



Te Kaunihera-ā-Rohe o Taratahi

CARTERTON
DISTRICT COUNCIL

AGENDA

Inaugural Council meeting

Date: Wednesday, 29 October 2025

Time: 9:00 am

**Location: Carterton Events Centre
50 Holloway Street
Carterton**

Mayor S Cretney

Cr B Deller

Cr S Laurence

Cr L Newman

Cr S Gallon

Cr G Ayling

Cr J Burns

Cr R Round

Cr S Casey

Notice is hereby given that an Inaugural Council meeting of the Carterton District Council will be held in the Carterton Events Centre, 50 Holloway Street, Carterton on:

Wednesday, 29 October 2025 at 9:00 am

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1 KARAKIA TIMATANGA

Mai i te pae maunga, raro ki te tai

Mai i te awa tonga, raro ki te awa raki

Tēnei te hapori awhi ai e Taratahi.

Whano whano, haramai te toki

Haumi ē, hui ē, tāiki ē!

2 APOLOGIES

3 CONFLICTS OF INTERESTS DECLARATION

4 PUBLIC FORUM

5 DISCUSSION OF THE PUBLIC FORUM

6 YOUTH COUNCIL VIEWS ON AGENDA ITEMS

VIDEOCONFERENCE LINK

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7 REPORTS



7.1 DECLARATIONS BY ELECTED MEMBERS

1. PURPOSE

For Councillors to make the declaration required by clause 14 of Schedule 7 of the Local Government Act 2002.

2. DECLARATION

The Local Government Act 2002 requires every member of a local authority, following his or her election, to make a declaration before that person is able to act, i.e. make formal decisions.

This declaration needs to be made orally and a written version signed. The declaration also needs to be witnessed.

In accordance with the legislation, the Chief Executive will witness the Mayor's declaration, and the Mayor will then witness the declaration by each councillor.

The English and Te reo Māori versions of the required declaration are in **Attachment 1**.

3. RECOMMENDATION

That the Council:

1. **Notes** the English and Te reo Māori versions of the declaration.

File Number: 451429

Author: Geoff Hamilton, Chief Executive

Attachments: 1. Councillor declaration - English and Māori [↓](#)



I, _____, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Carterton District, the powers, authorities, and duties vested in, or imposed upon me as an elected member of the Carterton District Council by virtue of the Local Government Act 2002, the Local Government Official Information & Meetings Act 1987, or any other Act.

Ko ahau, ko _____, ko taku kupu tēnei. Ka tutuki i ahau, ki tāku e pono nei, ngā kawenga katoa, hei painga mō te rohe o Taratahi i runga i te mana kua riro mai i ahau, hei mema o Te Kaunihera ā rohe o Taratahi, i raro i te Ture Kāwanatanga ā-Rohe, rua mano mā rua, te Ture Pārongo, Huinga Ōkawa Kāwanatanga ā-Rohe, kotahi mano, iwa rau, waru tekau mā whitu, me ētahi atu ture rānei.

Dated at Carterton this 29th day of October 2025

Full name _____

Signed _____

Signed in the presence of _____

Full name _____

_____(Signature)

Mayor, Carterton District Council



7.2 VALEDICTORY SPEECH

1. PURPOSE

To provide the opportunity for Mayor Hon. Ron Mark give a valedictory speech.

2. RECOMMENDATION

That the Council:

1. **Receives** the valedictory speech.

File Number: 480951

Author: Geoff Hamilton, Chief Executive

Attachments: Nil



7.3 VOTING PROCEDURES FOR THE ELECTION OF DEPUTY MAYOR AND OTHER APPOINTMENTS, AND ELECTION OF THE DEPUTY MAYOR

1. PURPOSE

For the council to:

- (1) Agree the voting procedures for the election of the Deputy Mayor, the appointment of the Chairperson and Deputy Chairperson of council committees, and the appointment of council representatives on external bodies; and
- (2) Elect the Deputy Mayor.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

The Local Government Act 2002 (LGA) requires a council to elect one of its members to be Deputy Mayor. The Deputy Mayor is to perform the responsibilities and duties of the Mayor during the temporary absence of the Mayor, or while there is a vacancy in the office of the Mayor. They can also represent the Mayor when requested to do so by the Mayor.

The same procedures are also required by legislation for the appointment of the chairperson and deputy chairperson of council committees, and also the appointment of council representatives on external organisations.

4. MAYORAL APPOINTMENT OF DEPUTY MAYOR, COMMITTEE CHAIRS AND MEMBERS

Under clause 41A(3) LGA and 5.1 of the CDC Standing Orders, the Mayor has the power to appoint the Deputy Mayor, and the Chairperson and members of each committee.

If the Mayor declines to use their powers under section 41A(3), the Council must determine by resolution to elect those positions in accordance with section 25 LGA, and Standing Orders clauses 5.4 and 5.6 using one of the following two Voting Systems.

5. VOTING SYSTEM

System A requires the successful candidate to receive the votes of the majority of the members present and voting. There is a first round of voting. If no candidate is successful, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and so on.

System B requires the successful candidate to receive more votes than any other candidate. There is only one round of voting under this system.

Both voting systems require a resolution by 'lot' if two candidates receive an equal number of votes and no one else is elected. The most common procedure is for the names of the candidates with the same number of votes to be placed in a container and the name of the person drawn out by an independent person is deemed the winner i.e. elected or not excluded from the next round. It is recommended that this process be used in the event that there is a tie between candidates.

Once the voting system has been decided by Council, the chosen system can then be used to nominate and appoint the Deputy Mayor, and appointments to council committees and other external organisations.

6. CONSIDERATIONS

5.1 Climate change

There are no direct climate change implications related to this paper.

5.2 Tāngata whenua

There are no tāngata whenua considerations related to this paper.

5.3 Financial impact

There are no financial impacts related to this paper.

5.4 Community Engagement requirements

There are no community engagement requirements related to this paper.

5.5 Risks

There are no additional risks associated with the decisions in this paper.

5.6 Community Wellbeings

There are no additional Community Wellbeings considerations associated with the decisions in this paper.

7. RECOMMENDATION

That the Council:

Agrees that during this Triennium Voting System A **OR** Voting System B will be used to determine the election or appointment of:

- a. The Deputy Mayor;
- b. The chairperson of a committee;
- c. A deputy chairperson of a committee; and/or
- d. A representative of a council

(delete as required)

1. **Elects** ~~xx~~ as the Deputy Mayor

OR

Notes the Mayor has appointed xx as Deputy Mayor.

File Number: 451423

Author: Geri Brooking, Group Manager People and Corporate

Attachments: Nil



7.4 ELECTED MEMBERS' REMUNERATION

1. PURPOSE

For the Council to consider and set remuneration for Elected Members.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

The Remuneration Authority sets remuneration for elected positions in individual local authorities. This authority is provided for in the Local Government Act 2002 (clause 6 of Schedule 7).

In 2019 the Remuneration Authority introduced a pool approach, which was implemented following the 2019 local government elections. Under this approach each council receives a pool of funding, reflecting the size of the actual total governance roles for the council. It is then the responsibility of the individual council to propose how this pool is allocated amongst the various positions on the council. (Note that the remuneration of the Mayor is separately determined and does not come out of this pool).

The four requirements for the allocation of the pool are as follows:

- i. The whole pool must be used;
- ii. The council will need to decide a 'base remuneration' for councillors with no additional responsibilities;
- iii. For any roles which attract additional remuneration above the base rate, the council will be required to have a formal vote (including the title and short description of the role, the annual remuneration amount, and the name of the councillor elected to fill the role);
- iv. Following its formal decision-making, the council will need to forward the proposal to the Remuneration Authority for consideration and inclusion in the determination.

Remuneration pool

For Carterton, the Remuneration Authority has established that the total remuneration pool (excluding the Mayor) for 2025/26 following the elections is \$244,092, and the minimum amount payable to an Elected Member is \$24,076.

The Local Government Members (2025/26) Determination is available on the Remuneration Authority website - remauthority.govt.nz/local-government-members/local-government-members-remuneration.

4. PROPOSED REMUNERATION STRUCTURES

As per the last triennium, it is proposed that Council adopts a flat rate remuneration structure, with an additional amount paid to the Deputy Mayor. This structure reflects the following key considerations:

- All Councillors will be taking on positions of responsibility, through portfolio leadership, being Chair or Deputy Chair of committees, and by sitting on various committees and groups.
- Positions of responsibility will be shared between elected members equally, meaning that a flat rate for all Councillors (except for the Deputy Mayor) is appropriate.
- This shared responsibility will be acknowledged through the provision of a flat rate additional remuneration amount over the minimum remuneration amount of \$24,076.

Additional remuneration for the Deputy Mayor is recommended to be payable based on the following additional responsibilities:

- Holding significant portfolio(s) and overseeing other portfolio holders and Advisory Groups
- Appointments as Committee Chair (Policy & Projects Committee, and CE Employment Review Committee for the last triennium)
- Deputising for the Mayor if they are not available for meetings and events
- Representing the Mayor on selected external committees and groups
- Sitting alongside the Mayor on significant Wairarapa groups and committees.

Similar to the last triennium, the role of the Deputy Mayor will be significant in this triennium, based on the above responsibilities, and because of ongoing challenges and developments in the sector such as Local Water Done Well, Local Government reforms, and legislative changes.

Current remuneration

As per the Local Government Members (2025/26) Determination, the remuneration pool for 2025/26 is \$244,092.

The pre-election remuneration for the CDC Deputy Mayor was \$53,815.

Using the 2026/26 remuneration pool of \$244,092, the remuneration for 7 councillors less the Deputy Mayor's remuneration of \$53,815 is \$27,182 (noting that from 26 June 2025 to 16 October 2025 the remuneration was higher, as an elected member had left, and the remuneration of that member was split amongst the remaining elected members, excluding the Mayor).

				Deputy Mayor % over councillor remuneration
Current: Deputy Mayor	\$53,815	Remuneration pool	\$244,092	
		less Deputy Mayor	\$190,277	
		Amount per councillor	\$27,182	98%

For the new triennium, the following four remuneration options are proposed for consideration:

Option 1: Deputy Mayor	\$43,075	Remuneration pool	\$244,092	
		less Deputy Mayor	\$201,017	
		Amount per councillor	\$28,717	50%
Option 2: Deputy Mayor	\$48,371	Remuneration pool	\$244,092	
		less Deputy Mayor	\$195,721	
		Amount per councillor	\$27,960	73%
Option 3: Deputy Mayor (Current)	\$53,815	Remuneration pool	\$244,092	
		less Deputy Mayor	\$190,277	
		Amount per councillor	\$27,182	98%
Option 4: Deputy Mayor	\$59,174	Remuneration pool	\$244,092	
		less Deputy Mayor	\$184,918	
		Amount per councillor	\$26,417	124%

These options recognise the increased responsibilities of the Deputy Mayor, acknowledging the significant time requirements of the role, whilst still providing appropriate consideration to other Councillors in acknowledgement of their shared responsibilities.

The Council is able to review the allocation of the pool during the triennium and seek approval for changes from the Remuneration Authority. If accepted, the Remuneration Authority would issue an amending determination. Please note that any changes to remuneration would result in a reallocation of the pool between elected members, rather than an increase or decrease to the total pool amount.

Once Council has agreed to an option, officers will send this to the Remuneration Authority. The Remuneration Authority will review and on approval, amend the current determination in place. Remuneration proposals submitted prior to 14 November, will be included in a pre-Christmas determination. Proposals submitted after 14 November will be included in the following amendment determination which will be issued in late February/early March 2026.

All remuneration rates for positions decided by councils to be positions with additional responsibility (e.g. Deputy Mayor) will be backdated to take effect on and from the day following the day that the council makes a formal decision on those roles. Remuneration for councillors with no additional responsibilities will be backdated to take effect from 17 October 2025 being the day after the official result for the council was declared, 16 October 2025.

5. CONSIDERATIONS**5.1 Climate change**

There are no direct climate change implications from the decisions in this paper.

5.2 Tāngata whenua

There are no tāngata whenua considerations from the decisions in this paper.

5.3 Financial impact

Elected member salaries are determined by the Remuneration Authority and included in council's annual plan budget.

5.4 Community Engagement requirements

There are no community engagement requirements associated with the decisions in this paper.

5.5 Risks

There are no additional risks associated with the decisions in this paper.

11.6 Community Wellbeings

There are no additional Community Wellbeing considerations associated with the decisions in this paper.

6. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Agrees** to recommend to the Remuneration Authority remuneration for the 2025-2028 Triennium of Option X: Deputy Mayor \$xx and all other Councillors \$xx.
3. **Notes** that Council can review this allocation during the Triennium and seek approval for changes from the Remuneration Authority.

File Number: 445886

Author: Geri Brooking, Group Manager People and Corporate

Attachments: Nil



7.5 LOCAL WATER DONE WELL STAKEHOLDER FORUM APPOINTMENTS

1. PURPOSE

This paper seeks the Council's approval for Carterton District Council's appointment on the Stakeholder Forum for the new Wairarapa - Tararua Water Services Organisation (WSO).

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. EXECUTIVE SUMMARY

The Wairarapa Councils adopted their respective Water Services Delivery Plans (WSDP's) on 20 August, and confirmed their commitment to the establishment of a regional water services organisation. The WSDP's from Carterton, Masterton, Tararua and South Wairarapa District Councils, along with a joint WSDP were submitted to the Department of Internal Affairs (DIA) on 29 August 2025. Minor clarifications have been provided to the DIA since submission, and the WSDP's are currently being considered by the DIA assessment panel.

The establishment of the Water Services Organisation is now proceeding in two major stages – legal establishment (stage 1) will be achieved by 30 March 2026 and the company will be operational, providing water services to the community by 1 July 2027 (stage 2).

In September and October, the Councils completed the first milestone in the legal establishment of the company by agreeing to the company's Constitution and Shareholders' Agreement.

This paper now seeks the Council's agreement to appoint its representative(s) on the Stakeholder Forum to enable the company establishment and transition to continue on track.

The Stakeholder Forum is part of the new governance arrangements for the water organisation. The Forum is being established to provide collective oversight of the company to ensure it achieves its objectives, enable Councils to exercise their rights and responsibilities as company shareholders, and enable Councils and iwi to work collaboratively together to achieve the benefits of the regional model.

Once the Stakeholder Forum is established, the next step is to recruit WSO company Directors which is targeted for completion by March 2026.

4. CONTEXT

The WSDPs set out the high-level transition plan for the entity, which is summarised in Table 1.

Table 1: Water Services Organisation establishment and transition plan

Programme stage	Key deliverables and milestones	Estimated timing
Stage 1: Legal establishment The purpose of this stage is to complete the legal incorporation of the company and get the company's governance structures in place	Complete Constitution and Shareholders' Agreement	Oct 2025
	Appoint Stakeholders' Forum	Nov 2025
	Plan operational transition	Dec 2025
	Complete initial Director recruitment	Mar 2026
	Complete legal incorporation	Mar 2026
Stage 2: Operational transition The purpose of this stage is to set up all the necessary operational requirements for the company and complete the transfer of services, assets, debt and all other water-related operations from the four Councils to the company	Statement of Expectations prepared, and Water Services Strategy finalised	Sept 2026
	CEO and leadership team recruitment	Mid/late 2026
	Finalise Transfer Agreements for each Council (assets, debt, services)	Dec 2026
	Complete Council staff change process and transfer	Dec 2026
	Development of systems requirements, insurance arrangements, treasury and funding agreements in place with LGFA	Dec 2026
	Transfer assets, contracts, responsibilities, services following Board confirmation of readiness for go live.	June 2027

ESTABLISHMENT NEXT STEPSLegal establishment

We are currently working through Stage 1 (legal establishment) of the transition and are on track to complete this stage by March next year. There are four milestones in Stage 1:

- Councils approve the company's governing documentation (Constitution and Shareholders' Agreement) – (complete)
- Councils and iwi appoint their representatives to the Stakeholder Forum and the Stakeholder Forum is established (by November 2025)
- Recruitment of company Directors (by March 2026)
- Legal incorporation of the company (by March 2026).

The first milestone in the legal establishment was completed on 24 September and 8 October, when the Councils approved the company's Constitution and the Shareholders' Agreement.

This paper recommends Council appoint a representative and an alternate to the Wairarapa – Tararua Stakeholder Forum to continue with the establishment of the WSO. The three other participating Councils also plan to appoint representatives at Council meetings in coming weeks. Iwi are running their own appointments processes, which will be completed by the end of November.

Stakeholders' Forum

The Shareholders' Agreement establishes the Stakeholders' Forum, which is the representative forum of the shareholders and iwi representatives.

The Stakeholders' Forum is part of the new governance arrangements for the water organisation and is established to:

- Provide collective oversight of the company to ensure it achieves its objectives, which are set out in the company Constitution.
- Enable Councils to exercise their rights and responsibilities as company shareholders.
- Enable Councils and iwi to work collaboratively together to achieve the benefits of the regional model.

The Forum is made up of six representatives – one appointed by each Council and one by each iwi. Each appointing organisation can also appoint an alternate member, who can attend meetings in an observatory capacity but cannot vote unless they are attending in place of the appointed member. Each Council and iwi appoint their own representative and can remove and replace their own representative at any time.

The Shareholders' Agreement permits the council representatives to be either elected members of the Council or another nominated appointee to represent the Council.

The Forum has the following main responsibilities:

- Appointment (and removal) of company Directors
- Development of the Statement of Expectations
- Monitoring the performance of the company against its objectives
- Where Shareholders have specific decision-making rights, making recommendations to Shareholders on proposals developed by the company Board.

The Terms of Reference for the Forum are included in the Shareholders' Agreement in **Attachment 1**.

OPTIONS

A summary of the options considered is included in the table below.

Option		Advantages	Disadvantages
1	Approve the appointments of the Council's representatives	Enables the transition to continue to progress on planned timeframes. Is consistent with the timeframes and commitments the Council has made to DIA in its WSDP to establish the Water Services Organisation Is consistent with the previous decision of the Council to appoint a representative by November 2025	No known disadvantages
2	Do not approve the appointments of the Council's representatives	Retain decision making by full Council	Does not align with the decisions Council has made to date. Does not facilitate the transition within planned timeframes.

Council is able to appoint an Elected Member, an independent, or a Council staff member to the Stakeholder Forum. Council is also encouraged to appoint an alternate, or observer, to act as delegate in the event the primary appointee is unavailable.

As is usual, Council appointees can be removed or changed at any time through an Ordinary Council resolution. Elected Members may wish to consider appointments during the establishment phase of the Wairarapa – Tararua WSO may require different skills sets, compared to when the WSO is operational.

Council also needs to consider the supporting delegations for appointees. These may include:

1. Developing and approving the three yearly Statement of Expectations;
2. Approving director appointments and/or removals; and
3. Approving the remuneration of directors of the Company

If Council determine an independent or an Elected Member is to be appointed, a decision on remuneration will also need to be considered. The responsibilities above are not expected to be very time-consuming. The primary focus for the next year is the recruitment and appointment of WSO Directors. If appointing an Elected Member it could be argued this role is included as part of Councillor remuneration. Appointment of an Independent will require negotiation with the preferred candidate.

RECOMMENDED OPTION

Option 1 is recommended i.e. approving appointments to the Stakeholders Forums of the Wairarapa Tararua Water Services Organisation to enable delivery of planned establishment of the WSO by no later than 1 July 2027.

CONSIDERATIONS**Strategic, Policy and Legislative Implications**

The attached Terms of Reference are consistent with the WSDP adopted by the Council on 20 August 2025, the company governing documentation adopted by the Council on 24 September, and the guidance and documentation provided by DIA in relation to Water Services Organisations.

Significance, Engagement and Consultation

Council's three waters network are strategic assets under the Significance and Engagement Policy. Council has consulted with the community on the future service delivery model in line with provisions in the Local Government (Water Services Preliminary Arrangements) Act 2024 and the Local Government Act 2002.

The decisions sought in this report do not require further consultation with the community and are low significance as they are the implementation of decisions previously taken by the Council.

Financial Considerations

There are no specific financial implications of the decisions in this paper.

Implications for Māori

Water and environmental wellbeing are key priorities for mana whenua and the wider Māori community.

Rangitāne tu mai ra Trust and Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust will be separately appointing their representatives to the Stakeholders' Forum.

Communications/Engagement Plan

No further community consultation or engagement is required to make the decisions in this paper. There will be no public communications following this decision as it is a routine decision in the implementation of the new organisation. Public communications will be made at major milestones in the transition, with the next major milestone expected to be the appointment of Board members.

Environmental/Climate Change Impact and Considerations

There are no climate change impacts as a result of the decisions sought in this report.

NEXT STEPS

Following finalisation by Councils and iwi of their appointed representatives to the Stakeholders' Forum, the Stakeholders' Forum will begin the process to appoint company Directors.

5. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Appoints** [name] as the Council's representative on the Stakeholders' Forum
3. **Appoints** [name] as the Council's alternate representative on the Stakeholders' Forum
4. **Delegates** authority to the representative, or alternative representative if required, to:
 - (a) Develop in partnership with other Stakeholder Forum members the draft Statement of Expectations, for consideration and adoption by Council;
 - (b) Approve director recruitment, appointment and removal (if required); and
 - (c) Approve the remuneration of directors of the Company.
5. **Notes** once all parties have appointed their Stakeholder Forum representatives, the Forum will initiate the recruitment process for WSO company directors.

File Number: 491598

Author: Geoff Hamilton, Chief Executive

Attachments: 1. Stakeholder TOR (from Council adopted Shareholders Agreement) [↓](#)

FORM OF STAKEHOLDERS' FORUM TERMS OF REFERENCE

Stakeholders' Forum

Purpose

The Stakeholders' Forum ("**Stakeholders' Forum**") is established to:

- provide governance oversight of the Company which provides Water Services in the Service Area set out in Schedule 1; and
- provide a forum for the representatives of the Company's shareholders ("**Shareholders**") and Iwi to meet, discuss and co-ordinate on relevant issues and, through their representatives, exercise their powers in respect of the Company.

Status

The Stakeholders' Forum is a representative forum of the Shareholders and Iwi representatives. For clarity, it is not a "joint committee" for the purposes of the LGA.

Definitions

In these Terms of Reference:

"**Full Forum Matter**" means a matter set out in this Schedule 4 that is identified with an asterisk (*).

"**Council Forum Matter**" means a matter set out in this Schedule 4 that is not identified with an asterisk (*).

Specific responsibilities

The Stakeholders' Forum's responsibilities are:

Governance oversight responsibilities

Governance oversight of the Company, including by:

- receiving and considering the half-yearly and annual reports of the Company;
- receiving and considering such other information from the Company as the Stakeholders' Forum may request on behalf of the Shareholders and/or receive from time to time;
- undertaking performance and other monitoring of the Company;
- considering and providing recommendations to the Shareholders on proposals from the Company;
- providing co-ordinated feedback, and recommendations as needed, on any matters requested by the Company or any Shareholder;
- providing recommendations to the Shareholders regarding the relevant network infrastructure owned by each Shareholder and/or the Company;

- providing recommendations to the Shareholders regarding water conservation;
- preparing the three yearly Statement of Expectations in accordance with the process and other requirements of the Shareholders' Agreement and the LG(WS) Act;*
- seeking and interviewing candidates for the Company's board as needed;*
- monitoring the performance of the board of the Company;* and
- providing recommendations to the Shareholders regarding changes to these terms of reference, the Shareholders' Agreement and the Constitution.

Stakeholders' Forum decision making responsibilities

Considering and making decisions on the following:

- approving the three yearly Statement of Expectations in accordance with the process and other requirements of the Shareholders' Agreement and the LG(WS) Act;
- approving director appointments and/or removals;* and
- approving the remuneration of directors of the Company*.

Shareholders' responsibilities

To the extent that each Shareholder delegates its relevant powers to the Stakeholders' Forum Member it appoints, the Stakeholders' Forum will provide a forum for the Shareholders to meet and exercise their powers in relation to the Company.

Chairperson

The Chairperson and Deputy Chairperson will be elected by the Stakeholders' Forum once all Stakeholders' Forum Members have been appointed.

Quorum

A quorum for meetings of the Stakeholders' Forum will be met:

- where the agenda includes consideration of a Full Forum Matter– if a majority of Stakeholders' Forum Members (or Alternates, other than Alternates attending as an observer) are present; and
- where the agenda includes consideration of a Council Forum Matter– if a majority of those Stakeholders' Forum Members (or Alternates, other than Alternates attending as an observer) appointed by Shareholders are present.

Where the Stakeholders' Forum is providing a forum for the Shareholders to meet and exercise their powers in relation to the Company, the requirements of the Constitution and this agreement will prevail.

Alternates

Each Stakeholders' Forum Member must have an Alternate appointed by the relevant Shareholder or Iwi. The Alternate may attend as an observer without rights of participation or voting at all meetings of the Stakeholders' Forum. In the event that the primary Stakeholders' Forum Member is unable to

attend any meeting of the Stakeholders' Forum, the Alternate may attend that meeting with full rights of participation and may exercise the vote of its primary Stakeholders' Forum Member.

Decision-making

The Stakeholders' Forum will strive to make all decisions by consensus.

In the event that a consensus on a particular matter before the Stakeholders' Forum is not able to be reached, each Stakeholders' Forum Member has a deliberative vote.

A vote of the Stakeholders' Forum is passed if a majority (i.e., more than 50%) of the votes cast are in favour of the matter. In the situation where there is an equality of votes cast on a matter, the Chairperson does not have a casting vote and therefore the matter subject to the vote is defeated and the status quo is preserved.

Iwi representatives

In relation to any decisions of the Stakeholders' Forum, notwithstanding anything to the contrary, Iwi representatives will only have voting rights at meetings of a Stakeholders' Forum in respect of Full Forum Matters.

Policies

The Stakeholders' Forum will develop and agree:

- a process to manage actual, potential and perceived conflicts of interest of Stakeholders' Forum Members and Alternates, Shareholders and Iwi;
- a code of conduct for all Stakeholders' Forum Members and Alternates;
- confidentiality protocols and disclosure policies;
- standing orders relating to the operation of Stakeholders' Forum meetings; and
- such other policies as the Stakeholders' Forum determines.

Remuneration

Each Shareholder and Iwi appointor will be responsible for the payment of remuneration (if any) to its representative on the Stakeholders' Forum and for any costs associated with that person's membership of the Stakeholders' Forum. To ensure consistency, where remuneration is to be paid to a representative on the Stakeholders' Forum, the amount of such remuneration must be agreed by the Stakeholders' Forum.

Administration

Reports to be considered by the Stakeholders' Forum may be submitted by any of the Shareholders or the Company.

Procedures

Unless otherwise specified in this agreement, the Rules for Shareholder Meetings set out in clauses 1 – 6 (inclusive) and clause 10 of Schedule 1 of the Constitution will apply to the procedures of the Stakeholders' Forum as if the relevant references were to the Stakeholders' Forum and its members and Alternates.



7.6 COUNCIL, COMMITTEES, ADVISORY GROUPS AND PORTFOLIO RESPONSIBILITIES FOR THE 2025-28 TRIENNium

1. PURPOSE

For the Council to consider and adopt a committee structure for the 2025 - 2028 Triennium.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

The previous Council established a committee structure that included the following committees.

- Risk and Assurance Committee
- Policy and Projects Committee
- Investment Committee
- Hearings Committee
- Water Race Committee
- Chief Executive Employment Review Committee
- Sport NZ Rural Travel Fund Committee
- Community Grants Committee
- Creative Communities Scheme Allocation Committee
- RSA Grants Committee (Carterton and District Returned and Services Memorial Trust)

The committee structure discussed in Section 5 below is based on the structure previously adopted.

The previous Council also had four Advisory Groups which included elected members and relevant organisations and community groups:

- People and Places Advisory Group
- Walking and Cycling Advisory Group
- Rural Advisory Group
- Wastewater Treatment Plant Advisory Group

In September 2025, Council recommended that the People and Places, and Walking and Cycling Advisory Groups be merged into a Community Advisory Group. The re-establishment of an Economic Development Advisory Group has also been suggested.

4. RATIONALE FOR COMMITTEES AND ADVISORY GROUPS

The Local Government Act 2002 (LGA 2002) provides guidance on what characterises a good decision-making structure. The purpose of local government's purpose (s 10), "to enable democratic decision-making and action by, and on behalf of, communities" makes it clear that councils need to create opportunities for communities to be directly engaged in making their own decisions.

The way in which governance and decision-making structures are designed will have a direct impact on how well councils are able to give effect to their purpose of enabling "democratic decision-making by communities".

Furthermore, a number of the principles, (s 14) highlight the importance of direct community involvement as well as the need for decision-making structures that are clearly understood and efficient, for example:

- 14(a) emphasises that council business should be undertaken in an open, transparent, and democratically accountable manner as well as giving effect to agreed priorities and outcomes efficiently and effectively.
- 14(b), echoing Part 6 of the Act, reinforces the importance of councils being aware of the views of all its communities.
- 14(d) requires that councils should provide opportunities for Māori to contribute to its decision-making processes.

