>Referral of notice of motion to committees</i>	2.16.6 Any notice of motion referring to any matter ordinarily dealt with by a committee of the Council shall be referred by the Council to that committee.
2.17 Repeat notices of motion <i>First repeat where notice of motion rejected</i>	2.17.1 When a motion which is the subject of a notice of motion has been considered and rejected by the Council, no similar notice of motion which, in the opinion of the Mayor, is substantially the same in purport and effect shall be accepted within the next six months unless signed by not less than one-third of the members of the Council (including vacancies).
<i>Second repeat where notice of motion rejected</i>	2.17.2 If such a repeat notice of motion as provided for in Order 2.17.1 is also rejected by the Council, any further notice prior to the expiration of the original period of six months shall need to be signed by a majority of the members of the Council (including vacancies).
<i>No repeats where notice of motion agreed</i>	2.17.3 Where a notice of motion has been considered and agreed by the Council, no notice of any other motion which is, in the opinion of the Mayor, to the same effect shall be put again whilst such original motion stands.
2.18 Motions and amendments <i>Requirement for a seconder</i>	2.18.1 (a) All types of motions and amendments moved in Council (including notices of motion) must be seconded, following which the Mayor shall state the matter raised and propose it for discussion (see Order 2.18.7.) (b) Motions and amendments at committee meetings need not be seconded.
<i>Withdrawal of motions and amendments</i>	2.18.2 Once motions or amendments have been proposed by the Mayor or Chairperson from the chair for discussion they cannot be withdrawn without the consent of a majority of the members present and voting. A motion to which an amendment has been moved and seconded cannot be withdrawn until the amendment is first withdrawn or lost.
<i>Substituted motion by amendment</i>	2.18.3 A meeting may allow a motion which is subject to an amendment to be withdrawn and replaced by such amendment as the substituted motion, provided a majority of the members present vote for the withdrawal of the original motion. In such case, members who have spoken to the original motion may speak again to the substituted motion.
<i>Motions in writing</i>	2.18.4 The Mayor or Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.

<i>Division of motions</i>	<p>2.18.5 The Mayor or Chairperson or the meeting may require a complicated motion (whether an original motion, a substituted motion, or amendment) to be divided.</p>
<i>Alteration once moved</i>	<p>2.18.6 When a motion has been seconded and proposed by the Mayor or Chairperson for discussion, an amendment may be moved and seconded by any members who have not yet spoken to the motion (whether an original motion or substituted motion). The mover or seconder of a motion for the adoption of the report of a committee who desires to amend any item in the report may also propose or second an amendment.</p>
<i>Amendments not seconded</i>	<p>2.18.7 Amendments which are proposed in Council meetings but not seconded shall not be in order nor entered in the minutes.</p>
<i>Further amendments</i>	<p>2.18.8 No further amendment shall be allowed until the first amendment is disposed of, although members may give notice to the chair of their intention to move further amendments and the tenor of their content.</p>
<i>Where amendment lost</i>	<p>2.18.9 Where an amendment is lost, another may be moved and seconded by any members who have not spoken to the motion (whether an original motion or substituted motion). Movers and seconders of previous amendments which were lost shall be regarded as having spoken to the motion only and shall be entitled to speak to the new amendment, but shall not be entitled to move or second the new amendment.</p>
<i>Where amendment carried</i>	<p>2.18.10 Where an amendment is carried, the motion as amended becomes the substantive motion, and any member, other than previous movers or seconders in the debate, may then propose a further amendment.</p>
<i>Amendments relevant</i>	<p>2.18.11 Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.</p>
<i>Direct negatives not allowed</i>	<p>2.18.12 No amendment which amounts to a direct negative shall be allowed which, if carried, would have the same effect as negating the motion.</p>
<i>Same members not to move or second further amendments</i>	<p>2.18.13 The procedure in Orders 2.18.9 and 2.18.10 shall be continued until a final resolution is adopted, subject to the rule that amendments may be moved and seconded only by members who have not spoken to the motion, or who have not moved or seconded previous amendments. Such members may however speak to amendments moved and seconded by other members.</p>

Revocation or alteration of resolutions

2.18.14

All or part of a resolution agreed at a meeting of the Council or committee may be revoked or altered as follows:

