



Te Tai o Poutini PLAN

A combined district plan for the West Coast

**Te Tai o Poutini Plan Committee Meeting
Grey District Council Chambers
Tainui St, Greymouth
15 December 2022
AGENDA**

9.30	Welcome and Apologies	Chair
	Confirm previous minutes	Chair
	Matters arising from previous meeting	Chair
9.35	Preliminary Comments	Chair
9.45	Financial Report July-October 2022	Project Manager
9.55	Technical Report – Minor Errors Rectified	Principal Planner
10.15	Update Report –Private Plan Changes	Principal Planner
10.30	Report – Extension of Submission Period – Retrospective Approval	Project Manager
10.45	Report - Nominations for TTPP Hearings Panel	Project Manager
11.00	Update on RMA Reform – New Natural and Built Environment and Spatial Planning Bills	Principal Planner
11.10	Project Manager’s Report	Project Manager
11.20	General Business	Chair
11.25	In Committee Session – Staff remuneration	Chair
	Meeting Ends	

Proposed Meeting Dates for 2023

February	Tuesday 28 th , 9.30 -11.30am	Buller District Council
April	Tuesday 18 th , 9.30 -11.30am	Westland District Council

THE WEST COAST REGIONAL COUNCIL

MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD ON 8 SEPTEMBER 2022, AT WEST COAST REGIONAL COUNCIL AND VIA ZOOM, COMMENCING AT 09.00 A.M.

PRESENT:

R. Williams (Chairman), J. Cleine, D Carruthers, L. Coll-McLaughlin, A. Becker, P. Madgwick, S. Roche, L. Martin, F. Tumahai, T. Gibson, A. Birchfield

IN ATTENDANCE:

L. Easton, E. Bretherton (WCRC), H. Mabin (WCRC), P. Morris (GDC), S. Bastion (WDC), S. Mason (BDC), R. Townrow (BDC)

WELCOME

The Chairman welcomed everyone to the meeting.

APOLOGIES: B Smith

Moved (L. Martin / A. Becker) That the apologies be accepted.

Carried

Conflicts of Interest

L. Coll-McLaughlin declared a conflict of interest due to an interest in the Karamea Lime Quarry which will result in her abstaining from voting on the Committee submission paper.

CONFIRMATION OF MINUTES

Moved (J. Cleine / T. Gibson) That the minutes of the meeting dated 21 June 2022, be confirmed as correct.

Carried

Moved (L. Coll-McLaughlin / A. Becker) That the minutes of the meeting dated 15 August 2022, be confirmed as correct.

Carried

MATTERS ARISING

There were no matters arising.

Financial Reports

Moved (T. Gibson/A, Birchfield) That the financial report to 30 June 2022 is received.

Carried

Moved (P. Madgwick/ D. Carruthers) that the financial report to 31 July 2022 is received.

Carried

A Birchfield queried the total spend on TTPP to date. The Chair calculated this from the financial report to be \$2.74M

Technical Update: Te Tai o Poutini Plan – Committee Submission

L. Easton spoke to the report, explaining that this was the Committee's draft submission on the Proposed TTPP. The submission generally covers omissions and errors. She explained that we are not yet in receipt of updated information regarding funding for the Westport Flood Protection Scheme, or the updated LiDAR information for coastal areas that we had hoped to have in time to inform the submission. L. Easton explained that if it arrives in time the information can be included in the appropriate s42A officer's report to be

considered by the hearings panel. She also explained that the planning team had not been able to meet with Ngāi Tahu to discuss Plan sections, and she expected they would make a submission on these sections.

A Birchfield queried the 100m coastal set back strip. L. Easton explained that much of the coastal strip is on DOC land and detailed assessment had been undertaken by settlements with known high hazard risks. She explained that each of the current district plans already include coastal setback layers.

P. Madgwick asked when discussions on the Māori Purpose Zone could resume with Ngāi Tahu. L Easton said the Planning Team are keen to work through any issues and are available anytime.

S. Bastion queried whether ongoing coastal subdivision consent applications can use exiting hazard reports. E. Bretherton responded that planners would certainly consider them, to determine if they cover all existing requirements. S. Roche asked if the whole coastline will eventually be mapped and wondered if landowners should make submissions in the meantime. The planners replied that they strongly recommend anyone with an interest in the Plan to submit. E. Bretherton explained that LiDAR has been flown over the entire coastline but we are awaiting completion of the quality assurance process before using the data. She responded to S. Roche's question, that LiDAR gives accurate elevation data and would differentiate the coastal terraces. L. Coll-McLaughlin explained that it does not account for underlying geology, and setbacks would still likely be required.

R Townrow queried the intent in the Westport Hazard rules about whether WCRC would certify the level of service of the flood protection, or the modelling. E Bretherton explained that it referred to the level of service, and the wording amendment was to allow changes in the level of service to be captured. She offered to circulate the wording to the Committee. J Cleine clarified that the Committee would receive information on updated modelling to endorse. L. Easton said this similar change in wording is also recommended for the Hokitika hazard overlay. L. Martin asked about the zoning for Revell St, and L. Easton explained that the area is protected by the protection works and is therefore, not covered by a coastal hazard overlay, and the medium-density zoning was in the draft plan at the request of Westland councillors.

E. Bretherton talked to subdivision rules. Currently coastal severe and flood severe rules are discretionary, but this is inconsistent with non-complying for severe earthquake risk.

L. Easton explained that further updates for landscape and natural character had not been received to date and were due by the end of September. She recommends that any reduction in size of the overlays be included in the Committee submission. S Roche queried what would happen if boundaries increased. L Easton explained that all research would be available to the hearing commissioners for consideration.

L. Easton explained that some omissions have been identified where rules developed later in the process did not have a supporting objective or policy, and that some definitions required small changes to ensure unintended activities were not captured by them.

L Easton described a number of mapping errors that will be addressed in the Committee submission. There was discussion about returning the zoning of some sites on the Alma Rd terrace to residential. Buller representatives were comfortable with this change.

There was discussion around Committee members viewing the final Committee submission before it is submitted, and it was decided to vary recommendation 3 to reflect this.

Moved (Roche/ Madgwick)

1. That the Committee receive the report.
2. The Committee lodge a submission on the Proposed Te Tai o Poutini Plan as outlined in the report and specifically:
 - Seeking an amendment to the Hokitika Coastal Hazard and Westport Hazard rules to refer to the most recent hazard modelling
 - Seeking an amendment to the Subdivision rules for Severe Coastal and Severe Flooding Natural Hazard Overlays so that subdivision in these overlays is a Noncomplying Activity
 - Amending the maps to reflect the reassessment of the boundaries of Outstanding Natural Landscapes, Outstanding and High Coastal Natural Character and the

Coastal Environment;

- Seeking the addition of objectives, policies, definitions and advice notes as identified in the report;
- Correcting errors identified in Appendix One.
- Correcting any other minor errors identified prior to the submission being finalised.

3. That the submission be circulated to Committee members and the Committee Chair be delegated authority to finalise the submission, provided that it must be lodged prior to 7 October 2022

For R Williams, S Roche, P. Madgwick, F. Tumahai, L. Martin, D. Carruthers, J. Cleine

Against T Gibson, A Becker. A Birchfield

Abstained L Coll-McLaughlin

Carried

Technical Update: Te Tai o Poutini Plan – Extension of Submission Period, Further Submissions Process and Acceptance of Late Submissions

E Bretherton asked the Committee to consider changing Recommendation 3 for this paper by removing the word “to extend the submissions time period and”.

E Bretherton spoke to the three parts of the paper – seeking approval to extend the submission timeframe to the end of October, explaining the further submissions process and recommending the Chair TTPP be delegated authority to accept late submissions. Discussion ensued about the length of time late submissions should be accepted. Some Committee members felt a date should be set, but planning staff felt that would be setting a new unofficial submission closing date and that natural justice would best be served if each late submission was assessed on its merits.

Moved (Gibson/Birchfield)

1. That the Committee receive the report.
2. That the submission period for the Proposed Te Tai o Poutini Plan be extended an additional 28 days from the date of notification to 5pm Friday 28th October 2022.
3. That the Chair of Te Tai o Poutini Plan Committee be delegated authority under Section 37A of the Resource Management Act accept late submissions on Te Tai o Poutini Plan.

Carried

Project Manager’s Report

E Bretherton spoke to this report highlighting that 18 public meetings, and 4 library sessions on the Proposed Plan had been completed by staff. She thanked Committee members and council staff for their support at the meetings. She said approximately 45 submissions have been received so far, and the team are receiving mostly technical queries currently. T Gibson and L Martin expressed their thanks to TTPP staff for their work at the meetings and professionalism and empathy under some difficult circumstances.

E. Bretherton explained that work on GIS letters for landowners with sites and areas of significance to Māori is nearing completion and letters will begin to be compiled and sent out.

Moved (Martin/Tumahai)

1. That the Project manager’s Report be received

Carried

The Chair commented that this will be the last meeting of the current Committee and he would like to thank the members for their willingness to engage in discussion and the high level of trust shown.

Retiring members S Roche. L Coll-McLaughlin and A Becker thanked the Chair and project team for their outstanding work and patience over the last three challenging years. They also thanked the Committee and their council staff and wished the process well as they step down.

The meeting closed at 10.32am

The Chairman thanked everyone for their attendance.

NEXT MEETING

The next meeting will be held at Grey District Council Chambers on Thursday, 15 December 2022 commencing at 9.30 a.m.

.....
Chairman

.....
Date

Action Points

DRAFT



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee

Prepared by: Jo Armstrong, Project Manager

Date: 15 December 2022

Subject: Financial Report to 31 October 2022

SUMMARY

This report includes the statement of financial performance to 31 October 2022.

RECOMMENDATION

1. That the Committee receive the report

REPORT

The October statement shows that costs are behind those expected, with a reported deficit of **135,241** compared with a budgeted deficit of **159,476**. This is due to a number of costs differing from the anticipated October spend, resulting in a favourable variance against budget of **\$24,236 to the end of October**. The main variances are explained below:

1. No payments have been made to Poutini Ngāi Tahu to date, as we are working through the terms of the contract. It is anticipated that the entire budget will be used before the end of the financial year.
2. The TTPP Website budget of \$10,000 was initially left off this financial report and is being covered by a transfer from the Hearings item. The phasing of the Hearings budget has payments due to begin next year, so this line item will show in credit until then.
3. Research has required a far greater amount of funding than anticipated due to the need for further GIS work on the sites and areas of significance to Māori. Ongoing hazard research and additional landscape work requested by the Committee mean that there will be a significant over-spend for this item this financial year. It is now likely that hearings will not begin until the 2023/24 financial year, some of the funds allocated to the hearings will be redirected to research and any other over-spends
4. Media costs have been larger than expected in this period. This was mainly to ensure that the community was kept informed about the Proposed TTPP and extensions to the submissions period.
5. The accumulated deficit (or borrowing requirement) at the end of the period is \$876,763.

Statement of Financial Performance to October 2022

	Year to date			Full year		
	Actual	Budget	Variance	Forecast	Budget	Variance
INCOME						
Targeted Rate	161,249	166,667	(5,417)	500,000	500,000	-
	161,249	166,667	(5,417)	500,000	500,000	-
EXPENDITURE						
Employee costs	82,582	89,135	6,552	267,404	267,404	-
Consultant Planner	20,615	20,000	(615)	70,000	70,000	-
Governance	20,640	22,500	1,860	68,200	68,200	-
Poutini Ngai Tahu	-	12,500	12,500	50,000	50,000	-
TTPP Website	5,139	3,333	(1,805)	10,000	10,000	-
Isovist e-plan Platform	2,475	3,611	1,136	10,833	10,833	-
Research	45,245	30,000	(15,245)	60,000	60,000	-
Engagement Travel & Accommodation	3,650	5,244	1,595	13,033	13,033	-
Workshops & Events	270	-	(270)	10,000	10,000	-
Design & Printing	-	-	-	-	-	-
Media Costs	22,453	12,500	(9,953)	25,000	25,000	-
Mail Outs	36,282	40,000	3,718	40,000	40,000	-
Legal Advice	7,140	25,000	17,861	100,000	100,000	-
Hearings	-	(3,333)	(3,333)	100,000	100,000	-
Mediation	-	-	-	-	-	-
Environment Court	-	-	-	-	-	-
Interest	-	15,653	15,653	46,958	46,958	-
Share of WRC Overhead	50,000	50,000	-	150,000	150,000	-
	296,490	326,143	29,654	1,021,429	1,021,429	-
Net Surplus / (Deficit)	(135,241)	(159,476)	24,237	(521,429)	(521,429)	-

Accumulated deficit / borrowing requirement

Start of year	741,522	741,522
During period	135,241	521,429
End of period	876,763	1,262,951



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Lois Easton, Principal Planner
Date: 15 December 2022
Subject: **Te Tai o Poutini Plan – Minor Errors Rectified**

SUMMARY

This report brings back the information to Te Tai o Poutini Plan Committee on the minor errors rectified in the Proposed Plan since the last Te Tai o Poutini Plan Committee Meeting.

RECOMMENDATIONS

1. That the Committee receive the report.

Lois Easton

Principal Planner

BACKGROUND

1. Te Tai o Poutini Plan was publicly notified as a Proposed Plan on 14 July 2022.
2. As is normal, once the Proposed Plan was notified, staff of the three Councils using the Plan, started picking up minor errors within the Proposed Plan. The Resource Management Act has provision for minor errors to be fixed through a process prescribed in Schedule 1, Section 16 of the Act.
3. The amendment of minor errors in relation to the Sites of Significance to Māori (SASM) provisions were approved by the Committee at its meeting of 15 August 2022. These were:
 - Corrections to mapping errors where some sites were omitted from the e-plan maps but were shown on the hard copy maps and included within the schedule
 - Corrections to mapping errors where the wrong shapes were shown on the maps
4. The Committee also delegated to the Chair of the Committee the approval of any further minor error amendments required, during the election period.
5. The Chair approved the following amendments to correct minor errors in the Proposed Plan.
 - Corrections to the mapping of historic heritage items so that the numbers on the maps were the same as in the schedule.
 - Corrections to the SASM Rule wording, where there was a duplication between the zone rule and the SASM rule.
6. The details of the minor amendments approved by the Chair are contained in Appendix One.
7. As well as changing the e-plan, updated maps and text was placed in all the hard copies of the plan and the pdf was updated.
8. Information that the errors had been corrected was included on the cover page of the e-plan and a public notice was issued. Affected landowners were also advised by letter. The extension of submission period also ensures that any prejudice that could be considered to result is very limited.