Ultimately however, councils may decide how they will be structured, typically using either the *governing alone model*, where the governing body makes all decisions, or using the *governing with committees model*, which establishes focus-specific committees and groups.

Following guidance from Local Government NZ (LGNZ), it is recommended that the Council retain the current model of governing with committees. This model meets more of the principles, and ranks more highly from both a democratic and effectiveness perspective because it allows for greater member scrutiny of the organisation's performance and more effective use of time. It also allows elected members with a particular interest in specific areas to sit on the committee which is more focused on the detail of the matters in their agendas than a Council tends to be. They are also very good forums for policy development, because of the informality compared to a formal council meeting.

Additionally, Advisory Groups are an effective way of including the community in council decision-making. Advisory Groups also assist the Council to deliver various services to the community.

Should council choose to continue with the current model, the current Terms of Reference (TOR) for Committees and Advisory Groups as approved by Council in December 2024 are in **Attachment 1**.

Recommended minor changes to the existing TORs are highlighted, together with a proposed TOR for the Creative Communities Scheme Allocation Committee for consideration as outlined below.

5. COMMITTEES

The following sets out the committees that are recommended to be established for this triennium. The number of members for each committee is also recommended.

The Local Government Act 2002 provides for the Mayor to be an ex-officio member of all committees (section 41A), and this is reflected in the recommendations.

In the last triennium the Council met approximately every 6 weeks. The committees met approximately every 8 weeks or quarterly.

Risk and Assurance Committee

Having a Risk and Assurance Committee is standard practice in local government and provides specific focus on risk management, internal controls, and assurance, ensuring the council effectively identifies and manages risks to its objectives.

Key roles include reviewing the effectiveness of risk frameworks, policies, internal control systems, external audit arrangements, and financial and non-financial reporting to provide assurance to elected members and management.

The Office of the Auditor General has encouraged councils to make specialist external appointments to their Risk and Assurance Committees and many, including Carterton District Council, have appointed these members as the Chair of the Committee.

As per the commencement of the previous triennium, it is recommended that a recruitment process be undertaken to confirm the appointment of a permanent Chair for the full three-year term of the 2025-2028 triennium commencing 2026.

In the interim for continuity, it is recommended that the current independent Chair, Philip Jones, continue in the position until 31 December 2025 which includes the next meeting scheduled for 12 November 2025.

In 2024 the role of reviewing the performance and employment conditions of the Chief Executive were separated from the Risk and Assurance Committee, to a new committee developed for this purpose. The TOR has been amended to reflect this change.

In the last triennium the Risk and Assurance Committee met quarterly, and four elected members were appointed (plus the mayor ex-officio), as well as one representative from Hurunui-o-Rangi marae as a voting member. Other elected members may also attend. It is recommended that this membership composition is continued.

Policy and Projects Committee

It is recommended that this committee continue to oversee major projects, in particular major capital projects, and also review and adopt council policies, strategies and bylaws.

It is recommended that membership of all elected members is retained, including a representative of Hurunui-o-Rangi marae as a voting member.

Investment Committee

The Investment Committee is responsible for managing investment funds in accordance with the expectations and limitations set out in the Statement of Investment Policy and Objectives (SIPO).

Membership is made up of six members being the Mayor (ex-officio if not formally included as a member) or Deputy Mayor, up to three elected members,

an independent member/advisor and one additional non-voting member may also be appointed.

The Committee traditionally meets quarterly. It is recommended that this membership composition is continued.

Hearings Committee

The Hearings Committee may hear and decide applications, submissions or objections for any matter other than those matters the Council either retains for itself or sets up a specific Committee to manage.

The Hearings Committee typically hears and decides matters in relation to:

- The District Licensing Agency
- The Dog Control Act
- Objections to proposals to close roads under the Local Government Act Transport Regulations
- The Reserves Management Act
- Any other matters the Council requests it to consider.

The Hearings Committee does not hear matters in relation to the Resource Management Act. Hearing Commissioners are used for these matters, either external commissioner(s) or suitably qualified elected representative(s).

While this Committee is the default committee for Hearings, the Council could at any time establish another specialist committee to hear any specific matter as it sees fit during the triennium. It is usual for LTP Hearings to be heard by the full Council, and in the last triennium, Council was also used for Speed Management Plan Hearings.

It is recommended that this committee continues with three elected representatives appointed.

Water Race Committee

The role of the Water Race Committee is to oversee the operation of the water races and to make recommendations to the Council on water race rates and charges. The Committee traditionally meets quarterly.

Membership includes three members appointed by the Council (plus the mayor ex-officio), and four members elected by users of the water races. The last election was held in 2024, with the next election due in 2027. There is also an ability to co-opt additional members if needed.

It is recommended the Council appoints the Chair (who must be an elected member) and the Committee appoints an elected Water Race community member as the Deputy Chair.

Chief Executive Employment Review Committee

In 2024 the role of reviewing the performance and employment conditions of the Chief Executive were separated from the Risk and Assurance Committee, to a new committee developed for this purpose. The committee meets six-monthly, and includes all elected members, an independent advisor, and mana whenua representation.

It is recommended that this membership composition is continued.

Sport NZ Rural Travel Fund Committee

This Committee meets annually to determine grant allocations from the Rural Travel Fund. The fund is externally funded by Sport NZ.

In the last triennium four elected members were on this committee.

It is recommended that this committee continues.

Community Grants Committee

The Grants Committee meets annually and makes decisions on the allocation of Council's community grant funding. The Committee allocates grants using the Community Grants and Funding Framework and Policy.

The committee is comprised of four elected members, and the Mayor is ex-officio.

It is recommended this committee continues.

Creative Communities Scheme Allocation Committee

Grant funding is enabled through funding from Creative New Zealand and supports local arts projects. The Committee also includes community members and meets biannually.

In the last triennium one elected member and one alternate was appointed to this committee.

As the Committee was not operating under a TOR, the attached draft has been included for consideration.

It is recommended that this committee continues.

RSA Grants Committee

This Committee meets annually to determine grant allocations from the Carterton and Districts Returned and Services Memorial Trust.

In the last triennium two elected members were on this committee.

It is recommended that this committee continues.

6. ADVISORY GROUPS

In the last triennium the Council had four Advisory Groups. Each is described below, as well as two additional Advisory Groups the previous Council expressed an interest in forming.

Community Advisory Group (Merging of the People and Places, and Walking and Wheels Advisory Group)

At the Policy and Projects Committee on 10 September members endorsed improving the effectiveness of the advisory group structure by creating a single 'Community Advisory Group' which would combine the remits of the People and Places, and Walking and Wheels Advisory Groups.

It was proposed that the group would serve as a hub for community representatives to share updates, present local projects and events, and build connections across different sectors and interests.

The concept was well-received by members of both advisory groups.

It is recommended that the new Advisory Group be formally endorsed and up to three elected members be appointed (plus the mayor is ex-officio).

The elected members will then work with Officers on the development of the Group and TOR for adoption by Council.

Economic Development Advisory Group

Initial discussions by the previous Council proposed re-establishing the Economic Development Advisory Group (EDAG). It is envisioned that the group would serve as a hub for community representatives to share updates, present local projects and events, and build connections across different sectors and interests.

It is recommended that the new Advisory Group be formally endorsed and up to three elected members be appointed (plus the mayor is ex-officio).

The elected members will then work with Officers on the development of the Group and TOR for adoption by Council.

Rural Advisory Group

A Rural Advisory Group was established in the last triennium is to provide advice, information, and recommendations to the Council on matters as they relate to rural issues and the rural community.

Membership comprised of:

- Up to four elected members (plus the mayor is ex-officio)
- Up to four community members appointed by Council
- Up to three industry representatives (including the Wairarapa Rural Support Group and Wairarapa Federated Farmers)
- Mana whenua representation.

The Terms of Reference of the Rural Advisory Group identifies that the term of the group ends one month prior to the next local government elections in 2025. In line with the other advisory groups it is recommended that there is no set term when membership would end.

Wastewater Treatment Plant Advisory Group

The purpose of this group is to assist Carterton District Council to shape and recommend future development opportunities towards achieving Council's vision for its wastewater activity through a collaborative stakeholder group. Council is required to have this Advisory Group in place as a consent condition.

A key focus of the group is to review the efficacy of the Wastewater Treatment Plant operation and discharge regime in terms of avoiding, remedying or mitigating adverse effects of the discharges to the environment.

In the last triennium membership of the Group included four elected members (plus the Mayor is ex-officio), and representatives from Rangitāne o Wairarapa, Ngāti Kahungunu ki Wairarapa, Ngāti Kahukuraawhitia (included post GWRC consent), Wairarapa District Health Board, Public Health, Sustainable Wairarapa Incorporated, Mangatarere Restoration Society, GWRC.

7. MĀORI REPRESENTATION

Council has important and on-going relationships with both Wairarapa iwi - Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa, and mana whenua entities Hurunui-o-Rangi Marae and Ngāti Kahukuraāwhitia. During the last triennium, there has also been increasing engagement with the Post Settlement Governance Entities (PSGE) of both iwi.

As outlined, mana whenua representatives sit on the Committees of Risk and Assurance, Chief Executive Employment Review, and the Policy and Projects Committee with full voting rights. They are also involved in Advisory Groups.

Hurunui-o-Rangi marae and Ngāti Kahukuraāwhitia representatives have also provided representation at Council Meetings as advisory members with speaking rights, however the Local Government Act 2002 does not allow for voting rights.

The following representatives were appointed for the 2022-2025 triennium:

CE Employment Review Committee	Ngāti Kahukuraāwhitia Hurunui-o-Rangi Marae	Joel Ngātuere Marty Sebire
Policy and Projects Committee	Hurunui-o-Rangi Marae	Rawiri Smith
Risk and Assurance Committee	Hurunui-o-Rangi Marae	Marty Sebire
Community Advisory Group	Hurunui-o-Rangi Marae	Rawiri Smith (People & Places Advisory Group)
Wastewater Treatment Plant Advisory Group	Rangitāne o Wairarapa Ngāti Kahungunu ki Wairarapa Ngāti Kahukuraāwhitia	Horipo Rimene Joel Ngātuere Rawiri Smith

It is recommended that the above iwi and hapū representation arrangements are continued with each entity confirming the specific person for attendance.

8. CONSIDERATIONS

8.1 Climate change

There are no direct climate change implications from the decisions in this paper.

8.2 Tāngata whenua

As outlined, mana whenua representatives are appointed as specific committees and groups, and invited to attend other Council and committee meetings.

8.3 Financial impact

Payment for independent members and mana whenua representatives are included in annual plan budgets. There are no other financial impacts from the decisions in this paper.

8.4 Community Engagement requirements

There are no community engagement requirements for decisions in this paper.

8.5 Risks

There are no additional risks associated with the decisions in this paper.

8.6 Community Wellbeings

The Committee and Advisory Group structure recommended contributes to all of the Council's Community Wellbeings.

9. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Agrees** to adopt the governance structure, as set out in sections 5 and 6 of this report.
3. **Adopts** the Terms of Reference for the Committees and Advisory Groups as outlined in **Attachment 1**.
4. **Appoints** the following members to the committees, and the Chairs and Deputy Chairs of those committees:

Committee	Members / Chair
Risk and Assurance Committee	Chair - Philip Jones (to 31 December 2025) Deputy Chair – Elected members (3) – Mana whenua representation – Hurunui-o-Rangi Marae
Policy and Projects Committee	Chair - Deputy Chair – All elected members (vote not required) Mana whenua representation – Hurunui-o-Rangi Marae
Investment Committee	Chair - Deputy Chair - Elected members (2) – Independent advisor –
Chief Executive Employment Review Committee	Chair – Deputy Chair – All elected members (vote not required) Mana whenua representation – Hurunui-o-Rangi Marae AND Ngāti Kahukuraāwhitia
Water Race Committee	Chair – Deputy Chair - John Booth as appointed in 2024 by the community members Elected members (2) - Note - the following community members will continue as members of the Committee until the Water Race elections are held in 2027: • John Booth • John McFadzean

	• Neil Wadham • Grant Smith
Hearings Committee	Chair – Deputy Chair – Elected member (1) -
Community Grants Committee	Chair – Deputy Chair – Elected members (2) -
Sport NZ Rural Travel Fund Committee	Chair – Deputy Chair – Elected members (2) -
RSA Grants Committee	Elected members (2) -
Creative Communities Scheme Allocation Committee	Elected member (1) Elected member (alternate) – (1)

5. **Endorses** the formation of a Community Advisory Group, and an Economic Development Advisory Group, and appoints the following Chairs, Deputy Chairs and members:

Advisory Group	Members / Chair
Community Advisory Group	Chair – Deputy Chair - Elected members (3)
Economic Development Advisory Group	Chair – Deputy Chair - Elected members (3)

6. **Appoints** the following Chairs, Deputy Chairs and members to the Rural Advisory Group, and the Wastewater Treatment Plant Advisory Group:

Advisory Group	Members / Chair
Rural Advisory Group	Chair - Deputy Chair –John Booth Elected members (3)
Wastewater Treatment Plant Advisory Group	Chair - Deputy Chair – Elected members (2)

File Number: 445859

Author: Geri Brooking, Group Manager People and Corporate

Attachments: 1. Committee and Advisory Group TORs [↗](#)



Committee and Advisory Group

Terms of Reference

29 October 2025

Risk and Assurance Committee

Terms of Reference

Purpose

To monitor, evaluate and report to the Council on its financial, assurance and risk management policies, systems and processes.

Specific responsibilities

1. Monitor the identification and management of risks faced by the Council.
2. Monitor the Council's health and safety management system and identification of risks in accordance with the Health and Safety at Work Act 2015 and any substitute legislation.
3. Approve the annual external audit proposal.
4. Review the external auditor's management letter and management responses.
5. Monitor management of the Council's internal financial control environment, and report as appropriate to the Council on compliance with all external audit requirements and statutory responsibilities.
6. Monitor and review the Council's financial policies and financial performance.
7. Review the draft Annual Report prior to consideration by Council, including consideration of reports from external auditors.

Membership

Four elected members¹, and a Hurunui-o-Rangi Marae representative with voting rights. The Committee may also have one appointed member who may also be the chair. The member appointed by Council will be on the basis of their skills and experience relevant to the purpose of the Committee. The appointed member, and the Marae representative will be eligible for payment.

Quorum

Four elected members.

Meeting frequency

Quarterly, and as required.

¹ The Mayor is ex-officio and not included in this number.

Policy and Projects Committee

Terms of Reference

Purposes

To oversee the strategic development and review of policies, strategies, and bylaws.

Specific responsibilities

1. Oversee the delivery of major projects.
2. Monitor Council's management of assets.
3. Oversee the development and adoption of policies, plans and strategies (including Wairarapa-wide) to deliver the council's community wellbeing outcomes as specified in the Local Government Act.
4. To review and monitor policies under the Building Act 2004.
5. Oversee the development of plans and procedures for the Council's responsibilities under emergency management legislation including providing input into Wairarapa-wide policies and strategies.
6. Provide an oversight of the implementation of the Wairarapa Combined District Plan and any changes to the plan.
7. Develop, review and monitor Bylaws for adoption by the Council.
8. Develop and approve responses to government legislation proposals and policy issues.
9. Develop a strategy for the operation of the Events Centre and monitor its performance.

Membership

The Mayor and all Councillors.

Quorum

Five members.

Meeting frequency

Six-weekly, or as required.

Delegations

1. To adopt council policies plans and strategies.
2. To recommend to Council adoption or amendment of bylaws.

Investment Committee

Terms of Reference

Purpose

To monitor, evaluate and report to the Council on its Long-Term Investment Fund (the Fund).

Specific responsibilities

1. Reviewing the Statement of Investment Policy and Objectives annually, including the instructions to the Investment Consultant and Investment Managers, and recommending changes to the SIPO to Council for their review and approval.
2. Determining the allocation of funds to the Fund in partnership with the Chief Executive.
3. Determining the appropriate number of Investment Managers for the Fund and selecting and changing those managers as appropriate on the advice of the Investment Consultant.
4. Monitoring the investment performance of the Fund quarterly against benchmarks and budgets including reviewing reports from the independent investment adviser, the appointed fund managers and the Chief Executive as necessary.
5. Monitoring compliance with limits and permitted investments specified in the SIPO quarterly.
6. Assessing and periodically reviewing the risks of the Fund including the Council's risk profile and monitoring the volatility of the Fund's returns.
7. Authorise the movement of investment funds between the fund managers provided within the limits provided for in the SIPO on the advice of the Chief Executive and Investment Consultant.
8. Ensure compliance with Council's expectations on Responsible and Impact Investing as set out in the SIPO.
9. Periodically review the performance of the Investment Consultant. This should occur at a minimum of 3-year intervals.
10. Reporting to the Council on at least a quarterly basis.

Membership

The Investment Committee shall be made up of the Mayor¹ or Deputy Mayor, up to three elected members and one independent voting member (who may also be the Chair). The Committee may also appoint one additional non-voting independent member. Members shall be appointed on the basis of their skills and experience relevant to the purpose of the Committee. The Independent Chair and any appointed member will be eligible for payment.

Quorum

Three elected members, or two elected members and the Independent Chair.

Meeting frequency

Quarterly within six weeks of March, June, September and December quarter ends, and as required.

¹ The Mayor is ex-officio if not formally included as a member.

Hearings Committee

Terms of Reference

Purpose

To hear and decide all applications, submissions or objections for any matter other than those matters the Council either retains for itself or sets up a specific Committee to manage.

Specific Responsibilities

1. To hear and decide matters in relation to the District Licensing Agency.
2. To hear and decide matters in relation to the Dog Control Act.
3. To hear and decide matters in relation to objections to proposals to close roads under the Local Government Act Transport Regulations.
4. To hear matters in relation to the Reserves Management Act.
5. To hear and decide any other matters the Council requests it to consider.

Note: The Hearings Committee will not hear matters in relation to the Resource Management Act. Hearings Commissioners for those matters may either be a suitably qualified elected representative(s) or external commissioner(s). External commissioners will generally be used in the following circumstances:

- i. There are no suitably qualified elected representatives.
- ii. The Council or an individual elected representative may be perceived to have an actual or perceived conflict of interest.
- iii. Determination of objections made under Section 357B relating to local authority charges.
- iv. When matters are outside the technical knowledge or experience of accredited elected representatives.
- v. When one or more accredited elected representative may have, or may be perceived to have, a closed mind on the proposal.

Membership of Committee

Three elected members.¹

Frequency of Meetings

As and when required.

¹ The Mayor is ex-officio and not included in this number.

Water Race Committee

Terms of Reference

Purpose

To oversee the management of the Carrington and Taratahi water races and make recommendations to Council as required.

Specific Responsibilities

1. To oversee the operation of the Carrington and Taratahi Water Races.
2. To make decisions on applications to alter or modify the water races.
3. To make recommendations to Council on:
 - a. the level of rates and charges for the Rural Water Service activity.
 - b. any changes to, or development of new bylaws in respect to the Carrington and Taratahi Water Races.
4. To develop policy in respect of the water races and recommend these to the Policy and Projects Committee.

Membership of Committee

- Three elected members¹.
- Up to four community members elected by water race users.
- Co-opt additional member/s if required.

The Chairperson will be an elected member.

The Deputy-Chair will be an elected Water Race community member chosen by the group.

Quorum

Two elected members and two community members.

Frequency of Meetings

Quarterly.

¹ The Mayor is ex-officio and not included in this number.

Chief Executive Employment Review Committee

Terms of Reference

Purpose

To act for, and advise Council on matters relating to the employment, performance and remuneration of the Council's Chief Executive.

Specific Responsibilities

1. Recommend to Council for its approval, a recruitment, selection, and appointment processes for a Chief Executive.
2. Oversee any Council-approved recruitment, selection, and appointment process for the Chief Executive (noting that Council must legally make the appointment decision).
3. Conduct annual reviews of the Chief Executive's performance and remuneration, and make recommendations to Council as an outcome of those reviews.
4. Establish, monitor and review Key Result Areas (KRAs) and Key Performance Indicators (KPIs).
5. Ensure the Chief Executive is provided with regular feedback, mentoring and support through informal quarterly meetings.
6. Ensure the Chief Executive receives relevant training and development opportunities.
7. Review the salary of the CEO and make recommendations to Council on an annual basis.
8. Conduct a review of employment at the end of the Chief Executive's first term of employment (under clause 35 of Schedule 7 to the Local Government Act 2002) and recommend to Council on whether the Chief Executive should be appointed for a second term or the position declared vacant (under clause 34 of Schedule 7 to the Local Government Act 2002).
9. Manage the provisions of the Chief Executive's Employment Agreement, including negotiating any variation to the Employment Agreement and making recommendations to the Council.

Membership

- All of Council.
- An independent appointed advisor.

Chair / Deputy Chair

The Chair and Deputy Chair will be appointed by Council.

Delegations

- The power to undertake reviews of the Chief Executive's performance in accordance with this Terms of Reference.
- The power to engage an independent external advisor to assist the Committee with annual / five-yearly reviews.
- To recommend to Council changes the Chief Executive terms, conditions, salary and benefits and KPIs.

Quorum

- At least half of members.

Frequency

- Six-monthly.

Sport NZ Rural Travel Fund Committee

Terms of Reference

Purpose

To make allocations from the Sport NZ Rural Travel Fund to financially assist sports clubs and school teams with transport expenses to local sporting competitions.

Specific Responsibilities

To consider applications from Carterton District school club teams and sports club teams with young people aged between 5-19 years who require subsidies to assist with transport expenses to local sporting competitions.

The schools and clubs eligible for the grant are those based in the Carterton District that meet one of the following definitions:

- i. A school club team participating in local sport competition in weekends, that excludes inter school and intra school competitions played during school time; and/or
- ii. A sports club team participating in organised sport competition through club membership outside of school time.

Funding must not be provided for the purpose of travel to regional or national events. Also, funding must not be provided to cover costs associated with payment of coaches or officials, or reimbursement of their expenses (including travel costs).

Membership of Committee

Four elected members¹.

Quorum

Three members.

Frequency of Meetings

Annually.

Delegations

To approve grant applications within the scope of these Terms of Reference and within the applicable policy and allotted budgets.

¹ The Mayor is ex-officio and not included in this number.

Community Grants Committee

Terms of Reference

Purpose

To allocate grants funding, under the Council's **Community Grants and Funding Framework and Policy specifically Community and Waste Minimisation Grants.**

Specific responsibilities

1. Consider applications for grants funding.
2. Make decisions on the allocation of grants funding.
3. Monitor the use of grants.
4. Assist in promoting the use of the grants fund to community groups.
5. Advise the Council on any relevant changes to the Community-Grants Policy.

Membership

Four elected members.¹

Quorum

Three elected members.

Meeting frequency

Once yearly, and as required.

Delegations

To approve grant applications within the scope of these Terms of Reference and within the applicable policy and allotted budgets.

¹ The Mayor is ex-officio and not included in this number.

Creative Communities Scheme Allocation Committee

Terms of Reference

Purpose

To allocate grants funding within the criteria and budget provided by Creative NZ.

Specific responsibilities

1. Consider applications for grants funding.
2. Make decisions on the allocation of grants funding.
3. Monitor the use of grants.
4. Assist in promoting the use of the grants fund to community groups.

Membership

Community membership (5 -7)

One elected member¹

Quorum

Three members.

Meeting frequency

Twice yearly.

Delegations

To approve grant applications within the scope of these Terms of Reference, applicable funding criteria, and allotted budget.

¹ The Mayor is ex-officio and not included in this number.

Carterton and District Returned and Services Memorial Trust

Terms of Reference

Purpose

To allocate grants funding within the criteria and budget provided by the Trust.

Specific responsibilities

1. Consider applications for grants funding.
2. Make decisions on the allocation of grants funding.
3. Monitor the use of grants.
4. Assist in promoting the use of the grants fund to the community

Membership

A minimum of three RSA members,

Two elected members.¹

Quorum

Three members.

Meeting frequency

Once yearly.

Delegations

To approve grant applications within the scope of these Terms of Reference, applicable funding criteria, and allotted budget.

¹ The Mayor is ex-officio and not included in this number.

Wastewater Treatment Plant Advisory Group

Terms of Reference

Purpose

To assist Carterton District Council achieve its vision for wastewater storage and disposal, and help to shape and recommend future development opportunities by working collaboratively within the advisory group.

A key focus of the group is to review the efficacy of the Waste Water Treatment Plant (WWTP) operation and discharge regime in terms of avoiding, remedying or mitigating adverse effects from discharges on the environment.

Activities

The Advisory Group's activities include:

- Recommending to the Council a strategy to achieve the Carterton District Council's long-term aim of avoiding discharge to surface water, to the maximum extent practicable;
- Receiving information on compliance of the WWTP discharges (a requirement of the Greater Wellington Regional Council [GWRC] consent conditions);
- Considering the need for, and scoping refinements for upgrading the wastewater treatment plant, discharge facilities, or discharge regime;
- Recommending to Carterton District Council, the commissioning of reports to evaluate new technologies or disposal options (including expanded land irrigation) for achieving the Council's long term vision for wastewater disposal.

Membership

- 4 CDC elected members¹
- Representatives of the following (as per the GWRC resource consent):
 - Rangitāne o Wairarapa
 - Ngāti Kahungunu ki Wairarapa
 - Ngāti Kahukuraawhitia (included post GWRC consent)
 - Wairarapa District Health Board, Public Health
 - Sustainable Wairarapa Incorporated
 - Mangatarere Restoration Society
 - GWRC

An elected member will chair the Advisory Group.

¹ The Mayor is ex-officio and not included in this number.

Voting

All members will have one vote except for Carterton District Council elected members who will have one vote between them.

Reimbursement

Community members (ie, those members not representing a government agency or local government) will be eligible for meeting fees.

Administrative support and advice

Secretarial support will be provided by the Council.

Council officers will provide advice to the Advisory Group, as required.

Meetings

Once every year, or as required.

Note

Outside of this meeting, as part of the GWRC consent conditions Kahungunu ki Wairarapa, Rangitāne o Wairarapa and Ngāti Kahukuraāwhitia will review the Tāngata Whenua Values Monitoring Plan at least annually.

Rural Advisory Group

Terms of Reference

1. Purpose

The purpose of the Rural Advisory Group is to provide advice, information, and recommendations to Carterton District Council on the following areas:

- The development of Council policies, plans and strategies as they relate to rural issues and the rural community
- Council engagement with the District's rural community
- Any matter of particular interest or concern to rural communities connected with the fundings of Carterton District Council, including, but not limited to:
 - Rates
 - Funding
 - Rural roading
 - Forestry
 - Water resilience
 - Water quality
 - The Wairarapa Combined District Plan
 - Long-term and Annual Planning
 - Economic development
 - Emergency Management
 - Climate change impacts
 - Coastal issues
 - Bylaws

The Advisory Group is an advisory body established by Council, and does not have decision-making power. The Group's advice will contribute the wellbeing of the District's rural communities and will inform council planning and policy decisions.

2. Chair and Deputy Chair

An elected member will chair the Advisory Group.

The Deputy-Chair will be an appointed community member.

3. Membership

- Up to four elected members¹
- Up to four community members appointed by Council.

The Mayor and at least two elected members appointed to the Advisory Group will make a recommendation to Council on the appointment of community members. They will be selected via a publicly-run expressions of interest (EOI) process on the following basis:

- Ability to provide advice on rural issues

¹ The Mayor is ex-officio and not included in this.

- Understanding of the Carterton District rural community
 - Living or working in a role serving the rural communities within the Carterton district
 - Association with a rural sector group, organisation, or the Carterton rural community
- Up to three industry representatives (including the Wairarapa Rural Support Group and Wairarapa Federated Farmers)
- Mana whenua representation.

4. Quorum

No less than two elected members, two community representatives and one industry representative.

5. Term

The term of the Rural Advisory Group's ends one month prior to the next local government elections in 2025.

6. Meetings

Meetings are to be held quarterly a year, or as required. Ad hoc meetings may be arranged for the Advisory Group to provide feedback on Council policies, plans and strategies at an early stage of development.

7. Engagement with Council

The group will raise any issues important to rural communities through meeting minutes, council officers, and/or the elected member representatives on the group.

- The meeting notes of the Rural Advisory Group will be tabled on the Policy and Projects Committee agenda, and the Chair of the Rural Advisory Group or delegated elected member will speak to these.
- Council officers can table reports on relevant issues on the agenda of council or relevant committees.

8. Administrative support and advice

Secretarial support will be provided by the Council.

Council officers will attend meetings as required to provide advice to the Advisory Group.



7.7 APPOINTMENTS TO GREATER WELLINGTON REGIONAL COUNCIL REGIONAL COMMITTEES

1. PURPOSE

For the Council to nominate elected representatives to Greater Wellington Regional Council's regional committees.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. CARTERTON DISTRICT COUNCIL NOMINATIONS

The Council appoints members to represent CDC on GWRC committees and advisory groups.