- (a) Notice of motion for the revocation or alteration of all or part of a previous resolution shall be given to the Chief Executive Officer by the member intending to move such a motion, generally, in accordance with Order 2.16. Such notice shall set out:
 - (i) the resolution or part thereof which it is proposed to revoke;
 - (ii) the meeting date when it was passed;
 - (iii) and the motion, if any, that it is intended to move in substitution therefore;
- (b) Such notice shall be given to the Chief Executive Officer at least seven clear days before the meeting at which it is proposed to consider such motion and shall be signed by not less than one third of the members of the Council (including vacancies); or half of the appointed members of the particular committee if the number of members is even, or a majority if the number is odd, which dealt with the matter referred to in the Notice of Motion.
- (c) At least two clear days notice in writing shall then be given by the Chief Executive Officer to the members of the intended motion and of the meeting at which it is proposed to move such motion (see (b) above and Order 2.18.17).

Restriction on action to be taken on previous resolution

2.18.15

Where a notice of motion has been given in terms of Order 2.18.14 no action which is irreversible shall be taken under the resolution proposed to be revoked or altered until the proposed notice of motion has been dealt with by the Council or Committee. However, if in the opinion of the Mayor, the practical effect of the delay would be equivalent to a revocation of the resolution, or if, by reason of repetitive notices the effect of the notice is, in the opinion of the Mayor, an attempt by a minority to frustrate the will of the Council then, in either case, action may be taken as though no such notice to the Chief Executive Officer had been given or signed.

Revocation or alteration of resolution at same meeting

2.18.16

If, during the course of a meeting of the Council or committee, fresh facts or information are received concerning a matter already resolved at the meeting, then such previous resolution may be revoked or altered by the consent of three-quarters of the members present and voting. The particular item will be recommitted and open for further discussion and resolution.

Council may revoke or alter any previous resolution

2.18.17

- (1) The Council may, on a recommendation contained in a report by the Mayor or Chief Executive Officer, or the report of any committee, revoke or alter all or part of any resolution previously passed by the Council or committee, provided that notification of such recommendation shall have been given to the Mayor and members at least two clear days before the meeting at which such recommendation is to be considered.

- (2) Notwithstanding the foregoing, nothing in this Order shall entitle the Council to rescind or amend a decision made by a committee pursuant to a delegation authorising the making of the decision.
- (3) If new facts or information are received concerning a matter already resolved by a Standing Committee which, in the opinion of Council, requires the reconsideration of a committee resolution, then by resolution of the Council, such previous resolution shall be referred back to that committee for consideration.

Restating the motion before division 2.18.18
The Mayor or Chairperson may, immediately prior to any division being taken, request the Chief Executive Officer to restate the motion upon which the division is to be taken. No member may speak to that motion after it has been put and voted upon.

Reflections on resolutions 2.18.19
In speaking in any debate no member shall cast reflection on any resolution of the Council or of any Standing Committee except by a notice of motion to amend or revoke the same (see Order 2.18.14).

2.19

Rules of debate

Mode of address

2.19.1
The Mayor shall be referred to in debate by such title as “Your Worship” or “Mr Mayor”, and members as “Councillor” (adding the surname). A Chairperson shall be referred to as “Mr Chairman” or “Mr Chairperson” or “Madam Chairman” or “Madam Chairperson”.

Reserving speech - Council Meeting 2.19.2
A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.

Irrelevant matter and tedious repetition 2.19.3
In speaking to any motion or amendment, members shall confine their remarks strictly to such motion or amendment, and shall not introduce irrelevant matter or indulge in tedious repetition. In this matter, the Mayor's ruling shall be final and not open to challenge.

Limitation on speakers 2.19.4
If three speakers have spoken consecutively in support of, or in opposition to, any motion the Mayor shall call for a speaker to the contrary. If no such speaker is forthcoming the motion shall be put. Any member speaking shall, if called upon by the Mayor to do so, announce whether they are speaking in support of or against the motion or amendment.

Taking down words 2.19.5
When any member objects to words used and desires them to be recorded in the minutes, the Mayor may so order them to be recorded, provided such objection be made at the time the words were used and not after any other members have spoken (see Order 2.21.4).

Reading of speeches 2.19.6
Members shall not read their speeches, except with the permission of the Mayor, but may refresh their memory by reference to notes.