NEXT STEPS

9. Submissions on the Proposed Plan have now closed and staff are summarising submissions. This process, as well as the process of ongoing use of the Plan is likely to identify a range of other minor errors within the Plan that could be corrected using the provisions in Schedule 1, Section 16. Staff will bring any requests to correct minor errors back to the Committee in future meetings.

APPENDIX ONE: INFORMATION ON MINOR AMENDMENTS APPROVED BY THE CHAIR

Memo

To: Rex Williams, Chair Te Tai o Poutini Plan

From: Lois Easton, Principal Planner Te Tai o Poutini Plan

Date: 25 August 2022

Subject: Minor Amendment to Sites of Significance to Māori Rules

I recommend the attached wording changes to rules SASM - R15, SASM - R16, SASM - R17 and SASM - R18 in the Sites of Significance to Māori (SASM) chapter of Te Tai o Poutini Plan as a Minor Amendment to the Proposed Plan. These changes specify the zones where the rules apply – and do not include the Residential Zones and Commercial and Mixed Use Zones. The advice note makes this exclusion clear.

The legal advice I sought on this minor amendment is also attached.

In essence, because the activities regulated in the SASM Non-complying Activity rules are also Non-complying Activities in the Residential Zones and Commercial and Mixed Use Zones, the effect of the proposed minor amendment is neutral to the affected landowners.

An email confirming that the wording is acceptable to Poutini Ngāi Tahu is also attached to this email.

Thank you

Lois Easton
Principal Planner
Te Tai o Poutini Plan

Minor Amendment (Additions underlined)

SASM - R15 Mineral Extraction by other than by Poutini Ngāi Tahu in Sites and Areas of Significance to Māori	
Activity Status Non-complying Where: 1. <u>This occurs in any RURZ – Rural Zone, OSRZ – Open Space and Recreation Zone, SPZ – Special Zone or INZ – Industrial Zone</u>	Activity status where compliance not achieved: N/A
Notification: Applications for activities on sites and areas of significance to Māori will always be limited notified to the relevant Poutini Ngāi Tahu rūnanga.	
Advice Note: <u>Mineral Extraction in RESZ – Residential Zones and COMZ – Commercial and Mixed Use Zones are not regulated by this rule. Refer relevant zone rules for the status of industrial activities in these areas.</u>	
SASM - R16 Plantation forestry or planting of shelterbelts or woodlots on land in Schedule Three - Sites and Areas of Significance to Māori	
Activity Status Non-complying Where: 1. <u>This occurs in any RURZ – Rural Zone, OSRZ – Open Space and Recreation Zone, SPZ – Special Zone or INZ – Industrial Zone</u>	Activity status where compliance not achieved: N/A
Notification: Applications for activities on sites and areas of significance to Māori will always be limited notified to the relevant Poutini Ngāi Tahu rūnanga.	
Advice Note: <u>Plantation Forestry, shelterbelts and woodlots in RESZ – Residential Zones and COMZ – Commercial and Mixed Use Zones are not regulated by this rule. Refer relevant zone rules, and the NES – Plantation Forestry for the status of these activities in these areas.</u>	
SASM - R17 Landfills, waste disposal facilities, new crematoria, hazardous facilities, intensive indoor primary production, wastewater treatment plants and wastewater disposal facilities, on or within 50m of sites and areas in Schedule Three - Sites and Areas of Significance to Māori	
Activity Status Non-complying Where: 1. <u>This occurs in any RURZ – Rural Zone, OSRZ – Open Space and Recreation Zone, SPZ – Special Zone or INZ – Industrial Zone</u>	Activity status where compliance not achieved: N/A
Notification: Applications for activities on sites and areas of significance to Māori will always be limited notified to the relevant Poutini Ngāi Tahu rūnanga.	
Advice Note: <u>Where these activities are proposed in RESZ – Residential Zones and COMZ – Commercial and Mixed Use Zones they are not regulated by this rule. Refer relevant zone rules for the status of these activities in these areas.</u>	

SASM - R18	Earthworks, Buildings or Structures on the Upper Slopes, Ridgelines or Peaks of Ancestral Maunga in Schedule Three - Sites and Areas of Significance to Māori not meeting Permitted, Controlled, Restricted Discretionary or Discretionary Activity Standards
<p>Activity Status Non-complying</p> <p><u>Where:</u></p> <p>1. <u>This occurs in any RURZ – Rural Zone, OSRZ – Open Space and Recreation Zone, SPZ – Special Zone or INZ – Industrial Zone</u></p> <p>Notification: Applications for activities on sites and areas of significance to Māori will always be limited notified to the relevant Poutini Ngāi Tahu rūnanga.</p> <p>Advice Note: <u>Where these activities are proposed in RESZ – Residential Zones and COMZ – Commercial and Mixed Use Zones they are not regulated by this rule. Refer to the Earthworks Rules and the relevant zone rules for the status of these activities in these areas.</u></p>	<p>Activity status where compliance not achieved: N/A</p>



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Rex Williams, Chair of Te Tai o Poutini Plan Committee
Prepared by: Edith Bretherton, Senior Planner
Date: 17 August 2022
Subject: **Te Tai o Poutini Plan – Minor Amendments to the proposed Historic Heritage schedule**

SUMMARY

This report requests approval to make minor amendments to the proposed Historic Heritage schedule.

At the Extraordinary Te Tai o Poutini Plan Committee 15th August 2022 the Committee delegated to Te Tai o Poutini Plan Chair the authority to undertake any further identified Minor Amendments to the proposed Te Tai o Poutini Plan as provided for in Schedule 1, Section 16 of the Resource Management Act.

RECOMMENDATIONS

1. That Rex Williams, Chair of Te Tai o Poutini Plan Committee receive the report.
2. That minor amendments as laid out in the this report are approved to be made to the proposed Te Tai o Poutini Plan through Schedule 1, Section 16 of the Resource Management Act.

Edith Bretherton
Senior Planner

BACKGROUND AND DETAIL OF MINOR AMENDMENTS

1. Misalignment has been identified between the text version (online and hard copy) of the proposed Te Tai o Poutini Plan, and maps (online and hard copy). The numbering in the schedules is different.
2. The text version is the correct version, with the numbering in the map version needing correction. This detail was repeatedly checked prior to the plan being released, however, in the final publishing of the plan the draft plan of the maps has been included.
3. The identified errors and minor amendments required to correct them are detailed in the below table.
4. These are considered minor amendments as the effect of the change is neutral. It is considered neutral as Historic Heritage item scheduling in this proposed plan were individually notified. This ensures they are aware of the scheduling. There are six weeks remaining (to 30 September) during which submissions can be made on these items.
5. The map legend currently displays "Heritage Sites" and "Heritage Areas", these are not separated in the text, and the items have been mapped under both. This legend needs to be consolidated to display "Historic Heritage Items" for consistency with the eplan text.

Plan Text Reference	Plan Map Reference	Minor Amendment Required
HH9 Archer House, 75 Queen St, Westport, Buller	Not identified on maps	Amend maps to include "HH9 Archer House, 75 Queen St, Westport, Buller"
HH10 Buller Field Station (Former), UoC Geology Department	HH9 Buller Field Station (Former), UoC Geology Department	Amend maps to "HH10 Buller Field Station (Former), UoC Geology Department".
HH11 Church of St John the Evangelist	HH10 Church of St John the Evangelist	Amend maps to "HH11 Church of St John the Evangelist".
HH12 Courthouse	HH11 Courthouse	Amend maps to "HH12 Courthouse".
HH13 Gates of Remembrance	HH12 Gates of Remembrance	Amend maps to "HH13 Gates of Remembrance"
HH14 House	HH13 House	Amend maps to "HH14 House"
HH15 House	HH14 House	Amend maps to "HH15 House"
HH16 House	HH15 House	Amend maps to "HH16 House"
HH17 Martins Mitre 10 Homecentre Verandah	Martins Mitre 10 Homecentre Verandah	Amend maps to "HH17 Martins Mitre 10 Homecentre Verandah"
HH18 Masonic Lodge Hall	HH17 Masonic Lodge Hall	Amend maps to "HH18 Masonic Lodge Hall"
HH19 O'Conor Home	HH18 O'Conor Home	Amend maps to "HH19 O'Conor Home"
HH20 Railway Workshop (Former)	HH19 Railway Workshop	Amend maps to "HH20 Railway Workshop (Former)"
HH21 Westport Public Library (Former)	HH20 Westport Public Library	Amend maps to "HH21 Westport Public Library (Former)".
HH22 Bank of New South Wales (Former)	HH21 Bank of New South Wales	Amend maps to "HH21 Bank of New South Wales (Former)".
HH23 The Stone House	HH22 The Stone House	Amend maps to "HH23 The Stone House".
HH24 Utopia Lodge (Former)	HH23 Utopia Lodge (Former)	Amend maps to "HH24 Utopia Lodge (Former)".
HH25 Municipal Chambers	HH24 Municipal Chambers	Amend maps to "HH25 Municipal Chambers".
HH26 Cape Foulwind Lighthouse	HH25 Cape Foulwind Lighthouse	Amend maps to "HH26 Cape Foulwind Lighthouse"
HH27 Big River Quartz Mine	Not identified on maps	Amend maps to include "HH27 Big River Quartz Mine"

HH28 Pennington House (Consolidated Goldfields of NZ General Manager's Residence, Former)	HH27 Pennington House (Consolidated Goldfields of NZ General Manager's Residence, Former) and Horse trough	"HH28 Pennington House (Consolidated Goldfields of NZ General Manager's Residence, Former)" And "HH29 Horse trough".
HH30 Oddfellows Hall	HH28 Oddfellows Hall	Amend maps to "HH30 Oddfellows Hall".
HH31 Racecourse Grandstand	HH29 Racecourse Grandstand	Amend maps to "HH31 Racecourse Grandstand".
HH32 Reefton Courthouse	HH30 Reefton Courthouse	Amend maps to "HH32 Reefton Courthouse".
HH33 Reefton Powerhouse Foundation	HH31 Reefton Powerhouse Foundation	Amend maps to "HH33 Reefton Powerhouse Foundation".
HH34 School of Mines	HH32 School of Mines	Amend maps to "HH34 School of Mines"
HH35 Sacred Heart Church (Catholic)	HH33 Sacred Heart Church	Amend maps to "HH35 Sacred Heart Church (Catholic)
HH36 St Stephens Church (Anglican)	HH34 St Stephens Church (Anglican)	Amend maps to "HH34 St Stephens Church (Anglican)".
HH37 War Memorial Obelisk	HH35 War Memorial Obelisk	Amend maps to "HH37 War Memorial Obelisk".
HH38 Masonic Hall (Former)	HH36 Masonic Hall (Former)	Amend maps to "HH38 Masonic Hall (Former)"
HH39 Reefton Historic Area	HH37	Amend maps to show extent of Historic Heritage area. Currently showing a single point in the road in Church St
HH40 Clerk for the Court and Survey Office	HH38 Clerk of the Court of Survey Office	Amend maps to "HH40 Clerk for the Court and Survey Office".
HH41 Methodist Church (Blacks Point Museum) and Stamper Battery	HH39 Methodist Church (Blacks Point Museum) and Stamper Battery	Amend maps to "HH41 Methodist Church (Blacks Point Museum) and Stamper Battery".
HH42 Remains of Miss Bell's Log Cabin	HH40 Remains of Miss Bell's Log Cabin	Amend maps to "HH42 Remains of Miss Bell's Log Cabin".
HH43 Waipuna Station Homestead (Former)	Not identified on maps	Amend maps to include "HH43 Waipuna Station Homestead (Former)".
HH44 Blackwater School	HH42 Blackwater School	Amend maps to "HH44 Blackwater School".
HH45 Waiuta Historic Place	Not identified on maps	Amend maps to include "HH45 Waiuta Historic Place".
HH46 Ahaura Post Office	HH44 Ahaura Post Office	Amend maps to "HH46 Ahaura Post Office".
HH47 Runanga Miner's Hall (Former)	HH45 Runanga Miner's Hall (Former)	Amend maps to "HH47 Runanga Miner's Hall (Former)".
HH48 Blackball Coal Mine Chimneys	HH46 Blackball Coal Mine Chimneys	Amend maps to "HH48 Blackball Coal Mine Chimneys".
HH49 Blackball Return Air Vent and Fan Chamber	HH47 Blackball Return Air Vent and Fan Chamber	Amend maps to "HH49 Blackball Return Air Vent and Fan Chamber".
HH50 Blackball Community Centre	HH48 Blackball Community Centre	Amend maps to "HH50 Blackball Community Centre".
HH51 Miners Bath House	HH49 Miners Bath House	Amend maps to "HH51 Miners Bath House".
HH52 Formerly the Blackball Hilton	HH50 Formerly the Blackball Hilton	Amend maps to "HH52 Formerly the Blackball Hilton".
HH53 Remains of Tayloville Wallsend Swing Bridge	Tayloville Wallsend Swing Bridge	Amend maps to "HH53 Remains of Tayloville Wallsend Swing Bridge".
HH54 Brunner Industrial Site	HH52 Brunner Industrial Site	Amend maps to "HH54 Brunner Industrial Site".
HH55 Brunner Mines Historic Area	HH53	Amend maps to show extent of "HH55 Brunner Mines Historic