3.1 Wellington Regional Transport Committee

The Regional Transport Committee (RTC) is a statutory committee required to be established by a regional council under the Land Transport Management Act 2003. The RTC prepares and oversees the implementation of the Regional Land Transport Plan. This plan includes all the projects and other transport activities in the region, including Carterton's local and state highway projects.

Its membership is set out in the Act and must include an elected representative from each of the territorial authorities in the region and an alternate who will attend if the member is unavailable. The committee also includes two members of GWRC, and a representative of the New Zealand Transport Agency. A representative of KiwiRail is also appointed as an advisor with speaking rights but no voting rights.

Traditionally the RTC has had Mayors of each of the Councils nominated as members. It is expected that most, if not all, Councils will continue this arrangement for the new triennium.

Last term the Mayor was CDC's representative, and the Deputy Mayor was the alternate member.

3.2 Wellington Regional Leadership Committee (WRLC)

The Wellington Regional Leadership Committee (WRLC) was established in 2021 as a joint committee.

The WRLC's purpose is to ensure the region grows in ways that support thriving communities, a resilient economy, and long-term wellbeing.

The WRLC comprises members from all the nine councils within the Wellington region and the Horowhenua District Council, iwi and central government bringing together

housing, infrastructure, jobs, land use, climate resilience, and investment so that the pieces connect rather than compete.

The current work programme projects are the Housing and Business Capacity Assessment, Spatial Planning, the Regional Adaptation Project, the Industrial Land and Aggregates project, the Housing Priority Development Areas, and the Regional Economic Development Plan.

The Terms of Reference of the WRLC require the Mayor to be a member and the Deputy Mayor as an alternate.

3.3 Civil Defence and Emergency Committee (CDEM)

The purpose of the Civil Defence and Emergency Management Committee is to provide regional leadership with respect to civil defence and emergency management.

Section 13(4) CDEM Act 2002 requires the respective Mayor, or their delegate, to be a member of the Committee. No alternate is required to be appointed.

3.4 Wairarapa Committee

The Wairarapa Committee considers areas and matters of strategic importance to Wairarapa and makes recommendations to GWRC. Relevant matters include, but are not limited to flood protection, land management, biosecurity, biodiversity, climate, public transport, natural resource management, and potential arrangements for catchment-based governance.

The Upper Ruamāhanga River Management Advisory Committee, and the Waiōhine River Plan Advisory Committee are advisory groups to the Wairarapa Committee. Their purpose is to oversee the implementation of river management plans.

All three committees include representatives from CDC however, as occurs at the end of each triennium, the Wairarapa Committee was dissolved therefore no appointments are required at this time. Advice from GWRC is that it will be determining its governance arrangements in late November, and will invite appointments from Wairarapa councils once this is confirmed.

3.5 Wairarapa Climate Change Caucus and Mangatārere Project Team

GWRC have also advised these groups have been dissolved at the end of the triennium and therefore no appointments are required at this time.

4. CONSIDERATIONS

4.1 Climate change

There are no direct climate change implications related to the decisions in this paper.

4.2 Tāngata whenua

There are no tāngata whenua considerations related to the decisions in this paper.

4.3 Financial impact

There are no financial impacts.

4.4 Community Engagement requirements

There are no community engagement requirements.

4.5 Risks

There are no additional risks associated with the decisions in this paper.

4.6 Community Wellbeings

There are no additional Community Wellbeings considerations associated with the decisions in this paper.

5. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Appoints** the following members to the Greater Wellington Regional Council committees:

Committee	Appointee	Alternate
Wellington Regional Transport Committee	(1)	(2)
Wellington Regional Leadership Committee	Mayor	Deputy Mayor
Civil Defence Emergency Management Committee	Mayor	N/A

3. **Notes** that the Greater Wellington Regional Council will consider governance arrangements in relation to the Wairarapa Committee and other groups in November 2025.

File Number: 451455

Author: Geri Brooking, Group Manager People and Corporate

Attachments: Nil



7.8 ELECTED MEMBER APPOINTMENTS TO EXTERNAL BODIES, JOINT COMMITTEES AND OTHER GROUPS

1. PURPOSE

For the Council to make Elected Member appointments to various external bodies, joint committees and other groups for the 2025-28 Triennium.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. APPOINTMENTS

The Council appoints members to represent the Council on other bodies, including joint committees and working groups.

3.1 Wairarapa Joint District Licencing Committee

Two appointees are required.

At its Ordinary Council Meeting on 14 August 2025, Council extended the appointments of Cr Brian Deller and Cr Robyn Cherry-Campbell as District Licencing Committee Commissioners to 30 June 2026.

Cr Cherry-Campbell did not stand for re-election, but has accepted continuation of her role. It is noted that Commissioners can continue to carry on the work they are appointed to undertake without having to hold the office of an elected member.

The appointment extension ensures that the Council can undertake its alcohol licencing requirements during the election and post-election period, and while any new appointees complete the required training.

3.2 LGNZ – Zone 4

Responsibility for the zone meetings is shared jointly by the zone and LGNZ. In addition to Auckland zone there are six zones. Zone 4 includes the Greater Wellington and Wairarapa councils. The purpose of zones, as set out in the LGNZ constitution, is to:

- Be an electoral college for the appointment of National Council representatives;
- Be working for a member of LGNZ on a geographic basis;
- Provide an opportunity for two-way communication between these geographic areas and LGNZ – and LGNZ reports back to members on major national developments; and
- Provide networking, and information sharing opportunities.

Each zone elects or appoints a Chair, and in some cases an Executive Committee, both for a three-year term. The Chair runs the meetings with the support and input of the Executive Committee. A Chair Secretary, normally an officer from the Chair's council, services the meetings.

3.3 Trusts, Societies, and other memberships

At a council meeting on 2 April 2025 Council agreed to no longer have representation on the Carter Society and Cobblestones Charitable Trust.

Towards the end of the triennium, Council expressed a desire to increase its focus on economic development including its representation on Committees and Groups that contribute to these outcomes.

Therefore, it is recommended that CDC representation on the Destination Wairarapa Board be paused at this time and discussed in line with the development of a wider strategy to enhance economic development.

3.4 Other Joint Wairarapa Committees and Groups

Wairarapa Economic Development Strategy Governance Group
Wairarapa Trails Action Group
Wairarapa Road Safety Council
Wellington Region Waste Minimisation and Management Joint Committee (WCC) and Wellington Region Waste Forum
Mayors' Taskforce for Jobs
Wairarapa Policy Working Group
Remutaka Transport Group
Wairarapa Water Resilience Strategy Working Group

4. CONSIDERATIONS

4.1 Climate change

There are no direct climate change implications from the decisions in this paper.

4.2 Tāngata whenua

There are no tāngata whenua considerations required for the decisions in this paper.

4.3 Financial impact

There are no financial impacts.

4.4 Community Engagement requirements

There are no community engagement requirements for the decisions in this paper.

4.5 Risks

There are no additional risks with the decisions in this paper.

4.6 Community Wellbeings

There are no additional Community Wellbeings considerations required for the decisions in this paper.

5. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Makes the following appointments for the term of the Triennium:**

External Committee/Entity	
Joint District Licensing Committee	Cr B Deller (until 30 June 2026) Cr R Cherry-Campbell (until 30 June 2026) EM (1) EM (2)
Wairarapa Economic Development Strategy Governance Group	EM (1) EM (alt)
Wairarapa Trails Action Group	EM (1) EM (2)
Wairarapa Road Safety Council	EM (1)
Zone 4 (LGNZ)	EM (1)
Wellington Region Waste Minimisation and Management Joint Committee (WCC) and Wellington Region Waste Forum	EM (1) EM (alt)
Mayors' Taskforce for Jobs	EM (1) EM (2)
Wairarapa Policy Working Group	EM (1) EM (2)
Remutaka Transport Group	EM (1)
Wairarapa Water Resilience Strategy Working Group	EM (1) EM (2)

File Number: 445897

Author: Geri Brooking, Group Manager People and Corporate

Attachments: Nil



7.9 STANDING ORDERS AND CODE OF CONDUCT

1. PURPOSE

For the Council to confirm the Standing Orders and Code of Conduct for the 2025-2028 triennium.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

The Local Government Act 2002 (LGA) requires a council to have a set of Standing Orders and a Code of Conduct.

Standing Orders

Standing Orders provide a structure for conducting meetings and making decisions, ensuring they are open, transparent, and fair. They cover procedures for motions, debate, the role of the chairperson, and members' conduct.

The Council has previously adopted the Standing Orders template provided by Local Government NZ (LGNZ). Most councils use this model for their Standing Orders.

In March 2025 LGNZ completed a review and refresh of the Standing Orders template, and a new version was released and adopted by the Council on 14 May 2025 (**Attachment 1**).

Code of Conduct

The Code of Conduct promotes good governance and public trust, and focuses on principles such as public interest, integrity, honesty, and objectivity. It also outlines expected behaviours such as treating people with respect and acting in the community's best interest.

The previous Council adopted its Code of Conduct at the start of the 2022-2025 Triennium (**Attachment 2**).

4. LOCAL GOVERNMENT (SYSTEM IMPROVEMENTS) AMENDMENT BILL

The Local Government (System Improvements) Amendment Bill is currently being progressed and expected to be enacted by the end of 2025. Following this, new Standing Orders and Code of Conduct templates will be available to councils, expected to be available in 2026.

The relevant parts of the Bill state:

Cl. 62 Standing Orders

(1) This clause applies to the set of Standing Orders most recently adopted by a local authority before the commencement date.

(2) The standing orders continue to have effect as if the amendment Act had not been enacted until the Secretary approves and issues a set of standing orders under Clause 27(1) of Schedule 7 (as amended by the amendment Act).

Cl. 61 Code of Conduct

(1) This clause applies to the code of conduct most recently adopted by a local authority before the commencement date.

(2) The code of conduct continues to have effect as if the amendment Act had not been enacted until the Secretary approves and issues a code of conduct under 30 clause 15(1) of Schedule 7 (as amended by the amendment Act).

5. CONFIRMATION OF THE CURRENT STANDING ORDERS AND CODE OF CONDUCT

It is recommended that Council confirm the current Standing Orders and Code of Conduct until such time as the new standardised versions are available in 2026.

Should Council instead choose to replace or alter either the Standing Orders or Code of Conduct, it will need a 75 percent majority support of the amendments in accordance with the LGA.

6. CONSIDERATIONS

6.1 Climate change

There are no direct climate change implications from the decisions in this paper.

6.2 Tāngata whenua

There are no tāngata whenua considerations related to the decisions in this paper.

6.3 Financial impact

There are no financial impacts associated with the decisions in this paper.

6.4 Community Engagement requirements

There are no community engagement requirements associated with the decisions in this paper.

6.5 Risks

There are no additional risks associated with the decisions in this paper.

6.6 Community Wellbeings

There are no additional Community Wellbeings considerations associated with the decisions in this paper.

7. RECOMMENDATION

That the Council:

1. **Confirms** the current CDC Standing Orders until such time as the new template is available in 2026.
2. **Confirms** the current CDC Code of Conduct until such time as the new template is available in 2026.

File Number: 451420

Author: Geri Brooking, Group Manager People and Corporate

Attachments:

1. CDC Standing Orders [↓](#)
2. CDC Code of Conduct [↓](#)



Carterton District Council Standing Orders

Adopted 14 May 2025

Introduction¹

Kupu whakataki

These standing orders contain rules for the conduct of meetings of councils, committees, subcommittees, and subordinate decision-making bodies. They meet the requirements of the Local Government Act 2002 (LGA 2002) and the Local Government Official Information and Meetings Act 1987 (LGOIMA) in relation to the conduct of meetings.

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

Although it is mandatory that councils adopt standing orders for the conduct of their meetings, it is not necessary that they are adopted every triennium. However, it is recommended that the standing orders are reviewed within the first six months after an election. This is to ensure that they meet the needs of relevant bodies for running effective and inclusive meetings (see LGA 2002, sch 7, cl 27).

Whenever a question about the interpretation or application of these Standing Orders is raised, particularly where a matter is not directly provided for, it is the responsibility of the chairperson of each meeting to make a ruling.

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

Principles

Ngā mātāpono

Underpinning the standing orders are several principles, the most important being that councils and their members:

- Conduct their business in a transparent manner through public notice of meetings, provision of access to information, publicly open discussions, and meetings that are open to the public.
- Respect confidentiality, in accordance with relevant legislation, when making decisions that contain sensitive information.
- Represent their community when making decisions by taking account of the diversity of its communities, their views and interests, and the interests of communities in the future.
- Acknowledge, and, as appropriate, make provision for Te Ao Māori and local tikanga in meeting processes.

¹ LGNZ has provided this updated Standing Orders template for 2025. They advise they have made every reasonable effort to provide accurate information in this document, however it is not legal advice, although it has been legally reviewed. They do not accept any responsibility for actions taken that may be based on reading it.

- Ensure that decision-making procedures and practices meet the standards of natural justice, in particular, that decision-makers are seen to have open minds.
- Have a high standard of behaviour which fosters the participation of all members, including the expression of their views and opinions, without intimidation, bullying, or personal criticism.
- Act with professionalism by ensuring their conduct is consistent with the principles of good governance and the behaviours outlined in the Council's Code of Conduct.

Application of these standing orders must comply, as appropriate, with the decision-making provisions of Part 6, LGA 2002, and be consistent with section 39, LGA 2002, that "governance structures and processes are effective, open, and transparent" (LGA 2002, s 39).

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1. Introduction

Kupu whakataki

These standing orders have been prepared to enable the orderly conduct of council meetings. They incorporate both legislative provisions relating to meetings, decision making, and transparency. The standing orders also provide practical guidance on the operation of meetings to ensure compliance with statutory provisions and meet the spirit of the legislation.

The document is structured in three parts:

- Part 1 General items.
- Part 2 pre-meeting procedures.
- Part 3 meeting procedures.

The Appendices, which follow Part 3, provide templates and additional guidance for implementing provisions within the Standing Orders. The Appendices are an attachment to the Standing Orders and not part of the Standing Orders themselves. Amendments to the Appendices do not require the agreement of 75 per cent of those present.

The 'Guide to Standing Orders' developed by LGNZ provides additional advice on the application of the Standing Orders and is not part of the Standing Orders.

1.1 Statutory references

Ngā tohutoro ā-ture

These Standing Orders include statutory and non-statutory meeting provisions and provide guidance on how those provisions should be applied in practice.

These standing orders have been rewritten in plain English. Where a statutory provision applies a statutory reference is provided in the standing order.

Statutory references apply throughout the period of the meeting whether or not Standing Orders have been suspended.

Use of the word 'must' in a standing order implies a mandatory legislative requirement.

1.2 Acronyms

Ngā kupu rāpoto

LGA 2002 Local Government Act 2002

LGOIMA Local Government Official Information and Meetings Act 1987

LAMIA Local Authorities (Members' Interests) Act 1968

1.3 Application

Te whakamahinga

These Standing Orders do not apply to workshops or meetings of working parties and advisory groups, unless specifically included in their terms of reference.

2. Definitions

Ngā whakamārama

Adjournment

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

Advisory group

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

Agenda

A document listing the items for consideration at a meeting, together with associated reports and other attachments relating to those items, in the order in which they will be considered. It is also referred to as an 'order paper'.

Amendment

Any change or proposed change to an original or substantive motion.

Appointed member

A member of a committee, subcommittee, or subordinate decision-making body of a council who is not elected.

Audio link

Technology that enables audio communication between participants at a meeting when one or more of them is not physically present at the place of the meeting.

Audiovisual link

Technology that enables audiovisual communication between participants at a meeting when one or more of them is not physically present at the place of the meeting.

Casting vote

A second vote exercised by a chairperson to break a tied vote.

Chairperson

The person with authority to lead a meeting or other gathering.

Chief executive

The chief executive of a city or district council appointed under s 42 of the LGA 2002. For the purposes of these Standing Orders, references to chief executive includes any other officer authorised to act as the chief executive.

Clear working days

The number of working days (business hours) prescribed in these Standing Orders for giving notice. A calculation of clear working day excludes the date of the meeting and date on which the notice is given.

Committee

Includes, in relation to a council:

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

Community board

A community board established under s 49 of the LGA 2002.

Conflict of Interest

Includes:

- a) Any pecuniary (financial) interest;
- b) Any interest arising because of a person's position as a trustee, director, officer, employee, or member of another body; and
- c) Any personal non-pecuniary interest, such as pre-determination or bias.

Contempt

Being disobedient to, or disrespectful of, the meeting chairperson, members, officers, or the public, or otherwise not complying with these standing orders

Council

In the context of these Standing Orders, the governing body of a city or district council.

Debate

Discussion by members that occurs once a motion has been moved and seconded.

Deliberative vote

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

Deputation

A request from any person or group to make a presentation to the council which is approved by the chairperson. A deputation may be made in English, te reo Māori or New Zealand Sign Language.

Division

A formal vote at a meeting where the names of those members present, including the chairperson, are formally recorded as voting either for or against. This includes a vote where the names and votes are recorded electronically.

Electronic link

Both an audio and audiovisual link.

Emergency meeting

Has the same meaning as defined in cl 22A of sch 7 of the LGA 2002.

Extraordinary meeting

Has the same meaning as defined in cl 22 of sch 7 of the LGA 2002.

Foreshadowed motion

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

Internet site

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

Joint committee

A committee in which the members are appointed by more than one council in accordance with cl 30A of sch 7 of the LGA 2002.

Karakia timatanga

An opening prayer or blessing.

Karakia whakamutunga

A closing prayer or blessing.

Lawfully excluded

A member of a local authority who has been removed from a meeting due to behaviour that a chairperson has ruled to be contempt.

Leave of absence

A pre-approved absence for a specified period of time consistent with any council policy.

Local authority

The territorial authority named in these Standing Orders, and, if the context requires, any community boards, local boards, committees or subordinate decision-making bodies established by the territorial authority.

Mayor

The Mayor of a city or district council elected under the Local Electoral Act 2001.

Meeting

Any first, inaugural, ordinary, extraordinary, emergency or urgent meeting of a local authority convened under the provisions of LGOIMA.

Member

Any person elected or appointed to the local authority.

Member of the Police

Means a Constable of the New Zealand Police within the definition of s 4 of the Policing Act 2008.

Mihi whakatau

A brief welcome typically delivered by one person without any further formalities.

Minutes

The record of the proceedings of any meeting.

Motion

A formal proposal to a meeting.

Mover

The member who initiates a motion.

Newspaper

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

Non-elected member

See Appointed Member.

Notice of motion

A motion given in writing by a member in advance of a meeting in accordance with these Standing Orders.

Officer

Any person employed by the council either full or part time, on a permanent or casual or contract basis.

Open voting

Voting which is conducted openly and transparently (i.e. enables an observer to identify how a member has voted on an issue) and may be conducted electronically. The result of the vote must be announced immediately after it has concluded. Secret ballots are specifically excluded.

Ordinary meeting

Any meeting, other than the first meeting, of a council publicly notified in accordance with ss 46(1) and (2) of LGOIMA.

Original motion

The first motion moved in a debate, prior to amendment (if any).

Pecuniary Interest

In relation to a member, means a matter or activity of financial benefit to that member, including any interest described in s 3 or 6 of LAMIA.

Petition

A request to a council which contains at least 20 signatures.

Pōwhiri

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

Present at the meeting

Present at the meeting to constitute a quorum means the member is to be either physically present in the room or attending the meeting by audio/visual link, if allowed by these standing orders.

Procedural motion

A motion used to control the way in which a motion, or the meeting, is managed as specified in Standing Orders 24.1 – 24.7.

Public excluded information

Refers to information, which is currently before a public excluded session or proposed to be considered with the public excluded. It includes:

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

Public excluded session

Refers to those meetings or parts of meetings from which the public is excluded by the council as provided for in LGOIMA. Also referred to as confidential or in-committee session.

Public forum

A period set aside, usually at the start of a meeting, for the purpose of public input.

Public notice/publicly notified

A notice or notification to members of the public that is made publicly available until any opportunity for review or appeal in relation to the matter notified has lapsed, on the council's website. The notice/notification must be published in at least one daily newspaper circulating in the region or district of the council, or one or more other newspapers that have a combined circulation in that region or district, which is at least equivalent to that of a daily newspaper circulating in that region or district.

Qualified privilege

The privilege conferred on member by s 52 and s 53 of LGOIMA.

Quasi-judicial

A meeting involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and/or the application of legal principles.

Quorum

The minimum number of members required to be present to constitute a meeting.

Resolution

A motion or amendment that has been adopted by the meeting.

Right of reply

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

Seconder

The member who seconds a motion or amendment.

Sub judice

Means under judicial consideration and therefore prohibited from public discussion elsewhere.

Subordinate decision-making body

A decision-making body appointed by a local authority which is required by the local authority to follow these standing orders. For clarity local boards, community boards and joint committees are not subordinate decision-making bodies.

Substantive motion

An original motion which has been amended by the meeting.

Subcommittee

A body appointed by a council, or a committee of a council, local board or community board. See definition of “committee”.

Urgent meeting

has the same meaning as defined in cl 21A of sch 7 of the LGA 2002.

Working day

A day of the week other than:

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

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

Working party

A group set up by a council to achieve a specific objective that is not a committee or subcommittee and to which these Standing Orders do not apply.

Workshop

In the context of these Standing Orders, a gathering of elected members for the purpose of considering items of importance to the council at which no decisions are made and to which these Standing Orders will not apply, unless required by the council. Workshops may include non-elected members and may be described as briefings.

General matters

Ngā take arowhānui

3. Standing orders

Ngā tikanga whakahaere hui

3.1 Obligation to adopt standing orders

Te takohanga ki te whai i ngā tikanga whakahaere hui

- Councils are required to adopt a set of standing orders.
- Standing orders set out how meetings are conducted.
- Standing orders must not contravene any Act.
- If a standing order is inconsistent with a legal requirement, that requirement prevails over the standing order.

This obligation applies to city and district Councils, regional councils, local boards and community boards.

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

3.2 Process for adoption and alteration of standing orders

Te tukanga mō te whai me te whakarerekē i ngā tikanga whakahaere hui

Adopting new standing orders requires a vote of not less than 75 per cent of the members present.

Amending the current standing orders also requires a vote of not less than 75 per cent of the members present.

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

3.3 Members must comply with standing orders

Me ū ngā mema ki ngā tikanga whakahaere hui

All members must comply with these standing orders.

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

All external meeting participants, including appointed members, must comply with these standing orders.

3.4 Application of standing orders

Te whakamahinga o ngā tikanga whakahaere hui

These Standing Orders apply to all meetings. This includes meetings of committees, subcommittees and any other subordinate decision-making body.

Standing Orders apply to any meeting (or part meeting) where the public have been excluded.

3.5 Temporary suspension of standing orders

Te whakatārewa taupua i ngā tikanga whakahaere hui

A meeting can temporarily suspend a standing order(s), provided the suspension does not contravene any legislative requirement.

The meeting must suspend standing order(s) by resolution.

The meeting's motion to suspend a standing order(s), must include:

- a) The reason for suspending the standing order(s).
- b) The standing order(s) being suspended.

A motion to suspend standing order(s) can be taken before or during a debate.

Once seconded, the meeting chairperson must put the motion without debate.

To be carried, at least 75 per cent of members present and voting must support the motion.

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

3.6 Quasi-judicial proceedings

Ngā whakawākanga ā-kaunihera

A meeting which is undertaking quasi-judicial proceedings may set their own meeting procedures.

Quasi-judicial proceedings are held for the purpose of conducting hearings and/or considering disputes.

Some committees may have additional powers under the Commissions of Inquiry Act 1908.

3.7 Physical address of members

Te wāhi noho o ngā mema

Every member, whether elected or appointed, must provide the chief executive with an electronic address where meeting notices and information may be sent.

Where a member does not have an electronic address, they must provide the Chief executive with a physical address within the district or region, where material can be sent.

It is preferable for all members to provide both an electronic and physical address.

Members should inform the chief executive which contact information can be made publicly available.

Personal information provided by a member is subject to the Privacy Act 2020.

4. Meetings

Ngā hui

4.1 Legal requirement to hold meetings

Te herenga ā-ture kia whakatū hui

The council must hold the meetings necessary for the good government of its city or district.

The calling of meetings, and their conduct must be in accordance with:

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

Meetings must be held at the times and places set by the council.

LGA 2002, Sch. 7, cl 19(1) & (3) & (4)

4.2 Meeting duration

Te roa o ngā hui

Unless the meeting resolves to continue, meetings cannot:

- a) sit for more than two hours without a break of at least ten (10) minutes.
- b) continue more than six (6) hours (including adjournments) from when it convened, or
- c) continue after 10.30pm.

If there is no resolution to continue, any business remaining must be:

- a) Adjourned,
- b) Transferred to the next meeting, or
- c) Transferred to an extraordinary meeting.

4.3 Language

Reo

A member may address a meeting in English, te reo Māori, or New Zealand Sign Language.

The chairperson may require that a speech is translated and printed in English or te reo Māori.

A member intending to address the meeting in New Zealand Sign Language, or te reo Māori, when the normal business of the meeting is conducted in English, must advise the chairperson not less than two working days before the meeting.

A member intending to address the meeting in English when the normal business of the meeting is conducted in te reo Māori must advise the chairperson not less than two working days before the meeting.

Any written materials should be forwarded to the chief executive at least two days before the meeting for translation.

4.4 Webcasting meetings

Ngā hui kauhaurangi

Webcast meetings should be provided in accordance with the protocol in Appendix 9.

4.5 First meeting (inaugural)

Hui tuatahi (ōkawa)

The chief executive calls the first meeting following a triennial general election.

The meeting must be called as soon as practicable after election results are known.

Unless an emergency exists, the chief executive must give elected members not less than seven days' notice of the first meeting.

In the case of an emergency, the chief executive may give elected members notice of the meeting as soon as practicable.

LGA 2002, Sch. 7, cl 21(1) - (3).

4.6 Requirements for the first meeting

Ngā herenga mō te hui tuatahi

The chief executive or their nominee must chair the first meeting until the Mayor has made their oral and written declarations.

The Mayor will chair the meeting once they have made their oral and written declarations.

LGA 2002, Sch. 7, cl 21(4)

The business to be conducted at the first meeting must include:

- a) The oral and written declarations of both the Mayor and members (*LGA 2002, Sch. 7, cl14*);
- b) A general explanation of:
 - i. LGOIMA; and
 - ii. Other laws affecting members, including the appropriate provisions of the LAMIA; and ss 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
- c) Determining the date and time of the next meeting, or the adoption of a schedule of meetings; and
- d) Where the Mayor has not appointed a Deputy Mayor (s41A(3)(a) of the LGA 2002) prior to the meeting, the election of the Deputy Mayor

The general explanation of Acts can also include the LGA provisions relating to the Register of members' pecuniary interests (ss 54A – 54I).

If an Urgent Meeting has been held (*LGA 2002, sch 7, cl21A*), the business that must be conducted at the first meeting will not include any business dealt with at that Urgent Meeting.

LGA 2002, Sch. 7, cl 21(5), LGA 2002, Sch.7, cl 20(6), LGA 2002, s 41A(3)

5. Appointments and elections

Ngā kopounga me ngā pōtitanga

5.1 Mayoral appointment of deputy Mayor, committee chairs, and members

Ngā kopounga a te Kahika o te Kahika tuarua, ngā Upoko kōmiti, me ngā mema

A Mayor may appoint:

- a) the Deputy Mayor,
- b) the chairperson and the members of each committee.

LGA 2002, s 41A(3).

If the Mayor declines to appoint a Deputy Mayor, or committee chairpersons, the council (or a committee, if directed by the council) must elect those positions in accordance with Standing Order 5.4.

5.2 Council Discharge of a Mayoral Appointment

Te Whakakorenga o te Kopounga a te Kahika e te Kaunihera

Nothing limits or prevents a council from discharging either a chairperson or a member of a committee appointed by the Mayor.

LGA 2002, Sch. 7, cl 31.

5.3 Establishment of committees by the Mayor

Te Whakatūnga o ngā komiti e te Kahika

The Mayor may establish the council's committees and appoint their chairpersons.

Where a Mayor exercises this right, the council must adopt the committee's terms of reference by resolution at the next appropriate meeting of the council.

Should the Mayor decline to establish committees a council decision to establish committees must follow the processes set out in these Standing Orders.

Nothing limits or prevents a council from discharging or reconstituting (in accordance with cl 30 of sch 7, LGA 2002) a committee established by the Mayor, or appointing more committees in addition to any established by the Mayor.

The Mayor is a member of every committee unless specific legislation provides otherwise, such as a committee established under s 189 of the Sale and Supply of Alcohol Act 2012.

LGA 2002, s 41A (3) and (4).

5.4 Elections of Deputy Mayors and deputy chairpersons

Te pōti i te Kahika Tuarua me ngā Upoko tuarua

When electing the following positions, the council must resolve to use one of two voting systems (see Standing Order 5.6):

- a) The Deputy Mayor;
- b) The chairperson of a committee
- c) A deputy chairperson of a committee; and/or
- d) A representative of a council.

