



Auckland Council

Standing orders of the Governing Body

28 May 2015

(Amended 2 May 2019 - GB/2019/37)

(Amended 24 March 2020 – GB/2020/33)

(Amended 27 July 2022 – Under delegated authority)

Summary of most common standing orders referred to during a meeting

Note: A summary omits detail. Please refer to the full standing orders.

Meeting procedures (1)

Chairperson's role (1.2)

- Chair presides if present, unless vacates the chair
- Deputy presides in absence of chair
- If neither present, the meeting elects a chair
- Chair decides all questions not covered by standing orders
- Chair decides all points of order
- Members to be silent when chair rises
- Chair decides speaking order but must give precedence to:
 - points of order,
 - closure or deferral motions,
 - points of explanation,
 - requests for chair's indulgence.
- Members may question officers, at chair's discretion

Members conduct (1.3)

- Members must not be:
 - disrespectful
 - use offensive or malicious language
 - impute improper motives to other members or officers
- Chair may order a member to withdraw from the meeting if:
 - member refuses to obey the chair's instruction to stop speaking, or
 - member refuses to obey the chair's instruction to withdraw and apologise for offensive or malicious expression, or
 - member's conduct is disorderly
- If disorder continues, Chair may adjourn meeting; reconvened meeting to decide whether to proceed or adjourn
- Minutes record a resolution to hold a member in contempt
- A member may be physically removed
- Member with a non-pecuniary interest to decide whether it is a conflict
- Defamatory matter in agenda or minutes is privileged unless publication motivated by ill will.
- Similar re oral statements at meeting

Conflicts of interest (1.3.7– 1.3.8)

- Pecuniary interest: member takes no part in discussion or voting; minutes record the declaration and abstention; member leaves the room
- Non-pecuniary conflict of interest: member takes no part in discussion or voting; minutes record the declaration and abstention; member leaves the table but not required to leave the room

Rules of debate (1.4)

- Member can second a motion or amendment and reserve right to speak later in debate
- No irrelevant matters or tedious repetition – Chair's ruling final
- 3 consecutive speakers in support or opposition – Chair may call for speaker to contrary - if none, puts motion after right of reply
- If member immediately objects to words used, Chair may order minutes to record objection
- Speeches not to be read, except with permission
- Time limits:
 - Movers speaking to motion 10 minutes
 - Movers right of reply 5 minutes
 - Others 5 minutes
- Only speak once to a motion (applies only to governing body and committees of the whole)
- Mover of original motion has right of reply but may not introduce new matter; then motion is put.

- Only one right of reply – if used at end of amendment it is exhausted.
- Members can only speak to:
 - A matter before the meeting
 - A motion or amendment they are proposing
 - A point of order
 - Personal explanation with permission of Chair
 - Explanation re previous speech in same debate, with permission of Chair

Motions and amendments (1.5)

- Terms:
 - *Substantive motion*: a motion is either procedural or substantive; a substantive motion deals with a matter of substance
 - *Original motion*: the substantive motion moved at the commencement of the debate; if it is amended it is no longer the original motion and is referred to as the substantive motion
 - *Substituted motion*: the meeting agrees to substitute the original motion with different wording with the agreement of the mover and seconder
 - *Foreshadowed motion*: when an amendment is being debated, a member, when speaking in debate, may indicate a further amendment once the current amendment is dealt with
- Secunder is required for all motions, then chair states the motion and proposes it for discussion
- Once seconded, motion cannot be withdrawn without consent of meeting
- Chair may require motions in writing
- A meeting may substitute a motion with an amendment provided the mover and seconder agree ("substituted motion")
- In any debate a member may:
 - Speak once to each motion, including the original motion, a substituted motion or an amendment
 - Move or second a motion once only
- See flowchart for more detail
- See Standing Order 4.2 for alternative rules for committees
- Meeting deals with one amendment before another amendment permitted (except at smaller committees (4))
- An amendment must be relevant
- An amendment cannot be a direct negative (which would have same effect as the motion being lost)
- No member can speak to a motion once the mover has commenced the reply or the chair has commenced putting the motion
- No member may unduly criticise the validity of a resolution

Procedural motions to terminate or adjourn debate (1.6)

- Terms:
 - *Procedural motion*: A motion may be either procedural or substantive; a procedural motion deals with a matter of procedure; the standing orders provide for members to raise specific procedural motions
- Can be moved by member who has not spoken in debate but must not interrupt
- Types that may be raised by members:
 - (a) meeting be adjourned
 - (b) item of business be adjourned
 - (c) motion under debate be now put (closure motion)
 - (d) move directly to next item of business
 - (e) item of business lies on the table with no further discussion at that meeting
 - (f) item of business be referred to relevant Committee
- Are put immediately without debate if seconded

- Majority vote required
- If lost no further procedural motion within ¼ hour
- Closure motion may be accepted by chair after 2 speakers for and 2 speakers against, or chair considers it reasonable
- Closure motion may relate to amendment
- If closure motion carried, mover of original motion has right of reply before original motion put
- When debate resumes on an adjourned item, previous speakers cannot speak again (other than mover)
- Adjourned items are to be taken first at the subsequent meeting

Points of Order (1.7)

- Terms:
 - *Point of order*: relates to the proper conduct (order) of the meeting
- Speaker currently speaking to stop
- Member must state subject matter
- Types:
 - (a) Where disorder is drawn to the attention of the chairperson; or
 - (b) Use of disrespectful offensive or malicious language; or
 - (c) Discussion of a question not before the GB or committee; or
 - (d) Misrepresentation of any statement made by a member or by an officer or employee of the Auckland Council; or
 - (e) The breach of any standing order; or
 - (f) A request that words objected to be recorded in the minutes.
- Contradiction is not a point of order
- Chair may hear further argument before deciding
- Ruling of Chair is not open to discussion and is final
- During division needs Chair's permission

Voting (1.8)

- Chair has casting vote
- All voting to be open
- Members may abstain – if division, can request abstention to be recorded
- Chair may require motion to be decided in parts
- Voting methods:
 - Voices or show of hands
 - If questioned immediately then division
 - Chair or member can call division at start or after voices/hands.
- If confusion on division - second division taken
- The chair may request staff to restate the motion prior to a division

Meeting quorums and attendance (3)

Quorum (3.1)

- Find quorums in Terms of Reference for Committees
- Quorum not present at commencement:
 - meeting lapses after 30 minutes,
 - chair can extend this in specific circumstances (3.1.4)
- Quorum lost during meeting:
 - meeting lapses after 10 minutes (3.1.6)
- Business of lapsed meeting is adjourned to next meeting unless chairperson calls earlier meeting

Committees (4)

Procedures during committee meetings other than COWs (4.2)

- Limitation on speaking only once does not apply
- Chair to give precedence to those who have not spoken
- The limitation on speaking time does not apply subject to speeches not introducing irrelevant matters or needless repetition
- If more than one amendment before the meeting, amendments dealt with in order determined by the chairperson

Local boards (6)

Local board speaking rights (6.1)

- Local boards have speaking rights at the discretion of the chair, regarding matters which affect their board area, their board's communities or their responsibilities
- The speaker to be the board chair or nominee

Local board input (6.2)

- Provision for local board Input cannot be used in addition to the above right to speak on the same matter.
- Local board chair (or nominee) may speak up to 5 minutes

Public (7)

Exclusion of public (7.4)

- Resolution to exclude the public must be in the specified form
- Must be passed when public are present

Public order (7.5)

- Any member of public likely to prejudice orderly conduct of meeting may be required to leave
- If necessary, any constable or employee may physically remove such person
- Security contractors act under instruction from an authorised employee
- See LGOIMA s 50 for full legislation and separate guidance for chairs

Public Input (7.7)