		Area", currently showing as a point
HH56 Brunner Suspension Bridge	HH54 Brunner Suspension Bridge	Amend maps to "HH56 Brunner Suspension Bridge".
HH57 Dobson Monument	HH55 Dobson Monument	Amend maps to "HH57 Dobson Monument".
HH58 Moana Railway Station	HH56 Moana Railway Station	Amend maps to "HH58 Moana Railway Station".
HH59 Moana Railway Station Historic Area	HH57 Moana Railway Station Historic Area	Amend maps to "HH59 Moana Railway Station Historic Area".
HH60 Ruru Drying Kiln	HH58 Ruru Drying Kiln	Amend maps to "HH60 Ruru Drying Kiln".
HH61 Ruru Railway Station	HH59 Ruru Railway Station	Amend maps to "HH61 Ruru Railway Station".
HH62 Model Bungalow	HH60 Model Bungalow	Amend maps to "HH62 Model Bungalow".
HH63 Kotuku Drying Kiln	HH61 Kotuku Drying Kiln	Amend maps to "HH63 Kotuku Drying Kiln".
HH64 Jacks Mill School Historic Area	HH62 Jacks Mill School Historic Area	Amend maps to HH64 Jacks Mill School Historic Area
HH65 Heatherbell Hotel	HH76 Heatherbell Hotel	Amend maps to "HH65 Heatherbell Hotel".
HH66 Harbour Board Building	HH63 Harbour Board Building	Amend maps to include "HH66 Harbour Board Building".
HH67 Dispatch Foundry	HH64 Dispatch Foundry	Amend maps to "HH67 Dispatch Foundry".
HH68 Courthouse (Former)	HH65 Courthouse (Former)	Amend maps to "HH68 Courthouse (Former)".
HH69 Government Building (Former)	HH66 Government Building (Former)	Amend maps to "HH69 Government Building (Former)".
HH70 Greymouth Railway Station	HH67 Greymouth Railway Station	Amend maps to "HH70 Greymouth Railway Station".
HH71 Greymouth Railway Station Historic Heritage Area	HH75	Amend maps to show extent of "HH71 Greymouth Railway Station Historic Heritage Area".
HH72 Cobden Rail Bridge	Cobden Rail Bridge	Amend maps to "HH72 Cobden Rail Bridge".
HH73 Gilmer Hotel (Former)	HH69 Gilmer Hotel (Former)	Amend maps to "HH73 Gilmer Hotel (Former)".
HH74 Railway Beam Bridge	HH70 Railway Beam Bridge	Amend maps to "HH74 Railway Beam Bridge".
HH75 Royal Hotel	HH71 Royal Hotel	Amend maps to "HH75 Royal Hotel".
HH76 Commercial Building	HH72 Commercial Building	Amend maps to "HH76 Commercial Building".
HH77 Hannahs Building	HH73 Hannahs Building	Amend maps to "HH77 Hannahs Building".
HH78 High Street AutoCentre	HH74 High Street AutoCentre	Amend maps to "HH78 High Street AutoCentre".
HH79 Greymouth Railway Station Footbridge	HH75 Greymouth Railway Station Footbridge	Amend maps to "HH79 Greymouth Railway Station Footbridge".
HH80 Regent Theatre	HH77 Regent Theatre	Amend maps to "HH80 Regent Theatre".
HH81 St Patricks Presbytery (Former)	HH78 St Patricks Presbytery (Former)	Amend maps to "HH81 St Patricks Presbytery (Former)".
HH82 Dixon Park Band Rotunda	Dixon Park Band Rotunda	Amend maps to "HH82 Dixon Park Band Rotunda".
HH83 Kumara Racecourse	HH80	Amend maps to "HH83 Kumara Racecourse".
HH84 Kumara Swimming Pool (Old)	HH81 Kumara Swimming Pool (Old)	Amend maps to "HH84 Kumara Swimming Pool (Old)".
HH85 Customhouse (former)	Not identified on maps	Amend maps to include "HH85 Customhouse (former)".
HH86 Hokitika Savings Bank Building (former)	HH82 Hokitika Savings Bank Building (former)	Amend maps to "HH86 Hokitika Savings Bank Building (former)".

HH87 Rentons Hardware Buildings	HH83 Rentons Hardware Buildings	Amend maps to "HH87 Rentons Hardware Buildings".
HH88 National Bank (Former)	HH84 National Bank (Former)	Amend maps to "HH88 National Bank (Former)".
HH89 At Saints Church	HH85 At Saints Church	Amend maps to "HH89 At Saints Church".
HH90 St Andrews United Church (Presbyterian/Methodist)	HH86 St Andrews United Church (Presbyterian/Methodist)	Amend to "HH90 St Andrews United Church (Presbyterian/Methodist)".
HH91 Carnegie Free Library	HH87 Carnegie Free Library	Amend maps to "HH91 Carnegie Free Library".
HH92 Bank of New South Wales (Former)	HH88 Bank of New South Wales (Former)	Amend maps to "HH92 Bank of New South Wales (Former)".
HH93 Bank of New Zealand	HH89 Bank of New Zealand	Amend maps to "HH93 Bank of New Zealand".
HH94 Prestons Building	HH90 Prestons Building	Amend maps to "HH94 Prestons Building".
HH95 Memorial Clock Tower	HH91 Memorial Clock Tower	Amend maps to "HH95 Memorial Clock Tower".
HH96 Seddon Statue	HH92 Seddon Statue	Amend maps to "HH96 Seddon Statue".
HH97 Government Building (Former)	HH93 Government Building (Former)	Amend maps to "HH97 Government Building (Former)".
HH98 St Mary's Church	HH94 St Mary's Church	Amend maps to "HH98 St Mary's Church".
HH99 Regent Theatre	HH95 Regent Theatre	Amend maps to "HH99 Regent Theatre".
HH100 Mahinapua Creek / Tuwharewhare Railway Bridge	HH96 Mahinapua Creek / Tuwharewhare Railway Bridge	Amend maps to "HH100 Mahinapua Creek / Tuwharewhare Railway Bridge".
HH101 Hungerford Mausoleum	HH97 and Hungerford Musoleum are currently seperate	Amend maps to "HH101 Hungerford Mausoleum".
HH102 Seaview Lighthouse	HH98 Seaview Lighthouse	Amend maps to "HH102 Seaview Lighthouse".
HH103 Totalisator Building	HH99 Totalisator Building	Amend maps to "HH103 Totalisator Building".
HH104 St Patrick's Church	HH100 St Patrick's Church	Amend maps to "HH104 St Patrick's Church".
HH105 Ross Historic Area	HH101 Ross Historic Area	Amend maps to "HH105 Ross Historic Area".
HH106 Hendes Ferry Cottage	HH102 Hendes Ferry Cottage	Amend maps to "HH106 Hendes Ferry Cottage".
HH107 The Willows Craft Cottage	HH103 The Willows Craft Cottage	Amend maps to "HH107 The Willows Craft Cottage"
HH108 Guy Menzies	HH104 Guy Menzies	Amend maps to "HH108 Guy Menzies".
HH109 Okarito (Former) School	HH105 Okarito (Former) School	Amend maps to "HH109 Okarito (Former) School".
HH110 Donovan's Store	HH106 Donovan's Store	Amend maps to "HH110 Donovan's Store".
HH111 Memorial Obelisk	HH107 Memorial Obelisk	Amend maps to "HH111 Memorial Obelisk".
HH112 St James Church	HH108 St James Church	Amend maps to "HH112 St James Church".
HH113 Defiance Hut	HH109 Defiance Hut	Amend maps to "HH113 Defiance Hut".
HH114 Hendes Gallery	HH110 Hendes Gallery	Amend maps to "HH114 Hendes Gallery".
HH115 Fox Glacier Hotel	HH111 Fox Glacier Hotel	Amend maps to "HH115 Fox Glacier Hotel".
HH116 Chancellor Hut	HH112 Chancellor Hut	Amend maps to "HH116 Chancellor Hut".



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Lois Easton, Principal Planner and Fiona Thomson, Planning and Science Manager
Date: 15 December 2022
Subject: **Te Tai o Poutini Plan – Private Plan Changes**

SUMMARY

This report outlines the proposed process for managing Private Plan Changes to Te Tai o Poutini Plan for approval.

It also advises the Committee that the first Private Plan Change has been received on Te Tai o Poutini Plan.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the proposed process for managing Private Plan Changes to Te Tai o Poutini Plan as outlined in this report be approved.
3. That the Committee note that a Private Plan Change has been received for rezoning of the Moana North area.

Lois Easton

Principal Planner

BACKGROUND

1. Te Tai o Poutini Plan was publicly notified as a Proposed Plan on 14 July 2022. Once it was notified, it became possible for private plan changes to be lodged.
2. Private plan changes to district plans, sought by individuals, groups or organisations, provide an opportunity to replace existing plan provisions with new ones. Requests for private plan changes potentially enable a wide range of changes such as the rezoning of land, amendments to design controls and the identification of important heritage sites.
3. The first schedule of the Resource Management Act outlines the process for a private plan change.
4. In expectation of a signalled private plan change to the Grey District Plan, a process for handling plan changes to the existing district plans had been developed.
5. Now that the TTPP has been notified, no further private plan changes to the Grey, Westland or Buller District Plan can be made.

PROPOSED PROCESS FOR PRIVATE PLAN CHANGES TO TE TAI O POUTINI PLAN (TTPP)

6. The TTPP planning team propose the following process for when an application for a private plan change to TTPP is received. This process is based on that previously agreed in relation to private plan changes on the Grey, Buller and Westland District Plans. Because the WCRC is the host Council for the TTPP staff, and required by the Order in Council to fund the TTPP process, it is proposed that it play a co-ordinating role in managing the requests.
 - I. The applicant lodges a private plan change request to the West Coast Regional Council (WCRC) (as the host Council for TTPP staff). Financial management of the request (management of processing costs and cost recovery) would sit with the WCRC.
 - II. WCRC checks the application is complete and appoints a planner to process the request and notifies the other three Partner Councils. Information that a private plan change has been lodged is provided to the next meeting of TTPP Committee.
 - III. A staff Private Plan Change Advisory Group (PPCA) engages to discuss the request. This PPCA is made up of:
 - a. The processing planner;
 - b. A TTPP planner;
 - c. Relevant Technical Advisory Team (TAT) member from the affected district council (for matters that only affect one district) – or if the private plan change is cross district council boundary matter, the TAT member from each of the affected district councils;
 - d. The Poutini Ngāi Tahu Planner; and
 - e. The WCRC Planning Team Leader.
 - IV. Further information, peer reviews, and commissioned reports can be sought as part of evaluating the private plan change request,
 - V. After receiving all the necessary information the PPCA will prepare a report to TTPP Committee, recommending whether to adopt, accept or reject the plan change request, or convert the request to a resource consent.
 - VI. If the Committee decides to accept or adopt the plan change request, it will then make a decision on whether to publicly notify the request, allowing submissions and further submissions to then be made.
 - VII. The Committee holds a hearing where it assesses the private plan change request and submissions made, and then issues a decision on the private plan change. The Committee decision is open to appeal to the Environment Court.

MOANA NORTH PRIVATE PLAN CHANGE REQUEST TO TTPP

7. On 4 October the first private plan change request– a rezoning request for the Moana North area was received. A map of the location and subject site is attached at Appendix One.
8. Although the Committee had not adopted the process for private plan changes to TTPP, the Resource Management Act (RMA) requires prompt processing, therefore staff have undertaken work in line with the proposed process outlined above.
9. At this stage staff have undertaken phases I-IV of the proposed process. The applicant has been asked to provide further technical information. In order to align the private plan change request with TTPP hearings, the applicant has been asked to provide the information by February.
10. Once received the information will need to be reviewed. There will also be a need for Grey District Council technical staff - both planning and infrastructure, to review the information provided ahead of any recommendations on next steps to the Committee.

NEXT STEPS

11. This report seeks approval from the Committee for a process of managing private plan change requests. The process proposed is consistent with the requirements of the RMA and the powers of the TTPP Committee.

APPENDIX ONE: MOANA NORTH PLAN CHANGE REQUEST LOCATION MAP



JamesLundayUrban
Design Ltd.
james@jud.co.nz
+64(0)21790770

Louise Bailey,
landscape Architect.
0272965469

Lot 1 DP2820 and
Pt RS 3806
Arnold Valley Road,
Moana
Site Location Plan
Scale 1:5000 @ A3
02.10.2020

N



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Heather Mabin - Chief Executive WCRC
Date: 15 December 2022
Subject: **Retrospective approval to extend submission period**

SUMMARY

The Proposed Te Tai o Poutini Plan (TTPP) was notified on 14 July 2022. The original close date for submissions was 30 September 2022. This period was extended by the previous TTPP Committee to 28 October 2022 to ensure that landowners with sites and areas of significance to Māori identified on their properties would receive update letters in time to make a submission. Preparation of letters took longer than expected and the submission period was extended a further two weeks to 11 November 2022.

The decision for this final extension occurred during the local body election period. In the absence of a TTPP Committee, the TTPP Steering Group made the decision in consultation with the TTPP Committee Chair. This report explains the decision-making process undertaken, and recommends the Committee retrospectively approves the submission period extension to 11 November 2022.

RECOMMENDATIONS

That Te Tai o Poutini Plan Committee:

1. Receives this report
2. Retrospectively approves the extension of the Proposed TTPP submissions period from 28 October 2022 to 11 November 2022.

DISCUSSION

The Proposed Te Tai o Poutini Plan (TTPP) was notified on 14 July 2022. The original close date for submissions was 30 September 2022.

TTPP Committee members requested that letters providing a map and further explanation be sent to landowners with sites and areas of significance to Māori identified on their properties. To enable this work to be undertaken the Committee extended the submission period by four weeks, to 28 October 2022.

Preparation and delivery of letters took longer than expected and by mid-October there was a concern that letters would not be received in time for property owners to make a submission. A decision to extend the submission period further was considered necessary.

Due to the timing of the local body elections members of the current TTPP Committee had not yet been appointed. In the absence of a TTPP Committee, the TTPP Steering Group, consisting of the four council Chief Executives and the Chairs of the two rūnanga, made the decision in consultation with the TTPP Committee Chair. On 17 October 2022 the West Coast Regional Council Chief Executive alerted the Steering Group to the issue and asked them to consider making a decision in the absence of a Committee. All members of the Steering Group and the TTPP Chair agreed this was the best course of action, and the decision was made to extend the submission period a further two weeks to 11 November 2022.

It is recommended that the TTPP Committee supports the Steering Group decision by retrospectively approving the submission period extension to 11 November 2022.



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Jo Armstrong, Project Manager
Date: 15 December 2022
Subject: **Te Tai o Poutini Plan Hearings Commissioner Nominations**

SUMMARY

At its May meeting the Committee had an impromptu discussion about the need to select hearings commissioners for Te Tai o Poutini Plan (TTPP). A process for identifying candidates to sit on the hearings panel alongside Resource Management Act guidelines on commissioner responsibilities was presented at the 21 June 2022 Meeting.

The Meeting decided that decisions on the make-up of the hearing panel should lie with the new TTPP Committee, but felt that a five person panel, led by an independent Chair, would ensure that each of the three districts and Poutini Ngāi Tahu are represented.

It was suggested that Poutini Ngāi Tahu and each of the district councils nominate a potential commissioner and bring their nominations back to TTPP Committee for discussion.