This provision does not apply where a mayor has appointed a Deputy Mayor or committee chairs under LGA 2002, s 41A.

LGA 2002, Sch. 7, cl 25.

See the LGNZ Guide to Standing Orders for more information.

5.5 Removal of a Deputy Mayor

Te whakakorenga o te Kahika Tuarua

A council can remove a Deputy Mayor.

It does not matter whether the Deputy Mayor has been appointed by the Mayor, or appointed by the council itself.

A council removing a Deputy Mayor must use the process set out in cl 18, sch 7, of the LGA 2002. (See Appendix 9)

LGA 2002, Sch. 7, cl 18.

5.6 Voting system for Deputy Mayors and committee chairs

Pūnaha pōti mā ngā Kahika Tuarua me ngā Upoko komiti

The council must use one of the following two voting systems for electing:

- a) A Deputy Mayor; and/or
- b) A committee chair.

System A

The successful candidate must receive a majority of the votes of members present and voting.

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.

Round One

- There is one round of voting.
- If a candidate receives the majority of votes they are elected.
- If no candidate receives the majority of votes, the candidate receiving the fewest votes in the first round is excluded and a further round of voting occurs.

Round Two (if required)

- There is a second round of voting.
- If a candidate receives the majority of votes they are elected.
- If no candidate receives the majority of votes, the candidate receiving the fewest votes in the second round is excluded and a further round of voting occurs.

Subsequent rounds (if required)

- There is a further round of voting.
- If a candidate receives the majority of votes they are elected.
- If no candidate receives the majority of votes, the candidate receiving the fewest votes is excluded and a further round of voting occurs.

System B

- The successful candidate must receive more votes than any other candidate.
- There is only one round of voting.
- If two or more candidates tie for the most votes, the tie is resolved by lot.

LGA 2002, Sch. 7, cl 25.

6. Delegations²

Te tuku mana

6.1 Only the holder of a delegated authority can rescind or amend a previous decision

Ka taea anake e te kaupupuri o te mana tuku te whakakore, te whakarerekē rānei i tētahi whakatau o mua

Where a council or a committee has delegated authority to another body, member or officer, they cannot rescind or amend a decision made under that delegated authority.

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

However, the current holder of the delegated authority may rescind or amend a previous decision made under the same authority.

Refer to Standing Orders Guide for scenarios on delegation practice.

6.2 Duty to consider delegations to community boards

Te haepapa ki te whai whakaaro ki te tuku mana ki ngā poari hapori

A council which has community board(s) must consider whether or not to delegate to a community board if the delegation will enable the community board to best achieve its role.

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

6.3 Limits on delegations

Ngā tepenga o te tuku mana

Unless clearly stated in the LGA 2002 or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, community board, local board, member, or officer of the council, any of its responsibilities, duties, or powers except:

- a) The power to make a rate;
- b) The power to make a bylaw;
- c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;

² Please note: A council is advised to delegate a range of decision-making responsibilities to its chief executive to cover the period from the day following the Electoral Officer's declaration until the new council is sworn in. See the LGNZ Guide to Standing Orders for further information.

- d) The power to adopt a long-term plan, annual plan, or annual report;
- e) The power to appoint a chief executive;
- f) The power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement;
- g) The power to adopt a remuneration and employment policy.

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

6.4 Committees may delegate

Ka āhei ngā komiti ki te tuku mana

A committee, subcommittee, subordinate decision-making body, local board, community board, member, or officer of the council, may delegate any of its responsibilities, duties, or powers to a subcommittee or person.

A sub-delegation is subject to any conditions, limitations, or prohibitions imposed by the body that made the original delegation.

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

6.5 Use of delegated powers

Te whakamahi i te mana tuku

The body, member or officer of the council who has been delegated authority to act may exercise those responsibilities, powers or duties:

- a) without confirmation by the body that delegated the authority; and
- b) in a like manner and with the same effect as the council or committee could have exercised or performed them.

LGA 2002, Sch. 7, cl 32(2), (3), and (4).

6.6 Bodies are subject to the direction of the council

E herea ana ngā rōpū e ngā tohutohu a te kaunihera

A committee, subcommittee or other subordinate decision-making body is subject in all things to the control of the local authority, or committee that appointed the subcommittee.

A committee, subcommittee or other subordinate decision-making body must carry out all general and special directions given to them by the local authority or committee.

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

7. Committees

Ngā komiti

7.1 Appointment of committees and subcommittees

Te kopou i ngā komiti me ngā komiti iti

A council may appoint the decision-making bodies that it considers appropriate. This includes committees, subcommittees and any other subordinate decision-making body.

Unless the council prohibits it, a committee can appoint subcommittees.

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

7.2 Discharge or reconstitution of committees and subcommittees

Te whakakore, te whakahou rānei i ngā komiti me ngā komiti iti

Unless legislation or regulation prevents it:

- a) a council can discharge or reconstitute a sub-ordinate decision-making body;
- b) a committee may discharge or reconstitute a subcommittee it has established;
- c) every subordinate decision-making body is discharged following a triennial general election.

LGA 2002, Sch. 7, cl 30(5) (7)

Note: Section 12(2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election. The same is true for District Licensing Committees (see the LGNZ Guide to Standing Orders for more information).

7.3 Appointment or discharge of committee members and subcommittee members

Te kopou, te whakakore rānei i ngā mema komiti me ngā mema komiti iti

A council may appoint or discharge any member of a committee, or subcommittee.

Committees may appoint or discharge members of the subcommittees they have established unless the council directs otherwise.

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

7.4 Membership of committees and subcommittees

Te memātanga o ngā komiti me ngā komiti iti

- A council or committee may appoint non-elected members (appointed members) to a committee or subcommittee.
- At least one member of a committee must be an elected member.
- An appointed member on a committee or subcommittee must, in the opinion of the council or the committee, have the skills, attributes or knowledge to assist the committee or subcommittee.
- A staff member of the council, in the course of their employment, can be a subcommittee member, but not a committee member.

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

7.5 Council may replace members if committee not discharged

Ka āhei te kaunihera ki te whakakapi mema mēnā kaore i whakakorehia te komiti

- A council may resolve that a committee or subcommittee is not to be discharged following a triennial general election.
- Where a committee has not been disestablished at a triennial general election, the council may replace the members after that election.

LGA 2002, Sch. 7, cl 31(5) & cl 30(7)

7.6 Membership of the Mayor

Te memātanga o te Kahika

The Mayor is a member of every committee of the council unless specific legislation provides otherwise (e.g. a committee established under s 189 of the Sale and Supply of Alcohol Act 2012).

LGA 2002, s 41A(5).

7.7 Decision not invalid despite irregularity in membership

Ka whai mana tonu te whakatau ahakoa te rangirua o te memātanga

A decision of a council or committee is not invalidated if:

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

LGA 2002, Sch. 7, cl 29.

7.8 Appointment of joint committees

Te kōupounga o ngā komiti taihono

A council may appoint a joint committee with another council or other public body if it has reached prior agreement with each council or public body.

The agreement must specify:

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

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

LGA 2002, Sch. 7, cl 30A(1) - (3).

NB A Mayor who is a member of a joint committee by virtue of s 41A(5), is not counted as part of the quorum of that joint committee.

LGA 2002, Sch.7, cl 30A(6A)

7.9 Status of joint committees

Te mana o ngā komiti taihono

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

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

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

Te mana ki te kopou, ki te whakakore rānei i tētahi mema o te komiti taihono

Individual members of a joint committee may only be discharged or appointed by the council or public body that made the original appointment.

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

Pre-meeting

Hui tōmua

8. Giving notice

Te tuku pānui

8.1 Public notice – ordinary meetings

Pānui tūmatanui – ngā hui noa

The council must publicly notify all upcoming meetings:

- a) Every month:
 - i. by publishing a list of meetings scheduled for the following month;
 - ii. the list must be publicly notified not more than 14 and not less than 5 days before the end of the preceding month; and
 - iii. the public notice must include the dates, times and places of each meeting.
- b) Alternatively, where a meeting is scheduled to be held after the 21st day of any month:
 - i. the council can publicly notify the meeting(s) no more than 10 (and not less than 5) **working** days before the day on which the meeting is to be held.

LGA 2002 s.5, LGOIMA, s.2 & s 46

8.2 Public notice/publicly notified means:

Ko te tikanga o te pānui tūmatanui/te tuku pānui ki te hunga tūmatanui ko:

- a) publicly available on the council's internet site; and
- b) published in at least:
 - i. 1 daily newspaper which circulates in the region or district of the council; or
 - ii. 1 or more other newspapers that have a combined circulation equivalent to the newspaper in i) above.

LGA 2002 s.5, LGOIMA, s.2 & s 46, (see LGNZ Guide to Standing Orders for more information).

8.3 Notice to members - ordinary meetings

Te tuku pānui ki ngā mema – ngā hui noa

- The chief executive must advise every member of the time and place of every meeting.
- That advice must be given in writing.
- If the council has adopted a schedule of meetings, the advice must be given not less than 14 days before the first meeting of the schedule.
- If the council has not adopted a schedule of meetings, the advice must be given not less than 14 days before the meeting.

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

8.4 Extraordinary meeting may be called

Ka āhei ki te karanga hui motuhake

An extraordinary council meeting may be called by:

- a) council resolution; or
- b) a written requisition delivered to the chief executive. The requisition must be signed by:
 - i. the Mayor or chairperson; or
 - ii. not less than one third of the total membership of the council (including vacancies).

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

8.5 Notice to members - extraordinary meetings

Te tuku pānui ki ngā mema – ngā hui motuhake

The chief executive must give written notice to members advising them of the time and place of an extraordinary meeting (called under Standing Order 8.3).

The notice must:

- a) include the general nature of the business to be considered; and
- b) be provided to each member of the council at least three working days before the meeting day.

If the meeting is called by resolution, the chief executive can provide the notice in a lesser period (as specified in the resolution) provided it is not less than 24 hours.

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

8.6 Emergency meetings may be called

Ka āhei te karanga hui ohorere

In some instances, the council must deal with business urgently.

An Emergency Meeting may be called:

- a) when the notice requirements for an extraordinary meeting cannot be met; and
- b) it is not practicable to call the meeting by resolution.

An Emergency Meeting may be called by:

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

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

8.7 Process for calling an emergency meeting

Te tukanga mō te karanga hui ohorere

Given the need for an emergency meeting, the person calling the meeting (or another person on their behalf) must give notice of the time and place of the meeting by whatever means is reasonable in the circumstances, at least 24 hours before the meeting.

Notice must be given to each member of the council and the chief executive.

LGA 2002, Sch. 7, cl 22A(2).

8.8 Public notice – emergency and extraordinary meetings

Pānui tūmatanui – ngā hui ohorere me ngā hui motuhake

Where an emergency or extraordinary meeting is called and the public notice requirements of LGOIMA and/or these Standing Orders cannot be met, the council must still publicly notify the meeting.

The public notice must also include the general nature of the items being discussed at the meeting.

The public notice must:

- a) be publicly notified as soon as practicable before the meeting; or
- b) if it is not practicable to publish in newspapers before the meeting, it must be notified:
 - i. as soon as practicable on the council's website; and
 - ii. in any other manner which is reasonable in the circumstances.

LGOIMA, s 46(3).

8.9 An urgent meeting may be called

Ka āhei ki te karanga hui wawe

The chief executive may call an urgent meeting of the council before candidates to be declared elected after a recount are known if:

- a) an application for a recount has been made following a triennial general election; and
- b) an event occurs that, in the chief executive's opinion, requires the council to deal with a matter urgently; and
- c) the first meeting of the council has not yet been called.

LGA 2002, Sch. 7, cl 21A (1 & 2)

8.10 Process for calling an urgent meeting

Te tukanga mō te karanga hui wawe

If the chief executive calls an urgent meeting, the chief executive must give notice of that meeting as soon as practicable to every person who:

- a) is not an affected candidate; and
- b) has been declared to be elected to the council.

Notice must be given to each of those persons:

- a) by whatever means is reasonable in the circumstances; and
- b) at least 24 hours before the meeting commences.

The notice must specify:

- a) the time and place of the urgent meeting; and
- b) the matter for determination at the urgent meeting.

LGA 2002, Sch.7, cl 21A (3(a) & 5), Sch.7, cl 21A (3)(b)

8.11 Public notice – urgent meetings

Pānui tūmatanui – ngā hui wawe

Where an urgent meeting is called and the public notice requirements of LGOIMA and/or these Standing Orders cannot be met, the council must still publicly notify the meeting.

The public notice must include the general nature of the matter being discussed at the meeting and must:

- a) be publicly notified as soon as practicable before the meeting; or
- b) if it is not practicable to publish in newspapers before the meeting, it must be notified:
 - i. as soon as practicable on the council's website; and
 - ii. in any other manner which is reasonable in accordance.

LGA 2002, Sch.7, cl 21A(4) & LGOIMA, s 46(3).

8.12 Conduct of urgent meetings

Ngā whakahaere o ngā hui wawe

The council may only conduct the following business at an urgent meeting:

- a) in respect of the persons described in LGA 2002, sch7, cl21A(3)(a), the oral and written declarations of the mayor (if any) and members (under clause 14);
- b) a general explanation of LGOIMA and other laws affecting members, including the appropriate provisions of LAMIA; ss 99, 105, and 105A of the Crimes Act 1961; the Secret Commissions Act 1910; the Financial Markets Conduct Act 2013, and the LGA2002 provisions relating to the register of members' pecuniary interests (ss54A – 54I);
- c) The matter in respect of which the urgent meeting has been called.
- d) The election of a member to preside at the urgent meeting (if required).

Councils cannot consider any items other than those specified above.

If multiple urgent meetings are required, the items outlined in a) and b) (above) may be omitted from the business to be conducted if they have previously been dealt with.

The chief executive (or their nominee in the chief executive's absence) must chair the urgent meeting until:

- a) the mayor (if any) has made their oral and written declarations; or
- b) the members that are present have:
 - i. made their oral and written declarations; and
 - ii. elected one of their number to preside at the urgent meeting.

An affected candidate cannot participate in the meeting but may attend the meeting if it is open to the public.

LGA 2002, Sch. 7 Cl21B

8.13 Meetings not invalid

Ngā hui e whai mana tonu ana

Failing to publicly notify a meeting does not, of itself, invalidate a meeting.

Where a council becomes aware that a meeting has not been properly notified, it must, as soon as possible, give public notice that the meeting has been held.

The public notice must state:

- a) the meeting has occurred without proper notice;
- b) the general nature of the items discussed; and
- c) the reasons why the meeting was not notified.

LGOIMA, s 46(5) & (6).

8.14 Resolutions passed at an extraordinary meeting

Ngā tatunga i ngā hui motuhake

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

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

LGOIMA, s 51A.

8.15 Meeting schedules

Ngā hōtaka hui

A council may adopt a schedule of meetings. The schedule may cover any period of time that the council considers appropriate.

The council can amend the schedule at any time.

- Notifying the schedule to members is considered to be notification of every meeting on the schedule.
- Notifying members of an amendment to the schedule is notification of the amended meeting.

Nothing in this clause replaces the council's obligations under the LGOIMA for public notification of meetings.

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

8.16 Non-receipt of notice to members

Te kore e whiwhi i te pānui ki ngā mema

A meeting of a council is not invalid if an elected member does not receive (or does not receive in time) notice of the meeting unless:

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

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

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

8.17 Meeting cancellations

Te whakakorenga o ngā hui

- The chairperson of a scheduled meeting may cancel the meeting if, in consultation with the chief executive, they consider this is necessary.
- Reasons for cancellation may include lack of business, lack of quorum, or clash with another event.
- The chief executive must make a reasonable effort to notify members and the public as soon as practicable of the cancellation and the reasons behind it.

9. Meeting agenda

Rārangi take o te hui

9.1 Preparation of the agenda – for members

Te whakarite i te rārangi take – mā ngā mema

At least two working days prior to a meeting the chief executive must prepare an agenda for the meeting, to be circulated to all members attending the meeting.

Even though the agenda is the chief executive's responsibility, where practicable, the chief executive should consult the chairperson for the meeting about the agenda.

The agenda must:

- a) list the items to be brought before the meeting;
- b) include the reports and other attachments associated with the list of items in the agenda; and
- c) indicate which items are expected to be discussed with the public excluded. (see also standing order 9.14.).

LGOIMA, s 46A.

9.2 Process for raising items for a decision

Te tukanga hei whakaara take kia whakatauhia ai

Council, committees, local boards and/or community boards and subordinate decision-making bodies may, by resolution, request reports on matters they determine.

For all decision-making bodies other than the council, requests for reports must fall within the scope of their terms of reference.

9.3 Chief executive may delay or refuse request

Ka āhei te tumu whakarae ki te whakaroa, te whakakore rānei i tētahi tono

The chief executive may delay commissioning, or not produce, reports that involve significant cost, unless agreed by the council, or are beyond the scope of the body that made the request.

Where the chief executive refuses a request to prepare a report, they will:

- a) discuss options for meeting the request with the respective chairperson;
- b) report back to a subsequent meeting:
 - i. with an estimate of the resourcing and/or cost involved; and
 - ii. seek direction on whether the report should still be prepared.

A chief executive may refuse a direct report request from an individual member. In this instance, an explanation should be provided to the member.

9.4 Order of business

Te raupapatanga o ngā take

At the meeting, the items are to be dealt with in the order in which they are listed on the agenda unless the chairperson, or the meeting (by resolution), decides otherwise.

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

9.5 Chairperson's recommendation

Te tūtohunga a te Upoko

A chairperson may provide a recommendation on an agenda item.

- The chairperson's recommendation can be provided before or during the meeting.
- Where a chairperson's recommendation varies significantly from an officer's recommendation, the chairperson must provide the reasons for the recommendation.
- The recommendation, and reasons, must comply with the decision-making requirements of Part 6 of the LGA 2002.

9.6 Chairperson may prepare report

Ka āhei te Upoko ki te whakarite pūrongo

The chairperson of a meeting may prepare a report to be included in the agenda provided the matter falls within the terms of reference for the meeting.

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

9.7 Public availability of the agenda

Te noho wātea o te rārangi take ki te hunga tūmatanui

The meeting information provided to members must be publicly available unless the information relates to a matter reasonably expected to be discussed with the public excluded.

LGOIMA, s. 5 & 46A.

9.8 Public inspection of agenda

Te tirohanga a te hunga tūmatanui i te rārangi take

A member of the public is entitled to inspect, during normal office hours, the agendas including associated reports provided to members.

The agendas must be available for viewing at the public offices of the council (including service delivery centres) and the public libraries under the council's control.

Agendas must be accompanied by

- a) the associated reports; or
- b) a notice advising where the reports can be inspected.

While the documents must be available for viewing at least two working days before a meeting, they should be made available with as much notice as possible before the meeting date.

It is sufficient for the documents to be available for electronic inspection.

No charge can be imposed for the inspection of the agendas (including reports).

LGOIMA, s 46A(1) - (3).

9.9 Withdrawal of agenda items

Te tango take i te rārangi take

The chief executive may withdraw an item from an agenda.

The chief executive should inform the chairperson of the reason(s) for the withdrawal.

9.10 Distribution of the agenda to members

Te tohatoha i te rārangi take ki ngā mema

The chief executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting.

In the case of extraordinary, emergency, or urgent meeting, the agenda must be made available as soon as is reasonable in the circumstances.

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

9.11 Status of agenda

Te tūnga o te rārangi take

No matter included on a meeting agenda, including any recommendations in associated reports, has been decided as final until it has been the subject of a formal resolution of the meeting.

9.12 Items not on the agenda – decision cannot be delayed

Ngā mea kāore i runga i te rārangi take – kāore e taea te whakatōmuri i te whakatau

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

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

LGOIMA, s 46A(7).

Items not included on an agenda may be considered at a meeting if included in a report from the chief executive or the chairperson.

Nothing in this standing order removes the requirement to meet the provisions of Part 6 of the LGA 2002.

9.13 Items not on the agenda – minor issues for discussion only

Ngā mea kāore i runga i te rārangi take – ko ngā take iti hei kaupapa kōrero anake

A meeting can discuss minor items which are not on an agenda if:

- a) the matter relates to council business; and
- b) at the start of the public part of the meeting, the chairperson explains that the matter will be discussed.

The meeting cannot make a resolution, decision, or recommendation on any minor matter that was not on the agenda for that meeting.

The meeting can, however, refer the matter to a subsequent meeting for further discussion.

LGOIMA, s 46A(7A).

9.14 Public excluded business on the agenda

Ngā take tūmataiti o te rārangi take

The chief executive may exclude a report, or part of a report, from an agenda where they expect it to be discussed once the public has been excluded (by resolution) from the meeting.

Where reports, or parts of reports, are withheld, the agenda and proposed recommendation must clearly indicate:

- a) the matter is expected to be discussed with the public excluded;
- b) the general subject of any items to be considered while the public is excluded;
- c) the reasons for passing a resolution (with reference to the particular provision relied on for each matter); and
- d) the actual ground in section 48(1) relied on to exclude the public.

LGOIMA, s. 46A(8)-(9) and 48(3)

Note: The Ombudsman advises that the reason for passing a resolution should contain specific details about the harm the Council is trying to avoid, rather than simply reciting the clause from section 6 or section 7(2) as it is written in the LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

Te whakaaetanga motuhake e pā ana ki te rārangi take me ngā meneti

Where a meeting is open to the public and:

- a) a member of the public is given a copy of the agenda or further statements;
or
- b) a member of the public is given a copy of the minutes;

The publication of any defamatory matter included in the agenda or minutes is privileged, unless it is proved (through defamation proceedings) that the defendant:

- a) was motivated by ill will toward the plaintiff, or
- b) took improper advantage of the publication.

LGOIMA, s 52.

Meeting Procedures

Ngā tikanga o ngā hui

10. Opening and closing

Te whakatuwhera me te whakakapi

The chairperson, or any person authorised by the chairperson, may make a statement or prayer, or similar, to open/close a meeting.

Appropriate karakia timitanga and mihi whakatau, or pōwhiri, may also be considered to open, and karakia whakamutunga to close, a meeting where appropriate.

11. Quorum

Kōrama

Note: A meeting is constituted if a quorum is present, regardless of whether all of the members are voting or entitled to vote (*LGA 2002, Sch. 7, cl 23(1)*).

No business may be conducted if a quorum of members is not present for the whole time the business is being considered.

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

11.1 Council meetings

Ngā hui kaunihera

The quorum for a meeting of the council is:

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

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

11.2 Committee and subcommittee meetings

Ngā hui komiti me ngā hui komiti iti

- A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the body's terms of reference.
- A committee may set the quorum for any subcommittees it establishes.
- The minimum quorum for a committee or subcommittee is two members.
- The quorum of a committee (but not a subcommittee) must include at least one member of the council.

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

11.3 Joint Committees

Ngā Komiti Taihono

The quorum for a meeting of a Joint Committee is:

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

A Joint Committee Agreement may vary the quorum requirement above to provide that a quorum must include 1 or more members appointed by each party.

LGA 2002, Sch. 7, cl 30A(6)(b) &(c).

11.4 Mayor as member of a joint committee

Te kahika hei mema o tētahi komiti taihono

A Mayor is a member of all Joint Committees.

If the Mayor is a member solely due to s 41A(5), the Mayor is not counted as a member of the committee for determining:

- a) The number of members required to constitute a quorum; or
- b) Whether a quorum exists at a meeting.

LGA 2002, s 41A(5), Sch. 7, cl30A(6A)

11.5 Meeting lapses where no quorum

Te tārewatanga o ngā hui mēnā karekau he kōrama

A meeting lapses, and the chairperson must vacate the chair, if a quorum is not present within 30 minutes of the advertised start of the meeting.

- The chairperson has the discretion to wait for a longer period if members are known to be travelling to the meeting but have been delayed.
- If a quorum is lost during a meeting, the meeting lapses if the quorum is not present within 15 minutes.
- No business may be conducted while waiting for the quorum to be reached.

Minutes must record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended and left, causing the quorum to lapse.

11.6 Business from lapsed meetings

Ngā take o ngā hui tārewa

Where meetings lapse the remaining business will be adjourned and be placed at the beginning of the agenda of the next ordinary meeting, unless the chairperson sets an earlier meeting or refers the matter to another body with appropriate decision-making authority, and this is notified by the chief executive.

12. Public access and recording

Te āheinga a te hunga tūmatanui me ngā hopunga

12.1 Meetings open to the public

E tuwhera ana ngā hui ki te hunga tūmatanui

Every meeting of the council (including its committees) must be open to the public unless the public has been excluded.

Members of the news media are considered to be members of the public.

LGOIMA, s 47, 48 & 49(a).

12.2 Grounds for removing the public

Ngā take e panaia ai te hunga tūmatanui

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

LGOIMA, s 50(1).

12.3 Council may record meetings

Ka āhei te kaunihera ki te hopu i ngā hui

Where the council intends to record a meeting(s), the venue should contain clear signage indicating that proceedings may be recorded.

12.4 Public may record meetings

Ka āhei te hunga tūmatanui ki te hopu i ngā hui

- Members of the public may make electronic or digital recordings of meetings which are open to the public.
- The process of recording must not distract the meeting from conducting its business.
- Where circumstances require, the chairperson may direct the recording to stop for a specified period of time.

13. Attendance

Taetaenga

13.1 Members right to attend meetings

Te mōtika a ngā mema ki te tae ki ngā hui

A member of a council, or of a council committee, has the right to attend any meeting of the council or a committee unless they have been lawfully excluded.

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

If a member of a council is not an appointed member of the meeting which they are attending, they:

- a) may not vote on any matter at that meeting; but
- b) may, with the permission of the chair, take part in the meeting's discussions (subject to standing order 13.2).

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

Note: this section does not confer any rights to appointed members on council committees.

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

Te tae atu i te wā e whakahaere whakawākanga ana tētahi komiti

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

13.3 Leave of absence

Tamōtanga ōkawa

A council may grant a member leave of absence following an application from that member (including the Mayor).

To protect members' privacy the council may delegate authority to the Mayor to grant a leave of absence to a member. In the absence of the Mayor, the Deputy Mayor may exercise that authority.

The Mayor, or Deputy Mayor, will inform all members of the council whenever a member has been granted leave of absence under delegated authority.

Meeting minutes will record that a member has a leave of absence as an apology for that meeting.

13.4 Recording apologies

Te tuhi i ngā whakapāha

The minutes must record:

- a) any apologies tendered before or during the meeting, including whether they were accepted or declined; and
- b) the time of arrival and departure of all members.

13.5 Absent without leave

Tamōtanga ōpaki

Members who miss four consecutive meetings of the council (the governing body), without a leave of absence or apology having been accepted, will create an extraordinary vacancy.

This standing order doesn't apply to extraordinary meetings.

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

13.6 Right to attend by audio or audiovisual link

Te mōtika kia tae atu mā te hononga oro, ataata rongo rānei

Provided the conditions in Standing Orders 13.11 and 13.12 are met:

- a) Members of the council and its committees have the right to attend meetings by electronic link unless they have been lawfully excluded.
- b) Members of the public, including for a deputation or public forum, have the right to attend meetings by electronic link, unless they have been lawfully excluded.

13.7 Member's status: quorum

Te tūnga a te mema: kōrama

Where these standing orders provide for members attendance by electronic link, members who attend meetings by electronic link are counted as present for the purposes of the quorum.

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

13.8 Member's status: voting

Te tūnga a te mema: te pōti

Where a meeting has a quorum, the members attending by electronic link can vote on any items raised at the meeting.

13.9 Chairperson's duties

Ngā haepapa a te Upoko

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

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

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

13.10 Conditions for attending by audio or audiovisual link

Ngā here o te tae atu mā te hononga oro, ataata-rongo rānei

Noting Standing Order 13.7, the chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting.

Examples of situations where approval can be given include:

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

13.11 Request to attend by audio or audiovisual link

Te tono kia tae atu mā te hononga oro, ataata-rongo rānei

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

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

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

13.12 Chairperson may terminate link

Ka āhei te Upoko ki te momotu i te hononga

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

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

13.13 Giving or showing a document

Te hoatu, te whakaatu tuhinga rānei

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

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

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

13.14 Link failure

Mūhoretanga o te hononga

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

13.15 Confidentiality

Te matatapu

A member who is attending a meeting by audio, or audio-visual link, must ensure that the meeting's proceedings remain confidential during any time that the public is excluded.

The chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings. If the chairperson is not satisfied by the explanation, they may require the member's camera to be turned on, or terminate the link.

14. Chairperson's role in meetings

Te mahi a te Upoko i ngā hui

14.1 Council meetings

Ngā hui kaunihera

- The Mayor must chair all council meetings unless they vacate the chair. The Mayor may vacate the chair for an entire meeting or part of a meeting.
- The Deputy Mayor must chair the council meeting if the Mayor is absent from a meeting or vacates the chair.
- The members present must elect an acting chairperson if the Mayor and Deputy Mayor are not present and/or have vacated the chair.