<i>Time limits</i>	<p>2.19.7 The following time limits shall apply to members speaking at Council meetings, unless extended by a majority vote of members present:</p> <p>(a) Movers of motions when speaking to the motion, ten minutes;</p> <p>(b) Movers of motions, when exercising their right of reply, three minutes;</p> <p>(c) Other members, not more than five minutes.</p>
<i>Member speaking more than once</i>	<p>2.19.8 Except pursuant to Orders 2.19.10, 2.19.13 and 2.19.14 a member may not speak more than once to a motion. The restriction on speaking time shall not apply to an explanation by:</p> <p>(i) The Mayor to clarify the question under discussion or;</p> <p>(ii) A Chairperson in response to questions raised during the presentation of the report of that committee. (See Orders 2.19.10 re right of reply, 2.19.13 re personal explanation and 2.19.14 re explanation of previous speech).</p>
<i>Restating of motion</i>	<p>2.19.9 Members may request the Mayor to restate the motion for their information at any time during the debate, but not so as to interrupt.</p>
<i>Right of reply</i>	<p>2.19.10 The mover of an original motion shall have the right of reply. After the mover has commenced such reply, or has intimated the wish to forego this right, or having spoken to an amendment to the motion and the Mayor has intimated his intention to put the motion, no other member of the Council shall speak on the motion. Movers in reply shall not introduce any new matter and shall confine themselves strictly to answering previous speakers.</p>
<i>When right of reply may be exercised</i>	<p>2.19.11 The right of reply shall be governed as follows:</p> <p>(a) Where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion;</p> <p>(b) If there is an amendment, the mover of the original motion may make such reply at the conclusion of the debate on such amendment, and this reply shall exhaust the right thereto as mover of the original motion (see Orders 2.19.10). Provided that the mover may reserve such right of reply. The mover may, however, take part in the discussion upon subsequent amendments.</p>
<i>Speaking only to relevant matters</i>	<p>2.19.12 Members may speak to any matter before the meeting or upon a motion or amendment to be proposed by themselves, or upon a point of order arising out of debate, but not otherwise.</p>
<i>Personal explanation</i>	<p>2.19.13 Notwithstanding Order 2.19.8, members may make a personal explanation with the permission of the Mayor, but such matters may not be debated.</p>

<i>Explanation of previous speech</i>	<p>2.19.14 With the permission of the Mayor, explanation of some material part of a previous speech in the same debate may be given by a member who has already spoken, but new matter may not be introduced.</p>
2.20 Conduct of meetings <i>Mayor or Chairperson to decide</i>	<p>2.20.1 The Mayor or Chairperson shall decide all points of order and any member who refuses to comply with any order or ruling of the Mayor or Chairperson shall be held guilty of contempt (see Order 2.20.10). For decisions on questions see Order 1.3).</p>
<i>Mayor rising</i>	<p>2.20.2 Whenever the Mayor or Chairperson rises during a debate any member then speaking or offering to speak shall be seated, and members shall be silent so that the Mayor or Chairperson may rule in terms of a breach of Standing Orders or disciplinary matters in relation to Orders 2.20.5 to 2.20.10 and be heard without interruption.</p>
<i>Members to speak in places</i>	<p>2.20.3 Members desiring to speak at a Council meeting shall rise in their place and address the Mayor, and shall not leave their place while speaking without the leave of the Mayor. At Committee meetings members wishing to speak shall indicate their intention by raising their hand and will address the meeting when called upon by the Chairperson. Members may remain seated.</p>
<i>Priority of speakers</i>	<p>2.20.4 When two or more members rise to speak at a meeting, the Mayor or Chairperson shall name the member who has the right to speak first, provided that the following members shall have precedence, where in order, when they rise and state their intention to:</p> <ul style="list-style-type: none"> (a) Raise a point of order (Order 2.21), including any request to obtain a time extension for the previous speaker; (b) Move a motion to terminate or adjourn the debate (see Order 2.15); or (c) Make a point of explanation or request an indulgence of the Mayor or Chairperson (see Orders 2.19.13 or 2.19.14).
<i>Disorderly members to withdraw</i>	<p>2.20.5 Members called to order by the Mayor or Chairperson shall stop speaking and be seated. Should any member refuse to comply, such member may be directed by the Mayor or Chairperson to withdraw from the meeting. Upon such direction, any such member shall withdraw and shall not be permitted to return during the meeting, or any period thereof of that meeting that the Mayor or Chairperson may determine (see Order 1.3.3).</p>
<i>Disorderly members to be excluded by The Mayor or Chairperson³³</i>	<p>If any member who is required, pursuant to a ruling under Standing Orders, to leave a meeting, after having left the meeting, attempts to re-enter the meeting without the permission of the Mayor or Chairperson, any constable, or any officer or employee of the Council, may, at the request of the Mayor or Chairperson, remove or, as the case may require, exclude that member from the meeting.”</p> <p>(See 2.20.1, 2.20.10 and 2.24.1)</p>