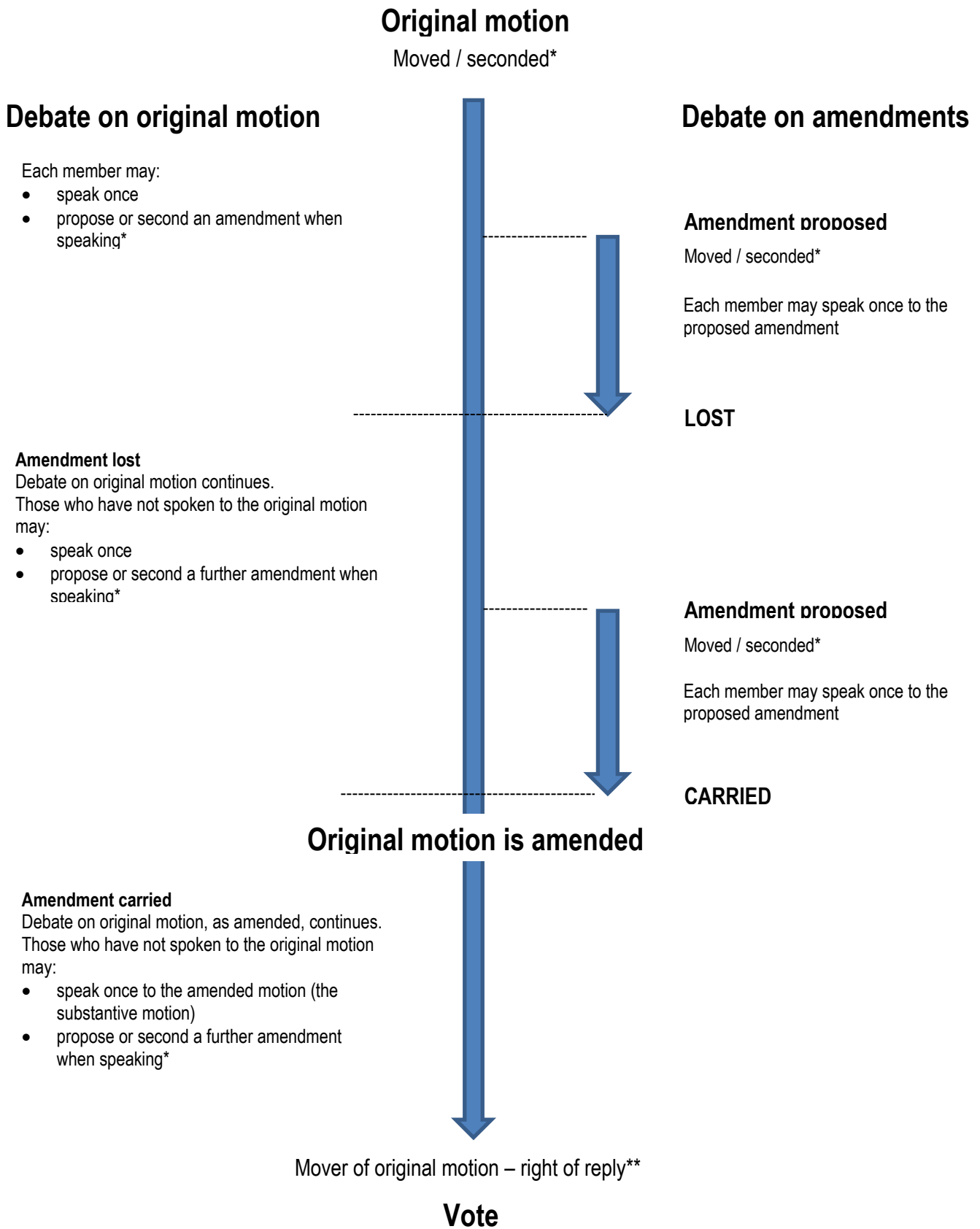
- Chair may prohibit a speaker from speaking if offensive, repetitious, vexatious or in breach of SO
- Where relevant to a committee a request should be referred to that committee rather than GB
- Questions in order to obtain information or clarification may be asked with permission of chair
- Cannot be debated unless on the agenda or the process for extraordinary business is used

General (9)

Alteration or suspension of Standing orders (9.2.4)

- 75% majority vote required
- Resolution to suspend must state reason
-

Motions and amendments – example of an amendment that is lost and an amendment that is carried



Notes

* A seconder may second a motion or amendment, and reserve the right to speak.

** The original mover's right of reply may be used during a debate on an amendment, without a further right of reply.

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1 Meeting procedures

1.1 General

1.1.1 Precedence of business

The minutes of the previous meeting must be confirmed first, then the chairperson, as a matter of urgency, or the governing body or committee on a motion passed without debate, may give precedence to any business in the agenda.

1.1.2 Languages

A member may address the chairperson in English, Māori or New Zealand sign language.

However, when the governing body or a committee's business is usually conducted in English, the member must give the chairperson at least two working days' notice that they intend to make an address in New Zealand sign language or in Māori. The same requirement applies where a committee's normal business is conducted in Māori, and the member wishes to use New Zealand sign language or English.

Where practical, the council's Democracy Services department will arrange for a translator to be present at these meetings. The chairperson may also require a speech be translated and printed in English or Māori.

1.1.3 Meeting duration

A meeting must not continue more than six hours from when it starts (including any meal breaks), 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 to the next meeting or to an extraordinary or emergency meeting.

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

A member of a meeting who has been in attendance at the meeting, or at consecutive meetings for two hours continuously without a refreshment break, may request the chairperson for one. The chairperson may then seek direction from the meeting as to whether to continue or adjourn for a refreshment break.

1.1.4 Requests for reports

Requests for new reports must be made by a resolution of the governing body or the appropriate committee.

The chief executive may delay commissioning any reports that would involve significant cost or are beyond the scope of the committee. Instead, the chief executive will report back to the next meeting of the governing body or the committee with an estimate of the cost involved, and seek a direction on whether the report should still be prepared.

1.1.5 Webcasting meetings

The council's webcasting contractor will webcast meetings in line with the protocols contained in Appendix A.

1.2 Chairperson's role

1.2.1 Governing body¹

The mayor of Auckland must act as the chairperson at governing body meetings, unless he or she vacates the chair for a particular meeting.

If the mayor is absent from a meeting, the deputy mayor must act as chairperson. If the deputy mayor is also absent, the governing body members who are present must elect a member to be chairperson at that meeting; that person may exercise the responsibilities, duties and powers of the mayor.

1.2.2 Committees²

The appointed chairperson of a committee must act as chairperson at all committee meetings, unless he or she vacates the chair for a particular meeting.

If the chairperson is absent from a meeting, 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 at that meeting; that person may exercise the responsibilities, duties and powers of the chairperson.

1.2.3 Addressing the chairperson

Members will address the chairperson in a way that reflects his or her statutory office.

1.2.4 Chairperson's rulings

The chairperson will decide all procedural questions where these standing orders make no or insufficient provision, and all points of order (see standing order 1.7.5 for chair's rulings on points of order).

If any member disagrees with a chairperson's ruling, the member is entitled to set out his or her reasons for disagreeing, and to have these standing orders available to refer to, but the chairperson's final decision must apply.

Any member who refuses to obey a chairperson's ruling or order must be held to be in contempt.

1.2.5 Chairperson rising

Whenever the chairperson rises during a debate, members must sit down and be silent so that they can hear the chairperson without interruption.

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

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

1.2.6 Member's right to speak

The chairperson grants members the right to speak.

Members must address the chairperson when speaking. They may remain seated when speaking, and may not leave their place while speaking, unless they have the leave of the chairperson.

1.2.7 Chairperson prioritises speakers

When two or more members want to speak, the chairperson will name the member who may speak first, with the proviso that the other members who wanted to speak must have precedence when they intend to:

- a) raise a point of order, including a request to obtain a time extension for the previous speaker (see Standing Order 1.7)
- b) move a motion to terminate or adjourn the debate (see Standing Order 1.6)
- c) make a point of explanation or request an indulgence of the chairperson (see Standing Order 1.4.2).

1.2.8 Questions to staff

During a debate, members can ask staff questions about the matters being discussed. Questions cannot be asked once a debate has concluded.

Questions must be asked through the chairperson, and are at his or her discretion.

1.3 Members' conduct

1.3.1 Disrespect

No member of the governing body, or its committees or subcommittees may speak disrespectfully, or use offensive or malicious language at any meeting, including in reference to the governing body, a committee, any other member, or any Auckland Council staff.

In addition, no member may imply that another governing body, committee or staff has improper motives, or make offensive remarks about their private affairs.

1.3.2 Retractions and apologies

The chairperson may call upon a member or speaker to withdraw any offensive or malicious 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.

1.3.3 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.

1.3.4 Disorderly conduct

The chairperson may require any member whose conduct is disorderly or who is creating a disturbance 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.

1.3.5 Contempt

Where a meeting makes a resolution that a member is in contempt, it must be recorded in the meeting's minutes.

1.3.6 Removal from meeting³

A member of the police, or a council staff member, 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, then attempted to re-enter it without the chairperson's permission.

1.3.7 Financial interests⁴

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. Where practical, members with a financial interest should leave the meeting for the duration of the discussion.

The minutes must record any declarations of financial interests, and the member's abstention from the discussions and voting on the matter.

1.3.8 Non-financial interests

Where a member declares a non-financial interest in any matter, the member may decide whether that matter constitutes a conflict.

If the member considers that there is a conflict, they may not take part in the discussions about or vote on that matter. 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.