- The Deputy Mayor or the acting chairperson has all the responsibilities, duties and powers of the chairperson for the duration of the meeting.

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

14.2 Other meetings

Ētahi atu hui

The chairperson of a committee or subcommittee must chair each meeting unless they vacate the chair for all or part of a meeting.

The deputy chairperson (if any) must chair the meeting if the chairperson is absent or has vacated the chair.

The committee members present must elect an acting chairperson if the deputy chairperson is absent or has not been appointed.

The deputy chairperson or the acting chairperson has all the responsibilities, duties and powers of the chairperson for the meeting.

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

14.3 Addressing the chairperson

Te kōrero ki te Upoko

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

14.4 Chairperson's rulings

Ngā whakatau a te Upoko

The chairperson will decide all procedural questions, including those where insufficient provision is made by the Standing Orders.

Where a point of order questions the chairperson's ruling, the deputy chairperson will decide.

Refusal to obey a chairperson's ruling or direction constitutes contempt (see Standing Order 20.5).

14.5 Chairperson standing

Te mana o te Upoko

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

14.6 Member's right to speak

Te mōtika o te mema ki te kōrero

Members are entitled to speak in accordance with these Standing Orders.

Members should address the chairperson when speaking.

Members may not leave their place while speaking unless they have the leave of the chairperson.

14.7 Chairperson may prioritise speakers

Ka āhei te Upoko ki te whakaraupapa i ngā kaikōrero

When two or more members want to speak the chairperson will determine the speaking order and name the member who may speak first.

Members who wish to speak have precedence where they intend to:

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

15. Public Forums

Ngā Wānanga Tūmatanui

Public forums are a defined period of time, put aside for the purpose of public input.

Public forums enable members of the public to bring items of their choice, not on the meeting's agenda, to the attention of the council.

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

15.1 Time limits

Ngā tepenga wā

A period of up to 30 minutes will be available for the public forum at each scheduled council meeting.

Speakers can speak for up to five minutes (excluding questions).

Requests to speak at a public forum must be:

- a) made to the chief executive (or their delegate);
- b) made at least one clear day before the meeting; and
- c) must outline the items that will be addressed by the speaker(s).

The chairperson has discretion to:

- a) extend a speaker's allocated speaking time;
- b) where there are more than six speakers presenting in the public forum, restrict one or more speakers allocated speaking time, or
- c) waive the time requirement for requesting permission to speak in the public forum.

15.2 Restrictions

Ngā aukatinga

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

- a) a speaker is repeating views presented by an earlier speaker at the same public forum;
- b) more than two speakers have requested to speak on the same matter at the same meeting;
- c) the speaker is criticising elected members and/or staff;
- d) the speaker is being repetitious, disrespectful or offensive;
- e) the speaker has previously spoken on the same issue;
- f) the speaker has caused disruption at multiple previous committee and/or council meetings;
- g) the matter is subject to legal proceedings;
- h) the matter is subject to a hearing, including the hearing of submissions where the council or committee sits in a quasi-judicial capacity; and/or
- i) decision-making authority on the matter rests with another body or individual.

15.3 Questions at public forums

Ngā pātai i ngā wānanga tūmatanui

With the chairperson's permission, members may ask questions of speakers at the conclusion of their presentation.

Questions are to be confined to obtaining information or clarification on matters raised by a speaker.

The speaker may not ask questions of either members or staff.

15.4 No resolutions

Kāore he tatūnga

No debate or decisions can be made at the meeting on issues raised during the public forum.

16. Deputations

Ngā whakaaturanga ōkawa

The purpose of a deputation is to enable a person, group, or organisation, to make a presentation about an item(s) on a meeting agenda.

Deputations may be heard at the commencement of the meeting, or at the time that the relevant agenda item is being considered.

Requests to make a deputation must be:

- a) made to the chief executive (or their delegate);
- b) made at least ~~five~~ two clear days before the meeting; and
- c) must outline the items that will be addressed by the speaker(s).

Any documents to be included in the deputation must be received at least two days in advance to allow time for translation.

The chairperson has the discretion to waive the time requirement for requesting permission to make a deputation.

Members of the public may not question either members or staff.

16.1 Time limits

Ngā tepenga wā

Unless the chairperson has restricted the speaking time under Standing Order 16.2:

- a) speakers can speak for up to five minutes (excluding questions); and
- b) no more than two speakers can speak on behalf of a deputation.

The chairperson has discretion to extend a speaker's speaking time.

16.2 Restrictions**Ngā aukatinga**

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

- a) a speaker is repeating views presented by an earlier speaker at the meeting;
- b) the speaker is criticising elected members and/or staff;
- c) the speaker is being repetitious, disrespectful or offensive;
- d) the speaker has previously spoken on the same issue;
- e) the matter is subject to legal proceedings;
- f) the matter is subject to a hearing, including the hearing of submissions where the council or committee sits in a quasi-judicial capacity and/or
- g) where a member of the public has previously caused a disruption at multiple meetings, the chairperson may decline a deputation request and require the individual to provide their views in writing.

16.3 Questions of a deputation**Ngā pātai o te whakaaturanga ōkawa**

With the permission of the chairperson, members may ask questions of any speakers at the conclusion of the deputation.

Questions are to be confined to obtaining information or clarification on items raised by the deputation.

Those making the deputation may not ask questions of either members or staff.

16.4 Resolutions**Ngā tatūnga**

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

17. Petitions**Ngā petihana****17.1 Form of petitions****Te āhua o ngā petihana**

Petitions may be presented to a council or committee meeting provided the subject matter falls within the terms of reference of the intended meeting.

Petitions must:

- a) contain at least 20 signatures and consist of fewer than 150 words (not including signatories);
- b) be received by the chief executive at least five working days before the meeting at which they will be presented; and
- c) must not be disrespectful, use offensive language or include malicious, inaccurate, or misleading statements (see Standing Order 20.9 on qualified privilege); and
- d) May be written in English, te reo Māori, or given in sign language. Petitioners should inform the chief executive in sufficient time to allow translation services to be arranged.

The chairperson may waive the requirement that petitions are required five working days before the meeting.

17.2 Petition presented by petitioner

Petihana i whakaaturia e te kaipetihana

A petitioner who presents a petition to the council or a committee may speak for five minutes (excluding questions) about the petition unless the meeting resolves otherwise.

The chairperson must terminate the presentation if they believe the petitioner is being disrespectful, offensive, or making malicious statements.

17.3 Petition presented by member

Petihana i whakaaturia e tētahi mema

A member may present a petition on behalf of a petitioner. In doing so the member must confine themselves to presenting:

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

18. Exclusion of public

Te aukati i te hunga tūmatanui

18.1 Motions and resolutions to exclude the public

Ngā mōtini me ngā tatūnga ki te aukati i te hunga tūmatanui

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

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

A resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The council must:

- a) include the general subject for each matter to be excluded;
- b) describe the grounds in section 48 for excluding the public;
- c) have considered whether the public interest in the matter weighs against excluding the public;
- d) provide reason(s), should the resolution pass, set out in plain English and including sufficient detail.

The resolution forms part of the meeting's minutes.

Note: Section 7(2)(f)(i) (free and frank expression) cannot be used as grounds to exclude the public from meetings.

LGOIMA, s 48.

18.2 Specified individuals may remain

Ka āhei ētahi tāngata ka tautuhia ki te noho atu

A resolution to exclude the public may provide for specified individuals to remain if the meeting believes they have knowledge that will assist the meeting.

If it is proposed that specified individuals should stay, the resolution must state how their knowledge is relevant and will be of assistance.

No resolution is needed for people entitled to be at the meeting (such as relevant staff and officials contracted to the council for advice on the matter).

LGOIMA, s 48(6).

18.3 Public excluded items**Ngā take tūmataiti**

The chief executive must indicate, on the agenda, any matter they expect the meeting to consider with the public excluded.

The chief executive may exclude reports, the content or items from reports, expected to be discussed with the public excluded.

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

18.4 Non-disclosure of information**Te kore e whāki mōhiohio**

Members and officers may only discuss the information relating to public excluded agenda items and reports with another member, an officer, or a person authorised by the chief executive.

This restriction does not apply where a meeting has resolved, or the chief executive has decided, to make the information publicly available because:

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

18.5 Release of information from public excluded session**Te tuku i ngā mōhiohio o tētahi hui tūmataiti**

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

The chief executive may release information which has been considered at a public excluded session when it is determined that the grounds to withhold the information no longer exist.

19. Voting

Te pōti

19.1 Decisions by majority vote

Ngā whakatau mā ngā pōti a te tokomaha

Unless the LGA 2002 or council's standing orders provide otherwise, council and committees must decide all items before a meeting by:

- a) a vote; and
- b) the majority of members that are present and voting.

LGA 2002, Sch. 7, cl 24(1) & (4).

19.2 Open voting

Te pōti tuwhera

All items must be determined by open voting.

Everyone present at a meeting must be able to see (or hear) how each individual councillor votes.

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

19.3 Chairperson has a casting vote

Mā te Upoko te pōti whakatau

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

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

19.4 Method of voting

Tikanga pōti

The method of voting must be as follows:

- a) The chairperson, in putting the motion, must:
 - i. call for an expression of opinion on the voices; or
 - ii. take a show of hands; and
 - iii. announce the result.
- b) The chairperson's announcement is conclusive unless it is questioned immediately by a member, in which event the chairperson will call a division.

- c) The chairperson, or a member, may call for a division instead of, or immediately after, voting by voice and/or taking a show of hands.

Where a suitable electronic voting system is available that system may be used instead of a show of hands, vote by voices, or division. The result must be publicly displayed and notified to the chairperson who must declare the result.

19.5 Calling for a division

Te karanga wehewehenga

When a division is called, the chief executive must:

- a) record the names of the members voting for and against the motion
- b) record the names of members abstaining
- c) provide the outcome to the chairperson to declare the result.

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

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

19.6 Request to have votes recorded

Te tono kia tuhia ngā pōti

- A member may request their vote, or abstention is recorded in the minutes.
- The request must be received immediately after the vote is taken.
- The minutes must record the member's vote or abstention.
- Recording any other items, such as a member's reason for their vote or abstention, is not permitted.

19.7 Members may abstain

Ka āhei ngā mema ki te noho puku

- A member may abstain from voting.
- A member does not need to provide a reason for their abstention.

20. Conduct

Whanonga

20.1 Calling to order

Te whakatuwhera i te hui

When the chairperson calls members to order they must be seated and stop speaking.

If a member fails to stop speaking and take their seat, the chairperson may direct the member to leave the meeting immediately.

The chairperson may also adjourn the meeting:

- a) if other people cause disorder; or
- b) in the event of an emergency.

20.2 Behaviour consistent with Code of Conduct

Me ū ngā whanonga ki te Tikanga Whanonga

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

20.3 Retractions and apologies

Ngā whakakahoretanga me ngā whakapāha

The chairperson may require a member, or speaker, to apologise and/or withdraw offending comments where the individual:

- a) has been disrespectful of another member, staff or the public; or
- b) contravened the council's Code of Conduct.

If the member refuses to comply with the chairperson's instruction, the chairperson may:

- a) direct that the individual leave the meeting for a specified time and/or
- b) make a complaint under the Code of Conduct.

20.4 Disorderly conduct – members and public

Whanonga kino – ngā mema me te hunga tūmatanui

A member whose behaviour is disorderly or is creating a disturbance, may be asked by the chairperson to leave the room immediately.

The chairperson must specify whether the member is required to leave for:

- a) the remainder of the meeting; or
- b) a lesser period.

The chairperson may also adjourn the meeting:

- a) if other people cause disorder; or
- b) in the event of an emergency.

If the disorder continues the chairperson may adjourn the meeting for a specified time.

20.5 Contempt

Te whakahāwea

Where the chairperson has repeatedly cautioned a member for disorderly conduct the meeting may resolve that the member is in contempt.

The resolution must be recorded in the meeting's minutes.

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

20.6 Removal from meeting

Te pana tangata i te hui

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

This Standing Order will apply where the chairperson has ruled that the member should leave the meeting and:

- a) the member has refused or failed to do so; or
- b) has left the meeting and attempted to re-enter it without the chairperson's permission.

20.7 Financial conflicts of interests

Ngā pānga taharua ahumoni

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

The nature of the interest does not need to be disclosed.

No member may vote on, or take part in, a discussion about any matter in which they have a direct or indirect financial interest unless:

- a) an exception set out in s 6 of the LAMIA applies to them, or
- b) the Auditor-General has granted an exemption or declaration under s 6(4), 3(a) or 3(aa) of the LAMIA.

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

The chairperson, chief executive and/or the meeting cannot rule on whether a member has a financial interest in the matter being discussed.

The minutes must record any declarations of financial interests and the members' abstention from any discussion and voting on the matter.

LAMIA, s 3, 6 & 7.

20.8 Non-financial conflicts of interests

Ngā pānga taharua ahumoni

- Non-financial interests involve questions about whether the judgement of a member could be affected by a separate interest, or duty, which that member may have in relation to a particular matter.
- If a member considers that they have a non-financial conflict of interest in a matter that may influence their judgement, they must not take part in the discussions about that matter, or any subsequent vote.
- The member must leave the table when the matter is considered but does not need to leave the room.
- The minutes must record the declaration and member's subsequent abstention from discussion and voting.
- The chairperson, chief executive and/or the meeting cannot rule on whether a member has a non-financial interest in the matter being discussed.

20.9 Qualified privilege for meeting proceedings

Te whakaaetanga motuhake i roto i ngā tuhinga hui

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

LGOIMA, s 53

20.10 Qualified privilege additional to any other provisions

He āpitihanga te whakaaetanga motuhake ki ētahi atu whakaritenga

The privilege referred to above is in addition to any other privilege, whether absolute or qualified, that applies because of any other enactment or rule of law applying to any meeting of the council.

LGOIMA, s 53.

20.11 Electronic devices at meetings

Ngā pūrere hiko i ngā hui

Electronic devices and phones should only be used to advance the business of a meeting. Personal use may only occur at the discretion of the Chair.

All phones are to be switched to silent with no vibration for the duration of the meeting.

21. General rules of debate

Ngā tikanga ahuwhānui o te tautohetohe

21.1 Chairperson may exercise discretion

Ka āhei te Upoko ki te whakarite i tāna ake whakatau

The chairperson has discretion to apply any procedural items in this section of Standing Orders as they see fit.

21.2 Time limits on speakers

Ngā tepenga wā mō ngā kaikōrero

The following time limits apply to members speaking at meetings:

- a) movers of motions when speaking to the motion – five minutes;
- b) movers of motions when exercising their right of reply – five minutes; and
- c) other members – five minutes.

Time limits can be extended by:

- a) resolution, or
- b) at the chairperson's discretion.

21.3 Questions to staff

Ngā pātai ki ngā kaimahi

The chairperson has discretion to decide whether questions can be put to staff once the debate has begun.

The chairperson has discretion to determine:

- a) how the question is to be dealt with; or
- b) whether the question needs to be answered or not.

21.4 Questions of clarification during debate

Ngā pātai whakamārama i te wā o te tautohetohe

At any point in a debate a member may ask the chairperson:

- a) for clarification about the nature and content of the motion; and/or
- b) the particular stage the debate has reached.

21.5 Members may speak only once

Kotahi anake te wā e kōrero ai ngā mema

A member, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 - 22.4, may not speak more than once to a motion at a meeting of the council, except with permission of the chairperson.

Members can speak more than once to a motion at a committee or subcommittee meeting with the chairperson's permission.

21.6 Limits on number of speakers

Te tepenga o te nui o ngā kaikōrero

If three speakers have spoken in support of, or in opposition to, a motion, the chairperson may call for a speaker to the contrary.

If there is no speaker to the contrary, the chairperson must put the motion after the mover's right of reply.

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

21.7 Mover and seconder may reserve speech

Ka āhei te kaimōtini me te kaitautoko ki te tārewa i ā rāua kōrero

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

21.8 Speaking only to relevant items

Te kōrero mō ngā take hāngai anake

Members may only speak to:

- a) a matter on the meeting agenda;
- b) a motion or amendment which they propose; or
- c) to raise a point of order.

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

The chairperson's rulings on these items are final and not open to challenge.

21.9 Restating motions

Te whakapuaki anō i ngā mōtini

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

21.10 Criticism of resolutions

Te whakahē tatūnga

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

21.11 Objecting to words

Te whakahē kupu

A member may object to words used by another member in debate and ask that the objection be recorded in the minutes.

The objection must be lodged at the time the words are used, and before any other member has spoken.

The chairperson must order the minutes to record the objection.

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

21.12 Right of reply

Mōtika whakautu kōrero

The mover of a motion has a right of reply.

The mover of an amendment to the motion does not.

In their reply, the mover must confine themselves to answering previous speakers and not introduce any new items.

A mover has only one right of reply. The mover can exercise their right of reply either at the end of the debate on the motion (whether original, substituted or substantive) or at the end of the debate on a proposed amendment.

The original mover may speak once to the principal motion and once to each amendment without losing their right of reply.

If a closure motion is carried, the mover of the motion may use their right of reply before the motion or amendment is put to the vote.

21.13 No other member may speak

Kāore tētahi atu mema e āhei ki te kōrero

No member may speak:

- a) after the mover has started their reply;
- b) after the mover has indicated that they want to forego their reply; or
- c) where the mover has spoken to an amendment to the original motion and the chairperson has indicated that he or she intends to put the motion.

21.14 Adjournment motions

Ngā mōtini whakatārewa

The carrying of any motion to adjourn a meeting supersedes other business, including business yet to be resolved.

Any adjourned business must be considered at the next meeting.

Business referred to, or referred back to, another decision-making body must be considered at the next ordinary meeting of that body, unless otherwise specified.

21.15 Chairperson's acceptance of closure motions

Te whakaae a te Upoko ki ngā mōtini whakakapi

The chairperson may only accept a closure motion where:

- a) there have been at least two speakers for and two speakers against the motion proposed to be closed; or
- b) the chairperson considers it reasonable to do so.

However, the chairperson must put a closure motion if there are no further speakers in the debate.

When the meeting is debating an amendment, the closure motion relates to the amendment.

If a closure motion is carried, the mover of the motion under debate has the right of reply (unless the mover has already exercised that right) after which the chairperson puts the motion or amendment to the vote.

22. General procedures for speaking and moving motions

Ngā tukanga mō te kōrero me te whakatau mōtini

22.1 Options for speaking and moving

Kōwhiringa ki te kōrero me te mōtini

This subsection provides three options for speaking and moving motions and amendments at a meeting of council and its committees.

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

22.2 Option A

Kōwhiringa A

- a) The mover and seconder of a motion cannot move or second an amendment (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend a matter in the report. In this case the original mover or seconder may also move or second the amendment).
- b) Only members who have not spoken to the motion (whether original, substituted or substantive) motion may move or second an amendment to it.
- c) A member may only move or second one amendment in a debate. It does not matter whether the amendment is carried (and becomes the substantive motion) or lost.
- d) Members can speak to any amendment. The meeting may reword a motion provided that:
 - i. the mover and seconder agree to the rewording; and
 - ii. the majority of members agree to the rewording.

22.3 Option B

Kōwhiringa B

- a) The mover and seconder of a motion cannot move or second an amendment (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also move or second the amendment).

- b) Any members, regardless of whether they have spoken to the motion (whether original, substituted or substantive), may move or second an amendment to it.
- c) The mover or seconder of an amendment that is carried can move or second a subsequent amendment.
- d) A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- e) Members can speak to any amendment.
- f) The meeting may reword a motion provided that:
 - i. the mover and seconder agree to the rewording; and
 - ii. the majority of members agree to the rewording.

22.4 Option C

Kōwhiringa C

- a) The mover and seconder of a motion can move or second an amendment.
- b) Any members, regardless of whether they have spoken to the motion (whether original, substituted or substantive), may move or second an amendment to it.
- c) The mover or seconder of an amendment (whether it is carried or lost) can move or second further amendments.
- d) Members can speak to any amendment.
- e) The meeting may reword a motion provided that:
 - i. the mover and seconder agree to the rewording; and
 - ii. the majority of members agree to the rewording.

23. Motions and amendments

Ngā mōtini me ngā menemana

23.1 Proposing and seconding motions

Te whakatakoto me te tautoko mōtini

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

- Any motion, including substituted motions and amendments, that are not seconded are not valid and should not be entered in the minutes.
- Members who move or second a motion are not required to be present for the entirety of the debate.

23.2 Motions in writing

Ngā mōtini ā-tuhi

The chairperson may require movers of motions, including substituted motions and amendments, to provide them in writing.

23.3 Motions expressed in parts

Ngā mōtini i whakatakotohia ki ngā wāhanga

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

23.4 Substituted motion

Ngā mōtini whakakapi

The meeting may replace a motion with a substitute provided that:

- a) the substituted motion has been moved and seconded; and
- b) the mover and seconder of the original motion agree to its replacement.

All members may speak to the substituted motion.

23.5 Amendments to motions

Ngā menemana ki ngā mōtini

Subject to standing order 23.6, the meeting may amend a motion provided that:

- a) the motion has been moved and seconded; and
- b) the mover and seconder of the original motion agree to its amendment.

All members may speak to the amendment.

23.6 Amendments must be relevant and not direct negatives

Me hāngai ngā menemana, otirā kia kaua e whakakahore

Every proposed amendment must be relevant to the motion under discussion.

Proposed amendments cannot be similar to an amendment that has already been lost.

An amendment cannot be a direct negative to the motion.

Amendments must comply with the decision-making provisions of Part 6 of the LGA 2002.

Reasons for not accepting an amendment include:

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

23.7 Foreshadowed amendments

Ngā menemana i tūtohua

Only one amendment can be debated at a time.

The meeting must dispose of a proposed or existing amendment before a new amendment can be moved.

Members may foreshadow, to the chairperson, an intention to move further amendments and may advise the nature of those amendments.

23.8 Lost amendments

Ngā menemana mūhore

Where a proposed amendment is lost, the meeting will resume the debate on the motion (whether original, substituted or substantive).

Any member who has not spoken to that motion may, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 – 22.4, speak to it, and may move or second a further amendment.

23.9 Carried amendments

Ngā menemana i mana

Where an amendment is carried;

- a) The motion, incorporating the amendment, becomes the substantive motion.
- b) the meeting will resume the debate on the substantive motion.

Members who have not spoken to the original motion may, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 – 22.4, speak to the substantive motion, and may move or second a further amendment to it.

23.10 Where a motion is lost

Ina hinga tētahi mōtini

Where a motion that recommends a course of action is lost, a new motion, with the consent of the chairperson, may be proposed to provide an alternative course of action.

23.11 Withdrawal of motions and amendments

Te tango mōtini, menemana hoki

The meeting owns a motion or amendment once it has been moved, seconded and put to the meeting for discussion.

The mover cannot withdraw a motion or amendment without the agreement of the majority of members who are present and voting.

The mover of an original motion cannot withdraw the motion if an amendment has been moved, seconded and put to the meeting for discussion unless the amendment has been lost, or withdrawn .by agreement

Refer to Standing Order 23.4.

23.12 No speakers after reply or motion has been put

Kāore e āhei te kōrero i muri i te whakatakoto whakautu, mōtini rānei

No member may speak to a motion once:

- a) the mover has started their right of reply; or
- b) the chairperson has started putting the motion.

24. Revocation or alteration of resolutions

Te whakakore, te whakarerekē rānei i ngā tatūnga

24.1 Member may move revocation of a decision by notice of motion

Ka āhei te mema ki te whakakore i tētahi whakataunga mā te whakatakoto mōtini

A member of a decision-making body may give the chief executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the same decision-making body.

The notice of motion must set out:

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

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

24.2 Revocation must be made by the body responsible for the decision **Mā te rōpū nā rātou te whakatau e whakakore**

Where a committee, subcommittee, joint committee, other subordinate decision-making body has made a resolution under delegated authority, only that body may revoke or amend the resolution (assuming the resolution has been legally made).

This provision does not prevent the body that delegated authority from removing or amending a delegation.

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

Refer also to Part 6 (Delegations) of these Standing Orders

24.3 Requirement to give notice **Te herenga ki te whakamōhio atu**

A notice of motion to revoke, or alter, a previous resolution must:

- a) be in writing;
- b) be signed by not less than one third of the members of the council or body that made the resolution (including vacancies); and
- c) be delivered to the chief executive at least five clear working days before the proposed meeting.

The mover can send the notice of intended motion via email including the scanned electronic signatures of members.

If the notice of motion is lost, the chief executive cannot accept a similar notice of motion which is substantially the same in purpose and effect within the next twelve months.

24.4 Restrictions on actions under the affected resolution

Ngā herenga o ngā mahi i raro i te tatūnga whai pānga

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

Exceptions apply if, 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; or
- b) by reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the council or the committee that made the previous resolution.

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

24.5 Revocation or alteration by resolution at same meeting

Te whakakore, te whakarerekē rānei mā te tatūnga i taua hui tonu

A meeting may revoke or alter a previous resolution made at the same meeting where:

- a) the meeting has received fresh facts or information concerning the resolution during the course of the meeting; and
- b) 75 per cent of the members present and voting have agreed, by resolution, to the revocation or alteration.

24.6 Revocation or alteration by recommendation in report

Te whakakore, te whakarerekē rānei mā te tūtohunga i roto pūrongo

The council, on a recommendation in a report by the chairperson, chief executive, a committee or subcommittee, a subordinate decision-making body or a local or community board, may revoke or alter all or part of a resolution passed by a previous meeting.

The chief executive must give at least two clear working days' notice of any meeting that will consider a revocation or alteration recommendation.

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

25. Procedural motions

Ngā mōtini ā-hātepe

25.1 Procedural motions must be taken immediately

Me wawe tonu te pōti mō ngā mōtini ā-hātepe

A procedural motion to close or adjourn a debate takes precedence over other business, except points of order and rights of reply.

If a procedural motion is seconded the chairperson must put it to the vote immediately, without discussion or debate.

The chairperson must accept a procedural motion to close or adjourn debate:

- a) after two speakers have spoken for the motion and two have spoken against the motion; or
- b) in the chairperson's opinion it is reasonable to accept the closure.

25.2 Procedural motions to close or adjourn a debate

Ngā mōtini ā-hātepe hei whakakapi, hei whakatārewa rānei i tētahi tautohetohe

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

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

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

25.3 Voting on procedural motions

Te pōti mō ngā mōtini ā-hātepe

A majority of members present, and voting, must decide any procedural motion to close or adjourn a debate.

If a procedural motion is lost, no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

25.4 Debate on adjourned items

Ngā tautohetohe mō ngā take kua whakatārewatia

When debate resumes on items that have been previously adjourned all members can speak on the items.

25.5 Remaining business at adjourned meetings

Ngā take e toe tonu ana i ngā hui kua whakatārewatia

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

25.6 Business referred to the council, committee or local or community board

Ngā take i tohua ki te kaunihera, komiti, poari ā-rohe, hapori rānei

Where a matter is referred to, or referred back to, a committee or a local or community board, the committee or board will consider the matter at its next meeting unless the meeting resolves otherwise.

25.7 Other types of procedural motions

Ētahi atu momo mōtini ā-hātepe

The chairperson has the discretion to allow any other procedural motion not contained in these Standing Orders.

26. Points of order

Ngā ui tikanga

26.1 Members may raise points of order

Ka āhei ngā mema ki te tuku ui tikanga

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 speaking must stop speaking and sit down (if standing).

26.2 Subjects for points of order

Ngā kaupapa hei tuku ui tikanga

A member 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	Highlighting use of disrespectful, offensive or malicious language.
c.	Irrelevance	Informing the chairperson that the topic being discussed is not the matter currently before the meeting.
d.	Misrepresentation	Alerting the chairperson of a misrepresentation in a statement made by a member, an officer or a council employee.
e.	Breach of standing order	Highlighting a possible breach of a standing order which must specify which standing order is subject to the breach.
f.	Recording of words	Requesting that the minutes record any words that have been the subject of an objection.

26.3 Contradictions

Ngā whakahorihori

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

26.4 Point of order during division

Ngā ui tikanga i te wā o te wehewehenga

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

26.5 Chairperson's decision on points of order

Te whakatau a te Upoko i ngā ui tikanga

The chairperson may decide a point of order immediately after it has been raised or may choose to hear further argument about the point before deciding.

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

Where a point of order concerns the performance of the chairperson, the chairperson will:

- a) refer the point of order to the deputy chairperson; or
- b) if there is no deputy chairperson, another member to hear arguments and make a ruling.

27. Notice of motion

Te pānui mōtini

27.1 Notice of intended motion to be in writing

Me tuhi te pānui mōtini

A notice of intended motion must:

- a) be in writing;
- b) be signed by the mover;
- c) state the meeting at which it is proposed the motion be considered; and
- d) be delivered to the chief executive at least five clear working days before the proposed meeting.