³³ Clause 16 of Schedule 7 of the LGA

<i>Members not to be disrespectful</i>	<p>2.20.6</p> <p>(1) No member shall at any meeting, be disrespectful in speech or use offensive or malicious language, including in reference to:</p> <ul style="list-style-type: none"> (a) the Council, or (b) any other member, or (c) any Council employee. <p>(2) No member shall insinuate improper motives, or make offensive remarks about the private affairs of any other member or any Council employee.</p>
<i>Retraction of or apology for offensive or malicious language</i>	<p>2.20.7</p> <p>Any member having used offensive or malicious language at a meeting who does not retract or apologise, may by resolution of the meeting, be held guilty of contempt (see Order 2.20.10).</p>
<i>Disorder in meeting</i>	<p>2.20.8</p> <p>Any member making a disturbance or creating disorder whilst any other member is speaking or at any other time during a meeting and who refuses, when called upon by the Mayor or Chairperson to desist, may thereupon by resolution of the meeting be held guilty of contempt (see Order 2.20.10).</p>
<i>Suspension of meeting following disorder</i>	<p>2.20.9</p> <p>Should the disorder continue, the Mayor or Chairperson shall have the right to suspend the meeting for fifteen minutes. At the end of that period the meeting shall resume and decide without debate the question as to whether the meeting shall proceed or be adjourned. The Mayor or Chairperson may also take such action in relation to disorder from other sources or in the event of an emergency.</p>
<i>Contempt, censure and removal</i>	<p>2.20.10</p> <p>(1) Every member held guilty of contempt by reason of any Standing Order or breach of shall be censured by the Mayor or Chairperson and may also be ordered to leave the meeting. Every such contempt, censure, and removal shall be recorded in the minutes (see Orders 1.3.3, 2.11.1, 2.11.2 and 2.20.8).</p> <p>(2) Disorder of any kind occurring in any committee of the Council and being reported to the Council may be dealt with by the Council in the manner prescribed in paragraph (1), and with similar consequences.</p>
<i>Use of recording device</i>	<p>2.20.11</p> <p>No member or person may use, or be associated with the use of, a mechanical or electronic recording device without the knowledge of the meeting and the consent of the Mayor or Chairperson.</p>

2.21

Points of order

Members rising to points of order

2.21.1

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

2.21.2

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

2.21.3

No point of order shall be raised during a division except by permission of the Mayor or Chairperson.

Types of points of order

2.21.4

The following shall be recognised as substance for points of order:

- (a) Discussion of a question not before the Council, or
- (b) Use of offensive or malicious language, or
- (c) The breach of any Standing Order, or
- (d) Misrepresentation of any statement made by a member or by an employee of the Council, or
- (e) Request that words objected to be recorded in the minutes (see Order 2.19.5).

Contradiction not point of order

2.21.5

Rising to express a difference of opinion or to contradict a statement of a speaker shall not be construed as rising to speak to a point of order.

Presiding member's decision final

2.21.6

The Mayor or Chairperson may decide on any point of order immediately after it has been raised by any member, or may first hear further argument thereon before deciding. The ruling of the Mayor or Chairperson upon any point of order shall not be open to any discussion and shall be final (see 1.3).

2.22

Voting³⁴

Decisions to be decided by majority of votes

2.22.1

- (1) Except where otherwise provided in these Standing Orders, all acts of the Council shall be done and all questions before the Council shall be decided at a meeting by the majority of members that are present and voting; and
- (2) Every question coming before the Council shall be decided by open voting; and
- (3) The mayor or chairperson or other person presiding at the meeting:
 - (a) has a deliberative vote; and
 - (b) in the case of an equality of votes, has a casting vote.