³ LGA 2002, sch 7, cl 16(2)

⁴ LAMIA 1968, s 6(1)

1.3.9 Legal privilege for meeting proceedings⁵

Privilege applies to:

- a) any statement made at a meeting held under these standing orders
- b) any matters published in the agendas and minutes of meetings held under these standing orders that are supplied to members of the public.

The exception is where the plaintiff in defamation proceedings proves that the defendant was predominantly motivated by ill will towards the plaintiff, or otherwise took improper advantage of the opportunity to have a matter published.

The privilege conferred by this standing order is in addition to, and does not replace or detract from, any other legal privilege that applies to the proceedings of meetings.

1.4 Rules of debate

1.4.1 Time limits on speakers

The following time limits apply to members speaking at meetings:

- a) movers of motions when speaking to the motion – 10 minutes
- b) movers of motions when exercising their right of reply – 5 minutes
- c) other members – not more than 5 minutes.

Time limits can be extended by a majority vote of the members present.

1.4.2 Member may not speak more than once

A member may not speak more than once to a motion at a meeting of the governing body or Committee of the Whole.

There is an exception to this standing order where a member is giving an explanation as follows:

- a) Personal explanation – with the permission of the chairperson, a member who has already spoken may make a personal explanation. A personal explanation may not be debated.
- b) Explanation of previous speech – with the permission of the chairperson, a member who has already spoken may explain a material part of a previous speech in the same debate. The member may not introduce any new matters.

The limit of speaking only once does not apply to committee and subcommittee meetings other than committees of the whole – see Standing Order 4.2 for the rules that apply at those meetings.

1.4.3 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.

⁵ LGOIMA 1987, s 52 & 53

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

1.4.4 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.

1.4.5 Reading speeches

Members must not read their speeches, except with the permission of the chairperson. They may, however, refresh their memory by referring to their notes.

1.4.6 Speaking only to relevant matters

Members may speak to any matter before the meeting, or on a motion or amendment they propose, or on 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. They must not introduce irrelevant matters or repeat themselves needlessly.

The chairperson's ruling on matters arising under this standing order is final and not open to challenge.

1.4.7 Restating motion

A member may ask the chairperson to restate the motion for their information at any time during the debate, but may not interrupt.

1.4.8 Reflections on 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.

1.4.9 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 when the words are used and not after any other member has spoken.

The chairperson must order the minutes to record the objection.

1.4.10 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 motion or at the end of the debate on a proposed amendment. The original mover's right of reply is then exhausted, although they may still take part in the debate on any subsequent proposed amendments.

However, the original mover may reserve their right of reply and speak once to an original motion and once to each amendment without losing that right of reply.

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
- 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.

1.5 Motions and amendments

1.5.1 General procedure for speaking and moving motions

In the course of a debate, each member may:

- (i) speak once to the original motion or substituted motion
- (ii) speak once to each amendment
- (iii) move or second one motion only.

See Standing Order 4.2 for procedures at committees (other than committees of the whole).

1.5.2 Seconding and proposing motions

All motions and amendments moved during a debate must be seconded (including notices of motion).

The chairperson will then state the motion and propose it for discussion.

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

1.5.3 Motions in writing

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

1.5.4 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.

1.5.5 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.

1.5.6 Amendments to motions

Only members who have not spoken to the original (or substituted) motion may move or second an amendment to it. All members may speak to the amendment.

The exception is where the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In these circumstances, the original mover or seconder may also propose or second the suggested amendment.

See Standing Order 4.2 for procedures at committees (other than committees of the whole).

1.5.7 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.

Any amendment that, if carried, would have the same effect as defeating the motion, is a direct negative and is not allowed.

1.5.8 Further amendments

The meeting must dispose of an amendment before any further amendments can be proposed. However, members may notify the chairperson that they intend to move further amendments and the nature of their content.

1.5.9 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.

1.5.10 Carried amendments

Where an amendment is carried, the meeting will resume the debate on the original motion, as amended, and 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.

1.5.11 Procedure until resolution

The procedures in standing orders 1.5.5 to 1.5.10 are repeated until a resolution is adopted or defeated.

1.5.12 Withdrawal of motions and amendments

Once the chairperson puts to the meeting a motion or amendment that has been seconded, 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 had an amendment moved and seconded in relation to it, cannot withdraw the original motion until the amendment has either been lost or withdrawn by agreement, as above.

1.5.13 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
- b) the chairperson has started putting the motion.

1.6 Procedural motions

1.6.1 Procedural motions to close or adjourn a debate

Any member who has not spoken in a debate may move 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
- d) that the meeting should move directly to the next item, replacing the item under discussion
- e) that the item being discussed should lie on the table, and not be further discussed at that meeting
- f) that the item being discussed should be referred (or referred back) to the governing body or relevant committee.

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

1.6.2 Procedural motions take precedence

A procedural motion to close or adjourn a debate will take precedence over other business, other than points of order. If the procedural motion is seconded, the chairperson must put it to the vote immediately, without discussion or debate.

1.6.3 Voting on procedural motions

Procedural motions to close or adjourn 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.

1.6.4 Debate on adjourned items

When debate resumes on items of business that have been previously adjourned, the member who moved the adjournment may speak first in the debate. Members who have already spoken in the debate may not speak again.

1.6.5 Remaining business at adjourned meetings

Where a resolution is made to adjourn a meeting, the remaining business is not replaced. Instead, it will be considered first at the next meeting.

1.6.6 Business referred to the governing body or a committee

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

1.6.7 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 he or she 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.

1.6.8 Suspension of standing orders

A member may move a motion to suspend standing orders as a procedural motion. The member must name the standing orders to be suspended and provide a reason for suspension. If seconded, the chairperson must put it without debate. At least 75 per cent of the members present and voting must vote in favour of the suspension. The resolution must state the reason. (See standing order 9.2.4)

1.6.9 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.

1.7 Points of order

1.7.1 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).

1.7.2 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 – bringing disorder to the attention of the chairperson
- b) language – use of disrespectful, offensive or malicious language

- c) irrelevance – the topic being discussed is not the matter currently before the meeting
- d) misrepresentation – misrepresentation of any statement made by a member or by an officer or employee of Auckland Council
- e) breach of standing order – the breach of any standing order
- f) record words – a request that the minutes record the words objected to.

1.7.3 Contradictions

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

1.7.4 Point of order during division

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

1.7.5 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 is not open to any discussion and is final.

If a member questions a ruling, the chairperson is to seek advice and to refer to these standing orders on the ruling in question, but their ruling is always final.

1.8 Voting

1.8.1 Decisions by majority vote⁶

Unless the Local Government Act 2002 or these standing orders provide otherwise, any act or questions coming before the governing body or its committees must be done or decided on by an open vote by the majority of the members who are present and voting.

1.8.2 Chairperson has casting vote

The mayor, chairperson or other person who is presiding at the meeting has a deliberative vote and, in cases where the votes are equal, has the casting vote.

1.8.3 Members may abstain

Any member may abstain from voting. When a division has been called, the member may request that their abstention be recorded in the minutes.

1.8.4 Method of voting

The method of voting must be one of the following:

⁶ LGA 2002, sch 7, cl 24(3)

- a) the chairperson, in putting the motion, will call for an expression of opinion on the voices or take a show of hands. The chairperson then announces the result, which is conclusive, unless a member immediately questions the announcement, in which case the chairperson will call a division
- b) the chairperson or any member will call for a division instead of, or after, receiving an opinion on the voices or taking a show of hands
- c) an electronic voting system, if available, may be used and the chairperson must declare the result displayed.

1.8.5 Divisions

When a division is called, the chief executive or his or her nominee, must take down the names of the members voting for and against the motion, and of those abstaining, and will hand the list to the chairperson to declare the result. The minutes must record the result of the division.

Immediately before any division, the chairperson may ask the chief executive to restate the motion.

Where there is confusion or error in the original division, the chairperson may call a second division.

1.8.6 Members may have their votes recorded

If a member requests it, immediately following a vote, the minutes must record the member's vote or abstention.

1.9 Revocation or alteration of resolutions

1.9.1 Revocation or alteration by notice of motion of a member

A member may give the chief executive a notice of motion to revoke or alter a previous resolution of the governing body or its committees.

The notice will set out:

- a) the resolution, or part of the resolution, that the member proposes should be revoked or altered
- b) the meeting date when the resolution was passed
- c) the motion, if any, that the member proposes to move to replace it.

One third of the members (including vacancies) of the governing body or committee that made the resolution must sign the notice of motion in order for it to be valid. If the committee that made the resolution has been disestablished, the committee that now has the corresponding delegated responsibility must consider the notice of motion.

1.9.2 Requirements to give notice

A member must give a notice of motion to revoke or alter a previous resolution to the chief executive at least five clear working days before the meeting at which the member wants the notice considered.