The mover can send the notice of an intended motion via email and include a scanned electronic signature of the mover.

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

27.2 Refusal of notice of motion

Te whakakāhore i te pānui mōtini

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

- a) is disrespectful or which contains offensive language or statements made with malice;
- b) is not related to the role or functions of the council or the meeting concerned;
- c) contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make;
- d) is concerned with matters which are already the subject of reports or recommendations to the meeting concerned;

- e) fails to include sufficient information as to satisfy the decision-making provisions of the LGA 2002, ss 77-82. If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should recommend that the proposal is referred to the chief executive for consideration and report; or
- f) concerns a matter where council has delegated decision-making authority to a subordinate body or a local or community board.

Where the refusal is due to f), the chief executive must refer the notice of motion to the appropriate body or board.

The chief executive should provide reasons for refusing a notice of motion to the mover.

27.3 Mover of notice of motion

Te kaimōtini o te pānui mōtini

A meeting may not consider a notice of motion in the absence of the mover unless the mover has provided written authorisation for another member to move the motion.

27.4 Alteration of notice of motion

Te whakarerekē i te pānui mōtini

Only the mover may alter a proposed notice of motion.

Any alteration requires the agreement of a majority of those present at the meeting and must be made at the time the motion is moved.

Once moved and seconded no amendments may be made to a notice of motion.

27.5 When notices of motion lapse

Āhea mōnehu ai te pānui mōtini

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

27.6 Referral of notices of motion

Te tuari i te pānui mōtini ki rōpū kē

Where a notice of motion refers to a matter ordinarily dealt with by a committee of the council or a local or community board, the chief executive must refer the notice of motion to that committee or board.

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

27.7 Repeat notices of motion

Ngā pānui mōtini tārua

When a motion has been considered and rejected by the council or a committee:

- a) No similar notice of motion may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.
- b) No other notice which, in the chairperson's opinion, has the same effect, may be put while the original motion stands.

28. Minutes

Meneti

28.1 Minutes to be evidence of proceedings

Ko ngā meneti te taunakitanga o ngā hui

The council, its committees and subcommittees must authorise and keep minutes of their proceedings.

When confirmed by resolution at a subsequent meeting, or following authorisation by the chairperson (by manual or electronic signature) the minutes will be authenticated and stored in hard or electronic copy.

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

LGA 2002, Sch.. 7, cl 28.

28.2 Items recorded in minutes

Ngā take i tuhia ki ngā meneti

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

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

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

Note: hearings under the RMA 1991, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.

28.3 No discussion on minutes

Kāore e kōrerorerotia ngā take kei ngā meneti

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

28.4 Minutes of last meeting before election

Ngā meneti o te hui whakamutunga i mua tonu i te pōtitanga

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

29. Keeping a record

Te pupuri mauhanga

29.1 Maintaining accurate records

Te pupuri mauhanga tika

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

A council must maintain all public records that are in its control in an accessible form, to be able to be used for subsequent reference.

Public Records Act 2002, s 17.

29.2 Method for maintaining records

Te tikanga pupuri mauhanga

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

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

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

29.3 Inspection

Tirotirohanga

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

LGOIMA, s 51.

29.4 Inspection of public excluded items

Tirotirohanga o ngā take tūmataiti

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

Referenced documents

Ngā tuhinga i kōrerotia

1. Commissions of Inquiry Act 1908
 2. Crimes Act 1961
 3. Contract and Law Act 2017
 4. Financial Markets Conduct Act 2013
 5. Local Authorities (Members' Interests) Act 1968 (LAMIA)
 6. Local Electoral Act 2001 (LEA)
 7. Local Government Act 1974 and 2002 (LGA)
 8. Local Government Official Information and Meetings Act 1987 (LGOIMA)
 9. Public Records Act 2005
 10. Resource Management Act 1991 (RMA)
 11. Sale and Supply of Alcohol Act 2012
 12. Secret Commissions Act 1910
 13. Securities Act 1978
-

Appendix 1: Grounds to exclude the public**Āpitianga 1: Ngā take e aukatihia ai te hunga tūmatanui**

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

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

- (j) Prevent the disclosure or use of official information for improper gain or improper advantage.

LGOIMA, s 7.

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

A3 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:

- (a) Be contrary to the provisions of a specified enactment; or
- (b) Constitute contempt of Court or of the House of Representatives.

A4 That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).

A5 That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:

- (a) Any proceedings before a Council where:
 - i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings;
 - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
 - iii. Proceedings of a local authority exist in relation to any application or objection under the Marine Farming Act 1971.

LGOIMA, s 48.

Appendix 2: Sample resolution to exclude the public

Āpitianga 2: Taurira o te tatūnga aukati i te hunga tūmatanui

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

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

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

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To prevent the disclosure of information which would— i. be contrary to the provisions of a specified enactment; or ii. constitute contempt of court or of the House of Representatives (s.48(1)(b)).
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where: i. a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or ii. the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).
		To protect information which if public would; i. disclose a trade secret; or ii. unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (s 7(2)(b)).
		To avoid serious offence to Tikanga Māori, or the disclosure of the location of waahi tapu in relation to an application under the RMA 1991 for; • a resource consent, or • a water conservation order, or • a requirement for a designation or • an heritage order, (s 7(2)(ba)).
		To protect information which is subject to an obligation of confidence where the making available of the information would be likely to: i. prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or ii. would be likely otherwise to damage the public interest (s 7(2)(c)).
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).

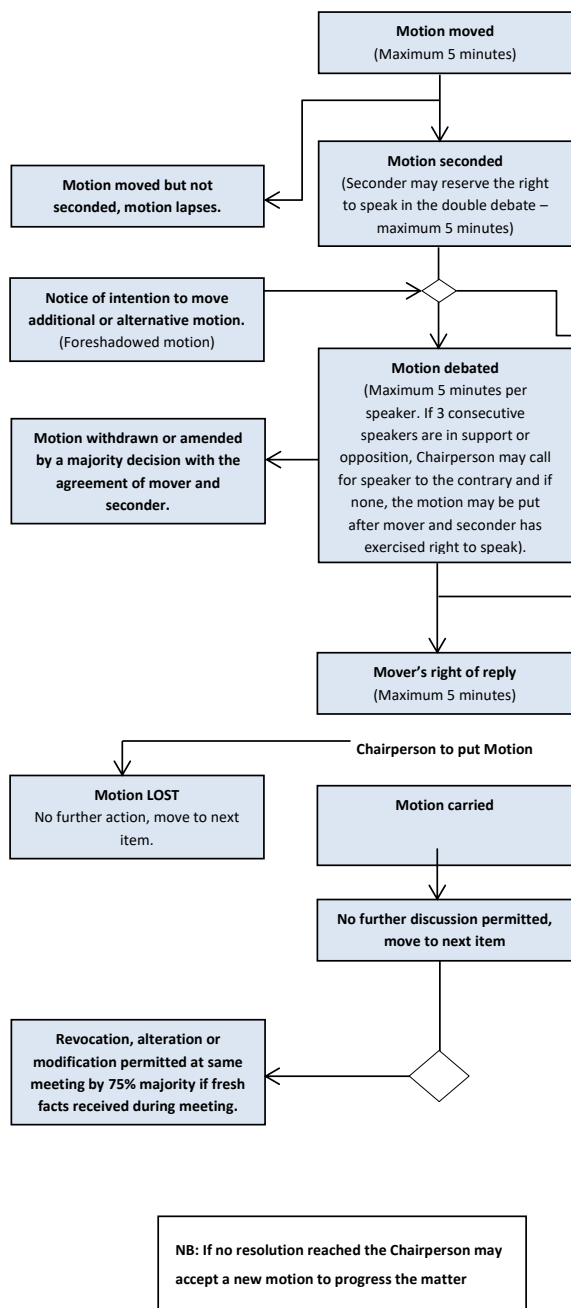
Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

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

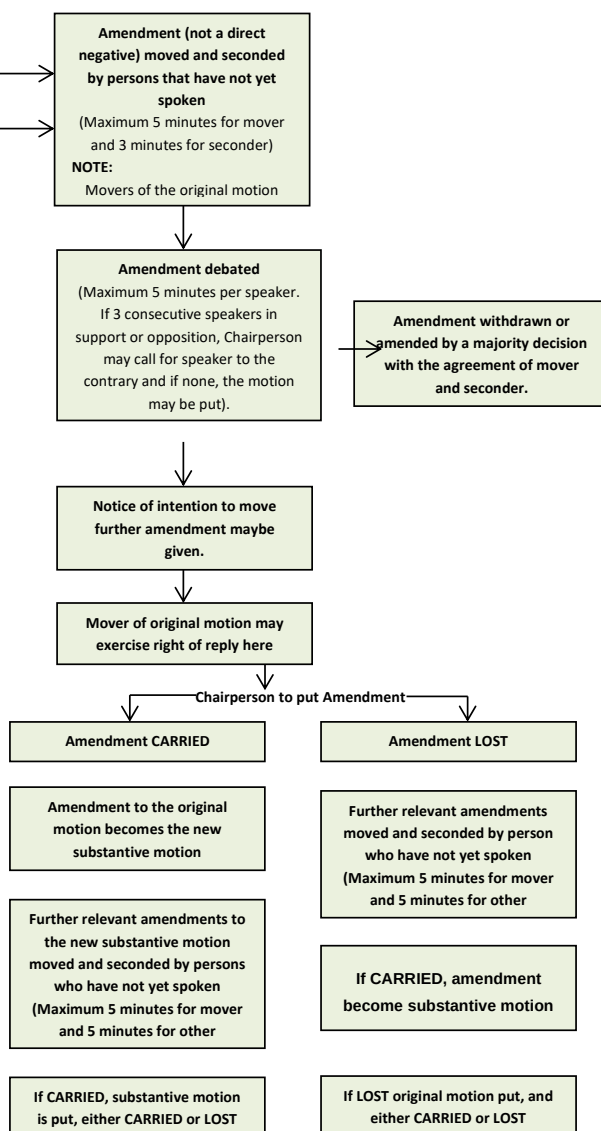
Appendix 3: Motions and amendments (Option A)

Āpitianga 3: Ngā mōtini me ngā menemana (Kōwhiringa A)

Motions without amendments



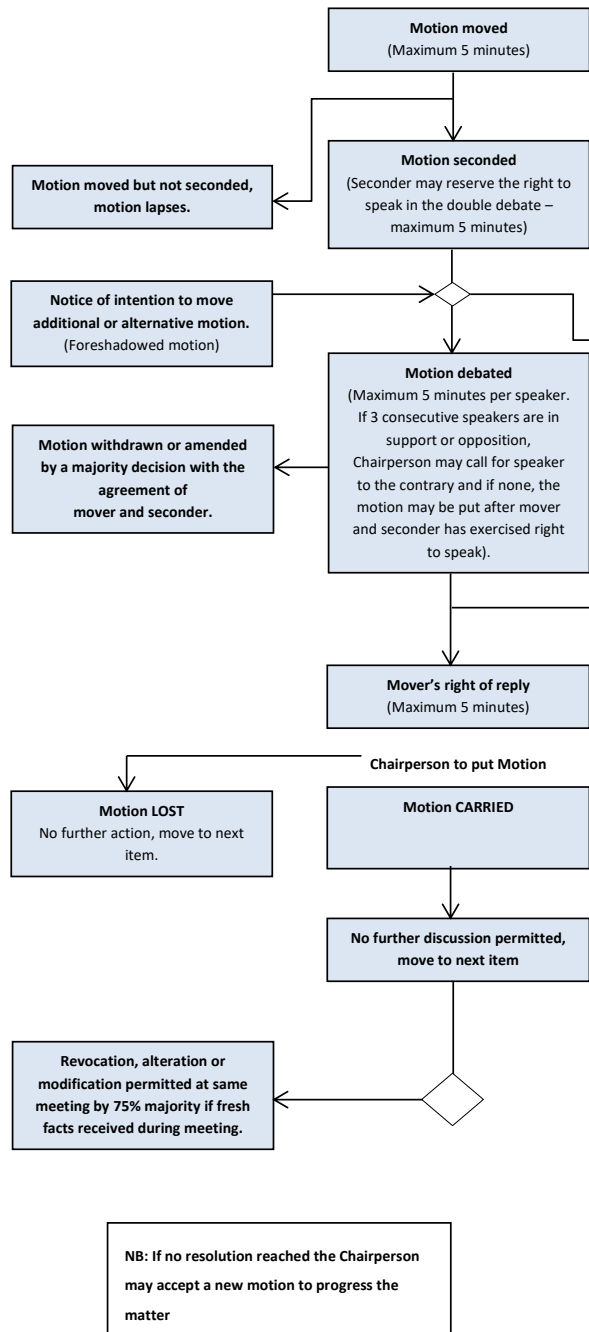
Motions with amendments



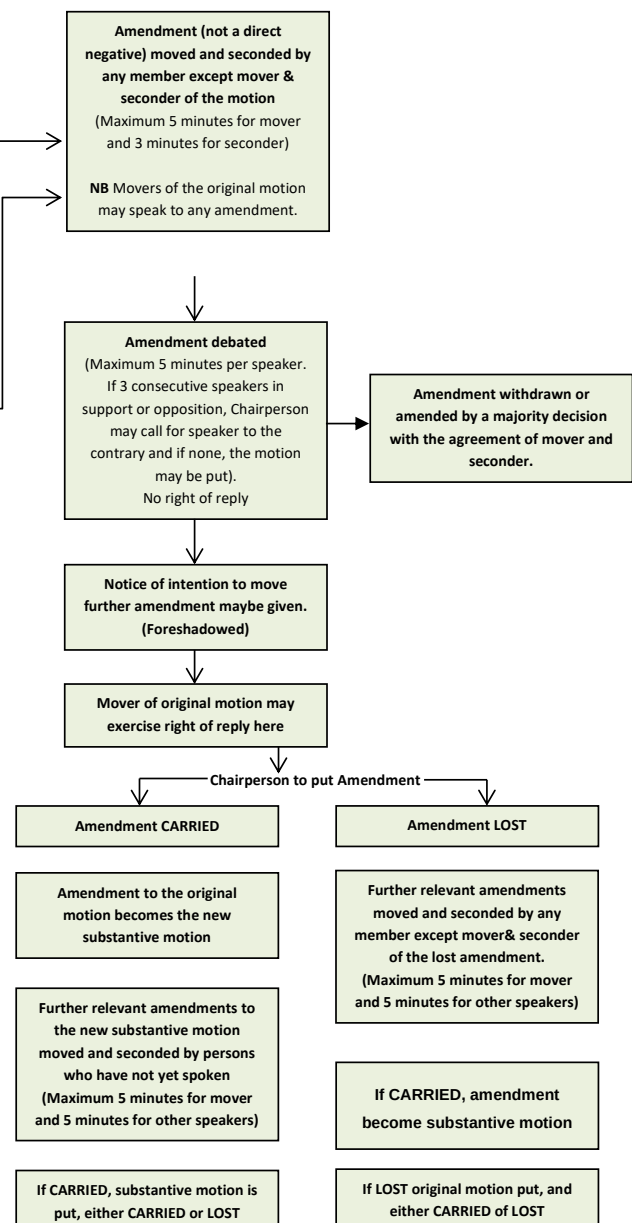
Appendix 4: Motions and amendments (Option B)

Āpitianga 4: Ngā mōtini me ngā menemana (Kōwhiringa B)

Motions without amendments



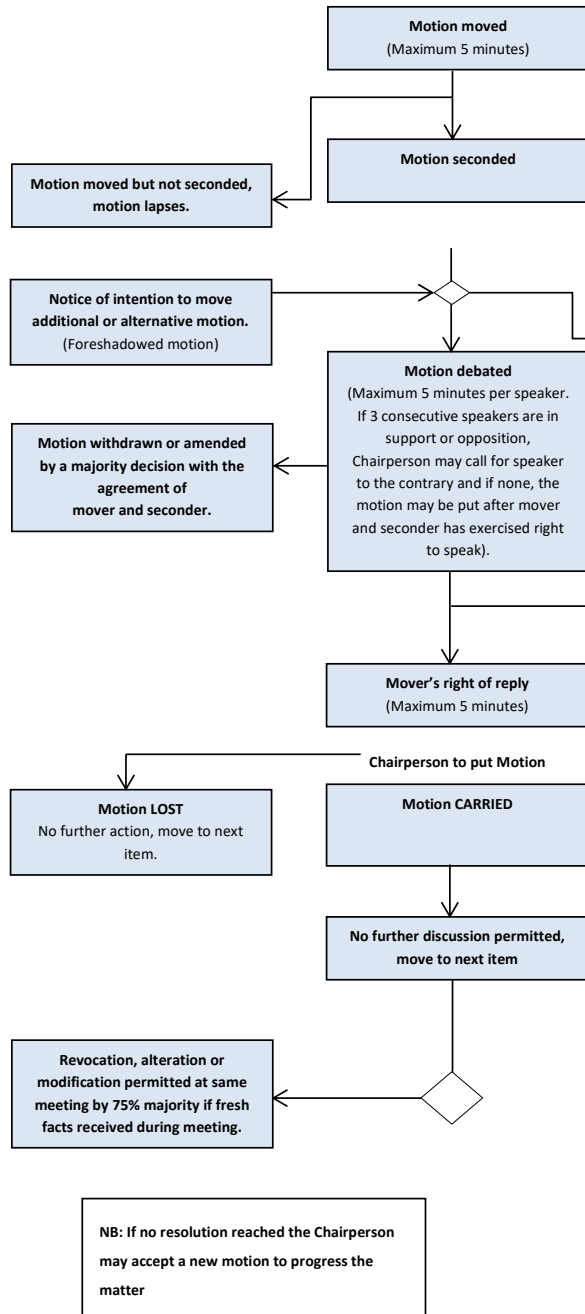
Motions with amendments



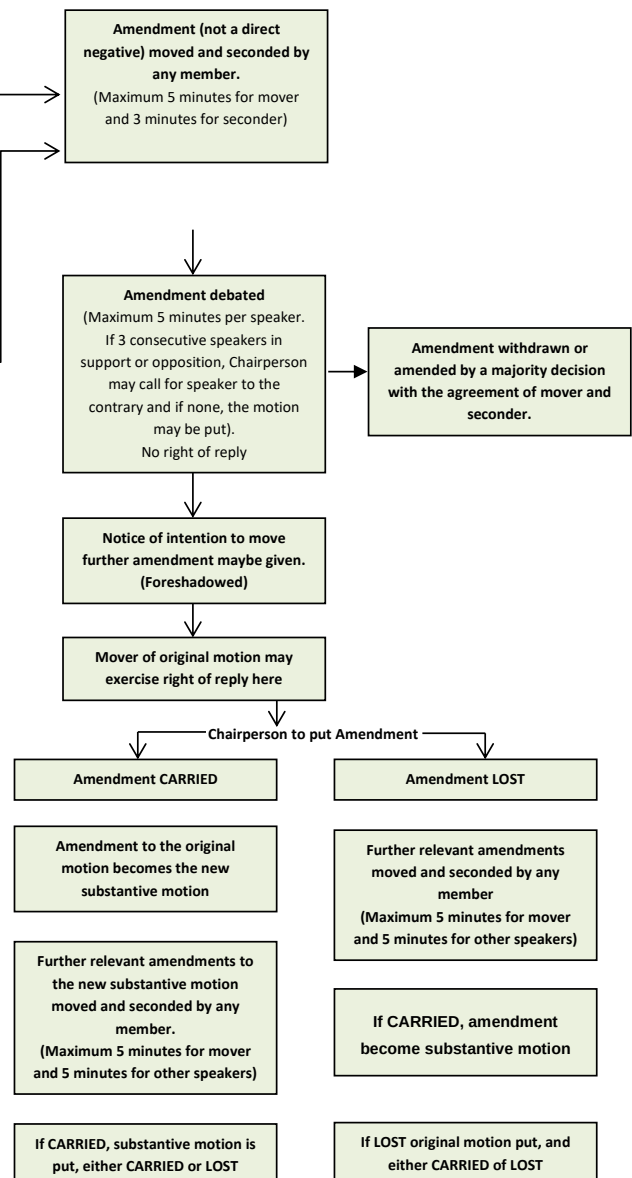
Appendix 5: Motions and amendments (Option C)

Āpitianga 5: Ngā mōtini me ngā menemana (Kōwhiringa C)

Motions without amendments



Motions with amendments



Appendix 6: Table of procedural motions**Āpitianga 6: Tūtohi o ngā mōtini ā-hātepe**

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

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

Appendix 7: Powers of a Chairperson

Āpitihanga 7: Ngā mana a te Upoko

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

Items not on the agenda (SO.9.12)

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

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

Chairperson's report (SO.9.6)

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

Chairperson's recommendation (SO.9.5)

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

Chairperson may call a meeting (SO. 11.6)

The chairperson:

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

Audio or audio visual attendance (SO.13.10)

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

- a) The technology for the link is available and of suitable quality; and
- b) Procedures for using the technology in the meeting will ensure that:

- i. Everyone participating in the meeting can hear each other;
- ii. The member's attendance by audio or audio-visual link does not reduce their accountability or accessibility in relation to the meeting;
- iii. The requirements of Part 7 of LGOIMA are met; and
- iv. The requirements in these Standing Orders are met.

Chairperson to decide all questions (SO. 14.4)

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

Chairperson's rulings (SO.14.4)

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

Chairperson rising (SO.14.5)

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

Explanations (SO. 14.6)

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

Members may leave places (SO.14.6)

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

Priority of speakers (SO.14.7)

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

Questions of speakers (SO.16.3)

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

Chairperson's voting (SO19.3)

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

Withdrawal of offensive or malicious expressions (SO.20.3)

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

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

Disorderly behaviour (SO.20.4)

The chairperson may:

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

Failure to leave meeting (SO.20.6)

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

Irrelevant matter and needless repetition (SO.21.8)

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

Taking down words (SO.21.11)

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

Motion in writing (SO.23.2)

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

Motion in parts (SO.23.3)

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

Action on previous resolutions (SO.24.4)

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

Revocation or alteration of previous resolution (SO 24.6)

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

Chairperson to decide points of order (SO. 26.5)

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

Notice of motion (SO.27.2)

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

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

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

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

Repeat notice of motion (SO.27.7)

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

Minutes (SO.28.1)

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

Appendix 8: Webcasting protocols / Āpitihanga 8: Ngā tikanga mō te pāhotanga mataora

1. Appropriate signage will be displayed outside the meeting room alerting people to the fact that the proceedings are being recorded.
2. A link for the public to attend council and committee meetings and workshops by videoconference will be made available in the meeting agenda.
3. Video recordings of council and committee meetings and workshops will be made available to the public.
4. In the event of any general disorder or disturbance from the public gallery, recording of the meeting will continue unless the majority of members in attendance agree to stop the recording.

Appendix 9: Protocols for elected members participating in meetings by audio-visual means

Ngā tikanga mō ngā mema e whai wāhi ana ki ngā hui mā te ataata-rongo

1. Members attending a meeting by audiovisual link must have their camera turned on unless having the camera off has been approved by the chair prior to the meeting.
2. Before the meeting members should make sure they have the right equipment, including a reliable internet connection, a microphone, speaker, and camera. Members should test equipment and troubleshoot any issues.
3. Microphones must be muted when members are not speaking.
4. Cell phones must be on silent and with no vibration during council, committee and advisory group meetings and workshops.
5. Members should focus on the meeting, not on other matters.
6. Members wishing to contribute to the debate should speak in a normal tone.
7. When asking questions, allow time for delayed responses.
8. Direct questions to the chairperson.
9. Avoid interrupting others while they are speaking.
10. Participants raise their actual or virtual hands to signal they want to speak.
11. Participants can post questions via chat.
12. Call out participants who are not following meeting etiquette.
13. Wear appropriate clothing.
14. Members should position the camera so that it shows their full face.
15. Ensure that the lighting in the room is optimal. If possible, adjust your primary lighting source to be in front of you, and consider a ring light to improve lighting even more.

Also refer to:

- Clause 13.7 – Right to attend by audio or audiovisual link / Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei
- Clause 13.8 - Member's status: quorum / Te tūnga a te mema: kōrama
- Clause 13.11 - Conditions for attending by audio or audiovisual link / Ngā here o te tae atu mā te hononga oro, ataata-rongo rānei
- Clause 13.12 – Request to attend by audio or audiovisual link / Te tono kia tae atu mā te hononga oro, ataata-rongo rānei.
- Clause 13.16 – Confidentiality / Te matatapu

Appendix 10: Process for removing a chairperson or deputy Mayor from office

Te tukanga mō te whakakore i te tūranga o te upoko, te kahika tuarua rānei

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

Appendix 11: Sample order of business/Āpitihanga 10: He tauira mō te whakaraupapatanga o ngā take

Open section

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

Public excluded section

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

Appendix 12: Process for raising matters for a decision/Āpitianga

11: Te pūnaha mō te whakatakoto take hei whakatau

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

- Report of the chief executive;
- Report of the chairperson;
- Report of a committee;
- Report of a community or local board; or
- Notice of motion from a member.

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

- Report of the chief executive; or
- Report of the chairperson.

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



Carterton District Council Te Kaunihera-ā-rohe o Taratahi

Code of Conduct Anga Tikanga Whanonga

Adopted 26 October 2022

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Part One: Code of Conduct Wāhanga Tuatahi: Anga Tikanga Whanonga

The Carterton District Council Code of Conduct has been adopted in accordance with the requirements of the Clause 15, Schedule 7 of the LGA 2002, which requires every local authority to adopt a code of conduct for members of the local authority.

Members' commitment Ngā herenga a ngā mema

These commitments apply when conducting the business of the local authority as its representative or the representative of an electorate, and communicating with other members, the media, the public, or staff. By adopting the Code of Conduct members agree that they will:

1. treat all people fairly,
2. treat all other members, staff, and members of the public, with respect,
3. share with the local authority any information received that is pertinent to the ability of the local authority to properly perform its statutory duties,
4. operate in a manner that recognises and respects the significance of the principles of Te Tiriti o Waitangi,
5. make it clear, when speaking publicly, that statements reflect their personal view, unless otherwise authorised to speak on behalf of the local authority,
6. take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of a member,
7. not bully, harass, or discriminate unlawfully against any person,
8. not bring the local authority into disrepute,
9. not use their position to improperly advantage themselves or anyone else or disadvantage another person,
10. not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority,
11. not disclose information acquired, or given, in confidence, which they believe is of a confidential nature.

Please note: a failure to act in accordance with these commitments may result in a complaint being taken against you.

The Code of Conduct sets standards for the behaviour of members towards other members, staff, the public, and the media. It is also concerned with the disclosure of information that members receive in their capacity as members. Members of a local authority must comply with the Code of Conduct of that local authority. More detail explaining the Code of Conduct is set out in Appendix 1.

A copy of clause 15 of Schedule 7 of the LGA, which sets out the requirements for a code of conduct, is contained in Appendix 2.

Appendix 1: The Code of Conduct explained He whakamārama mō te Tikanga Whanonga

1. Definitions

For the purposes of this Code “member” means an elected or appointed member of:

- the governing body of the local authority,
- any committee or sub-committee of the local authority,
- any local board of the local authority, or
- any community board of the local authority.

Local authority means the kaunihera, local board or community board which has adopted this Code.

2. Te Tiriti o Waitangi

The kaunihera commits to operating in a manner that recognises and respects the significance of the principles of Te Tiriti o Waitangi and acknowledges the following principles:

1. Tino Rangatiratanga: The principle of self-determination provides for Māori self-determination and mana motuhake. This requires local authorities to be open to working with mana whenua partners in the design and delivery of their work programmes,
2. Partnership: The principle of partnership implies that local authorities will seek to establish a strong and enduring relationship with iwi and Māori, within the context of iwi and Māori expectations. Kaunihera should identify opportunities, and develop and maintain ways, for Māori to contribute to kaunihera decisions, and consider ways kaunihera can help build Māori capacity to contribute to council decision-making,
3. Equity: The principle of equity requires local authorities to commit to achieving the equitable delivery of local public services,
4. Active protection: The principle of active protection requires local authorities to be well informed on the wellbeing of iwi, hapū and whanau within their respective rohe,
5. Options: The principle of options requires local authorities to ensure that its services are provided in a culturally appropriate way that recognises and supports the expression of te ao Māori.

3. Principles of good governance

Members recognise the importance of the following principles of good governance.

- **Public interest:** members should act solely in the public interest.
- **Integrity:** members should not act or take decisions to gain financial or other benefits for themselves, their family, or their friends, or place themselves under any obligation to people or organisations that might inappropriately influence them in their work.
- **Tāria te wā and kaitiakitanga/stewardship:** members should use long-term perspective when making decisions. Decisions, which impact on past, current and future generations, also affect collective well-being.