³⁴ Clause 24 of Schedule 7 of the LGA

- 2.22.2
Members may abstain Any member may abstain from voting and only when a division has been called for may, on request, have their abstention recorded in the minutes (see Order 2.11.2).
- 2.22.3
Method of voting - Council The method of voting at meetings of the Council shall be as follows:
- (a) The Mayor in putting the motion shall call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the Mayor, shall be conclusive unless such announcement is questioned immediately, in which event the Mayor shall call a division;
 - (b) The Mayor may call for a division instead of, or after receiving opinion on the voices and taking a show of hands;
 - (c) Any member may alternatively call for a division immediately the Mayor has declared the result of a vote on the voices or by a show of hands.
- 2.22.4
Method of voting - Committee meetings The method of voting at meetings of any committee shall be as follows:
- (a) Where a committee has reached a conclusion on a recommendation to the Council, the Chairperson on putting the question may call for an expression of opinion on the voices; and if the result on the voices as announced by the Chairperson is questioned immediately, or if the Chairperson elects, a show of hands may be taken; but no division may be called for or had; nor shall the way in which any member voted on such recommendation be recorded.
 - (b) Where a committee has reached a final decision on a matter in respect of which the Council has delegated its power of decision to that committee:
 - (i) the Chairperson may call for a division instead of, or after taking a show of hands or calling for and receiving opinion on the voices, or
 - (ii) any member of the committee may call for a division immediately the Chairperson has declared the result of a vote on the voices or by a show of hands.
- 2.22.5
Division When a division is called for the Chief Executive Officer or other officer shall take down the names of the members voting for and against respectively, and shall hand the list to the Mayor or Chairperson who shall declare the result.
- 2.22.6
Second division In case of confusion or error in taking the division, unless the same can be otherwise corrected, a second division shall be taken.

Pecuniary interest

2.22.7

(1) No member shall take part in the discussion of nor vote upon any matter before the Council or any committee, in which he or she has a direct or indirect pecuniary interest, other than an interest in common with the public.

(2) For the purpose of this and following Orders, a pecuniary interest is one which is such an interest for the purposes of the Local Authorities (Member's Interests) Act 1968)

[s.6(1) Local Authorities (Members' Interests) Act 1968.]

Declaration of pecuniary interest

2.22.8

Every member present when any matter is raised in which he or she, directly or indirectly has a pecuniary interest apart from any interest in common with the public, shall declare fully any such interest to the meeting. This disclosure and the subsequent abstention of such member from both discussion and voting on the item shall be recorded in the minutes (see Order 2.11.2).

[s.6(5) Local Authorities (Members' Interests) Act 1968.]

Pecuniary interest a reason for leaving room

2.22.9

Members who have declared a pecuniary interest, in matters to be discussed under Order 2.22.7 should consider leaving the meeting room for the full duration of discussion on such matters.

2.23
Qualified privilege
Qualified privilege relating to agenda, minutes

2.23.1

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

(a) There is supplied to a member of the public a copy of the agenda for the meeting with or without further statements or particulars for the purpose of indicating the nature of any item included in the agenda; or

(b) The minutes of that meeting or part are produced for inspection by any member of the public or a copy thereof is given to any member of the public,

the publication thereby of any defamatory matter included in the agenda or in the further statements or particulars or in the minutes shall be privileged unless in any proceedings for defamation in respect of that publication the plaintiff proves that, in publishing the matter, the defendant was predominantly motivated by ill will towards the plaintiff, or otherwise took improper advantage of the occasion of publication.

[s.52 Local Government Official Information and Meetings Act 1987]

Qualified privilege relating to oral statements in council meetings³⁵

2.23.2

(1) Any oral statement made at any meeting of the Council in accordance with Standing Orders shall be privileged, unless, in any proceedings for defamation in respect of the statement, the plaintiff proves that, in making the statement, the defendant was predominantly motivated by ill will towards the plaintiff, or otherwise took improper advantage of the occasion of publication.

³⁵ Section 53 LGOIMA

- (2) The privilege conferred by paragraph (1) of this Order is in addition to and not in substitution for or derogation of any other privilege, whether absolute or qualified, that applies, by virtue of any other enactment or rule of law, to the proceedings of the Council.

**2.24
Maintenance of public
order at meetings**

2.24.1

- (1) The Mayor or Chairperson at any meeting may, if that person believes, on reasonable grounds, that the behaviour of any member of the public attending that meeting is likely to prejudice or to continue to prejudice the orderly conduct of that meeting if that member of the public is permitted to remain in that meeting, require that member of the public to leave the meeting.