When the chief executive receives such a notice of motion, he or she must give the members of the meeting that will be considering the motion at least two clear working days' notice in writing of the intended motion and of the meeting at which it will be moved.

If the notice of motion is considered and rejected, no similar notice of motion which, in the opinion of the chairperson, is substantially the same in purpose and effect may be accepted within the next six months.

1.9.3 Restrictions on actions under the affected resolution

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

Exceptions are where, in the opinion of the chairperson:

- a) the practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked
- b) by reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the governing body 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.

1.9.4 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.

1.9.5 Revocation or alteration by recommendation in report

The governing body or one of its committees may, on a recommendation in a report by the chairperson or chief executive, or the report of any committee or subcommittee, 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 such a proposal, accompanied by details of the proposal.

1.10 Voting systems for appointments

1.10.1 Appointment of the deputy mayor and committee chairpersons⁷

The mayor may appoint the deputy mayor and chairperson for each committee of the governing body.

In doing so, the mayor may:

- a) make the appointment before the other members of the committee are decided
- b) for the office of chairperson, appoint himself or herself.

⁷ LGACA 2009, s 9

If the mayor declines to appoint the deputy mayor, the governing body must elect one of its members to be the deputy mayor.

If the mayor declines to appoint a chairperson of a committee, the governing body (or a committee, if so directed by the governing body) must elect that chairperson.

1.10.2 Elections and appointments by the governing body⁸

When electing or appointing people to positions (for example, deputy chairpersons for committees, governing body representatives, and the deputy mayor and committee chairpersons where the mayor has declined to appoint them – see Standing Order 1.10.1) – the governing body (or a committee making the appointment) must decide by resolution to use one of the following 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 governing body 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
- 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
- d) 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
- b) if two or more candidates tie for the most votes, the tie is resolved by lot.

⁸ LGA 2002, sch 7, cl 25

2 Holding meetings

2.1 Legal requirement to hold meetings⁹

The governing body and its committees must hold meetings that are necessary for the good government of Auckland.

Meetings must be called and conducted in accordance with:

- a) Schedule 7 of the Local Government Act 2002
- b) Part VII of the Local Government Official Information and Meetings Act 1987
- c) these standing orders.

2.2 Giving notice

2.2.1 Notice for members¹⁰

The chief executive must give notice in writing to each member of the governing body or its committees of the time and place of any meeting.

Notice must be given at least 14 days before the meeting, unless Auckland 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.

2.2.2 Members' addresses

Governing body members must give the chief executive a residential, business or other address within the Auckland Council area (and, if they wish, a fax number or email address), where notices and other materials relating to meetings and governing body business can be sent.

2.2.3 Meeting schedules¹¹

Where the governing body adopts a meeting schedule:

- a) the schedule may cover any period that the council considers appropriate
- b) the schedule may be amended
- c) notification of the schedule, or an amendment to it, will constitute notification of every meeting on the schedule or the amendment.

⁹ LGA 2002, sch 7, cl 19

¹⁰ LGA 2002, sch 7, cl 19

¹¹ LGA 2002, sch 7, cl 19

2.2.4 Non-receipt of notice¹²

Where a member did not receive notice of a meeting, or did not receive it in good time, the meeting is not invalid, unless the person responsible for giving notice is proved to have acted in bad faith or without reasonable care and the member concerned did not attend the meeting.

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

2.2.5 Meeting cancellations

The chairperson of a scheduled meeting may cancel the meeting, if the chairperson, in consultation with the chief executive, considers this is necessary.

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

2.3 Extraordinary and emergency meetings

2.3.1 Calling an extraordinary meeting¹³

Despite the requirements in Standing Order 2.2, an extraordinary meeting may be called with less notice where it is done by resolution or requisition.

A meeting called by requisition is a meeting requested by the mayor, committee chairperson or members. It must be in writing, delivered to the chief executive and must be signed by either the mayor or chairperson, or at least one-third of the total members (including vacancies).

The resolution or requisition must specify the time and place of the extraordinary meeting and general nature of its business.

2.3.2 Notice for members¹⁴

The chief executive must give members at least three working days' written notice of the time, place and general nature of the business of an extraordinary meeting. The notice period may be reduced where a resolution is made to this effect, but may not be less than 24 hours.

2.3.3 Calling an emergency meeting¹⁵

The mayor or chairperson, or if they are unavailable, the chief executive, may call an emergency meeting for an earlier time than is provided in Standing Order 2.3.2 if this is necessary to deal with the business.

The person calling such a meeting must give each member and the chief executive notice of the time and place of the meeting and the matters in respect of which the meeting is being called, by whatever means is reasonable in the circumstances, at least 24 hours before the meeting.

¹² LGA 2002, sch 7, cl 20

¹³ LGA 2002, sch 7, cl 22

¹⁴ LGA 2002, sch 7, cl 22

¹⁵ LGA 2002, sch 7, cl 22A

2.4 Agendas and meeting materials

2.4.1 Agenda to be sent to members

The chief executive must prepare an agenda for each meeting setting out the items the meeting will consider.

The chief executive must send the agenda to every member at least two clear working days before the day of the meeting, except where the meeting is an extraordinary or emergency meeting.

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

See Appendix D for further information about how business is placed on an agenda.

2.4.2 Order of business

A meeting will deal with business in the order given on the agenda, unless the meeting or the chairperson decides to give precedence to any business.

Committees and subcommittees do not have a default order of business. The usual order of business for ordinary meetings of the governing body is as set out below:

Open section

- a) Apologies
- b) Declarations of interest
- c) Confirmation of minutes
- d) Leave of absence
- e) Acknowledgements and tributes
- f) Petitions
- g) Public input
- h) Local board input
- i) Extraordinary business
- j) Notices of motion
- k) Reports of committees
- l) Reports of local boards
- m) Reports of the chief executive and staff
- n) Mayor, deputy mayor and councillors' reports (information)
- o) Consideration of extraordinary business items

Public excluded section

- p) Reports of committees
- q) Reports of the chief executive and staff
- r) Mayor, deputy mayor and councillors' reports (information)

Where there are no items of business for a particular category given in the order, it does not need to appear on the agenda.

The order of business for an extraordinary or emergency meeting should be limited to items that are relevant to the purpose of the meeting. The chairperson may allow local board and public input that is relevant to the purpose of the meeting.

2.4.3 Status of agenda

No-one may take any matter on a meeting agenda to be Auckland Council policy until the governing body, or a committee with the delegated power, adopts it.

2.4.4 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.

2.4.5 Items of business not on the agenda (extraordinary business)¹⁶

A meeting may deal with a business item that is not on the agenda (extraordinary business) where the meeting resolves to, and the chairperson (or presiding member) explains at the beginning of the public part of the meeting:

- a) the reason the item is not on the agenda
- b) the reason the discussion about the item cannot be delayed until a subsequent meeting.

Extraordinary business may be brought before the meeting by a report from either the chief executive or the chairperson. Where the matter is so urgent that a written report is not practical, the report may be verbal.

A member may bring to the attention of the meeting, at the chairperson's discretion, a matter which requires urgent consideration and which is not an item of business on the agenda. However, this is not a substitute for a notice of motion that is out of time.

2.4.6 Discussion on minor matters not on the agenda¹⁷

A meeting may discuss an item that is not on the agenda, if it is a minor matter relating to the general business of the council and the chairperson (or presiding member) 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.

¹⁶ LGOIMA 1987, s 46A(7)

¹⁷ LGOIMA 1987, s 46A(7) & (7A)

Whether or not a minor matter of extraordinary business may be discussed at a meeting is at the discretion of the chairperson.

2.4.7 Chairperson's report

The chairperson may, by way of report, bring any matter to the attention of a meeting of the governing body or its committees that it is within their role or function to consider.

2.5 Notices of motion

2.5.1 Member's notice of proposed motion

A member may give notice of a motion that the member proposes to move at a meeting.

The member must:

- a) sign the notice of motion
- b) state which meeting he or she proposes should consider it
- c) deliver the notice to the chief executive at least five clear working days before that meeting.

The member may provide background information to support the proposed motion.

(See also Standing Order 1.9.1).

2.5.2 Notice to be seconded

The notice of motion delivered to the chief executive must be signed by another member of the meeting as a seconder, unless Standing Order 1.9.1 applies.

2.5.3 Referral to relevant committee

The chief executive may refer to a committee any notice of motion about a matter that the committee usually deals with.

2.5.4 Refusal of notice

The chairperson may direct the chief executive to refuse the notice if it is:

- a) disrespectful, or contains offensive language or malicious statements
- b) not related to the role or functions of the governing body or the relevant committee
- c) ambiguous, or states fact or opinion that cannot form part of an effective resolution, and the mover has declined to comply with requirements of the chief executive
- d) concerned with matters that are already on the agenda.