- **Objectivity:** members should act and take decisions impartially, fairly, and on merit, using the best evidence and without discrimination or bias.
- **Accountability:** members will be accountable to the public for their decisions and actions and will submit themselves to the scrutiny necessary to ensure this.
- **Openness:** members should act and take decisions in an open and transparent manner and not withhold information from the public unless there are clear and lawful reasons for so doing.
- **Honesty:** members should be truthful and not misleading.
- **Leadership:** members should not only exhibit these principles in their own behaviour but also be willing to challenge poor behaviour in others, wherever it occurs.

4. Behaviours

To promote good governance and build trust between the local authority, its members, and citizens, members **agree** to the following standards of conduct when they are:

- conducting the business of the local authority,
- acting as a representative of the local authority,
- acting as a representative of their electorate,
- communicating with other members, the media, the public and staff, and
- using social media and other communication channels.¹

Where a member's conduct falls short of these standards, members accept that they may be subject to a complaint made under the council's "Policy for alleged breaches of the Code of Conduct".

Respect

Members will treat all other members, staff, and members of the public, with respect.

Respect means politeness and courtesy in behaviour, speech, and writing. Debate and differences are all part of a healthy democracy. As a member of a local authority you can challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You must not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Offensive behaviour lowers the public's expectations of, and confidence in, your local authority. In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening, you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police.

¹ Please refer to the Guidelines for the responsible use of social media in the LGNZ Good Governance Guide

Bullying, harassment, and discrimination

Members will treat all people fairly and will not:

- bully any person,
- harass any person, or
- discriminate unlawfully against any person.

For the purpose of the Code of Conduct, bullying is offensive, intimidating, malicious, or insulting behaviour. It represents an abuse of power through means that undermine, humiliate, denigrate, or injure another person. It may be:

- a regular pattern of behaviour, or a one-off incident,
- occur face-to-face, on social media, in emails or phone calls, happen in the workplace, or at work social events, and
- may not always be obvious or noticed by others.

Harassment means conduct that causes alarm or distress, or puts people in fear of violence, and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination occurs when a person is treated unfairly, or less favourably, than another person because of any of the following²:

age	skin, hair, or eye colour	race
disability	employment status	ethical belief
ethnic or national origin	family status	marital status
political opinion	religious belief	gender identity
sex	sexual orientation.	

² See Human Rights Commission <https://www.govt.nz/browse/law-crime-and-justice/human-rights-in-nz/human-rights-and-freedoms/>

Sharing information

Members will share with the local authority any information received that is pertinent to the ability of the local authority to properly perform its statutory duties.

Occasionally members will receive information in their capacity as members of the governing body, which is pertinent to the ability of their kaunihera to properly perform its statutory duties. Where this occurs members will disclose any such information to other members and, where appropriate, the chief executive. Members who are offered information on the condition that it remains confidential will inform the person making the offer that they are under a duty to disclose such information, for example, to a governing body meeting in public exclusion.

Expressing personal views publicly

Members, except when authorised to speak on behalf of the local authority, will make it clear, when speaking to the media, on social media, or in hui and presentations, that statements reflect their personal view.

The media play an important role in the operation and efficacy of our local democracy and need accurate and timely information about the affairs of the local authority to fulfil that role. Members are free to express a personal view to the media and in other public channels at any time, provided the following rules are observed:

- they do not purport to talk on behalf of the local authority, if permission to speak on behalf of the authority has not been given to them
- their comments must not be inconsistent with the Code, for example, they should not disclose confidential information or criticise individual members of staff, and
- their comments must not purposefully misrepresent the views of the local authority or other members.

Members will abide by the social media protocols described in Attachment A, LGNZ's Good Governance Guide, available at <https://www.lgnz.co.nz/assets/Induction/The-Good-Governance-Guide.pdf>.

Provide equitable contribution

Members will take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of them.

Being a member is a position of considerable trust, given to you by your community to act on their behalf. To fulfil the expectations of your constituents and contribute to the good governance of your area it is important that you make all reasonable efforts to attend meetings and workshops, prepare for meetings, attend civic events, and participate in relevant training seminars.

The local government workload can be substantial, and it is important that every member contributes appropriately. This requires members to often work as a team and avoid situations where the majority of the work falls on the shoulders of a small number of members.

Disrepute

Members will not bring the local authority into disrepute.

Members are trusted to make decisions on behalf of their communities and as such their actions and behaviours are subject to greater scrutiny than other citizens. Members' actions also reflect on the local authority as well as themselves and can serve to either boost or erode public confidence in both.

Behaviours that might bring a local authority into disrepute, and diminish its ability to fulfil its statutory role, include behaviours that are dishonest and/or deceitful. Adhering to this Code does not in any way limit a member's ability to hold the local authority and fellow members to account or constructively challenge and express concerns about decisions and processes undertaken by their local authority.

Use of position for personal advantage

Members will not use, or attempt to use, their position to improperly advantage themselves or anyone else, or disadvantage another person.

Being a member of a local authority comes with certain opportunities and privileges, including the power to make choices that can impact on others. Members must not take advantage of such opportunities to further their own or others' private interests or to disadvantage anyone unfairly. A member found to have personally benefited by information gained as an elected member may be subject to the provisions of the Secret Commissions Act 2010.

Impartiality

Members will not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They must not be coerced or persuaded to act in a way that would undermine their neutrality. Members can question officers to gain understanding of their thinking and decision-making, however, they must not seek to influence officials to change their advice or alter the content of a report, other than in a meeting or workshop, if doing so would prejudice their professional integrity. Members should:

- make themselves aware of the obligations that the local authority and chief executive have as employers and always observe these requirements, such as the obligation to be a good employer, and
- observe any protocols put in place by the chief executive concerning contact between members and employees, and not publicly criticise individual staff.

If you have concerns about the behaviour of an official, whether permanent or contracted, you should raise your concerns with the local authority's chief executive, or, if the concerns are to do with the chief executive, raise them with the mayor, the council chairperson, or chief executive performance committee.

Maintaining confidentiality

Members will not disclose information acquired, or given, in confidence, which they believe is of a confidential nature, unless.

1. they have the consent of a person authorised to give it,
2. they are required by law to do so,
3. the disclosure is to a third party to obtain professional legal advice, and that the third party agrees not to disclose the information to any other person, or
4. the disclosure is reasonable and in the public interest, is made in good faith, and in compliance with the reasonable requirements of the local authority.

Appendix 2: Requirement for a code of conduct Te herenga kia whai tikanga whanonga

Clause 15, Schedule 7 of the Local Government Act 2002 requires every local authority to adopt a code of conduct for members of the local authority. It states:

15 Code of conduct

A local authority must adopt a code of conduct for members of the local authority as soon as practicable after the commencement of this Act.

The code of conduct must set out –

1. understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members, including:
 - a. behaviour towards one another, staff, and the public; and
 - b. disclosure of information, including (but not limited to) the provision of any document, to elected members that –
 - i. is received by, or is in possession of, an elected member in his or her capacity as an elected member; and
 - ii. relates to the ability of the local authority to give effect to any provision of this Act; and
 - c. a general explanation of –
 - i. the Local Government Official Information and Meetings Act 1987; and
 - ii. any other enactment or rule of law applicable to members.
2. A local authority may amend or replace its code of conduct but may not revoke it without replacement.
3. A member of a local authority must comply with the code of conduct of that local authority.
4. A local authority must, when adopting a code of conduct, consider whether it must require a member or newly elected member to declare whether or not the member or newly elected member is an undischarged bankrupt.
5. After the adoption of the first code of conduct, an amendment of the code of conduct or the adoption of a new code of conduct requires, in every case, a vote in support of the amendment of not less than 75% of the members present.
6. To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act.

Part 2: Legislation which sets standards for ethical behaviour

Ngā ture e whakatakoto ana i ngā paerewa mō ngā whanonga matatika

Clause 15 of Schedule 7 of the Local Government Act (the Act) 2002, requires that the Code of Conduct provides members with a general explanation of the Local Government Official Information and Meetings Act 1987, and any other enactment or rule of law that affects members.

The key statutes that promote ethical behaviour are the Local Government Act 2002 (LGA), Local Government Official Information Act 1987 (LGOIMA), the Local Authorities (Members' Interests) Act 1968 (LAMIA), the Protected Disclosures (Protection of Whistleblowers) Act 2022, the Serious Fraud Office Act 1990, the Local Government (Pecuniary Interests Register) Act 2022, the Health and Safety at Work Act 2015, and the Harmful Digital Communications Act 2015.

The Local Government Act 2002

The LGA 2002 is local government's empowering statute. It establishes our system of local government and sets out the rules by which it operates. Those rules include the principles underpinning kaunihera decision-making, governance principles, Te Tiriti obligations as set by the Crown, and the role of the chief executive which is:

1. implementing the decisions of the local authority,
2. providing advice to members of the local authority and to its community boards, if any and
3. ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed, or exercised,
4. ensuring the effective and efficient management of the activities of the local authority,
5. facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001,
6. maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority,
7. providing leadership for the staff of the local authority,
8. employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy), and
9. negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).

The Local Government Official Information and Meetings act 1987

The LGOIMA sets rules for ensuring the public are able to access official information unless there is a valid reason for withholding it. All information should be considered public and released accordingly unless there is a compelling case for confidentiality. Even where information has been classified as confidential, best practice is for it to be proactively released as soon as the grounds for confidentiality have passed.

There are both conclusive and other reasons for withholding information set out in sections 6 and 7 of LGOIMA, which include:

Conclusive reasons for withholding – if making the information available would likely:

- prejudice the maintenance of the law, including the prevention, investigation and detection of offences, and the right to a fair trial; or
- endanger the safety of any person.

Other reasons for withholding – withholding the information is necessary to:

- protect the privacy of natural persons, including that of deceased natural persons;
- protect information where it would disclose a trade secret or would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- in the case of an application for resource consents or certain orders under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu;
- protect information the subject of an obligation of confidence, where making that information available would prejudice the supply of similar information (and it is in the public interest for this to continue), or would be likely otherwise to damage the public interest;
- avoid prejudice to measures protecting the health or safety of members of the public;
- avoid prejudice to measures that prevent or mitigate material loss to members of the public;
- maintain the effective conduct of public affairs through free and frank expression of opinions between or to members and local authority employees in the course of their duty or the protection of such people from improper pressure or harassment;
- maintain legal professional privilege;
- enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- prevent the disclosure or use of official information for improper gain or improper advantage.

Regarding these 'other' reasons, a public interest balancing test applies. In these cases the kaunihera must consider whether the withholding of that information is outweighed by other considerations that render it desirable, in the public interest, to make that information available. Decisions about the release of information under LGOIMA need to be made by the appropriately authorised people within each kaunihera, and elected members must work within the rules adopted by each kaunihera.

The LGOIMA also sets the rules that govern public access to meetings and the grounds on which that access can be restricted, which occurs when meetings consider matters that are confidential.

The role of the Ombudsman

An Ombudsman is an Officer of Parliament appointed by the Governor-General on the recommendation of Parliament. An Ombudsman's primary role under the Ombudsmen Act 1975 is to independently investigate administrative acts and decisions of central and local government departments and organisations that affect someone in a personal capacity. Ombudsmen investigate complaints made under LGOIMA.

Anyone who has a complaint of that nature about a local authority may ask an Ombudsman to investigate that complaint. Investigations are conducted in private. The Ombudsman may obtain whatever information is considered necessary, whether from the complainant, the chief executive of the local body involved, or any other party. The Ombudsman's decision is provided in writing to both parties.

If a complaint is sustained, the Ombudsman may recommend the local authority takes whatever action the Ombudsman considers would be an appropriate remedy. Any such recommendation is, however, not binding. Recommendations made to the local authority under this Act will, in general, become binding unless the local authority resolves otherwise. However, any such resolution must be recorded in writing and be made within 20 working days of the date of the recommendation.

The Local Authorities (Members' Interests) Act 1968

Pecuniary interests

The LAMIA provides rules about members discussing or voting on matters in which they have a pecuniary interest and about contracts between members and the council. LAMIA has two main rules, referred to here as the contracting rule (in section 3 of the LAIMA) and the participation rule (in section 6 of the LAIMA).

- The **contracting rule** prevents a member from having interests in contracts with the local authority that are worth more than \$25,000 in any financial year, unless the Auditor-General approves the contracts. Breach of the rule results in automatic disqualification from office.
- The **participation rule** prevents a member from voting or taking part in the discussion of any matter in which they have a financial interest, other than an interest in common with the public. The Auditor-General can approve participation in limited circumstances. Breach of the rule is a criminal offence, and conviction results in automatic disqualification from office.

Both rules have a complex series of subsidiary rules about their scope and exceptions.

The LAMIA does not define when a person is "concerned or interested" in a contract (for the purposes of section 3) or when they are interested "directly or indirectly" in a decision (for the purposes of section 6). However, it does set out two situations where this occurs. These are broadly where:

- a person's spouse or partner is "concerned or interested" in the contract or where they have a pecuniary interest in the decision; or
- a person or their spouse or partner is involved in a company that is "concerned or interested" in the contract or where the company has a pecuniary interest in the decision.

However, in some situations outside the two listed in the Act a person can be "concerned or interested" in a contract or have a pecuniary interest in a decision, for example, where a contract is between the members family trust and the kaunihera.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, which are addressed through the LAMIA, there are also legal rules about conflicts of interest more generally. These are rules that apply to non-pecuniary conflicts of interest and include the common law rule about bias. To determine if bias exists, consider this question: Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?

The question is not limited to actual bias but relates to the appearance or possibility of bias. This is in line with the principle that justice should not only be done but should be seen to be done. Whether or not you believe that you are not biased is irrelevant. The focus should be on the nature of any conflicting interest or relationship, and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- statements or conduct indicate that a member has predetermined the decision before hearing all relevant information (that is, they have a "closed mind"), or
- a member has close relationship or involvement with an individual or organisation affected by the decision.

Seeking exemption from the Auditor-General

Members who have a financial conflict of interest that is covered by section 6 of the LAMIA, may apply to the Auditor-General for approval to participate. The Auditor-General can approve participation in two ways.

1. Section 6(3)(f) allows the Auditor-General to grant an exemption if, in their opinion, a member's interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the councillor when voting or taking part in the discussion.
2. Section 6(4) allows the Auditor-General to grant a declaration enabling a member to participate if they are satisfied that:
 - a. the application of the rule would impede the transaction of business by the council; or
 - b. it would be in the interests of the electors or residents of the district/region that the rule should not apply.

More information on non-pecuniary conflicts of interest and how to manage them can be found in the Auditor-General's Guidance for members of local authorities about the law on conflicts of interest.

Protected Disclosures (Protection of Whistleblowers) Act 2022

The Protected Disclosures (Protection of Whistleblowers) Act 2022 is designed to facilitate the disclosure and investigation of serious wrongdoing in the workplace, and to provide protection for employees and other workers who report concerns. A protected disclosure occurs when the discloser believes, on reasonable grounds, that there is, or has been, **serious wrongdoing** in or by their organisation, they disclose in accordance with the Act, and they do not disclose in bad faith.

A discloser is a person who has an employment type relationship with the organisation they are disclosing about and includes current and former employees, homeworkers, secondees, contractors, volunteers, and board members. Serious wrongdoing includes:

- an offence
- a serious risk to public health, or public safety, or the health or safety of any individual, or to the environment
- a serious risk to the maintenance of the law including the prevention, investigation and detection of offences or the right to a fair trial
- an unlawful, corrupt, or irregular use of public funds or public resources
- oppressive, unlawfully discriminatory, or grossly negligent or that is gross mismanagement by a public sector employee or a person performing a function or duty or exercising a power on behalf of a public sector organisation or the Government

Kaunihera need to have appropriate internal procedures that identify who in the organisation a protected disclosure may be made to, describe the protections available under the Act, and explain how the organisation will provide practical assistance and advice to disclosers. A discloser does not have to go through their organisation first. An appropriate authority can include the head of any public sector organisation and any officer of Parliament, such as the Ombudsman and Controller and Auditor-General. Ombudsmen are also an “appropriate authority” under the Protected Disclosures (Protection of Whistleblowers) Act 2022.

The Serious Fraud Office Act 1990

The Serious Fraud Office (SFO) is the lead law enforcement agency for investigating and prosecuting serious financial crime, including bribery and corruption. The SFO has an increasing focus on prevention by building awareness and understanding of the risks of corruption – noting that the extent of corruption is influenced by organisational frameworks and support given to staff. The SFO encourages organisations to adopt appropriate checks and balances and build a culture based on ethics and integrity.

The four basic elements of best practice organisational control promoted by the SFO involve:

- Operations people with the right skills and experience in the relevant areas, with clear accountability lines.
- Risk mitigation to manage risks that can't be eliminated through segregation, discretion reduction, delegations, management oversight, and audit.

- Basic standards of behaviour moderated by a Code of Conduct, ongoing interests and gift processes (not simply annual declaration), plenty of opportunities and ways to speak up, disciplinary options, training and support.
- Design and oversight based on a clear understanding of operational realities (design, governance, management, audit, investigation, business improvement, and legal).

The Local Government (Pecuniary Interests Register) Act 2022

Following passage of the Local Government (Pecuniary Interests Register) Amendment Bill in 2022, a local authority must now keep a register of the pecuniary interests of their members, including community and local board members. The purpose of the register is to record members' interests to ensure transparency and strengthen public trust and confidence in local government processes and decision-making. Registers must comprise the following:

- the name of each company of which the member is a director or holds or controls more than 10% of the voting rights and a description of the 30 main business activities of each of those companies,
- the name of every other company or business entity in which the member has a pecuniary interest, other than as an investor in a managed investment scheme, and a description of the main business activities of each of those companies or business entities,
- if the member is employed, the name of each employer of their employer and a description of the main business activities of those employers,
- the name of each trust in which the member has a beneficial interest,
- the name of any organisation or trust and a description of the main activities of that organisation or trust if the member is a member of the organisation, a member of the governing body of the organisation, or a trustee of the trust, and the organisation or trust receives funding from the local authority, local board, or community board to which the member has been elected,
- the title and description of any organisation in which the member holds an appointment by virtue of being an elected member,
- the location of real property in which the member has a legal interest, other than an interest as a trustee, and a description of the nature of the real property,
- the location of real property, and a description of the nature of the real property, held by a trust if the member is a beneficiary of the trust and it is not a unit trust (disclosed under subclause 20) or a retirement scheme whose membership is open to the public.

Each council must make a summary of the information contained in the register publicly available; and ensure that information contained in the register is only used or disclosed in accordance with the purpose of the register; and is retained for seven years.

The Health and Safety Act at Work Act 2015

The Health and Safety at Work Act 2015 aims to create a new culture towards health and safety in workplaces. A council is termed a Person Conducting a Business or Undertaking (PCBU) - all involved in work, including elected members, are required to have a duty of care. Elected members are "officers" under the Act and officers are required to exercise due diligence to ensure that the PCBU

complies with its duties. However, certain officers, such as elected members, cannot be prosecuted if they fail in their due diligence duty. Despite this, as officers, the key matters to be mindful of are:

- stepping up and being accountable,
- identifying and managing your risks,
- making health and safety part of your organisation's culture, and
- getting your workers involved.

Councils have wide discretion about how these matters might be applied, for example:

- adopting a charter setting out the elected members' role in leading health and safety – with your chief executive,
- publishing a safety vision and beliefs statement,
- establishing health and safety targets for the organisation with your chief executive,
- ensuring there is an effective linkage between health and safety goals and the actions and priorities of your chief executive and their senior management, or
- having effective implementation of a fit-for-purpose health and safety management system.

Elected members, through their chief executive need to ensure their organisations have sufficient personnel with the right skill mix and support, to meet the health and safety requirements. This includes making sure that funding is sufficient to effectively implement and maintain the system and its improvement programmes.

The Harmful Digital Communications Act 2015

The Harmful Digital Communications Act (HDCA) was passed to help people dealing with serious or repeated harmful digital communications. The Act covers any harmful digital communications (like text, emails, or social media content) which can include racist, sexist and religiously intolerant comments – plus those about disabilities or sexual orientation and sets out 10 communication principles for guiding communication online.

Under the Act a digital communication should not:

- disclose sensitive personal facts about an individual
- be threatening, intimidating, or menacing
- be grossly offensive to a reasonable person in the position of the affected individual
- be indecent or obscene
- be used to harass an individual
- make a false allegation
- contain a matter that is published in breach of confidence
- incite or encourage anyone to send a message to an individual for the purpose of causing harm to the individual
- incite or encourage an individual to commit suicide
- denigrate an individual by reason of colour, race, ethnic or national origins, religion, gender, sexual orientation or disability

More information about the Act can be found at [Netsafe](#).



7.10 LOCAL AUTHORITY TRIENNIAL ELECTIONS 2025

1. PURPOSE

For Council to receive a report on the conduct of the 2025 Local Authority Elections.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

This report details the processes and statistical information in relation to the 2025 Local Authority Elections.

The Carterton District Council (CDC) 2025 elections saw contested seats for the Mayorality and Council at Large.

The Council appointed Warwick Lampp of Electionz.com as the Electoral Officer and Robyn Blue was appointed as the Deputy Electoral Officer.

Voting papers also included candidates for the Masterton Community Trust (for those electors residing within the Trust area) and Greater Wellington Regional Council (GWRC).

CDC used a First Past the Post voting system (FPP). All candidate names were listed in random order.

4. SUMMARY OF LOCAL BODY ELECTIONS COMMUNICATIONS CAMPAIGN

Across New Zealand councils in 2025, the average voter turnout was 39.04 %, with a median of 47.20 % (based on 66 councils). Carterton District's final turnout of 53.36 % was 5.33 percentage points above the national average, placing the district 15th highest nationally and within the top quartile for voter participation.

This continues Carterton's pattern of high turnout relative to national trends and reflects the effectiveness of the Council's Vote 2025 communications campaign in supporting informed and accessible participation.

(Source: Stats NZ, aggregated dataset n = 66 councils)

The Vote 2025 Communications and Engagement Plan guided all activities undertaken by the Council to support voter participation during the 2025 Local Authority Elections.

The campaign gave practical effect to the Council's Significance and Engagement Policy and the Chief Executive's statutory duty under section 42(da) of the Local Government Act 2002 to "facilitate and foster representative and substantial elector participation in elections and polls."

The overall aim was to encourage voter awareness and turnout, provide accurate and accessible information, and ensure that all eligible residents had a clear understanding of how, when, and where to vote.

Objectives

The objectives of the Vote 2025 campaign were to:

- Achieve or exceed the Long-Term Plan (2024 – 2034) performance measure of at least 50 percent voter turnout.
- Provide clear, accurate, and timely information about the voting process and key election milestones.
- Promote accessibility, including bilingual messaging and Easy-Read material, to ensure equitable access to electoral information.
- Strengthen engagement with youth, Māori, and under-represented communities through targeted channels and partnerships.
- Maintain a neutral, factual, and inclusive tone consistent with the Local Electoral Act 2001 requirements for local authority communications during elections.

Campaign Delivery

The campaign ran from July to October 2025, following the statutory nomination and voting periods. Communications were delivered across multiple platforms to reach a wide audience:

Channel	Purpose	Key Outputs
Website – cdc.govt.nz/elections	Central hub for information and forms.	Updated nomination details, FAQs, candidate profiles, and official results.
Social Media (Facebook, Instagram, LinkedIn, TikTok, YouTube)	Real-time updates and community engagement.	Over 60 posts and reels across all platforms.
Print Media & Advertising	Local visibility and credibility.	Public notices in <i>Wairarapa Times-Age</i> , <i>Midweek</i> , and <i>Carterton Crier</i> .
Radio	Reinforcement and accessibility for non-digital audiences.	Four weeks of short radio spots and interviews.
Community Events	In-person engagement and awareness.	Council attendance at Daffodil Festival 2025 and youth outreach sessions.

All messaging was coordinated to ensure a consistent visual identity under the Vote 2025 banner, in line with Carterton’s brand and accessibility guidelines.

Visual material incorporated bilingual headings, readable colour contrast, and clear calls to action (“Vote Now”, “Be a Voter”, “Find Out How to Vote”).

Performance against Objectives

- **Voter Turnout:** 53.36 %, exceeding the LTP target of ≥ 50 %.
- **Information Accessibility:** Plain-language content and bilingual phrasing used consistently.
- **Engagement:** Notable increase in reach through social media and community channels.
- **Compliance:** All communications were non-partisan and consistent with LEA 2001 requirements.

The campaign contributed directly to maintaining Carterton’s position in the top quartile of councils for voter participation nationwide.

Campaign Performance

To evaluate the reach and effectiveness of the Vote 2025 communications campaign, the Council’s digital channels were monitored using Metricool analytics between 1 July and 11 October 2025.

The purpose of this analysis is to measure the campaign’s overall digital performance and its contribution to the Long-Term Plan (2024 – 2034) Key Performance Indicator for democratic participation.

Scope of Measurement

The Metricool data covers Carterton District Council’s official Facebook, Instagram, LinkedIn, TikTok, and YouTube accounts, including all election-related posts, stories, reels, and video content published during the election period.

The analytics assessed:

- Total Reach (all channels combined) – total unique accounts reached.
- Engagement Rate – total reactions, comments, shares, clicks, and saves divided by impressions.
- Click-throughs to Elections and Vote.nz pages.
- Top-performing content based on engagement and reach.
- Audience demographics (where available).

Key Results

Metric	Result	Interpretation
Total Reach (all channels)	$\approx 40\,300$ unique accounts	Represents broad audience exposure across digital platforms.
Average Engagement Rate (cross-platform)	≈ 6.0 %	Substantially higher than international local-government benchmarks (typically 1 – 3 %).
Click-throughs to Elections / Vote.nz	$\approx 1\,800$	Strong conversion rate from social posts to trusted information sources.
Top Posts	Facebook: Youth Council video; Orange reel; Final reminder graphics	Highest performing assets for reach and engagement.

Overall, Carterton’s online audience interacted strongly with concise, visual, and community-centred content—particularly short reels and call-to-action graphics in plain English and Te Reo Māori.

Comparative Performance

The Council’s average engagement rate (6 %) was significantly above sector benchmarks:

- Government-sector averages for Q1 2025 are ~ 2.5 % on Facebook and ~ 3.5 % on Instagram (Hootsuite 2025).

A 2025 dataset by Orlo <https://orlo.tech/blog/engagement-rates-for-the-public-sector/> found that local-government Facebook engagement averaged ≈ 1.35 %, with most public bodies ranging between 1 – 2 % per post.

Against these global figures, Carterton District Council’s 6.0 % average engagement rate substantially exceeds the norm for government entities.

Academic and practitioner research over the past decade identifies a consistent trend of *low engagement* across New Zealand local-government social-media channels.

- **Alam et al. (2022)** – “Citizen Engagement on Local Government Facebook Pages: Experience from Aotearoa New Zealand” – analysed Dunedin City Council and Otago Regional Council pages. The study concluded that posts were largely informational, with limited public interaction despite increased posting frequency.
- **RA e Silva (2021)** – “A Content Analysis of Social Media Usage by Local Governments in New Zealand” – reviewed 1 101 posts across 17 councils (April 2020) and found that while social-media use was widespread, citizen interaction levels remained low.

Together, these findings suggest that most New Zealand councils historically experience **engagement rates below 2 %**, with significant variation by content type.

7.3.2 Voter-Turnout Trends (2016 – 2025)

Long-term data show that Carterton District has consistently outperformed the national average in voter participation.

Year	Carterton Turnout (%)	National Average (%)	Difference (percentage points)
2016	52.3	42.0	+ 10.3
2019	56.3	41.7	+ 14.6
2022	59.1	43.4	+ 15.7
2025	53.4	48.0	+ 5.4

(National averages derived from Department of Internal Affairs and 2025 aggregated council dataset, n = 66 councils)

Carterton's turnout has remained above the national average in every election since 2016, ranking **15th of 66 councils in 2025**.

Although overall national participation increased modestly in 2025, Carterton continued to exceed the national rate.

Comparative Analysis

Carterton's campaign results indicate alignment between digital engagement performance and voter-turnout outcomes.

High online engagement correlates with strong voter awareness and participation.

When viewed against global and national benchmarks:

- Carterton's 6 % average engagement rate is 2 – 5 times higher than typical government or local authority rates.
- Carterton's 53.36 % turnout is 5.3 percentage points above the national average (48.03 %).
- Carterton's rank (15th nationally) demonstrates consistency with its previous top-quartile performance in 2019 and 2022.

These combined results suggest that the Council's integrated communications and engagement approach continues to be effective at converting awareness into democratic participation.

When benchmarked against international and domestic performance, Carterton District Council's 2025 election outcomes demonstrate a strong and enduring record of civic engagement.

The Council's results validate its investment in inclusive communications, proactive outreach, and digital modernisation.

Carterton continues to outperform comparable Districts and national averages, confirming that its approach to engagement supports both high community awareness and sustained voter participation.

Lessons Learned

1. Early and clear differentiation between electoral levels

Public feedback indicated confusion between District and regional ballots, especially in the Māori constituency vote. Future campaigns should include a dedicated early explainer segment across all platforms.