*Removal of members of
public*

- (2) If any member of the public who is required, pursuant to paragraph (1) of this Order, to leave a meeting
 - (a) Refuses or fails to leave the meeting; or
 - (b) Having left the meeting, attempts to re-enter the meeting without the permission of the person presiding at the meeting,

any constable, or any Council employee, may, at the request of the person presiding at the meeting, remove or, as the case may require, exclude that member of the public from the meeting.

(See Order 1.3.3)

[s.50 Local Government Official Information and Meetings Act 1987]

**3
PUBLIC ACCESS**

**3.1
Public at meetings**

Meetings normally to be open

3.1.1
All meetings of the Council and its committees shall be open to the public and news media except where otherwise provided by Part VII of the Local Government Official Information and Meetings Act 1987.

[s.47 and 49 Local Government Official Information and Meetings Act 1987.]

Information to be available to public etc.

3.1.2
All information provided to members at Council and committee meetings shall be available to the public and news media unless a specific provision of the Local Government Official Information and Meetings Act 1987 applies.

[s.5 and s. 49 Local Government Official Information and Meetings Act 1987.]

**3.2
Public notification about meetings and access re agenda and minutes**
Public notification about ordinary meetings

3.2.1
All meetings scheduled for the following month except where provided for in Order 3.2.2, shall be publicly notified not more than 14 days and not less than five days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held.

[s.46(1) Local Government Official Information and Meetings Act 1987.]

3.2.2
Where any meeting is to be held on or after the 21st day of the month, such meetings may, instead of being notified in accordance with Order 3.2.1, be publicly notified not more than ten nor less than five working days before the day on which the meeting is to be held.

[s.46(2) Local Government Official Information and Meetings Act 1987.]

Public notification about extraordinary meetings

3.2.3
Where any extraordinary meeting of Council or a committee is called and notice of that meeting cannot be given in the manner required or permitted by Orders 3.2.1 and 3.2.2 as appropriate, the Council shall cause that meeting and the general nature of business to be transacted at that meeting to be publicly notified or otherwise advertised as soon as practicable before the meeting is to be held.

[s. 46(3) Local Government Official Information and Meetings Act 1987]

Alternative public notification about extraordinary meetings

3.2.4
Where an extraordinary meeting of the Council is called and notice of that meeting cannot be given in the manner required or permitted by Order 3.2.3 the Council or person calling the meeting must cause to be given such public notice of the meeting and the business to be transacted at the meeting as is reasonable in the circumstances (see Order 1.16.1).

[s.46(4) Local Government Official Information and Meetings Act 1987.]

3.2.5
Where the Council becomes aware that any meeting has not been publicly notified in accordance with Orders 3.2.1, 3.2.2, 3.2.3 or 3.2.4, the Council shall, as soon as practicable, give public notice that the meeting was not so notified, and shall in that notice, -

- (a) State the general nature of the business transacted at that meeting; and
- (b) Give the reasons why that meeting was not notified.

[s. 46(6) Local Government Official Information and Meetings Act 1987]

Public notification, additional requirements

3.2.6
The Chief Executive Officer shall make any other arrangement for the notification of meetings including extraordinary meetings as the Council may from time to time determine (see Order 1.16 for notification to members).

No meeting of the Council shall be invalid merely because that meeting was not publicly notified in accordance with Orders 3.2.1, 3.2.2, 3.2.3 or 3.2.4.

[s. 46(5) Local Government Official Information and Meetings Act 1987]

Agenda and minutes etc to be made available to public who are at meetings

3.2.7
The public shall be entitled without charge to copies of the agenda (including copies of any documents deemed part of the agenda) to be considered at that part of the meeting which is to be open to them. The part of the agenda which relates to the resolution or motion to exclude the public (see Orders 3.3) shall also be available to the public. Sufficient quantity of copies shall be made available as may in the Council's opinion be necessary to ensure an adequate supply for persons requesting copies. (see Orders 2.3.2 and 3.3.2).

[s.46A, s.48(4) and s.49 Local Government Official Information and Meetings Act 1987.]

List of committee members publicly available during business hours

3.2.8
Lists of members on each committee shall be available at the office of the Council during business hours and at all meetings of the Council at which members of the public are present.

3.3

Reasons to exclude public

Lawful reasons to exclude public

3.3.1

Subject to Part VII of the Local Government Official Information and Meetings Act 1987 Council or a Committee may by resolution exclude the public from the whole or part of the proceedings of any meeting on one or more of the grounds specified in s.48 of that Act. (See Schedule "D" attached to these Standing Orders).