The chief executive must let the member who is proposing the motion know the reason it has been refused.

See also Standing Order 2.5.7 for rejections of repeat notices.

2.5.5 Mover of notice of motion

The proposer of a notice of motion must, if not a member of the committee that the notice is referred to, have the right to move the motion at the committee's meeting, and a right of reply, as if he or she were a committee member.

Notices of motion may not proceed if the mover is absent, unless they are moved by another member who has been authorised (in writing by the mover) to do so.

2.5.6 Alteration and lapse

The mover of a notice of motion may only alter it with the consent of the meeting.

If a notice of motion is not moved when it is called by the chairperson, it must lapse.

2.5.7 Repeat notices

The chairperson may direct the chief executive to refuse any notice that he or she considers:

- a) has substantially the same purpose and effect as one that the governing body or a committee has rejected within the previous six months, unless a one-third of all members (including vacancies) have signed the new notice
- b) is to the same effect as a notice of motion that the governing body or a committee has considered twice and rejected within the previous six months
- c) is to the same effect as a notice of motion already adopted and that still stands.

3 Meeting quorums and attendance

3.1 Quorums

3.1.1 Governing body and joint committee meetings¹⁸

The quorum for a meeting of the governing body or a joint committee is:

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

3.1.2 Other committee and subcommittee meetings¹⁹

The governing body sets the quorums for its committees, either by resolution or by stating the quorum in the committee's terms of reference.

Committees may set the quorums for their sub-committees, by resolution.

Where a committee or sub-committee has not had a quorum set for it, then its quorum will be two members. For committees, at least one member must be a member of the governing body.

3.1.3 Requirement for a quorum²⁰

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.

3.1.4 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 start of the meeting.

The chairperson may extend the time that the meeting will wait for a quorum by up to 10 minutes in situations where members are known to be travelling to the meeting, but are delayed due to unusual weather or traffic congestion.

Where a meeting lapses because there is no quorum, this will be recorded in the minutes, along with the names of the members who attended.

3.1.5 Business from lapsed meetings

Where a meeting lapses, the remaining business will be adjourned until the next ordinary meeting, unless the chairperson sets an earlier meeting and this is notified by the chief executive.

¹⁸ LGA 2002, sch 7, cl 23(3) & 30A(6)

¹⁹ LGA 2002, sch 7, cl 23(3b)

²⁰ LGA 2002, sch 7, cl 23(1) & (2)

3.1.6 Lapses after meeting starts

Where, after a meeting starts, a member or members leave and there is no longer a quorum, the business of the meeting will be suspended. If the quorum is not made up within 10 minutes, the rest of the meeting must lapse and the chairperson vacates the chair.

Any remaining business will be adjourned until the next ordinary meeting, unless the chairperson sets an earlier meeting and this is notified by the chief executive.

3.2 Attendance

3.2.1 Right to attend meetings²¹

Any member of the governing body or its committees has the right to attend any governing body or committee meeting, unless they are lawfully excluded.

3.2.2 Leave of absence

The governing body may grant a member leave of absence from its meetings or those of its committees. Members must apply for such leave.

The governing body delegates this power to grant leave of absence to the mayor, in order to protect members' privacy. The mayor will advise all members when another member has leave of absence.

Meeting minutes will record that a member has leave of absence for that meeting, but not the length of the leave.

3.2.3 Apologies

A member who does not have leave of absence, may tender an apology where they will be absent from all or part a meeting.

The chairperson must invite apologies at the beginning of each meeting, including apologies for lateness and early departure.

The meeting may accept or decline any apologies. Where a member's apology is accepted, it will constitute a grant of leave of absence for that meeting.

3.2.4 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.

3.2.5 Absence without leave²²

Where a member is absent, without leave of absence, from four consecutive meetings of the governing body (other than extraordinary meetings), then the office held by the member will become vacant.

A vacancy created in this way is treated as an extraordinary vacancy.

²¹ LGA 2002, sch 7, cl 19(2)

²² LGA 2002, sch 7, cl 5

3.3 Electronic attendance

3.3.1 Attendance by electronic link²³

Provided the conditions in these standing orders are met, members of the governing body or its committees have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

3.3.2 Member's status – quorum and vote^{24, 25}

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

However, if the meeting otherwise has a quorum, then the member attending by electronic link can vote on any matters raised at the meeting.

3.3.3 Conditions for attending by electronic link²⁶

The governing body or its committees may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Situations where approval can be given are:

- a) where the member is at a place that makes their physical presence at the meeting impossible or impracticable
- b) to accommodate the member's illness or infirmity
- c) in emergencies.

The member who is seeking to attend by electronic link may not take part in the vote to give approval. The only exception is where there is an emergency, in which case the member seeking to attend by electronic link can take part in the vote.

3.3.4 Request to attend by electronic link²⁷

Where possible, a member will give the chairperson of the governing body or its committees, and the chief executive at least two working days' written notice where they want to attend a meeting by electronic link. Where, because of illness or emergency, this is not possible, the member may give less notice.

Where such a request is made, the chief executive must take reasonable steps to enable the member to attend by electronic link. However, the council has no obligation to make the technology for an electronic 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 governing body or its committees.

²³ LGA 2002, sch 7, cl 25A(1) & 27(5)(a)

²⁴ LGA 2002, sch 7, cl 25A(4)

²⁵ Covid-19 pandemic: the Governing Body resolved (GB/2020/33) to change Standing Order 3.3.2 to the following if a change in legislation enabled it:

Members who attend meetings by electronic link will be counted as present for the purposes of a quorum.

The member attending by electronic link can vote on any matters raised at the meeting.

The COVID-19 Response (Urgent Management Measures) Legislation Act 2020 over-rode standing orders by providing for all members attending by audio or audio-visual link to be counted towards the quorum. This change continued for the duration of the epidemic notice.

²⁶ LGA 2002, sch 7, cl 25A(1) & 27(5)(b)

²⁷ LGA 2002, sch 7, cl 25A(1), (5) & 27(5)

3.3.5 Chairperson's duties²⁸

Where a member is attending a meeting by electronic link, the chairperson must ensure that:

- a) the technology for the link is available and of suitable quality
- 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 electronic link does not reduce their accountability or accessibility in relation to the meeting
 - (iii) the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 are met
 - (iv) the requirements in these standing orders are met
 - (v) the member is able to indicate the member's vote.

3.3.6 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 it, including the style, degree and extent of interaction between them
- c) it is distracting to the members who are physically present at the meeting
- d) the quality of the link is no longer suitable.

3.3.7 Giving or showing a document²⁹

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

- a) transmitting it electronically
- b) using the electronic link
- c) any other manner that the chairperson thinks fit.

3.3.8 Link failure³⁰

Where an electronic 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.

²⁸ LGA 2002, sch 7, cl 25A(1) & (3)

²⁹ LGA 2002, sch 7, cl 25A(6)

³⁰ LGA 2002, sch 7, cl 25A(1)

3.3.9 Confidentiality

A member who is attending a meeting by electronic 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.

3.3.10 Attendance of non-members by electronic link

A person other than a member of the Governing Body, or the relevant committee, may participate in a meeting of the Governing Body or committee by means of audio link or audio-visual link in emergencies if the person is otherwise approved to participate under these standing orders (such as under Standing Order 6.2 "Local board input" or 7.7 "Public input").

4 Committees

4.1 Membership and attendance

4.1.1 Membership of mayor and deputy mayor³¹

The mayor and deputy mayor are members of every committee of the governing body.

4.1.2 Independent Māori Statutory Board appointed members³²

The Independent Māori Statutory Board must appoint either one or two people to be members of every governing body committee that deals with the management and stewardship of natural and physical resources.

The board may also appoint people to sit as members of other committees, where the governing body asks it to do so.

In making appointments, the Independent Māori Statutory Board must seek and take into account the governing body's views about the skills and experience that it would like appointees to have.

4.1.3 Right to attend committee meetings

Any member of the governing body may attend any meeting of any committee. They may put a question to the chairperson and may take part in the meeting's discussions.

However, if the member of the governing body is not a member of the committee, they may not vote on any matter before the committee.

This standing order does not apply when a committee is performing judicial or quasi-judicial functions (see Standing Order 4.1.4).

4.1.4 Attendance when committee is performing judicial or quasi-judicial functions

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

In particular, no member of the governing body may be present while the committee is deliberating its decision on the judicial or quasi-judicial matter, unless:

- a) they are also a member of the committee
- b) the committee is conducting an oral hearing on the matter, and the member has been present throughout the hearing.