At the same time expressions of interest for the role of hearing panel Chair are being sought. Chief Executives offered to form a panel to select a Chair from the applicants.

This paper provides information on the Poutini Ngāi Tahu and district council nominees for your discussion.

RECOMMENDATIONS

1. That this report is received
2. That the Committee consider the proposed nominations for Te Tai o Poutini Plan hearings commissioners
3. That the final decisions on hearing commissioner appointments be made at a February 2023 meeting

Jo Armstrong

Project Manager

INTRODUCTION

1. At its 21 June 2022 Meeting the Committee received a paper (Appendix 1) detailing a process for identifying candidates to sit on the hearings panel. The paper also provided Resource Management Act guidelines on commissioner responsibilities for discussion.
2. To meet our statutory obligations and achieve the best outcomes for the West Coast it is recommended that hearing panel candidates include people with experience in and understanding of:
 - tikanga Māori and the perspectives of Poutini Ngai Tahu,
 - local district issues and requirements, and;
 - district plan hearings processes
3. The Meeting decided that decisions on the make-up of the hearing panel should lie with the new TTPP Committee, but felt that a five person panel, led by an independent Chair, would ensure that each of the three districts and Poutini Ngāi Tahu perspectives are represented.
4. The Meeting decided that Poutini Ngāi Tahu and the district councils would each nominate a potential commissioner and bring their nominations back to TTPP Committee for discussion.
5. The decision on the final make-up of the panel lies with the TTPP Committee. Final selection should take into account the variety of skills and experience required to hear the wide range of topics covered by TTPP.
6. Some hearings statistics from other councils that have recently completed their proposed district plans are tabled below:

Council	Number of hearings/topics	Time required
Porirua City Council	7 streams e.g. environment	7 week-long hearings over 18 months
Selwyn District Council	29 hearing topics (hearings were not required for some). 9 more hearings to go.	1-5 days each totalling 6 weeks over 16 months
New Plymouth District Council	24 hearings	Total of 15 weeks over 14 months
Central Hawkes Bay District Council	7 blocks of hearings	6 weeks over 9 months

7. Porirua City Council had five commissioners. They used a minimum of two for smaller topics with the Chair presiding over every hearing. Central Hawkes Bay District Council had six commissioners with a quorum of four. Selwyn appointed 10 commissioners and had four sit in each hearing.
8. Hearings for TTPP are likely to begin in the middle of 2023, with commissioners required to prepare beforehand.
9. It is anticipated hearings will occur over a six-month period and panel members will need to be approved by early 2023 to ensure their availability.

Nominees

1. The three district councils and Poutini Ngāi Tahu ask that you consider their nominees below for appointment to the TTPP hearings panel. All nominees are accredited RMA commissioners.

Nominator	Nominee	Experience	Cost	Availability
Poutini Ngāi Tahu	Veronica Baldwin	<ul style="list-style-type: none"> • Central and West Coast local government policy and planning • Stewardship land review • West Coast Conservation Board 	\$180- \$200/hr Expenses	Yes
<u>Buller District Council</u>	Sharon McGarry	<ul style="list-style-type: none"> • Over 320 statutory decision-maker appointments • Barrytown JV hearing panel Chair • Science expertise on panels • Former resource management consultant 	\$240/hr Expenses	Yes
Grey District Council	Anton Becker	<ul style="list-style-type: none"> • Inaugural TTPP Committee member • Past Grey district councillor with regulatory functions for district and spatial planning and the SNA process 	\$150/Hr Expenses	Yes
Westland District Council	Edith Bretherton	<ul style="list-style-type: none"> • RMA Planner for TTPP • Natural Hazard Analyst 	\$150/hr Expenses	Yes

2. Further candidate information is included at Appendix 2.

Appendix 1



Prepared for: Te Tai o Poutini Plan Committee

Prepared by: Jo Armstrong, Project Manager

Date: 21 June 2022

Subject: **Te Tai o Poutini Plan Hearings Commissioner Nominations Process**

SUMMARY

At its May meeting the Committee had an impromptu discussion about the need to select hearings commissioners for Te Tai o Poutini Plan (TTPP). To answer some of the questions raised by the Committee this paper suggests a process for identifying candidates to sit on the hearings panel and provides Resource Management Act guidelines on commissioner responsibilities.

RECOMMENDATIONS

4. That this report is received
5. That the Committee consider the proposed nomination process for Te Tai o Poutini Plan hearings commissioners including the suggestion to consult with their peers to identify candidates for nomination.

Jo Armstrong

Project Manager

INTRODUCTION

3. This report provides information and guidelines about the process for hearings commissioner nominations.
4. Hearings for TTPP are likely to occur in 2023, so the need to nominate candidates now is not urgent. However, with the local body elections in October and the first TTPP Committee meeting with a potential change of membership not scheduled until December, the timeline for appointing commissioners will be significantly reduced.
5. As hearings could take some weeks, it would be beneficial for the new Committee to secure a panel early to ensure commissioner availability.
6. Identifying nominees now would help expedite the process and allow sufficient time for appointments to be confirmed prior to hearings.

Nominations Process

7. The Resource Management Act Schedule 1 section 8B says a local authority (TTPP Committee by the Order in Council) shall hold a hearing into submissions on its proposed plan.
8. Hearings must be undertaken by accredited hearings commissioners (section 39B). They could be independent commissioners, members of the Committee, or a mix of the two. Accreditation requires the Making Good Decisions qualification.
9. To avoid split decisions, hearings panels usually comprise an uneven number of commissioners. Many councils appoint three commissioners.
10. To meet our statutory obligations and achieve the best outcomes for the West Coast it is recommended that candidates include people with experience in and understanding of:
 - tikanga Māori and the perspectives of Poutini Ngai Tahu,
 - local district issues and requirements, and;
 - district plan hearings processes
11. The West Coast Regional Council has an approved list of hearing commissioners, and the list could be assessed for district plan experience. Lists held at district councils could yield a larger pool of district plan nominees.
12. The Regional council also has obligations under Schedule C of its Mana Whakahono a Rohe agreement with Ngāi Tahu which include:
 - Whenever Council staff approach Papatipu Rūnanga regarding hearing commissioner appointments, Pokeka Poutini Ngāi Tahu Limited will be included in communications to provide advice and assistance as needed.
 - Consultation between the Council and Papatipu Rūnanga will include: a) whether it is appropriate to appoint a commissioner with an understanding of tikanga Māori and of the perspectives of local iwi or hapū; b) whether it is appropriate to include a trained Ngāi Tahu tribal member.
 - In order to provide for ease of consultation, the Council and Papatipu Rūnanga, with advice and assistance from Pokeka Poutini Ngāi Tahu Limited, will maintain a list of Ngāi Tahu tribal members trained as hearing commissioners that are approved by Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio, and other trained hearing commissioners with an

understanding of tikanga Māori and of the perspectives of iwi and hapū, including Ngāi Tahu perspectives.

13. It is suggested that Poutini Ngāi Tahu Committee members supported by Pokeka Poutini Ngāi Tahu Limited make recommendations for an iwi panel member.
14. Other Committee members should work with their councils to identify and nominate panel members who are familiar with district issues and the plan making process.
15. It is recommended that an independent commissioner to act as the panel's Chairperson be nominated by Committee members
16. Any of these roles could be undertaken by an accredited TTPP Committee member.
17. There is likely to be a significant amount of evidence that requires technical areas of expertise. The Committee should consider appointing commissioners with experience in these areas to assist with the hearing panels understanding of the issues.
18. Once nominations are received the planning team will report the results to the Committee.

Appointments Process

19. As the hearings will take place after the local body elections, and TTPP Committee membership may change, it is recommended that the new TTPP Committee select and appoint the hearings panel with reference to the list of nominees you provide.
20. Currently Regional Council staff require Chair approval to appoint commissioners not on their Approved Hearings Commissioners List. Selection and decision to appoint will be made by the whole of the TTPP Committee, to ensure all partners have input.
21. The process would include:
 - Setting criteria, for example, experience, availability and cost
 - Determining weighting for the criteria to inform selection
 - Contacting nominees to ascertain availability, experience and fees
 - Reporting on preferred candidates
 - Final selection and approval to appoint commissioners by full Committee.

Responsibilities and limitations on Hearing panel membership

22. In addition to being accredited, there are a number of responsibilities and limitations on members of the panel that hears submissions.
23. Hearings must be conducted in a manner consistent with the principles of natural justice. This means that decision-makers allow all submitters to have a fair hearing, and there is no appearance or perception of predetermination or bias. For example, if a Committee member has made strong statements indicating a predetermined position in the past, that member would be unlikely to meet the test for a potential hearing commissioner, as any issues of natural justice would leave the decision on the TTPP susceptible to appeal.
24. The Local Authorities (Members' Interests) Act 1968 prohibits Councillors or members of committees from voting on or taking part in the discussion of any matter in which they have, directly or indirectly, any pecuniary interest, other than an interest in common with the public. Contravention of the Members' Interests Act is a criminal offence.

25. If Committee members are appointed to the hearing panel, it is likely they will need to abstain from the subsequent decision whether to accept those recommendations (as the hearing body will only be delegated the power to make recommendations), as they will be supporting their own recommendations so this could lead to an issue of predetermination or bias, as set out above.
26. The hearings are likely to take place over a number of weeks or months. The hearing process is time-intensive, as every submitter has the right to be heard and experts may need to explain technical evidence. Commissioners must also contribute to writing the decision after the hearing.
27. Remuneration for Councillors who hear submissions is limited by the Remuneration Authority Act. Councillors are entitled to receive an allowance of \$80 per hour for time related to a hearing of submissions (\$100 per hour for the chairperson of the hearings panel). However, a Mayor or a Regional Chairperson are not entitled to any additional remuneration as members of a hearings panel (see clause 15 of the Local Government Members (2021/22) Determination 2021).

Appendix 2

Nominees Curriculum Vitae

1. Poutini Ngāi Tahu Commissioner Nominee

Veronica Baldwin-Smith

Bachelor Resource and Environmental Planning (Hons)

Profile

- Extensive experience in central and local government processes and legislation ▪
- Resource management planning and environmental policy professional
- Informed and effective decision-maker
- Clear and concise verbal and written communicator
- Born and raised on the West Coast
- Worked at two West Coast district councils and the regional council in various resource management planning roles
- Experienced collaborator across iwi, hapū, local and central government

Expertise

- Accredited RMA Hearings Commissioner ▪
- Strong understanding of hearings processes and conduct
- Effective communicator and collaborator
- Applied knowledge of resource management policy and planning throughout the West Coast region
- Understanding and extensive experience in meeting regulatory requirements
- Decision making at corporate, local and central government level

Planning and Hearings Expertise

Local Government

Resource Consenting – Grey District Council, West Coast Regional Council

Planning and Policy Development – Westland District Council

- Project management for five district plan changes.
- Public notification set up, submission processing and facilitation of plan change hearings, as per regulatory requirements.
- Developed resource management and local government policy.
- Analysed district issues and developed workable solutions.
- Interacted with various stakeholders including neighbouring councils, community groups, iwi and hapū, government departments and the public.
- Assessed and recommended decisions on various resource consent applications at a district and regional level, as per the relevant planning documents.

West Coast Region and Conservation

Stewardship Land Reclassification – West Coast Region

- Advising Poutini Ngāi Tahu on the reclassification of stewardship land on the West Coast.
- Liaison with central government officials on the reclassification programme and delivery.
- Understanding of implications for the West Coast region through the reclassification of stewardship land.
- Involved in the development of processes for public notification, submissions and hearings throughout the West Coast.
- Facilitated several hearings throughout the West Coast, with over 100 submitters attending hearings and over 600 submissions received on reclassification recommendations.
- Preparation of submissions analysis against regulatory requirements.

West Coast Tai Poutini Conservation Board Member (Nominated by Te Rūnanga o Ngāi Tahu)

- Understanding of conservation planning documents on the West Coast and interface with district and regional planning frameworks.
- Awareness of conservation and environmental matters on the West Coast and impacts for iwi, communities and industry throughout the West Coast.
- Experience in applying different pieces of legislation to decision making.
- Liaised with the public and the Department of Conservation.
- Provided informed advice for policy development and conservation planning.

Central Government

Ministry for the Environment

- Experience in policy development and contribution to legislative drafting.
- Reviews of the Resource Management Act.
- Working with district councils throughout New Zealand on best practice for Resource Management Act processes and resource consenting, as per legislative requirements.
- Provided advice and technical knowledge on resource management and environmental policy.
- Interacted with central government departments, stakeholders, industry and the public.

Private Secretary – Minister for the Environment (various)

- Advice on resource management and environmental programmes undertaken by the Ministry for the Environment.
- Understanding of environmental legislation and national planning and policy instruments – National Policy Statements and National Environmental Standards.
- Understanding of regional matters and interface between local and central government.

2. Buller District Council Commissioner Nominee

Sharon McGarry

Academic History

1994-1995 Masters of Science (Honours) Resource Management Centre for Resource Management, Lincoln University

1990, 92-93 Bachelor of Science (Zoology/Marine & Freshwater Biology) University of Canterbury

2006-current Self-employed Independent Hearing Commissioner

Statutory decision-maker appointments by:

Environmental Protection Authority -

Hearing and determining marine consent applications pursuant to the COVID19 Recovery (Fast-track Consenting) Act 2020 and the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act).

Canterbury Regional Council, West Coast Regional Council, Northland Regional Council, Southland Regional Council, Marlborough District Council, Tasman District Council, Horizons Regional Council, Otago Regional Council, Buller District Council, Westland District Council, Grey District Council, Selwyn District Council, Christchurch City Council, Ashburton District Council, Nelson City Council, Waimakariri District Council, Mackenzie District Council and Chatham Islands Council -

Hearing and determining resource consent applications and writing decisions pursuant to the Resource Management Act (RMA). - Hearing and making recommendations on plan changes and designations. - Hearing and making recommendations on strategies and bylaws under the Local Government Act (LGA). - Determining resource consent condition reviews. - Hearing and determining objections pursuant to the RMA. - Training Councillors in hearing, determining, and writing hearing decisions. - Training Ngāi Tahu staff in making effective submissions. - Training, guiding and mentoring iwi commissioners

2006-2010 Minister of Conservation -

Minister's representative to hear and recommend/decide resource consent applications for Restricted Coastal Activities.

2000-2006 Resource Management Consultant

Canterbury Regional Council - Hearings Advisor providing advice to decision-makers and writing resource consent hearing decisions pursuant to the RMA. - Technical review of gravel management for the Canterbury Region.