Further reasons to exclude public and to withhold information

3.3.2

The Council or any committee may by resolution exclude the public from the whole or part of the proceedings of any meeting and withhold information from the public where disclosure would not be in the public interest because of the greater need.

In the case only of an application for a resource consent or water conservation order, or a requirement for a designation or heritage order under the Resource Management Act 1991, to avoid serious offence to tikanga Maori, or to avoid the disclosure of the location of waahi tapu.

[s. 42 Resource Management Act 1991]

Form of resolutions to exclude public

3.3.3

Where so empowered, the meeting may by resolution or upon motion being made exclude the public and news media from the whole or any part of their proceedings. Any such resolution shall be in the form set out in Schedule 2A to the Local Government Official Information and Meetings Act 1987 and shall state the general subject of any matter to be considered while the public is excluded the reason for passing that resolution in relation to that matter and the grounds on which the resolution is based.

[s.48(3) Local Government Official Information and Meetings Act 1987.]

Considering motion to exclude the public

3.3.4

No previous notice of motion to exclude the public from the whole or any part of the proceedings of a meeting shall be necessary, and any resolutions passed by the Council while the public is excluded shall be resolutions of the Council, subject to confirmation by the Council in open forum.

Discussion on proposed resolution to exclude public

3.3.5

In discussing a proposed resolution or motion that the public be excluded from the whole or any part of the proceedings of a meeting (including any proposed amendment to the resolution or motion) the discussion shall not be permitted to traverse the subject-matter to be discussed following determination of the proposed resolution or motion (whether or not amended), but shall be confined strictly to the terms of the proposed resolution or motion.

Motion to exclude public to be put with the public present

3.3.6

Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof)

- (a) Shall be available to any member of the public who is present; and

(b) Shall form part of the minutes of the Council.

[s.48(4) Local Government Official Information and Meetings Act 1987]

Motion to exclude public to specify reasons

3.3.7

Where the ground for the resolution or motion is that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under ss.6, or 7 (other than subsection (2)(f)(i)), or under s.48(1) (b), (c) or (d) of the Local Government Official Information and Meetings Act, the resolution or motion shall specify the particular interest or interests protected by those sections, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public. (See Order 3.3.1.)

Motion to specify a person/s to remain

3.3.8

A resolution may also provide for one or more specified persons to remain after the public has been excluded if that person, or persons, has or have, in the opinion of Council, knowledge that will assist the Council.

Reasons to be specified

3.3.9

Where Council resolves that one or more persons may remain after the public has been excluded, the resolution must state the knowledge possessed by that person or those persons, which will be of assistance in relation to the matter to be discussed and how it is relevant to that matter.

[s.48(5) & (6) Local Government Official Information and Meetings Act 1987.]

**3.4
Standing Orders to apply to all parts of meetings**

3.4.1

These Standing Orders shall apply to meetings or parts of meetings from which the public has been excluded.

**3.5
Use of public excluded information**
Public excluded business not to be disclosed

3.5.1

Subject to the provisions of the Local Government Official Information and Meetings Act 1987, no member, officer or other person shall disclose to any person other than a member or employee of the Council, any information which has been presented to, or is to be presented to any meeting from which the public is properly excluded, or where it is proposed that the public be properly excluded, nor shall any discussion, deliberations or decisions be divulged following any such meeting except by way of release of information by the Council.

4 MISCELLANEOUS

4.1 Questions

4.1.1
Any Councillor may at any ordinary meeting of the Council or a committee at the appointed time, put a question to the Mayor or Chairperson, or to any employee of the Council concerning any matter relevant to the role or functions of the Council concerning any matter that does not appear on the agenda, nor arises from any committee report or recommendation submitted to that meeting (see Order 2.23.1 regarding qualified privilege).

Members to try and obtain information beforehand

4.1.2
Before putting a question, a member shall, in the first instance, endeavour to obtain the relevant information from the appropriate Council employee or the Chairperson of the committee concerned. In the event of the information sought not being forthcoming, or the member not being satisfied with the answer, the member then has the right to raise the matter by way of a question at an ordinary meeting of Council, provided that the Mayor may refer a question to an appropriate committee.