³¹ LG(AC)A 2009, s 9 applies to mayor

³² LG(AC)A 2009, s 85

4.2 Procedures for committee and subcommittee meetings

4.2.1 Application of this standing order

The purpose of Standing Order 4.2 is to allow debates at committee and subcommittee meetings to be conducted in a less formal manner. All Standing Orders apply except as amended in this Standing Order. The Standing Order applies only to meetings of committees (and subcommittees) that are not committees of the whole. It does not apply to the governing body or committees of the whole.

However, a chairperson of a committee or subcommittee has the discretion to decide that more formality is required for a particular meeting or debate, and may apply the rules in Standing Orders 1.4 and 1.5, rather than those in Standing Order 4.2.

4.2.2 Procedures for debates

During debates at committee and subcommittee meetings:

- a) a member may speak more than once, and may propose or second more than one amendment
- b) speeches will not be timed, although the chairperson may direct a member to finish their speech if the member is introducing irrelevant matters or repeating themselves
- c) the meeting does not need to dispose of one amendment before it considers another.

4.2.3 Priority for speakers

During debates at committee and subcommittee meetings, when two or more members want to speak, the chairperson must name the member who has the right to speak first.

In general, the chairperson will give precedence to members who have not already spoken. The exception is where another member seeks to do any of the following, in which case that member will be given precedence to:

- a) raise a point of order
- b) move a motion to close or adjourn the debate
- c) give an explanation (Standing Order 1.4.2) or request an indulgence of the chairperson.

5 Workshops, briefings and working parties

5.1.1 Application of standing orders

The standing orders in Section 5 are the only ones that apply to meetings of the governing body and its committees that are held for the purpose of having a workshop, briefing or working party on a particular matter.

In all other respects, the chairperson (or other presiding member) will decide how the workshop, briefing or working party should be conducted.

5.1.2 Calling

Workshops, briefings and working parties may be called by:

- a) a resolution of the governing body or its committees
- b) the mayor, a committee chairperson or the chief executive.

5.1.3 Notice

The chief executive will give at least 24 hours' notice to every member of the governing body or committee of the time and place of the workshop, briefing or working party and the matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances.

Any notice given under this standing order must expressly:

- a) state that the meeting is a workshop, briefing or working party
- b) advise the date, time and place
- c) confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

Notice of a workshop, briefing or working party is not required, where a meeting agrees to hold the workshop, briefing or working party either during or after the meeting.

5.1.4 Record of proceedings

Proceedings of a workshop, briefing or working party must record:

- a) the names of members attending
- b) a summary of the nature of the information received.

5.1.5 Chairperson

The chairperson of a workshop, briefing or working party will be:

- a) for the governing body – the mayor or his or her nominee

- b) for a committee – the relevant committee chairperson or his or her nominee
- c) for a working party – the person appointed by the governing body or committee setting up the working party, or appointed by the members of the working party.

6 Local board speaking rights and input

6.1 Speaking rights

Local boards have the right to speak at meetings of the governing body and its committees, about matters on the agenda that affect their board area, their board's communities or their responsibilities.

The speaker will be the local board chairperson, or his or her nominee.

Local board speaking rights are at the discretion of the chairperson.

6.2 Local board input

6.2.1 Time allocated for input

Any meeting of the governing body and its committees that is open to the public will set aside time near the start of the meeting for input from local boards.

The chairperson of a local board (or a nominee of the chairperson) may speak during this time for up to five minutes. The chairperson (or the nominee) must give, wherever practical, at least one clear working day's notice of their wish to speak.

Where the local board also has the right, under Standing Order 6.1, to speak at the meeting about a matter on the agenda, they may not use this time allocated for local board input to speak about the same matter.

6.2.2 Chairperson's discretion

A chairperson may decline a local board's request to speak during the time allocated for local board input where the request does not comply with these standing orders.

However, the chairperson may also waive the requirements in these standing orders where he or she considers there are exceptional circumstances. In particular, the chairperson may accept an application to speak that is made less than one clear working day before the meeting, where he or she considers the matter is urgent and of major public interest.

The chairperson may direct a speaker to a different committee, if the proposed subject matter falls within its the terms of reference.

The chairperson may prohibit a local board representative from speaking if he or she is offensive, repetitious or vexatious, or otherwise breaches these standing orders.

6.2.3 Subjects

A speaker may not use the time allocated for local board input to speak about a matter that:

- a) has already been considered and decided
- b) has a separate public hearings or consultation process attached to it
- c) is subject to a quasi-judicial process

- d) is outside the terms of reference of that meeting or outside the functions of Auckland Council.

7 Public attendance

7.1 Public access to meetings

7.1.1 Meetings open to the public³³

Except as otherwise provided by Part VII of the Local Government Official Information and Meetings Act 1987, every meeting of the governing body and its committees and subcommittees must be open to the public.

7.2 Public notice

7.2.1 Notification of meetings³⁴

Auckland Council must publicly notify the dates, times and places of all meetings of the governing body and its committees and subcommittees that are scheduled for the following month.

Notification must occur between 14 and 5 days before the end of every month. The exception is where the meeting is scheduled to be held on or after the 21st day of the month, in which case the council may notify the meeting between 10 and 5 working days before the day of the meeting.

The chief executive will also make any other arrangement for notifying meetings that the governing body or its committees decide upon.

7.2.2 Notification of extraordinary / emergency meetings³⁵

Where the council calls an extraordinary or emergency meeting, but cannot give public notice to the extent required in Standing Order 7.2.1, the council must publicly notify the meeting, and the general nature of business to be considered at it, as soon as reasonably practicable before the meeting. If it is not practicable to publish a notice in newspapers before the meeting, the council must publicly notify the meeting as soon as practicable on the council's website and in any other manner that is reasonable in the circumstances.

7.2.3 Notification of resolutions³⁶

The council must publicly notify, as soon as practicable, any resolution passed at an extraordinary meeting, unless:

- a) the meeting passed the resolution while the public was excluded; or
- b) the council publicly notified the extraordinary meeting at least five working days before the day of the meeting.

Resolution in this context means any resolution on the matters for which the extraordinary meeting was held.

³³ LGOIMA 1987, s 47

³⁴ LGOIMA 1987, s 46

³⁵ LGOIMA 1987, s 46

³⁶ LGOIMA 1987, s 51A

7.2.4 Meetings not publicly notified³⁷

Where the council becomes aware that a meeting has not been publicly notified in accordance with Standing Orders 7.2.1 and **Error! Reference source not found.**, the council must give public notice that the meeting was not notified, the reasons why it was not notified and the general nature of any business transacted at the meeting, as soon as practicable.

A meeting does not become invalid merely because it was not publicly notified.

7.3 Public access to information

7.3.1 Agendas and reports³⁸

Any member of the public may inspect, without payment of a fee, all agendas and associated reports that will be circulated to members relating to a meeting.

Agendas and reports will be available for inspection at least two working days before every meeting. Agendas can be inspected at the council's public offices and libraries (including service delivery centres), during office hours. Reports associated with the agendas will also be made available at these places, or there will be a notice with the agenda specifying where the reports may be inspected.

Agendas and reports will also be available on Auckland Council's website at least two working days before the meeting.

Members of the public may take notes from any agenda or report that they inspect. They may also request a copy of all or part of an agenda or report, and upon payment of the required amount (if any), must be given a copy as soon as practicable.

Where an extraordinary meeting is called by resolution, the council will provide the agenda and any associated reports for the meeting as soon as is reasonable in the circumstances.

All agendas must list the members' names for the governing body, committee or subcommittee it relates to.

7.3.2 Matters discussed with public excluded³⁹

The chief executive may exclude from the information that is made available to the public, any reports (or items from reports) that he or she reasonably expects the meeting to discuss while the public is excluded. The chief executive will indicate such excluded reports on the agenda.

7.3.3 Agenda made available at meetings

The council must provide sufficient copies of the agenda at meetings for members of the public to take away with them.

A fee may be charged for the agendas.

³⁷ LGOIMA 1987, s 46

³⁸ LGOIMA 1987, s 46A

³⁹ LGOIMA 1987, s 5 & 49

7.3.4 Minutes⁴⁰

The public may, without charge, inspect and take notes from the minutes of any meeting or part of any meeting that the public was not excluded from.

The public may, on payment of the prescribed charge (if any), be given a copy of such minutes.

7.3.5 Minutes for public excluded sessions⁴¹

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

7.3.6 Reporting and recording meetings⁴²

Bona fide members of the news media may attend any meeting, or part of a meeting, that is open to the public and report on the proceedings.

Any person who wants to record a meeting must notify the chairperson of their intention before the meeting starts, and record the meeting unobtrusively, without distracting members.