Director General of Conservation - Analysis of Plan Changes 1 and 2 of the Canterbury Regional Coastal Plan and preparation of submission.

Private Clients - Preparing resource consent applications. - Peer reviews

Parliamentary Commissioner for the Environment - Technical advice and review on the environmental impacts of cruise ships in New Zealand coastal waters.

Southland Regional Council - Reviewing and processing Tier 1 Oil Spill Contingency Plans, pursuant to the Maritime Transport Act 1994; undertaking coastal compliance inspections and monitoring; and providing evidence for the Environment Court for prosecutions and enforcement action.

West Coast Hearings include:

West Coast Regional Council & Grey District Council (24-27 August 2021)

Chair of Hearing Panel of Independent Commissioners. Hearing to decide application by Barrytown JV Ltd to mine mineral sands on the Barrytown flats.

West Coast Regional Council and Grey District Council (12-13 March 2015)

Independent Hearing Commissioner. Joint hearing to decide applications by Birchfield Minerals Ltd for resource consents associated with operating a 3,500 tonne gold-mining dredge on the Grey River.

West Coast Regional Council and Westland District Council (6-15 June 2012)

Independent Commissioner on Hearing Panel. Joint hearing to decide applications by Trustpower for resource consents for the hydro-electric power scheme on the Kaniere River, Lake Kaniere.

West Coast Regional Council and Buller District Council (21-31 May 2012)

ATTACHMENT 1 5 Independent Commissioner on Hearing Panel. Joint hearing to decide an application by Solid Energy New Zealand for resource consents to mine coal at Mt William, Stockton Plateau, West Coast.

West Coast Regional Council and Buller District Council (6-22 June 2011)

Independent Commissioner on Hearing Panel. Joint hearing to the RMA to decide applications by Buller Coal Ltd (Bathurst) for resource consents to mine coal on the Denniston Plateau, West Coast.

West Coast Regional Council and Buller District Council (17-26 May 2010)

Independent Commissioner on Hearing Panel. Joint hearing to decide applications by Solid Energy New Zealand for resource consents to construct and operate the Stockton Plateau Hydro Power Scheme, West Coast.

A full list of over 320 statutory decision-maker appointments is available on request.

3. Grey District Council Commissioner Nominee

Anton Becker

- A local resident of the West Coast
- Involved in the development of the TTPP from the outset
- Knowledge of the natural hazard dynamic of the West Coast
- Past Councillor for the Grey District Council
- Responsible for GDC regulatory functions including district and spatial planning and the SNA process

- Significant experience in working within a team to achieve outcomes.

4. Westland District Council Commissioner Nominee

Edith Bretherton

Education and Development

- Bachelor of Business, Graduate Diploma of Arts, Bachelor of Science (Physical Geography and Earth Science), Masters of Science (Physical Geography) all from Massey University.
- NZPI associate member. Completed courses in Plan Development, Designations and Freshwater Plan Making
- Accredited RMA Commissioner

RMA planning experience

- Auckland Unitary Plan policy team
- Consenting under Auckland Unitary Plan (regional and district)
- West Coast Regional Plans including Regional Policy Statement, Regional Land and Water Plan, Regional Coastal Plan and implementation of National Policy Statement for Freshwater Management
- Te Tai o Poutini Plan, topics including Energy, Infrastructure, Transport, Natural Hazards, Designations, Public Access, Historic Heritage and Notable Trees. Planner for plan preparation (s.32), not 42a, therefore sufficient separation so as to manage predetermination. Not a submitter in own right, nor has been involved in preparation of submissions for others.
- Currently employed by GNS as a Natural Hazards Planner

West Coast Connection

Resident and property owner on the West Coast. Solid understanding of communities, stakeholders, and physical environment across the region

Fees

\$150 per hour plus costs



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee

Prepared by: Lois Easton, Principal Planner

Date: 15 December 2022

Subject: **Update on RMA Reform – New Spatial Planning Bill and National and Built Environment Bill**

SUMMARY

This report updates the Committee on the progress of Resource Management Act (RMA) reform and the new National and Built Environment Bill and Spatial Planning Bill that have just been released by the government. At this stage there are no significant implications for Te Tai o Poutini Plan, and it is recommended that any submissions on the Bills come from the West Coast Councils rather than Te Tai o Poutini Plan Committee.

RECOMMENDATIONS

1. That the information be received.

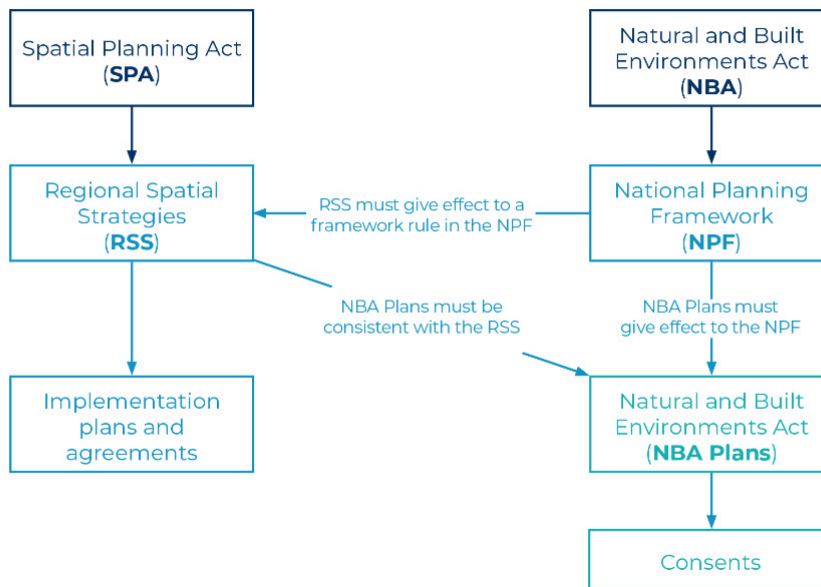
BACKGROUND

1. In 2020 a review of New Zealand's resource management was conducted by an independent panel chaired by retired Court of Appeal Judge, Hon Tony Randerson, QC. "New Directions for Resource Management in New Zealand" (the Randerson Report) is the most significant, broad ranging and inclusive review to take place since the RMA came into force.
2. In February 2021 the Minister for the Environment confirmed that the recommendations of the Randerson Report to reform the RMA have been adopted by the government and will be progressed in this term.
3. The RMA will be replaced by three Acts
 - Natural and Built Environments Act (NBA) to provide for land use and environmental regulation,
 - Strategic Planning Act (SPA) to integrate with other legislation relevant to development, and require long-term regional spatial strategies, and
 - Climate Change Adaptation Act (CAA) to address complex issues associated with managed retreat and funding and financing adaptation.
4. The exposure draft Natural and Built Environments Bill was released for public feedback in May 2022, and the final draft Bill, alongside the Spatial Planning Bill have now had their first reading in Parliament. The government has indicated it's intent to pass both bills ahead of the 2023 election.

SUMMARY OF THE BILLS

5. The two bills work in tandem to create a new resource management system. However they incorporate many aspects of similarity from the current RMA framework. Aspects such as retaining the 30 years of case law that has been built up has been key, and the bills also recognise that most Councils nationally are in the midst of preparation and review of Plans in order to implement current National Direction.
6. Core to the bills' requirements is the creation of Regional Spatial Strategies. These must then be implemented through the creation of region-wide National and Built Environment Plans. The National and Built Environment Plans combine both Regional Plan and District Plan provisions into one Plan.
7. The Regional Spatial Strategies and Natural and Built Environment Plans must implement the National Planning Framework released by the government – which will replace the current suite of National Policy Statements, National Environmental Standards and RMA Regulations.
8. The Bills provide for the set up of a National Māori Entity which will monitor decisions under the two Acts.
9. In terms of preparing the Regional Spatial Strategies and the Natural and Built Environment Plans these are over-seen by Regional Planning Committees, the makeup of these is prescribed in terms of minimum participants (all Councils, iwi) but the detail is decided by the region as a whole. Like TTPP Committee, the Regional Planning Committee is required to act independently of the host local authority and other local authorities within which the committee operates and has separate legal standing.
10. Schedule 30 of the SPA outlines the process for development and review of Spatial Plans and Schedule 7 of the NBA outlines the process for development and review of Natural and Built Environment Plans by the Regional Planning Committee.
11. The NBA provides that the National Planning Framework or plans produced under it have to provide clarity as to notification and when this will occur for resource consents. It also provides for matters to be forwarded directly to mediation.
12. In terms of Appeals on the Plans, if the Regional Planning Committee accepts the recommendations of an independent hearings panel, these can only be appealed on points of law. This expands the current Freshwater appeals framework to all matters, and is seen as a key way of streamlining plan-making and avoiding drawn out appeal

processes. If the Regional Planning Committee does not accept the recommendations of an independent hearings panel, then appeals to the Environment Court on matters of substance can be made.



IMPLICATIONS FOR TE TAI O POUTINI PLAN

13. Schedule 1 of the NBA states that existing RMA documents in force immediately before commencement continues in force. This would apply to Te Tai o Poutini Plan (TTPP) which would continue to be in place.
14. Because TTPP has been notified ahead of the NBA and SPA coming into law, the effect of these pieces of legislation on the content of TTPP, as currently proposed in the two bills, is minimal. This was a key intention of the TTPP Committee in making its decision to accelerate development of the Plan.
15. However there could be changes required as a result of the yet-to-be-released National Planning Framework that sits underneath the two bills. This is expected to have strong direction on environmental bottom lines and requirements. This includes new direction on biodiversity and likely also climate change. A wide range of prescribed environmental limits are expected to be produced. The NBA requires that the National Planning Framework be released within 6 months of the NBA becoming law.
16. It should be noted that the NBA bill contains new requirements that future Plans will have to meet not currently found in the RMA – specifically:
 - reduction of greenhouse gas emissions;
 - the removal of greenhouse gases from the atmosphere;
 - promotion of the use and development of land for a variety of activities, including for housing, business use, and primary production;
 - the ample supply of land for development, to avoid inflated urban land prices;
 - housing choice and affordability;

- an adaptable and resilient urban form with good accessibility for people and communities to social, economic, and cultural opportunities; and
 - the ongoing and timely provision of infrastructure services to support the well-being of people and communities
 - the availability of highly productive land for land-based primary production
17. Of these new matters provided for in the NBA, the most significant area not currently addressed within Te Tai o Poutini Plan is the reduction of greenhouse gas emissions and the removal of greenhouse gases from the atmosphere as the other matters have been contained in the current National Direction under the RMA and TTPP has addressed these. This could mean, for example, that future Plans are required to be less enabling of the coal mining industry than the Proposed TTPP is.
 18. Existing Matters of National Importance within the RMA are retained, although with slightly different wording and descriptions, as System Outcomes rather than Matters of National Importance.
 19. Regional Spatial Strategies must be produced every nine years, and the first such strategy is due within seven years of enactment of the legislation. The Natural and Built Environment Plans must be produced within 2 years of the Regional Spatial Strategy. In practice this means that with the recently adopted Regional Policy Statement and the Proposed Te Tai o Poutini Plan, the West Coast can be comfortable that there will be a significant period of time available before work on the new plans must commence.
 20. TTPP Committee has been seen as an example of how a Regional Planning Committee could be formed and function, and should the Councils desire, TTPP Committee could continue in its current form as the new Regional Planning Committee.

NEXT STEPS

21. Submissions on the two bills are open until 30 January 2023. Staff are not recommending that TTPP Committee make a submission on the bills, but instead if submissions are made, these should come from the component Councils.
22. Following submissions and hearings, the two bills are expected to be put into law before the 2023 election.



Project Manager Update

1 November 2022 – 30 November 2022

Prepared By: **Jo Armstrong**
Date Prepared: **30 November 2022**

Accomplishments this Period

- The early part of November was focussed on responding to queries and encouraging people to make submissions by close off at 5pm on 11 November.
- Around 500 submissions were received. The majority were via the online submissions tool and the TTPP email info address. The small remainder were received by mail or hand delivered.
- The online submission tool will be used to analyse submissions and streamline administration and correspondence with submitters. Training on the tool has been undertaken by planning staff, and work to summarise submissions has begun. The TTPP Principal Planner, a WCRC planner and a contract planner will be carrying out this work.
- All submissions received by hand, mail or email must be entered into the online tool to enable this ongoing processing and administration. The WCRC planning administrator is undertaking this task.
- The search for a new senior planner is underway. To date only one application has been received and the applicant did not have the requisite training or experience.
- We have also advertised for expressions of interest for a Chair of the hearings panel which will need to be established in 2023. We have received one response for consideration, and currently have an advertisement on the Government Electronic Tender site to reach a larger pool of applicants.
- During 2023 there will be long periods where the staff undertake the Schedule 1 processes e.g. summarising submissions or writing s42A officer's reports for the hearing panel. There may be little to report in that time. How the Committee would like to receive monthly updates during that time will be discussed at the 15 December meeting.
- The next TTPP Committee meeting is on 15 December 2022 at Grey District Council.





Plans for Next Period

- Respond to queries
- Summarise submissions
- Update coastal research
- Update WCRC Resource Management Committee
- TTPPC meeting 15 December at Grey District Council.