Questions to be in writing

4.1.3
Wherever applicable, such questions shall be in writing and handed to the Mayor or Chairperson prior to the commencement of the meeting at which they are to be asked.

Questions may be deferred

4.1.4
If an answer to the question cannot be given at the meeting it shall, at the discretion of the Chairperson, be placed on the agenda for the next appropriate meeting.

Questions to be concise

4.1.5
Questions and answers shall be submitted as briefly and concisely as possible. No discussion shall be allowed upon any question. If a member wishes to discuss the answer to a question, a resolution to that effect needs to be passed by the meeting.

4.2 Questions to officers during debate

4.2.1
In the course of any debate at any Council or committee meeting, any member may, at the Chairperson's discretion, ask any question of the relevant employee on any matter under debate. Such questions shall be directed through the chair (see Order 2.23.1 regarding qualified privilege).

4.3 Obligation to provide members with information

4.3.1
Public excluded information required by members in the performance of their particular duties as members shall be supplied to them by the Chief Executive Officer. Where the Chief Executive Officer is uncertain whether public excluded information should be supplied in any particular case, the matter shall be referred to the Mayor for direction (see Order 3.5.1).

Information to be used properly

4.3.2
No information obtained by any member, including pursuant to Order 4.3.1, shall be used for any purpose other than for the proper discharge of duties as a member.

Reporting of information misuse

4.3.3

Where the Mayor or any Chairperson has reasonable grounds for believing that public excluded information provided to any member has been misused, a report and any proposed action to be taken may be reported to the next ordinary Council meeting.

Rights of members to request and use information

4.3.4

The requirements of Order 4.3.1 are in addition to the rights of members to make separate and individual requests for information in terms of the Local Government Official Information and Meetings Act 1987. Such requests for information may include requests for information that had previously been supplied to that member as public excluded information to be released as publicly available information. Where such information is made available to that member as publicly available information the member has the right to use such information in the same way as if that member were a member of the public.

**4.4
Use of common seal**

4.4.1

The common seal of the Council shall be held by an Officer of the Council designated by the Council from time to time who shall be responsible for its use. Every sealing shall be made and done by that officer or in accordance with delegated authority.

4.4.2³⁶

Except as provided in Order 4.4.3 hereof, the common seal of the Council shall not be affixed to any document unless pursuant to a resolution of the Council, or to a resolution of a committee exercising the power delegated to it, or by the authority of the Mayor in urgent cases. Except as provided in Order 4.5.1. Every document to which the seal of the Council is so affixed shall be signed by the Mayor and the Chief Executive Officer; except that in the temporary absence of the Mayor, or where the Mayor is prevented by illness or other cause from doing so, such document may be signed by the Deputy Mayor and the Chief Executive Officer. Where both the Mayor and the Deputy Mayor are temporarily absent, or prevented by illness or other cause from performing their responsibilities and duties, such document may be signed by a member of the Council appointed by Council for this purpose and the Chief Executive Officer or by any two members of the Council and the Chief Executive Officer.

4.4.3

Where the common seal is to be affixed for any purpose under Part XXI of the Local Government Act 1974, or Part X of the Resource Management Act 1991 or for the purpose of varying or releasing or granting any priority or consent in respect of any instrument in favour of the Council providing security relative to Part XXI of the Local Government Act 1974, or s.39 of the Building Act 1991, then the seal may be affixed in the presence of and signed by any two of the following officers, namely the:

Senior Subdivisional Advisor
Senior Engineering Advisor
Subdivision Officer Advice

³⁶ Amended under Minute No. CL/APR/556/06 on 27 April 2006

**4.5
Signing of deeds**

4.5.1

Deeds are to be signed by the mayor and deputy mayor or, in the absence of either or both of them, any councillor appointed for the purpose of signing documents, and/or Chair Policy and Activities Committee and/or Deputy Chair Policy and Activities Committee may sign instead of the absent member(s). If only one of the foregoing five members is available to sign the deed, any other member may be the second signatory and if all of the foregoing five members are absent any two other members may sign the deed.”

(Minute No. CL/OCT/1197/08)

The foregoing Standing Orders were approved by the Manukau City Council at its meeting on 29 July 2004 and revoke any previous standing orders.

In witness whereof the
Common Seal of THE MANUKAU)
CITY COUNCIL was affixed)
in the presence of:)

Mayor

Chief Executive Officer

Minute No. CL/JULY/1267/04