7.4 Public exclusion

7.4.1 Motions and resolutions to exclude⁴³

The governing body, or a committee or subcommittee may resolve to exclude the public from a meeting. The only grounds for exclusion are those specified in Section 48 of the Local Government Official Information and Meetings Act 1987 (see Appendix B).

Every motion to exclude the public must be put when the meeting is open to the public, and copies of the motion must be made 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 to the Local Government Official Information and Meetings Act 1987. The resolution must state the general subject of each matter to be excluded, the reason for passing the resolution in relation to that matter, and the grounds on which the resolution is based. The resolution will form part of the meeting's minutes.

See Appendix C for further information about who may remain and who must leave.

7.4.2 Specified people may remain⁴⁴

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 have knowledge that will assist the meeting. Any such resolution must state, in relation to the matter to be discussed, how the knowledge held by the specified people is relevant and how it will assist.

No such resolution is needed for people who are entitled to be at the meeting anyway (not because of the provisions of the Local Government Official Information and Meetings Act 1987).

⁴⁰ LGOIMA 1987, s 51

⁴¹ LGOIMA 1987, s 51

⁴² LGOIMA 1987, s 49(a)

⁴³ LGOIMA 1987, s 48 & schedule 2A

⁴⁴ LGOIMA 1987, s 48 (5) & (6)

7.4.3 Non-disclosure

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

This restriction does not apply where:

- a) a meeting has resolved to make the information publically available
- b) there are no grounds under the Local Government Official Information and Meetings Act 1987 for withholding the information when requested
- c) the information is no longer confidential.

The governing body or committee may provide for the release to the public of information, which the meeting considered while the public were excluded.

7.4.4 Standing orders

These standing orders will still apply to meetings, or parts of meetings, from which the public has been excluded.

7.5 Public order

7.5.1 Direction to leave⁴⁵

The chairperson may direct a member of the public to leave a meeting, where the chairperson believes on reasonable grounds that the person's behaviour is likely to prejudice the conduct of the meeting.

Where a person has been directed by the chairperson to leave a meeting, and either refuses or fails to do so or, having left, attempts to re-enter, the chairperson may request a police officer or Auckland Council staff member to remove them.

7.6 Petitions

7.6.1 Form of petitions

Petitioners may present petitions to the governing body or any of its committees.

Petitions must have fewer than 150 words (not including signatories). They must not be disrespectful, use offensive language or include malicious statements (see Standing Order 1.3.9 regarding legal privilege).

Petitions may be written in English or Māori. Petitioners planning to make a petition in Māori should advise the relevant chairperson at least two working days before the meeting, to enable the petition be translated and reprinted, if necessary.

⁴⁵ LGOIMA 1987, s 50

7.6.2 Petition presented by petitioner

A petitioner who presents a petition to the governing body or a committee may speak for five minutes 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.

7.6.3 Petition presented by member

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

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

7.7 Public input

7.7.1 Time allocated for input

Any meeting of the governing body and its committees that is open to the public will set aside up to 30 minutes near the start of the meeting for input from members of the public. Speakers may speak for up to five minutes each during this time.

However, the meeting may resolve to reduce or extend the time allocated for public input, and the speaking time allotted to a particular speaker.

This standing order does not apply to the Hearings Committee (which has its own submission processes).

7.7.2 Request to speak

A person who wants to speak during public input time must request to do so (through the meeting secretary) at least one clear working day before the meeting.

The request to speak must include the subject matter. It should be directed to the committee that is responsible for the subject matter, rather than the governing body.

A person must not make the same presentation to more than one meeting, unless a meeting refers them to another meeting.

7.7.3 Discretion of chairperson

A chairperson may decline a person's request to speak during the time allocated for public input where he or she considers that:

- a) the request does not comply with these standing orders
- b) the person has already spoken about the matter
- c) the request is not appropriate

- d) it is necessary to reduce public input time to deal with the business on the agenda.

The chairperson must advise the meeting of any request to speak that he or she has declined, and the reasons for this.

The chairperson also has the discretion to waive the requirements in these standing orders where he or she considers there are exceptional circumstances. In particular, the chairperson may accept a request to speak that is made less than one clear working day before the meeting where he or she considers the matter is urgent and of major public interest.

The chairperson may direct the speaker to a different committee, if the proposed subject matter falls within its terms of reference.

The chairperson may prohibit a member of the public from speaking if he or she is offensive, repetitious or vexatious, or otherwise breaches these standing orders.

7.7.4 Subjects

A speaker may not use the time allocated for public input to speak about a matter that:

- a) has already been considered and decided
- b) has a separate public hearings or consultation process attached to it
- c) is subject to a quasi-judicial process
- d) is outside the terms of reference of that meeting or outside the functions of Auckland Council.

7.7.5 Language for speeches

A member of the public may address a meeting in English, Māori or New Zealand sign language.

However, for languages other than English, the person should advise the chairperson of their intention to speak in another language at least two working days before the meeting.

Where practical, the council's Democracy Services department will arrange for a translator to be present at the meeting. The chairperson may also order the speech and any accompanying documents to be translated and printed in English or Māori.

7.7.6 Questions for speakers

With the permission of the chairperson, members may ask questions of speakers during the time allocated for public input. Questions should be to obtain more information or clarify matters raised by the speaker.

However, members may not debate any matter raised during the public input session that is not on the agenda for the meeting, or take any action in relation to it, other than through the usual procedures for extraordinary business, if the matter is urgent.

The meeting may refer the matter to a future meeting, or to another committee, or to the chief executive for investigation.

8 Minutes of proceedings

8.1 Minutes

8.1.1 Minutes to be evidence of proceedings⁴⁶

The governing body, and its committees and subcommittees must keep minutes of their proceedings. These minutes, when duly entered and authenticated, will be prima facie evidence of the proceedings they relate to.

8.1.2 Matters recorded in minutes⁴⁷

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 tendered and accepted
- e) the arrival and departure times of members
- f) any failure of a quorum
- g) a list of the speakers who gave public and local board input, and the subjects they covered
- h) a list of the items considered
- i) the resolutions and amendments pertaining to those items, including those that were lost or were ruled out of order
- j) any objections made to words used
- k) all divisions taken
- l) the names of any members requesting that votes or abstentions be recorded
- m) any declarations of pecuniary interest or conflicts of interest
- n) the contempt, censure and removal of any members
- o) any resolutions to exclude members of the public
- p) the time that the meeting concludes or adjourns.

⁴⁶ LGA 2002, sch 7, cl 28

⁴⁷ See standing orders 2.1.3, 2.2.4, 3.3.5, 3.3.7, 3.4.9, 3.5.3, 3.8.3, 3.8.6, 9.2.3

8.1.3 No discussion on minutes

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

8.1.4 Minutes of last meeting before election

The chief executive and the relevant chairpersons must authenticate the minutes of the last meeting of the governing body and its committees before the next election of members.

8.2 Minute books

8.2.1 Inspection⁴⁸

The minute books of the governing body, and its committees and subcommittees must be kept by the chief executive, and be open for inspection in accordance with the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.

⁴⁸ LGOIMA 1987, s 51

9 General

9.1 Members must obey standing orders

9.1.1 Members must obey standing orders⁴⁹

All members of the governing body must obey these standing orders.

9.2 Application of standing orders

9.2.1 Governing body and committee meetings

These standing orders apply to all meetings of the governing body and its committees, unless stated otherwise. This includes meetings and sessions that the public are excluded from.

9.2.2 Local board meetings⁵⁰

These standing orders do not apply to local board meetings. Local boards have their own standing orders.

9.2.3 Quasi-judicial proceedings

For quasi-judicial proceedings, the governing body, or a committee, may adopt meeting procedures to replace or add to these standing orders.

For example, committees hearing applications under the Resource Management Act 1991 have additional powers under the Commissions of Inquiry Act 1908 (Section 41, Resource Management Act 1991).

9.2.4 Temporary suspensions⁵¹

The governing body, or a committee, may suspend temporarily one or more of these standing orders. At least 75 per cent of the members present and voting must vote in favour of the suspension. The resolution must state the reason.

9.2.5 Amendments and additions⁵²

The governing body may amend these standing orders or adopt new ones. A least 75 per cent of the members present must vote in favour of the amendment or adoption.

9.3 Interpretation

The word 'must' used in these standing orders indicates that a practice is mandatory.

The word 'may' used in these standing orders indicates that a practice is optional.

⁴⁹ LGA 2002, sch 7, cl 16(1)

⁵⁰ LG(AC)A 2009, s 12 & 29

⁵¹ LGA 2002, sch 7, cl 27(4)

⁵² LGA 2002, sch 7, cl 27(3)

The word 'should' indicates that a practice is advised or recommended.

In general, standing orders that refer to, or derive from, legislation have been paraphrased for readability. Any direct quotations are shown in quotation marks.