Key Issues, Risks & Concerns

Item	Action/Resolution	Responsible	Completion Date
Decision makers can't agree	Get agreement on pieces of work prior to plan completion	Chairman	Ongoing
Budget insufficient for timely plan delivery	Work with TTPPC to recommend budget, and with WCRC to raise rate to achieve deliverables	Project Manager TTPP Committee CE WCRC	Annually Jan/Feb
Changes to national legislation	Planning team keep selves, Committee and Community updated on changes to legislation and the implications for TTPP	Project Manager Planning Team	Ongoing
Staff safety at public consultation	Committee members to proactively address & redirect aggressive behavior towards staff	TTPP Committee	Ongoing
National emergencies such as Covid-19 lock down	Staff and Committee ensure personal safety and continue to work remotely as able. Work with contractors to expedite work.	Project Manager TTPP Committee	Ongoing
Time and Cost of Appeals Process	Realistic budget set for best case costs. Awareness that contentious issues such as SNAs, natural hazards, mineral extraction and landscape provisions could see an extended appeals process, increasing costs to reach operative plan status	TTPP Committee TTPP Steering Group Project Manager	Ongoing
Community concerns over proposed Plan content	Respond to queries by phone, email and public meetings. Update information.	TTPP Committee Project Manager	Ongoing

Status

Overall		
Schedule		Proposed Plan Notified
Resources		Future budgets required to cover hearings and mediation
Scope		Schedule 1 processes leading to updates to Plan to achieve operative status

Schedule

Stage	Target for Completion	Comments
Notify Te Tai o Poutini Plan	14 July 2022	This will be the " Proposed " Plan
Public Meetings	August 2022	Public meetings at 18 venues for proposed Plan
Submissions on Te Tai o Poutini Plan	11 November 2022	A Minimum of 40 working days for submissions
Local Body Elections	October 2022	
Further Submissions	28 February 2023	Submissions must be summarised and published and then there are 10 working days for further submissions
Pre-hearing meetings /Mediation	30 April 2023	Indicative time only
Hearings Te Tai o Poutini Plan	31 December 2023	Indicative time only
Decisions Te Tai o Poutini Plan	Early 2024	Indicative time only
Ongoing Decision Making for TTPP	January 2024 onward	TTPPC is a permanent Committee. Once the Plan is adopted the ongoing Committee role includes monitoring implementation and the need for any amendments, undertaking amendments and reviews, or ensuring these are undertaken, as required.

Stage	Target for Completion	Comments
Appeals and Mediation Te Tai o Poutini Plan	From mid-2024	Indicative time only. Any parts of the Plan not appealed are operative from the end of the Appeal Period.
Environment or High Court	2024-2025	Indicative time only.



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Te Tai o Poutini Plan Committee

Standing Orders

Date standing orders adopted

19 December 2019

Preface

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

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

These standing orders have been designed specifically for local authorities, their committees, subcommittees and subordinate decision-making bodies. They fulfil the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 with regard to the conduct of meetings.

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

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

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

All members of a local authority must abide by standing orders.

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

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1. Introduction

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

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

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

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

1.1 Principles

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

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

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

1.2 Statutory references

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

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

1.3 Acronyms

LGA 2002	Local Government Act 2002
LGOIMA	Local Government Official Information and Meetings Act 1987
LAMIA	Local Authorities (Members' Interests) Act 1968

1.4 Application

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

2. Definitions

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

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

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

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

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

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

Chairperson means the person presiding at a meeting – the presiding member.

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

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

Committee includes, in relation to a local authority:

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

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

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

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

Electronic link means both an audio and audio visual link.

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

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

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

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

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

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

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

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

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

Meeting means any first, inaugural, ordinary, or extraordinary meeting of a local authority, committee, subcommittee or subordinate decision-making bodies of the local authority convened under the provisions of LGOIMA.

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

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

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

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

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

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

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

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

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

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

Powhiri means a formal welcome involving a Karanga from the Tangata Whenua (the home people) followed by formal speech making. A Powhiri is generally used for formal occasions of the highest significance.

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

Presiding member means the person chairing a meeting.

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

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

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

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

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

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

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

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

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

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

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

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

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

Secunder means the member who seconds a motion.

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

Subordinate decision-making body means committees, subcommittees, and any other bodies established by a local authority that have decision-making authority.

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

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

Subcommittee means a subordinate decision-making body established by a council, or a committee of a council. See definition of "Committee".

Working day means a day of the week other than:

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

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

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

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

General matters

3. Standing orders

3.1 Obligation to adopt standing orders

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

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

3.2 Process for adoption and alteration of standing orders

The adoption of standing orders and any amendment to standing orders must be made by the Council and by a vote of not less than 75% of the members present.

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

3.3 Members must obey standing orders

All members of the local authority, including members of committees and subcommittees, must obey these standing orders.

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

3.4 Application of standing orders

These standing orders apply to all meetings of the local authority, its committees, subcommittees and subordinate decision-making bodies, including meetings and parts of meetings that the public are excluded from.

3.5 Temporary suspension of standing orders

Any member of a council, committee, subcommittee and subordinate may move a motion to suspend specified standing orders at a meeting of which they are a member. Any such motion must also include the reason for the suspension. If seconded, the Chairperson must put the motion without debate and at least 75 per cent of the members present and voting must support the motion for it to be carried.

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

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

3.6 Quasi-judicial proceedings

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

3.7 Physical address of members

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

4. Meetings

4.1 Legal requirement to hold meetings

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

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

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

4.2 Meeting duration

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

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

4.3 Language

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

If a member intends to address the meeting in New Zealand Sign Language, or in te reo Māori when the normal business of the meeting is conducted in English, they must give prior notice to the Chairperson not less than 2 working days before the meeting.

Where the normal business of the meeting is conducted in te reo Māori then prior notice of the intention to address the meeting in English must also be given to the Chairperson not less than 2 working days before the meeting.

4.4 Webcasting meetings

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

4.5 First meeting (inaugural)

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

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

4.6 Requirements for the first meeting

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

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

- (a) The making and attesting of the declarations required of the Chairperson (if any) and members under cl.14, Schedule7, (LGA 2002);
- (b) The election of the Chairperson and the making and attesting of the declaration required of the Chairperson under cl. 14 Schedule7, (LGA 2002);
- (c) A general explanation, given or arranged by the Chief Executive, of:
 - i. LGOIMA; and
 - ii. Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
- (d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- (e) The election of the deputy Chairperson in accordance with cl.17 Schedule7, (LGA 2002).

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

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

5. Appointments and elections

5.1 Elections of regional Chairpersons, and deputy Chairpersons

The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.3) when electing people to the following positions:

- The Chairperson and deputy Chairperson of a regional council;
- The Chairperson and deputy Chairperson of a committee; and
- A representative of a local authority.

cl. 25 Schedule 7, LGA 2002.

5.2 Removal of a Chairperson deputy Chairperson

A Chairperson or deputy Chairperson can only be removed in accordance with the process set out in cl. 18, Schedule 7, of the LGA 2002. See Appendix 9.

cl. 18, Schedule 7, LGA 2002.

5.3 Voting system for Chairpersons, deputy Chairpersons and committee chairs

When electing a regional council chair, a deputy Mayor or a committee chair the local authority must resolve to use one of the following two voting systems.

System A

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

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

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

System B

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

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

cl. 25 Schedule 7, LGA 2002.

6. Delegations

6.1 Limits on delegations

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

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

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

6.2 Committees may delegate

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

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

6.3 Use of delegated powers

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

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

6.4 Decisions made under delegated authority cannot be rescinded or amended

Nothing in these standing orders allows a council, committee and subcommittee to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation authorising the making of that decision.

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

6.5 Committees and sub committees subject to the direction of the local authority

A committee, subcommittee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given to them.

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

Please note: A council is advised to delegate a range of decision-making responsibilities to its chief executive to cover the period from the day following the Electoral Office's declaration until the new council is sworn in. See the 2019 Guide to Standing Orders for further information.

7. Committees

7.1 Appointment of committees and subcommittees

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

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

7.2 Discharge or reconstitution of committees and subcommittees

Unless expressly provided otherwise in legislation or regulation:

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

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

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

Please note: s.12 (2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election.

7.3 Appointment or discharge of committee members and subcommittee members

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

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

7.4 Elected members on committees and subcommittees

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

At least one member of a committee must be an elected member of the council. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

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

7.5 Local authority may replace members if committee not discharged

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

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

7.6 Decision not invalid despite irregularity in membership

For the purpose of these standing orders a decision of a local authority or committee is not invalidated if:

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

cl. 29, Schedule 7, LGA 2002.

7.7 Appointment of joint committees

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

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

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

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

7.8 Status of joint committees

A joint committee is deemed to be both a committee of a council and a committee of each other participating local authority or public body.

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

7.9 Power to appoint or discharge individual members of a joint committee

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

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

Pre-meeting

8. Giving notice

8.1 Public notice – ordinary meetings

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of the current month, together with the dates, the times and places on and at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification may be given not more than 10 nor less than 5 working days before the day on which the meeting is to be held. (See Guide to Standing Orders for more information).

s. 46, LGOIMA.

8.2 Notice to members - ordinary meetings

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

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

8.3 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

- (a) Resolution of the council: or
- (b) A requisition in writing delivered to the chief executive which is signed by:
 - i. The Chairperson; or
 - ii. Not less than one third of the total membership of the council (including vacancies).

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

8.4 Notice to members - extraordinary meetings

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

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

8.5 Emergency meetings may be called

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

- (a) The Chairperson; or
- (b) If the Chairperson is unavailable, the Chief Executive.

cl. 22A (1), Schedule7 LGA 2002.

8.6 Process for calling an emergency meeting

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

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

cl. 22A (2), Schedule7 LGA 2002.

8.7 Public notice – emergency and extraordinary meetings

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

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

s. 46 (3) LGOIMA.

8.8 Meetings not invalid

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

That the meeting occurred without proper notification;

- The general nature of the business transacted; and
- The reasons why the meeting was not properly notified.

s. 46 (6), LGOIMA.

8.9 Resolutions passed at an extraordinary meeting

A local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the local authority unless:

- (a) The resolution was passed at a meeting or part of a meeting from which the public was excluded; or
- (b) The extraordinary meeting was publicly notified at least 5 working days before the day on which the meeting was held.

s. 51A, LGOIMA.

8.10 Meeting schedules

Where the local authority adopts a meeting schedule it may cover any period that the council considers appropriate and may be amended. Notification of the schedule, or an amendment, will

constitute notification to members of every meeting on the schedule or the amendment. This does not replace the requirements under LGOIMA to also publicly notify each meeting.

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

8.11 Non-receipt of notice to members

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

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

A member of a local authority may waive the need to be given notice of a meeting.

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

8.12 Meeting cancellations

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

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

9. Meeting agenda

9.1 Preparation of the agenda

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

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

9.2 Process for raising matters for a decision

Requests for reports may be made by a resolution of the council, committee, subcommittee or subordinate decision-making body and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 12.

9.3 Chief executive may delay or refuse request

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

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

9.4 Order of business

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

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

9.5 Chairperson's recommendation

A Chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a Chairperson's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained.

9.6 Chairperson's report

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

9.7 Public availability of the agenda

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

s. 5 & 46A, LGOIMA.

9.8 Public inspection of agenda

Any member of the public may, without payment of a fee, inspect, during normal office hours and within a period of at least 2 working days before a meeting, all agendas and associated reports circulated to members of the local authority relating to that meeting. The agenda:

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

s. 46A (1), LGOIMA.

9.9 Withdrawal of agenda items

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

9.10 Distribution of the agenda

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

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

9.11 Status of agenda

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

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

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

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

s. 46A (7), LGOIMA.

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

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

9.13 Discussion of minor matters not on the agenda

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

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda

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

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

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

s. 52, LGOIMA.

Meeting Procedures

10. Opening and closing

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

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

11. Quorum

11.1 Council meetings

The quorum for a meeting of the council is:

- (a) Half of the members physically present, where the number of members (including vacancies) is even; and

- (b) A majority of the members physically present, where the number of members (including vacancies) is odd.

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

11.2 Committees and subcommittee meetings

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

In the case of subcommittees the quorum will be two members unless otherwise stated. In the case of committees at least one member of the quorum must be a member of the council.

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

11.3 Joint Committees

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

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

11.4 Requirement for a quorum

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

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

11.5 Meeting lapses where no quorum

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

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

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

11.6 Business from lapsed meetings

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

12. Public access and recording

12.1 Meetings open to the public

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

s.47 & 49(a), LGOIMA.

12.2 Grounds for removing the public

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

12.3 Local authority may record meetings

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

12.4 Public may record meetings

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

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

13. Attendance

13.1 Members right to attend meetings

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

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

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

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

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

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

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

13.3 Leave of absence

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

The Chairperson may approve a members' application, and the Council may approve an application from the Chairperson. The Chairperson will advise all members of the council whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record a leave of absence for a member as an apology for that meeting.

13.4 Apologies

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

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

13.5 Recording apologies

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

13.6 Absent without leave

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

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

13.7 Right to attend by audio or audio visual link

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

13.8 Member's status: quorum

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

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

13.9 Member's status: voting

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

13.10 Chairperson’s duties

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

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

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

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

13.11 Conditions for attending by audio or audio visual link

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

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

13.12 Request to attend by audio or audio visual link

Where possible, a member will give the Chairperson and the chief executive at least 2 working days’ notice when they want to attend a meeting by audio or audio visual link. Should, due to illness or emergency, this is not possible the member may give less notice.

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

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

13.13 Chairperson may terminate link

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

- (a) Use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) The behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) It is distracting to the members who are physically present at the meeting; and

- (d) The quality of the link is no longer suitable.

13.14 Giving or showing a document

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

- (a) Transmitting it electronically;
- (b) Using the audio visual link; or
- (c) Any other manner that the Chairperson thinks fit.

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

13.15 Link failure

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

13.16 Confidentiality

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

14. Chairperson's role in meetings

14.1 Council meetings

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

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

14.2 Other meetings

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

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

14.3 Addressing the Chairperson

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

14.4 Chairperson's rulings

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

14.5 Chairperson standing

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

14.6 Member's right to speak

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

14.7 Chairperson may prioritise speakers

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

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

15. Public Forums

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

In the case of a committee or subcommittee any issue, idea or matter raised in a public forum must fall within the terms of reference of that body.

15.1 Time limits

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

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

15.2 Restrictions

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

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

15.3 Questions at public forums

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

15.4 No resolutions

Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda. (See the 2019 Guide to Standing Orders for suggestions of good practice in dealing with issues raised during a forum).

16. Deputations

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

16.1 Time limits

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

16.2 Restrictions

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

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

16.3 Questions of a deputation

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

16.4 Resolutions

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

17. Petitions

17.1 Form of petitions

Petitions may be presented to the local authority or any of its committees as long as the subject matter falls within the terms of reference of the intended meeting.

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to present their petition in te reo or sign language should advise the chief executive in time to allow translation services to be arranged.

17.2 Petition presented by petitioner

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

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

17.3 Petition presented by member

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

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

18. Exclusion of public

18.1 Motions and resolutions to exclude the public

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

Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be available to any member of the public who is present.

If the motion is passed the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The resolution must state:

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

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

s. 48 LGOIMA.

18.2 Specified people may remain

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

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

s.48 (6) LGOIMA.

18.3 Public excluded items

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

s.46A (8) LGOIMA.

18.4 Non-disclosure of information

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

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

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

18.5 Release of information from public excluded session

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

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

19. Voting

19.1 Decisions by majority vote

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

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

19.2 Open voting

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

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

19.3 Chairperson has a casting vote

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

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

19.4 Method of voting

The method of voting must be as follows:

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

19.5 Calling for a division

When a division is called, the chief executive must record the names of the members voting for and against the motion and abstentions and provide the names to the Chairperson to declare the result.

The result of the division must be entered into the minutes and include members' names and the way in which they voted.

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

19.6 Request to have votes recorded

If requested by a member immediately after a vote the minutes must record the member's vote or abstention. Recording any other matters e.g. reason for the vote or abstention is not permitted.

19.7 Members may abstain

Any member may abstain from voting.

20. Conduct

20.1 Calling to order

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

20.2 Behaviour consistent with Code of Conduct

No member, at any meeting, may act inconsistently with their Code of Conduct or speak or act in a manner which is disrespectful of other members, staff or the public.

20.3 Retractions and apologies

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

20.4 Disorderly conduct

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

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

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

20.5 Contempt

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

20.6 Removal from meeting

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

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

20.7 Financial conflicts of interests

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

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

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

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

s. 6 & 7 LAMIA.

20.8 Non-financial conflicts of interests

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

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

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

20.9 Qualified privilege for meeting proceedings

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

s. 53, LGOIMA.

20.10 Qualified privilege additional to any other provisions

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

s. 53, LGOIMA.

20.11 Electronic devices at meetings

Electronic devices and phones can only be used to advance the business of a meeting.

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

21. General rules of debate

21.1 Chairperson may exercise discretion

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

21.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

- (a) Movers of motions when speaking to the motion – not more than 5 minutes;
- (b) Movers of motions when exercising their right of reply – not more than 5 minutes; and
- (c) Other members – not more than 5 minutes.

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

21.3 Questions to staff

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

21.4 Questions of clarification

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

21.5 Members may speak only once

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

21.6 Limits on number of speakers

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

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

21.7 Secunder may reserve speech

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

21.8 Speaking only to relevant matters

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

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

21.9 Restating motions

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

21.10 Criticism of resolutions

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

21.11 Objecting to words

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

21.12 Right of reply

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

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

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

21.13 No other member may speak

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

- (a) After the mover has started their reply;
- (b) After the mover has indicated that they want to forego this right; and
- (c) Where the mover has spoken to an amendment to the original motion and the Chairperson has indicated that he or she intends to put the motion.

21.14 Adjournment motions

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

21.15 Chairperson's acceptance of closure motions

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

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

22. General procedures for speaking and moving motions

22.1 Options for speaking and moving

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

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

22.2 Option A

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

22.3 Option B

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

22.4 Option C

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

22.5 Procedure if no resolution reached

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

23. Motions and amendments

23.1 Proposing and seconding motions

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

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

23.2 Motions in writing

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

23.3 Motions expressed in parts

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

23.4 Substituted motion

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

23.5 Amendments to be relevant and not direct negatives

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

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

23.6 Chairperson may recommend amendment

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

23.7 Foreshadowed amendments

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

23.8 Lost amendments

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may speak to it, and may move or second a further amendment.

23.9 Carried amendments

Where an amendment is carried the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may speak to the substantive motion, and may move or second a further amendment to it.

23.10 Where a motion is lost

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

23.11 Withdrawal of motions and amendments

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

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

23.12 No speakers after reply or motion has been put

A member may not speak to any motion once:

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

24. Revocation or alteration of resolutions

24.1 Member may move revocation of a decision

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

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

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

24.2 Revocation must be made by the body responsible for the decision

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

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

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

24.3 Requirement to give notice

A member must give notice to the chief executive at least 5 working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next twelve months.

24.4 Restrictions on actions under the affected resolution

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

Exceptions apply where, in the opinion of the Chairperson:

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

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

24.5 Revocation or alteration by resolution at same meeting

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

24.6 Revocation or alteration by recommendation in report

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

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

25. Procedural motions

25.1 Procedural motions must be taken immediately

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

25.2 Procedural motions to close or adjourn a debate

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

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

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

25.3 Voting on procedural motions

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

25.4 Debate on adjourned items

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

25.5 Remaining business at adjourned meetings

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

25.6 Business referred to the council or a committee

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

25.7 Other types of procedural motions

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

26. Points of order

26.1 Members may raise points of order

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

26.2 Subjects for points of order

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

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

26.3 Contradictions

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

26.4 Point of order during division

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

26.5 Chairperson's decision on points of order

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

27. Notices of motion

27.1 Notice of intended motion to be in writing

Notice of intended motions must be in writing signed by the mover, stating the meeting at which it is proposed that the intended motion be considered, and must be delivered to the chief executive at least 5 clear working days before such meeting. [Notice of an intended motion can be sent via email and include the scanned electronic signature of the mover].

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

27.2 Refusal of notice of motion

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

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the local authority or meeting concerned; or

- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- (e) Fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or
- (f) Concerns a matter where decision-making authority has been delegated to a committee or subordinate body.

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

27.3 Mover of notice of motion

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

27.4 Alteration of notice of motion

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

27.5 When notices of motion lapse

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

27.6 Referral of notices of motion

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

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

27.7 Repeat notices of motion

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

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

28. Minutes

28.1 Minutes to be evidence of proceedings

The local authority, its committees, subcommittees and subordinate decision-making bodies must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson's manual or electronic signature once confirmed by resolution at a

subsequent meeting. Once authorised the minutes are the *prima facie* evidence of the proceedings they relate to.

cl. 28 Schedule 7, LGA 2002.

28.2 Matters recorded in minutes

The Chief Executive must keep the minutes of meetings. The minutes must record:

- (a) The date, time and venue of the meeting;
- (b) The names of the members present;
- (c) The Chairperson;
- (d) Any apologies or leaves of absences;
- (e) The arrival and departure times of members;
- (f) Any failure of a quorum;
- (g) A list of any external speakers and the topics they addressed;
- (h) A list of the items considered;
- (i) The resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders;
- (j) The names of all movers, and seconders;
- (k) Any objections made to words used;
- (l) All divisions taken and, if taken, a record of each members' vote;
- (m) The names of any members requesting that their vote or abstention be recorded;
- (n) Any declarations of financial or non-financial conflicts of interest;
- (o) The contempt, censure and removal of any members;
- (p) Any resolutions to exclude members of the public;
- (q) The time at which the meeting concludes or adjourns; and
- (r) The names of people permitted to stay in public excluded.

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

28.3 No discussion on minutes

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

28.4 Minutes of last meeting before election

The chief executive and the relevant Chairpersons must sign, or agree to have their digital signature inserted, the minutes of the last meeting of the local authority, its committees and subcommittees before the next election of members.

29. Keeping a record

29.1 Maintaining accurate records

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

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

s. 17 Public Records Act 2005.

29.2 Method for maintaining records

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

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

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

29.3 Inspection

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

s. 51 LGOIMA.

29.4 Inspection of public excluded matters

The chief executive must consider any request for the minutes of a meeting, or part of a meeting, from which the public was excluded as if it is a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

Referenced documents

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

Appendix 1: Grounds to exclude the public

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

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

See s.7 LGOIMA 1987.

Where A2 of this Appendix applies the public may be excluded unless, in the circumstances of a particular case, the exclusion of the public is outweighed by other considerations which render it desirable and in the public interest, that the public not be excluded.

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

See s. 48 LGOIMA.

Appendix 2: Sample resolution to exclude the public

The following resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act.

On the grounds that matters will be prejudiced by the presence of members of the public during discussions on the following items, it is **resolved**:

1. That the following items are considered with the public excluded:

Meeting Item No	Grounds for excluding the public
	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))
	Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))
	Maintain legal professional privilege (Schedule 7(2)(g))
	Prevent the disclosure or use of official information for improper gain or improper advantage (Section 7(2)(j))
	Protect information where the making available of the information <ol style="list-style-type: none"> would disclose a trade secret; or would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Section 7(2)(b))
	In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to Tikanga Māori, or to avoid the disclosure of the location of waahi tapu (Section 7(2)(ba))
	Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information <ol style="list-style-type: none"> would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or would be likely otherwise to damage the public interest (Section 7(2)(c))
	Avoid prejudice to measures protecting the health or safety of members of the public (Section 7(2)(d))
	Avoid prejudice to measures that prevent or mitigate material loss to members of the public (Section 7(2)(e))

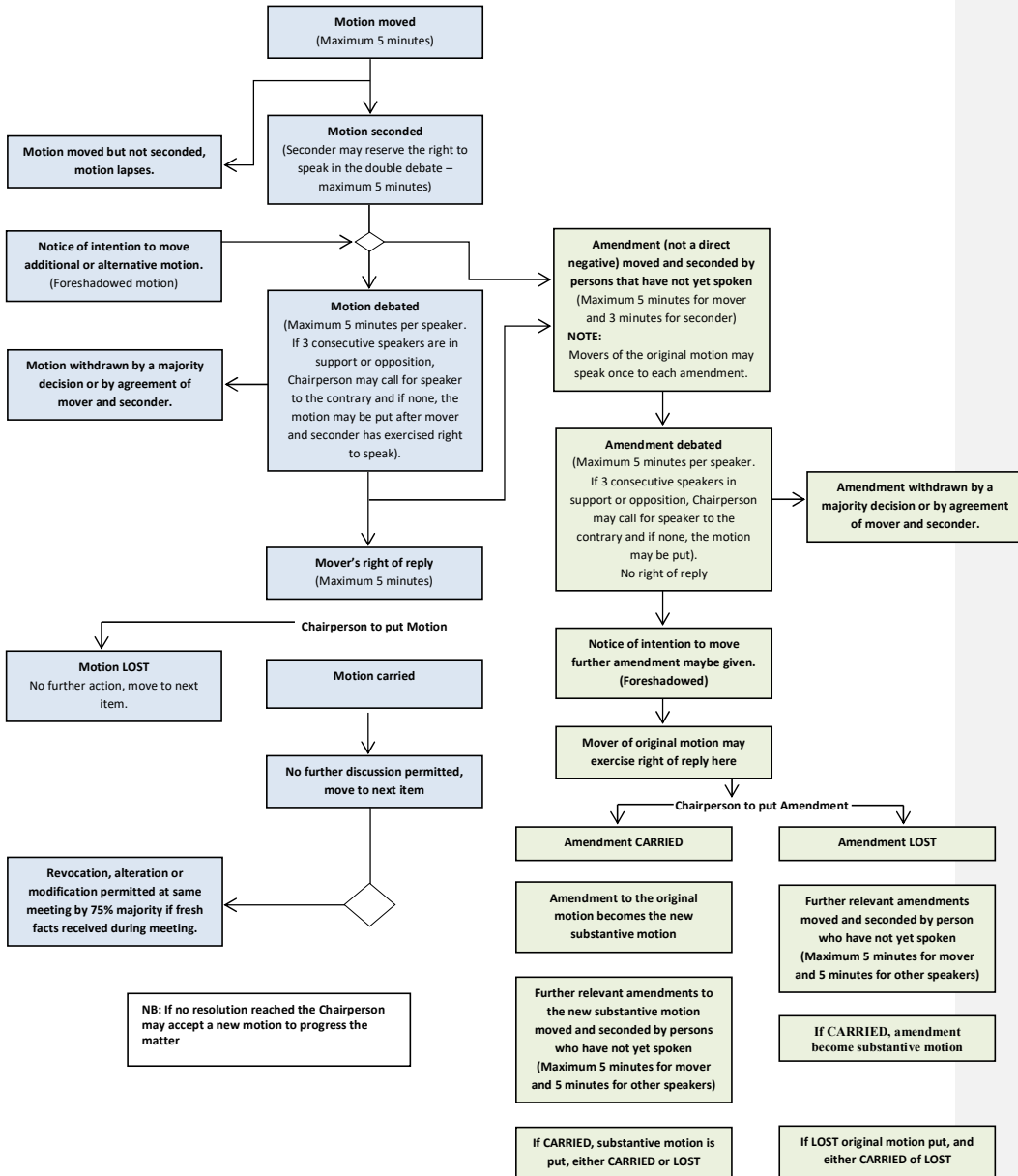
Meeting Item No	Grounds for excluding the public
	Maintain the effective conduct of public affairs through the protection of members or officers or employees of the Council, and persons to whom Section 2(5) of the Local Government Official Information and Meetings Act 1987 applies in the course of their duty, from improper pressure or harassment (Section 7(2)(f)(ii)).
	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (Section 7(2)(h))

2. That *(name of person(s))* is permitted to remain at this meeting, after the public has been excluded, because of their knowledge of *(specify topic under discussion)*. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because *(specify)*.