9.4 Definitions

Agenda means the list of items for consideration at a meeting, together with reports and other attachments relating to those items.

Apology means an apology given by a member for their absence from a meeting, and includes apologies for lateness and early departure.

Auckland Council or the council means the Auckland Council established by section 6 of the Local Government (Auckland Council) Act 2009, which comprises the governing body and the local boards.

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

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

Casting vote means a second vote which can be exercised by the chairperson in order to break a tied vote.

Chairperson means the person who presides at a meeting.

Chief executive means the chief executive of Auckland Council appointed under section 42 of the Local Government Act 2002, irrespective of his or her designation, and includes for the purposes of these standing orders, his or her nominee or any other officer authorised by Auckland Council.

Clear working days means the number of working days prescribed in these standing orders for giving notice. It excludes the date of service of that notice and the date of the meeting itself.

Committee includes, in relation to the governing body:

- a) a committee comprising all the members of the governing body
- b) a standing committee or special committee appointed by the governing body
- c) a standing committee or special committee appointed by the mayor
- d) a joint committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002
- e) any subcommittee of a committee described in items (a) (b), (c) or (d) of this definition
- f) a subordinate decision-making body.

Committee of the whole means a committee comprising the whole of the governing body.

Deliberative vote means the ordinary vote of member (as compared to the casting vote of a chairperson).

Electronic link means an audio link or an audio-visual link.

Emergency meeting has the meaning defined in clause 22A of Schedule 7 of the Local Government Act 2002.

Extraordinary meeting has the meaning defined in clause 22 of Schedule 7 of the Local Government Act 2002.

Governing body means the mayor and councillors of Auckland Council.

Leave of absence means leave granted to a member to be absent from a meeting or series of meetings of the governing body or its committees upon application by the member to the mayor.

Lie on the table, when used in a procedural motion, means the discussion on the motion under debate is terminated but may be continued at an unspecified later time.

Local board means a local board of Auckland Council.

Mayor means the mayor of Auckland.

Meeting means:

- a) any first or ordinary or extraordinary or emergency meeting of the governing body
- b) any meeting of any committee, standing committee, joint committee, special committee or subcommittee of the governing body.

At any meeting of the governing body, committee or subcommittee of the governing body at which no resolutions or decisions are made, the provisions of these standing orders regarding public access and notification need not apply.

Member means any person elected to the governing body or appointed to any committee, and includes the mayor and the chairperson of any committee.

Minutes means the record of the proceedings of any meeting of the governing body or one of its committees.

Motion means a formal proposal to a meeting, expressing a proposed decision. Once passed it becomes a resolution.

New Zealand sign language means the main language of the deaf community in New Zealand.

Point of order relates to the proper conduct (order) of the meeting.

Procedural motion means a motion relating to meeting procedure. Standing Order 1.6 provides for members to propose specific types of procedural motions.

Public in the case of the governing body or a committee of the governing body includes any person who is not a member of the governing body or the relevant committee, or an officer of Auckland Council.

Public excluded information means any information that can be excluded from the public for reasons meeting the provisions of the Local Government Official Information and Meetings Act 1987 and includes:

- a) information that is currently before a public excluded session, is proposed to be considered at a public excluded session, or has previously been considered at a public excluded session (other than information subsequently released by Auckland Council as publicly available information)

- b) any minutes or portions of minutes of public excluded sessions, other than those subsequently released by Auckland Council as publicly available information.

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

Public input means a time set aside at the start of a meeting where members of the public may address the governing body or its committees. The prior approval of the chairperson is required.

Publicly notified means made known to members of the public by a notice on the council's website, until any opportunity for review or appeal has lapsed, and by a notice printed in appropriate newspapers circulating in the Auckland region.

Quasi-judicial function or proceedings means a function or proceedings similar to those exercised by a court, involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument or the application of legal principles.

Quorum means the minimum number of members who need to be present to constitute a valid meeting.

Resolution is a motion that has been passed.

Scheduled or ordinary meeting means any meeting publicly notified by Auckland Council in accordance with sections 46(1) and (2) of the Local Government Official Information and Meetings Act 1987.

Substantive motion means a motion of substance (as compared to procedure).

Working day means any day of the week other than:

- a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the sovereign's birthday, Labour Day and Te Rā Aro ki a Matariki/Matariki Observance Day
- b) Where Waitangi Day or ANZAC Day falls on a weekend, the following Monday
- c) Auckland Anniversary Day
- d) a day in the period commencing with 20 December in any year and ending with 10 January in the following year.

Workshop, working party or briefing means an informal forum held primarily for information or discussion purposes, as the case may be, and at which no resolutions or decisions are made.

Footnote to clause a):

Te Rā Aro ki a Matariki/Matariki Observance Day added as a consequence of changes to the definition of 'working day' in the Local Government Act 2002 and Local Government Official Information and Meetings Act 1987.

10 Appendix A

10.1 Webcasting protocols

The default shot will be on the chair or a wide-angle shot of the meeting room.

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.

Generally interjections from other members or the public are not covered. However if the chair engages with the interjector, the interjector's reaction can be filmed.

Powerpoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.

Shots unrelated to the proceedings, or not in the public interest, are not permitted.

If there is general disorder or a disturbance from the public gallery, coverage will revert to the chair.

11 Appendix B

11.1 Grounds to exclude the public from meetings under the Local Government Official Information and Meeting Act 1987

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 the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where such disclosure would be likely:
- (a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - (b) To endanger the safety of any person.
- A2 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) Protect information where the making available of the information:
 - (i) Would disclose a trade secret or
 - (ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or

- (c) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Maori or to avoid the disclosure of the location of wahi tapu; or
- (d) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information:
 - (i) Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied;
 - or
 - (ii) Would be likely otherwise to damage the public interest; or
- (e) Avoid prejudice to measures protecting the health or safety of members of the public; or
- (f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
- (g) Maintain the effective conduct of public affairs through the protection of members, officers or employees of any local authority from improper pressure or harassment; or
- (h) Maintain legal professional privilege; or
- (i) Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or
- (j) Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (k) Prevent the disclosure or use of official information for improper gain or improper advantage.

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

- A3 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information the public disclosure of which would
 - (a) Be contrary to the provisions of a specified enactment or
 - (b) Constitute contempt of Court or of the House of Representatives
- A4 That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to the local authority by an Ombudsman under section 30(1) or section 38(3) of the Local Government Official Information and Meetings Act 1987 (in the case of the local authority named or specified in the First Schedule to this Act).
- A5 That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in
 - (a) Any proceedings before a local authority where
 - (i) A right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings or

- (II) The local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
- (b) Any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.

12 Appendix C

12.1 Exclusion of the public – who needs to leave the meeting

Members of the public

All members of the public must leave the meeting when the public are excluded unless a resolution is passed permitting a person to remain because their knowledge will assist the meeting.

Those who are not members of the public

General principles

- Access to confidential information is managed on a “need to know” basis where access to the information is required in order for a person to perform their role.
- Those who are not members of the meeting (see list below) must leave unless it is necessary for them to remain and hear the debate in order to perform their role.
- Those who need to be present for one confidential item can remain only for that item and must leave the room for any other confidential items.
- In any case of doubt, the ruling of the chairperson is final.

Members of the meeting

- The members of the meeting remain (all Governing Body members if the meeting is a Governing Body meeting; all members of the committee if the meeting is a committee meeting).
- However, standing orders require that a councillor who has a pecuniary conflict of interest leave the room.
- All councillors have the right to attend any meeting of a committee and councillors who are not members of a committee may remain, subject to any limitations in standing orders.

Independent Māori Statutory Board

- Members of the Independent Māori Statutory Board who are appointed members of the committee remain.
- Independent Māori Statutory Board members and staff remain if this is necessary in order for them to perform their role.

Staff

- All staff supporting the meeting (administrative, senior management) remain.
- Other staff who need to because of their role may remain.

Local Board members

- Local Board members who need to hear the matter being discussed in order to perform their role may remain. This will usually be if the matter affects, or is relevant to, a particular Local Board area.

CCOs

- Representatives of a CCO can remain only if required to for discussion of a matter relevant to the CCO.

13 Appendix D

13.1 How is business brought before a meeting?

Business may be brought before a meeting for decision through placing the following on an agenda:

- report of chief executive (Standing Order 2.4.2)
- report of chair (Standing Orders 2.4.2, 2.4.7)
- report of a committee (Standing Order 2.4.2)
- notice of motion from member (Standing Order 2.5)

Where a matter is urgent and has not been placed on an agenda, it may be brought before a meeting as “extraordinary business” (Standing Order 2.4.5) by:

- report of chief executive
- report of chair

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