Appendix 3: Motions and amendments (Option A)

Motions without amendments

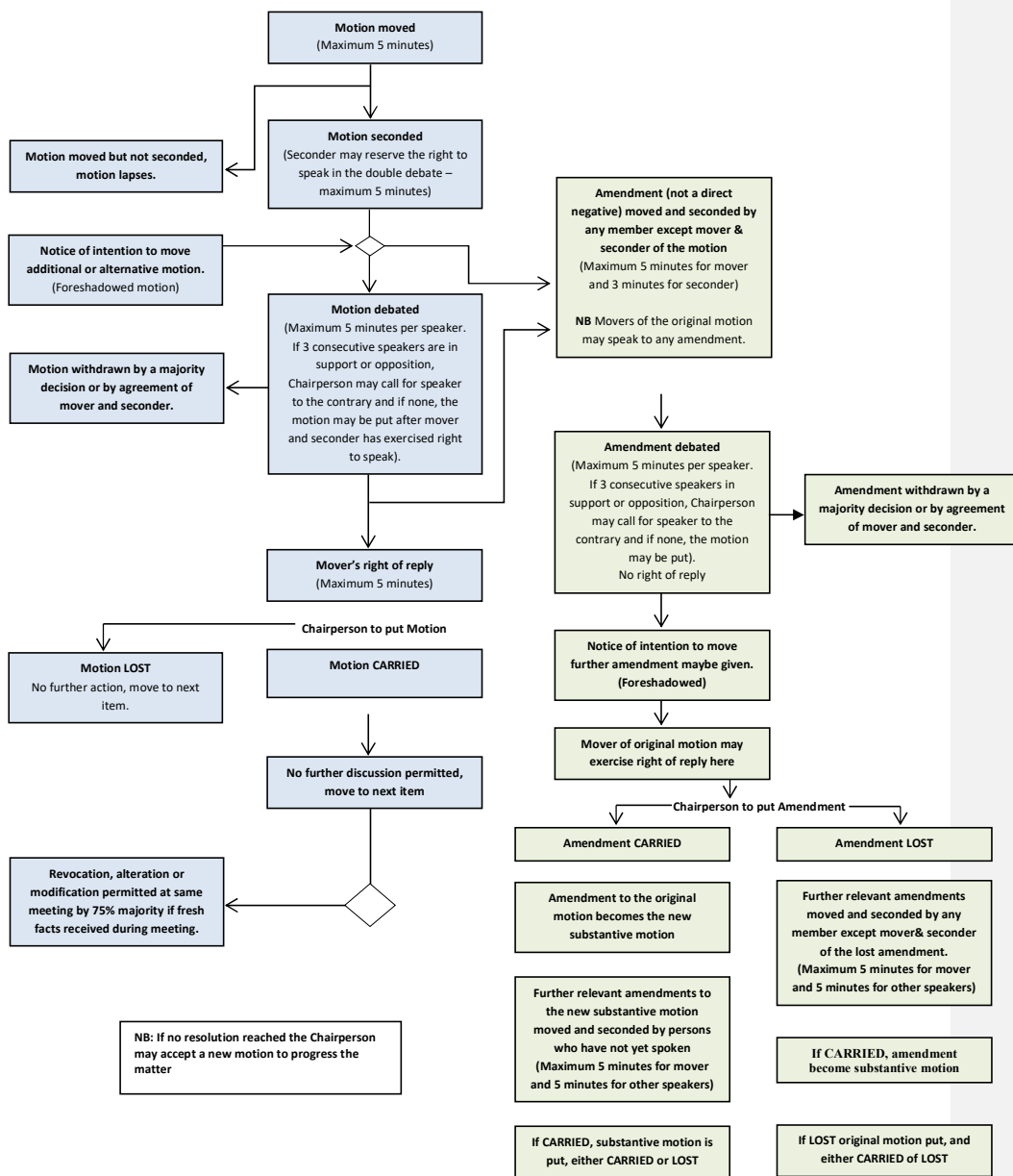
Motions with amendments



Appendix 4: Motions and amendments (Option B)

Motions without amendments

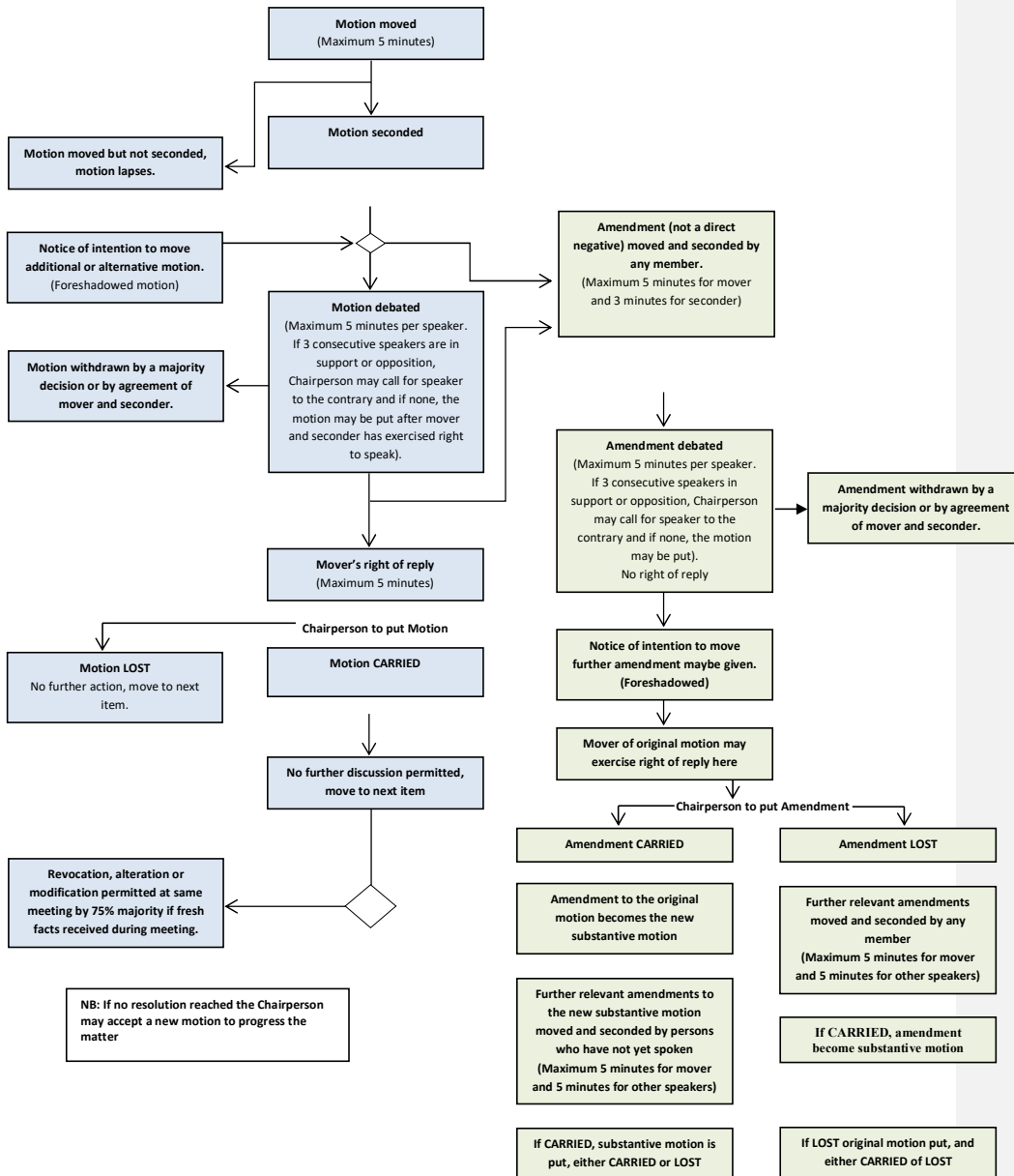
Motions with amendments



Appendix 5: Motions and amendments (Option C)

Motions without amendments

Motions with amendments



Appendix 6: Table of procedural motions

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

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

Appendix 7: Webcasting protocols

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

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

Appendix 8: Powers of a Chairperson

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

Chairperson to decide all questions

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

Chairperson to decide points of order

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

Items not on the agenda

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

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

Chairperson's report

The Chairperson, by report, has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

Chairperson's recommendation

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

Chairperson's voting

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

Motion in writing

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

Motion in parts

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

Notice of motion

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

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

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

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

Action on previous resolutions

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

Repeat notice of motion

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

Revocation or alteration of previous resolution

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

Chairperson may call a meeting

The Chairperson:

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

Irrelevant matter and needless repetition

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

Taking down words

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

Explanations

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

Chairperson rising

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

Members may leave places

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

Priority of speakers

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

Minutes

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

Questions of speakers

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

Withdrawal of offensive or malicious expressions

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

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

Chairperson's rulings

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

Disorderly behaviour

The Chairperson may:

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

Failure to leave meeting

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

Audio or audio visual attendance

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

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

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

Appendix 9: Process for removing a Chairperson or deputy Chairperson from office

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

cl. 18 Schedule 7, LGA 2002.

Appendix 10: Workshops

Definition of workshop

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

Application of standing orders to workshops

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

Calling a workshop

Workshops, briefings and working parties may be called by:

- (a) A resolution of the local authority or its committees;
- (b) The Mayor;
- (c) A committee Chairperson; or
- (d) The Chief Executive.

Process for calling workshops

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

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

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

Record of workshop

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

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

Appendix 11: Sample order of business

Open section

- (a) Apologies
- (b) Declarations of interest
- (c) Confirmation of minutes
- (d) Leave of absence
- (e) Acknowledgements and tributes
- (f) Petitions
- (g) Public input
- (h) Extraordinary business
- (i) Notices of motion
- (j) Reports of committees
- (k) Reports of the Chief Executive and staff
- (l) Chairperson deputy Chairperson and elected members' reports (information)

Public excluded section

- (m) Reports of committees
- (n) Reports of the chief executive and staff
- (o) Chairperson , deputy Chairperson and elected members' reports (information)

Appendix 12: Process for raising matters for a decision

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

- Report of chief executive;
- Report of a Chairperson;
- Report of a committee; and
- Notice of motion from a member.

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

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

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

10 October 2022

Hon David Parker
Minister for the Environment
By email: david.parker@parliament.govt.nz

Kia ora Minister Parker

Funding for Resource Management Reform

Thank you for recently meeting with LGNZ to discuss the Resource Management Reform programme (RM Reform).

LGNZ are pleased to hear you are now in a position to work with your colleagues from across the House to gain cross-party support for critical aspects of RM Reform. This would help ensure the success of the reform by providing councils and communities with confidence that changes will be enduring so we can all start planning with some certainty.

LGNZ also believe it's critically important you obtain cross-party support for appropriate central government investment to support the transition to, and implementation of, the new system. Communities need investment commitments that will endure electoral cycles, or else we risk the transition and implementation programmes being insufficiently resourced, which is a real and significant barrier to successful reform.

Councils and their communities will need fair and equitable financial support from central government to establish regional planning committees and engage in plan-making processes. Councils cannot be expected to cover these costs on their own. A lack of financial support from the Government will be seen as another unfunded mandate.

Te Tai o Poutini Plan

Related to this, LGNZ has recently engaged with the West Coast Regional Council (WCRC) on the significant costs incurred to develop Te Tai o Poutini Plan, the combined district plan for the West Coast. As you will be aware, the WCRC has been legally required to prepare Te Tai o Poutini Plan off the back of recommendations made by the Local Government Commission in 2018, and an Order in Council made in 2019.

Te Tai o Poutini Plan is largely reflective of the approach that councils, mana whenua and communities will be required to take under the new RM system. To develop Te Tai o Poutini Plan, WCRC has led the formation and operation of a joint committee that consists of mana whenua representatives and representatives from the four West Coast councils to develop a combined district plan. These

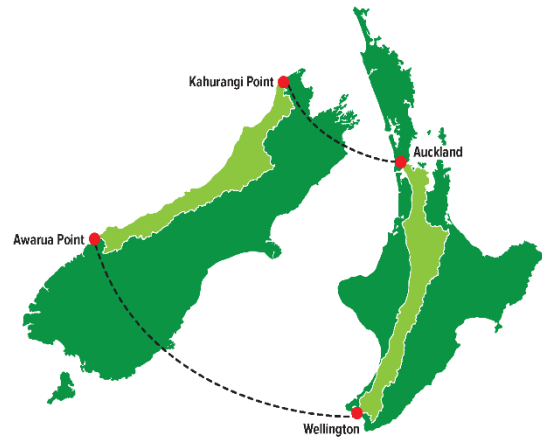
requirements will be replicated under the Natural and Built Environments Act (NBA). In developing Te Tai o Poutini Plan, the Council has also implemented planning standards and taken a cross-council approach to resourcing the development of the plan, including developing a Technical Advisory Team made up of staff from across all four West Coast councils and local iwi.

The West Coast has, in essence, given effect to the Government’s intention for communities to work together to produce one mandatory, combined plan for each region. The Te Tai o Poutini Plan has covered resource use, allocation and land-use management and has integrated plan provisions, contributing to more cohesive management of the natural and built environment. The changes that the West Coast councils have made now will ultimately help them implement the new RM system once it is enacted.

Compensating the WCRC and its communities for implementing aspects of new system

The West Coast is New Zealand’s smallest region with a population of 32,000 people, spread out across the distance equivalent to that from Wellington to Auckland. The costs incurred throughout the Te Tai o Poutini Plan process to date have had a significant impact on the WCRC’s very limited rate take¹.

The WCRC believes that to be fair and equitable, the Government should make a financial contribution toward the additional costs the Council has incurred in setting up processes that reflect the new requirements under the NBA. These include establishing a regional planning committee, running the regional planning committee process, working across council teams, and working with runanga on plan drafting. LGNZ supports this position and believes it would be in ‘good faith’ for the Government to recognise the work that has been done, which will inform the processes that will soon be undertaken in other regions.



The West Coast region stretches the equivalent distance of that between Auckland and Wellington

There will be a significant number of learnings from the Te Tai o Poutini Plan process the Government can draw on as the transition to new regional planning systems begins. This includes learnings on how to effectively establish regional planning committees, partner with mana whenua in the process, and develop a plan that spans multiple districts. LGNZ are aware the WCRC and Te Tai o Poutini Plan Committee have already provided Ministry for the Environment officials with learnings around planning committee makeup, regional planning, staff and committee functions.

Given the learnings that will be gleaned from this mahi to demonstrate what new arrangements could look like and how they might work, it seems appropriate for the Government to compensate the WCRC because the costs incurred have had a real impact on the Council’s very tight resource pool.

¹ 86.72% of the West Coast is comprised of Government administered land (Department of Conservation and Land Information New Zealand). This leaves just 13.28% able to be rated.

Revenue and expenses incurred for the Te Tai o Poutini Plan process to date are:

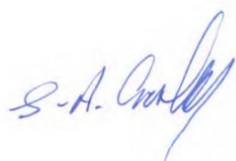
Rates levied to date	\$1,348,000
Future Rates (9 yrs)	\$4,500,000
Total Rates	\$5,848,000
Expenditure to date	\$2,983,000
Future expenditure	\$4,000,000*
Total Expenditure	\$6,983,000
Deficit	(\$1,135,000)
LGFA Loan funding to date	\$1,000,000

**It is anticipated that the hearings for Te Tai o Poutini Plan will be undertaken in the 2023/24 financial year at a cost of around \$3,000,000.*

While the development of the Te Tai o Poutini Plan pre-dates the introduction of the new resource management legislation, it is reflective of the changes to come. The West Coast is in many respects ahead of other regions and will have an easier transition to the new system, due to having key components already in place. WCRC are aware that the Government plans to contribute to the costs of those regions that develop model plans as part of its transition programme. The WCRC is concerned that if they don't receive any financial assistance now, there is a risk that WCRC won't be fairly compensated for the work done to date, and that any transition funding WCRC receives won't take account of the significant costs already incurred.

LGNZ are happy to find a time for us and the WCRC to meet with you and your team. We would really appreciate an opportunity to discuss this further and seek a way forward that recognises the hard mahi and significant progress that WCRC has made.

Ngā mihi nui



Stuart Crosby
President
Local Government New Zealand



Heather Mabin
CEO
West Coast Regional Council