2. Maintain strong bilingual and accessible design standards

Plain English and Te Reo Māori messaging enhanced clarity and inclusivity. This approach should remain standard practice across all statutory communications.

3. Expand video and short-form content

Reels and short videos generated the highest engagement and reach. Future campaigns should prioritise local storytelling and community voices through short-form video assets.

4. Reinforce early voting communications

Progress returns (41.68 % on election day) indicate many voters acted in the final days. Increasing emphasis on early postal return deadlines could smooth turnout distribution.

5. Invest in improved analytics automation

Integration offers an opportunity to automate reporting for future campaigns and other civic consultations.

6. Continue cross-team coordination

The collaboration between Communications, Democratic Services, Corporate, Community Services and Customer Services improved voter support and response handling. Maintaining this integrated approach will be key for future statutory consultations, including the Long-Term Plan 2027 – 2037.

5. ELECTION RESULTS

The final results received on 16 October are in **Attachment 1**.

There were three nominations for Mayor with Steve Cretney elected with a majority of votes.

There were 18 candidates for Council – At Large with eight seats available.

Six current elected members were re-elected – Cr Steve Cretney, Cr Brian Deller, Cr Steve Laurence, Cr Steve Gallon, Cr Lou Newman and Cr Grace Ayling.

New members elected were Cr Simon Casey, Cr Jane Burns and Cr Rachel Round.

The scrutiny and counting of votes were completed by CDC's contractors in Christchurch – Electionz.com, with daily updates being provided on the number of voting papers returned. Voting documents were delivered between 9 – 22 September, with special votes available at the CDC offices from 9 September to noon 11 October 2025.

Voter return was 53.36%. This return was less than 2022 (59.06%), and 2019 (56.33%).

Progress results were available at 12.41pm on Saturday 11 October, and candidates were notified of these prior to the results being published on the CDC website that afternoon. The final result was available on 16 October.

I would like to commend Robyn Blue, whose motivation and hard work lead to our exceptional voter turnout, and the smooth running of the election. I would also like to acknowledge other members of the Democratic Services Team, Customer Services Team, and Communications Team who helped during the election period.

6. CONSIDERATIONS**6.1 Climate change**

There are no direct climate change implications from the decisions in this paper.

6.2 Tāngata whenua

The Council's ongoing commitment to inclusive communications ensures that engagement materials reflect Te Tiriti o Waitangi principles and provide equitable access to information for Māori electors.

6.3 Financial impact

The election campaign was delivered within budget.

6.4 Community Engagement requirements

The matters for decision are not significant under the Significance and Engagement Policy. Election conduct is prescribed by the Local Electoral Act 2001 and does not require separate engagement. The 2025 Elections Communications and Engagement Plan applied the Policy principles by ensuring that residents were informed and enabled to participate in the democratic process.

6.5 Risks

There are no additional risks associated with the decisions in this paper.

6.6 Community Wellbeings

There are no community wellbeing considerations associated with the decisions in this report.

7. RECOMMENDATION

That the Council:

1. **Receives** the report.

File Number: 451442

Author: Marcus Anselm, Communications and Engagement Manager

Attachments:

1. Final CDC election results 2025 [↓](#)
2. Vote 2025 election digital engagement summary [↓](#)



Carterton District Council

2025 Triennial Elections

DECLARATION OF RESULT

The final result for the Carterton District Council elections held on Saturday 11th October is as follows.

Mayorality		Votes Received
CRETNEY, Steve	(Ratepayers do have a Voice!)	1,733
DELLER, Brian	(Independent)	1,170
CASEY, Simon	(Independent)	1,148
INFORMAL		4
BLANK VOTING PAPERS		104

Steve CRETNEY is declared elected.

Council - At Large (8 vacancies)		Votes Received
NEWMAN, Lou	(Independent)	2,762
AYLING, Grace		2,444
* CRETNEY, Steve (Withdrawn)	(Ratepayers do have a Voice!)	2,228
BURNS, Jane	(Independent)	2,057
LAURENCE, Steve		2,039
DELLER, Brian	(Independent)	2,025
GALLON, Steve		1,971
CASEY, Simon	(Independent)	1,761
ROUND, Rachel		1,761
VELTKAMP, Peter		1,383
MALCOLM, Haley	(Carterton Born and Raised)	1,244
LAYBOURN, Ben	(Independent)	1,208
FUTTER, John	(Independent)	992
SCOTT, Dale	(Independent)	974
GROOT, Joshua		877
FOOTHEAD, Stephen		834
HOLLAND, Philip		607
PEACOCK, Simon		538
INFORMAL		9
BLANK VOTING PAPERS		26

(* Withdrawn as elected as Mayor)

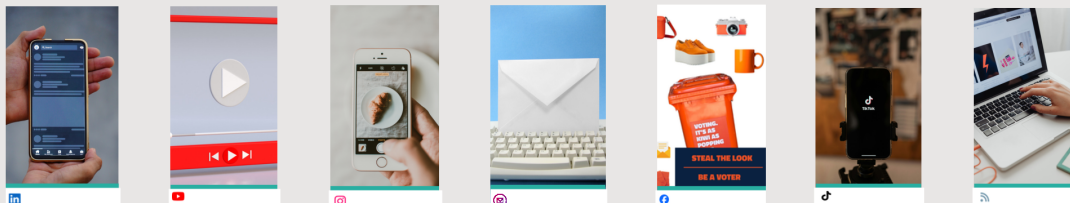
Grace AYLING, Jane BURNS, Simon CASEY, Brian DELLER, Steve GALLON, Steve LAURENCE, Lou NEWMAN and Rachel ROUND are declared elected.

The voter return was 53.36%, being 4,159 votes, including special votes.

Warwick Lampp
Electoral Officer
Carterton District Council
16 October 2025

Vote 2025

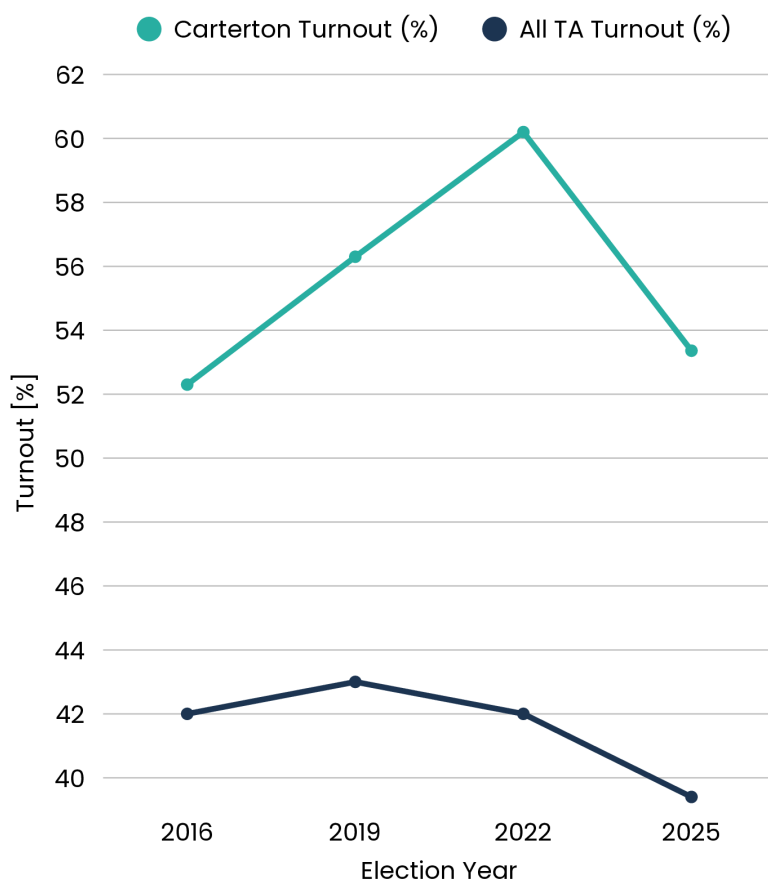
Digital Channels Engagement & Reach Summary



National Voter Turnout

New Zealand Local Authority Elections 2016 to 2022

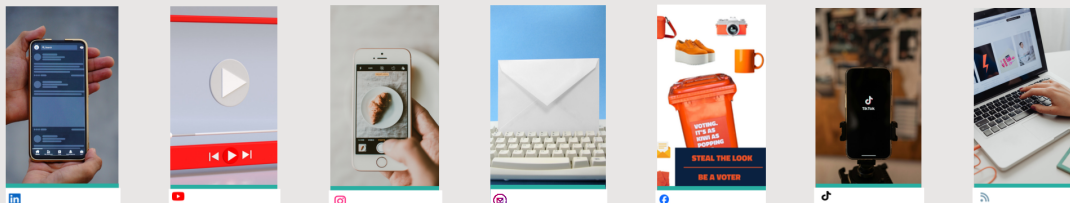
This graph shows the percentage of eligible voters who participated in New Zealand's local authority elections from 2016 to 2022. Turnout has remained relatively stable over the past three election cycles, averaging around 42 to 43% nationally.


Source

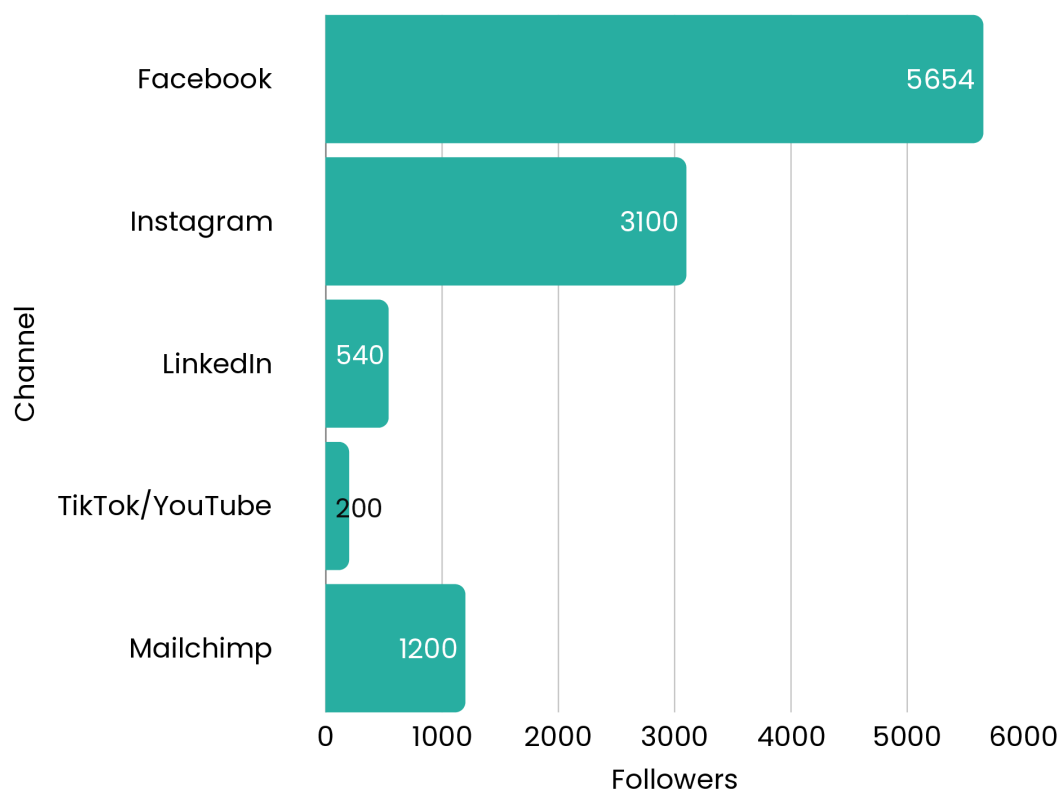
1. dia.govt.nz
2. cdc.govt.nz
3. stats.nz

Vote 2025

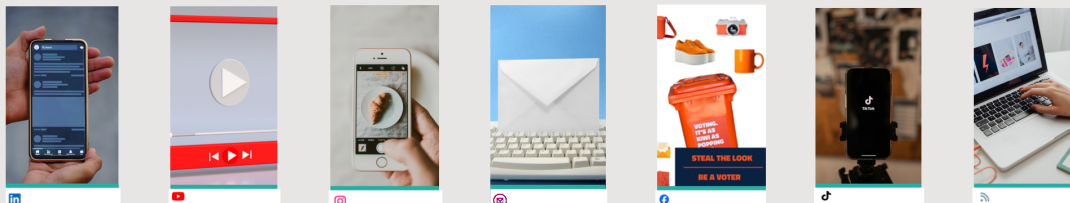
Digital Channels Engagement & Reach Summary



- Facebook and Instagram channels were the primary drivers of engagement, reaching audiences beyond the District's population through shareable local content.
- Mailchimp was used to deliver timely election reminders to subscribers and performed well above the public-sector average (open rates typically 30–40 %).
- The campaign achieved exceptionally high engagement for a District of Carterton's size, showing alignment with the Council's LTP KPI for democratic participation [more than 50%].

**Source**

Metricool Campaign Report: 5384267-20250701-CartertonDistrictCouncil-vuwwaovs.pptx (1 July – 18 Oct 2025).

Vote 2025**Digital Channels Engagement & Reach Summary****Email Channels**

Newsletters & email marketing

Benchmarks Across All Industries

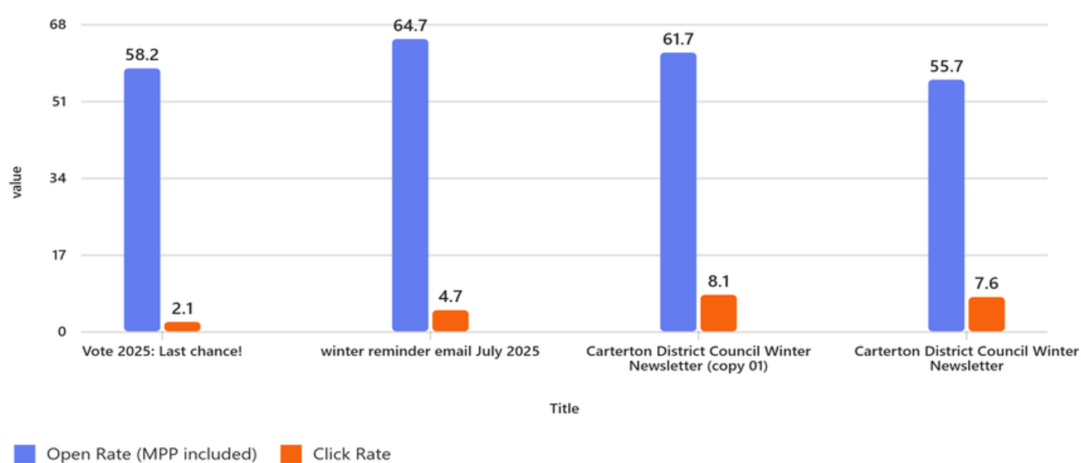
Open Rate: 42.35%

Click Rate: 2.00%

Vote 2025: Carterton District

Open Rate: 60.1%

Click Rate: 5.6%

**Source**

1. Mailchimp Dataset

2. Mailerlite.com - <https://www.mailerlite.com/blog/compare-your-email-performance-metrics-industry-benchmarks>



7.11 LAWS AND OBLIGATIONS RELATING TO ELECTED MEMBERS

1. PURPOSE

To provide information to elected members on key legislation that affects them.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. BACKGROUND

Schedule 7, Part 1, clause 21 (5c) of the Local Government Act 2002 (LGA) requires that, at the first meeting of the Council following a triennial general election, the Chief Executive must give or arrange for a general explanation of certain laws affecting elected members.

A summary of the relevant key legislation is outlined below.

4. MEMBERS' LEGAL OBLIGATIONS

There are certain legal provisions that elected members must be aware of, as breaching the rules can have the consequence of loss of office, fines, or imprisonment.

4.1 Members' Interests

As an elected member (EM) there are conflict of interest rules that apply under:

- The Crimes Act 1961 - Section 5 of the Act makes it an offence for a member not to disclose to the Council his or her pecuniary interest (which includes the pecuniary interest of a parent, spouse/partner, or child) in a contract when making a contract on behalf of the Council (see also the discussion of the Local Authorities (Members' Interests) Act 1968 below).
- The Local Authorities Members' Interests Act 1968 (LAMIA)
<https://www.legislation.govt.nz/act/public/1968/0147/latest/DLM390003.html>
- The Local Government (Pecuniary Interests Register) Amendment Act 2022 [Local Government \(Pecuniary Interests Register\) Amendment Act 2022 No 24, Public Act – New Zealand Legislation](#)

For reference, please note the following key points in relation to conflicts of interest.

Local Authorities (Members' Interests) Act 1968

Pecuniary interests

- The **contracting rule** prohibits members from being interested in any contracts with the council that have a combined value of more than \$25,000 in a financial year – unless the Auditor-General approves the arrangement.

- The **participation rule** prohibits members from participating (discussing or voting) in any council decision-making in which the member has a pecuniary interest (other than an interest in common with the public) – unless the Auditor-General has pre-approved such participation.
- The legislation covers contracts made by the Council directly with the person concerned, and also contracts made by the Council in which the EMs is concerned or interested. Special provisions deal with companies in which a member or his or her spouse/partner is interested either as a shareholder, or as a member of the company, or by virtue of certain management positions.
- There are a number of exceptions to this rule but, in case of any doubt, a EMs should refer to the legislation, and/or refer the matter to the Office of the Auditor-General or seek independent legal advice. The penalty for breach of these provisions (which are contained in section 3 of the Act) is immediate loss of office (section 4) and there is also the possibility of a fine being imposed (section 5).

Non-pecuniary interests

- Any instance where an EM has a bias, or a perceived bias, relating to an issue under consideration. The principle is that justice should not only be done but be seen to be done.
- The most common risks of non-pecuniary bias are where an EM's statements or conduct indicate they have predetermined a decision before hearing all relevant information, and where a member has a close relationship or involvement with an individual or organisation affected by the decision.
- It is the member's responsibility to ensure that they are meeting the requirements under LAMIA, and it is up to the individual member to exercise their own judgment as to whether a conflict exists.

Local Government (Pecuniary Interests Register) Amendment Act 2022

- Sections 54A to 54I requires EMs to provide annual returns of certain pecuniary interests.
- Every council is required to keep a register of its members' interests, and to make a summary of it publicly available (NB this disclosure relates to elected, not appointed members – i.e. only covers EMs, not their spouse/partner or close family members).
- Each council is to appoint a Registrar to maintain the Register and provide advice to members.
- Members must take personal responsibility for making sure they satisfy their own obligations. They are required to ensure that the information in their returns is accurate and must advise the Registrar of an error or omission in their returns as soon as practicable.

Activities to manage conflicts of interest

- EMs will be asked to complete an annual disclosure of pecuniary and other interests.
- At the start of every Council meeting, EMs have the opportunity to declare any conflict of interest that could arise on an item for discussion at the meeting. An EMs is not required to inform the meeting about the nature of the interest or why it exists.

- Once a conflict is declared, the EMs may be required to abstain from discussion and voting.
- If EMs are unsure about a conflict of interest, this should be discussed with the Chief Executive, Mayor, or relevant Committee Chair.

4.2 Official information

Requests for official information

The Local Government Official Information and Meetings Act 1987 (LGOIMA) governs the custody and release of official information. The fundamental principle in the Act is that information held by the Council is publicly available, unless one or more specified withholding grounds apply.

Exclusion of the public from meetings

The LGOIMA also deals with local authority meetings, in Part VII. There are a number of important points in this latter part of the Act, namely:

- The Act states the grounds upon which the public may be excluded from meetings (section 48) may generally only occur when good reason to withhold information exists, and there is a statutory definition of that concept in sections 6 and 7 of the Act. In addition, the public may be excluded where the subject matter of discussion is one in respect of which a right of appeal exists to any Court or Tribunal against the decision made by the Council (section 48(2)).
- In excluding the public, the Council must make a resolution (in the form set out at Schedule 2A to the Act) stating the subject of each matter to be considered while the public is excluded, and the reasons must be given for excluding the public, in terms of the statutory grounds.
- Chairpersons at meetings may require members of the public to leave a meeting if the behaviour of the person concerned is likely to prejudice or continue to prejudice the orderly conduct of the meeting (section 50).
- If a meeting is open to the public, and an agenda is supplied to a member of the public or the minutes of a meeting are produced for inspection by any member of the public after the conclusion of the meeting any defamatory matter which is published in this way is to be treated as privileged, unless the publication was predominantly motivated by ill will (section 52). Oral statements made at meetings of the Council are also privileged, unless the statement is proved to be predominantly motivated by ill will (section 53). Ordinarily, a statement that is “privileged” cannot support a cause of action for defamation (even though that statement might be untrue or misleading).
- Items which are not on an agenda for a meeting may be dealt with if the meeting resolves to do so, and the chairperson explains in open meeting why the item is not on the agenda and why consideration of it cannot be delayed to a subsequent meeting (section 46A(7)).
- If the item is a minor matter relating to the general business of the Council, then it may be discussed without the meeting having resolved to do so, so long as the chair explains at the beginning of the meeting, and when it is open to the public, that the item will be discussed; but in that case no resolution, decision or recommendation may be made except to refer the item to a subsequent meeting for further discussion (section 46A(7A)).

4.3 Secret Commissions Act 1910

The Secret Commissions Act 1910 deems every EMs to be an agent of the Council (section 16(1)(b)). It creates offences in relation to accepting inducements or rewards for doing, or forbearing to do something, in relation to the Council's affairs, or showing or having shown favour or disfavour to any person in relation to the Council's affairs or business (section 4(1)).

It is an offence, similarly, to divert, obstruct, or interfere with the proper course of the affairs or business of the Council, or to fail to use due diligence in the prosecution of its affairs or business, with intent to obtain any gift or other consideration from any person interested in the affairs or business of the Council (section 4(2)).

Section 5 of the Act makes it an offence for a member not to disclose to the Council his or her pecuniary interest (which includes the pecuniary interest of a parent, spouse/partner, or child) in a contract when making a contract on behalf of the Council (see also the discussion of the Local Authorities (Members' Interests) Act 1968).

Section 9 of the Act makes it an offence to aid or abet, or to be in any way directly or indirectly concerned in, or privy to, the commission of any offence against the Act.

Conviction of an offence under the Act carries with it the possibility of imprisonment for up to two years, or a fine not exceeding \$1,000. Such conviction may also have the consequence of loss of office, in terms of clause 1 of Schedule 7 of the Local Government Act 2002.

4.4 Crimes Act 1961

The Crimes Act 1961 is relevant to EMs as it deals with bribery and corruption. EMs are within the definition of an "official" in section 99 of the Crimes Act.

Section 105 of that Act provides that every official is liable to imprisonment for a term not exceeding seven years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for him or herself or any other person in respect of any act done or omitted, or to be done or omitted, by him or her in an official capacity.

Putting this simply, it is an offence against this section to seek or obtain a reward for performing one's official duties as an EM.

Section 105A then goes on to make it an offence, once again carrying a term of imprisonment of up to seven years, for an official to use any information acquired by him or her in an official capacity to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or herself, or any other person.

Section 6(1) of the Act prohibits a member of a local authority, or of a committee of it, from voting on, or taking part in the discussion of any matter before the governing body of that local authority, or before that committee in which he or she has, directly or indirectly, any pecuniary interest, other than an interest in common with the public. Once again, there are special provisions dealing with a pecuniary interest in the context of the interests of the member or his or her spouse/partner in a company.

The Office of the Auditor-General is empowered to declare that the rule will not apply with respect to any specified matter or specified class of matter on particular occasions. In doing so, it must act in the interests of the electors or inhabitants of the district. The penalty for discussing or voting when there is a pecuniary interest is, once again, loss of office, but only upon conviction of an offence (section 7).

Related to these statutory provisions is the common law principle of natural justice, which includes obligations to listen to both sides and not to be a judge in one's own cause.

4.5 Health and Safety at Work Act 2015

The Health and Safety at Work Act 2015 (HSWA) sets up a regime for protecting the health and safety of people in workplaces that is quite different to the previous legislation. Under the Act elected members are “officers” and as such have obligations and responsibilities which are the same as the Chief Executive (also an “officer” under the Act). While EMs do not have the same liabilities (i.e. penalties if they do not meet those obligations) it is important that EMs make themselves aware of the measures the organisation has in place for managing health and safety, and satisfies themselves that the council organisation is doing what is appropriate to meet the requirements of the Act.

EMs will be given a full briefing on the HSWA as part of their induction.

4.6 Financial Markets Conducts Act 2013

The Financial Markets Conduct Act 2013 essentially places elected members in the same position as company directors whenever the Council offers financial products (such as an issue of debt or equity securities) to the public. Elected members may be personally liable if documents that are registered under the Act, (such as a prospectus) contain false, misleading or untrue statements, and they may also be liable for criminal prosecution if the requirements of the Act are not met.

4.7 Public Records Act 2005

The Public Records Act’s purpose is to provide a framework to keep central and local government organisations accountable by ensuring records are full and accurate, well maintained and accessible. The Public Records Act 2005 provides for the continuity of the National Archives and the role of the Chief Archivist. The Act enables accountability by ensuring that full and accurate records of the affairs of local government are created and maintained. It also provides a framework within which local authorities create and maintain their records and has a role in enhancing public confidence in the integrity of local authority records.

The definition of a record includes information, whether in its original form or otherwise, and is not limited to just written information. The definition also includes (but is not limited to) a signature, a seal, text, images, sound, speech, or data in any medium and recorded or stored by any electronic device or process.

In the conduct of their affairs elected members may receive information directly, for example from constituents. Members will need to consider whether that information meets the definition of a local authority record, and if so, will need to ensure it is included in the Council’s records.

5. COUNCILLORS’ PERSONAL LIABILITY

Generally speaking, EMs are indemnified in respect of their actions as an EM. Section 43 of the Local Government Act 2002 (LGA) provides for this indemnity (by the Council) in relation to:

- civil liability (both for costs and damages) if the EM is acting in good faith and in pursuance (or intended pursuance) of the responsibilities or powers of the Council; and
- costs arising from any successfully defended criminal action relating to acts or omissions in their capacity as an EM.

However, there is a potential personal exposure on the part of EMs in certain circumstances - where the Auditor-General has reported on a “loss” incurred by the

Council, for which the Council has not been compensated (sections 44 to 46). The loss must arise out of one of the following actions or omissions:

- money belonging to, or administrable by, the Council being unlawfully expended; or
- an asset being unlawfully sold or otherwise disposed of by the Council; or
- a liability being unlawfully incurred by the Council; or
- the Council intentionally or negligently failing to enforce the collection of money it is lawfully entitled to receive.

If the Auditor-General has made such a report, then that loss is recoverable as a debt due to the Crown (which in turn must be paid back to the Council) from each EM jointly and severally. Therefore, EMs should always be alert to ensure that their decision-making is within the bounds of the law. However, an EM has a defence to such a claim if they can prove that the act or failure giving rise to the loss occurred:

- without the EM's knowledge; or
- with the EM's knowledge but against his or her protest made at or before the time when the loss occurred; or
- contrary to the manner in which the EM voted on the issue at a meeting of the Council; or
- in circumstances where, although being a party to the act or failure to act, the EM acted in good faith and in reliance on reports, statements, financial data, or other information prepared or supplied, or on professional or expert advice given, by any Council officer or professional advisor in relation to matters which the EM believed on reasonable grounds to be within that person's competency.

6. CODE OF CONDUCT

The Council has a Code of Conduct for EMs (as required by clause 15 of Schedule 7 of the LGA). The Code of Conduct as discussed in a separate report for this meeting, was adopted in 2022, and sets out (amongst other things) understandings and expectations about the manner in which EMs may conduct themselves while acting as EMs, including behaviour toward one another, staff, the public, and the disclosure of information. Under clause 15(4), EMs must comply with the Code.

The current Code of Conduct remains in force until a new Code is adopted therefore, Council may consider endorsing the current Code, or work with officers to develop and adopt a new Code for the triennium.

Additionally, as discussed in a separate report for this meeting, the Local Government Commission is currently consulting on the development of a standardised Code of Conduct for all local authorities. The standardised code aims to:

- Prioritise constructive and proactive dispute resolution before making complaints
- Give opportunities for early resolutions and early off-ramps for complaints
- Provide for complaints to be largely dealt with independently by an investigator rather than in-house, including giving investigators decision-making of sanctions
- Balance the needs of natural justice (enabling a member to properly defend themselves against a complaint) versus ensuring the safety of complainants
- Satisfy public interest (as recognised in LGOIMA) and accountability of elected members, while maintaining the right to privacy under the Privacy Act

- Balance between an absolute right to freedom of expression with the need to use that freedom responsibly
- Minimise the role of Chief Executives in the process
- Allow the public to lodge complaints.

Submissions on the draft Code closed on 26 September 2025, with a report due to the Minister by 20 December 2025.

7. PURPOSE, ROLE AND POWERS OF THE COUNCIL

Because it underpins everything that the Council, and thus what the EMs do, it is useful to briefly describe the general statutory framework within which the Council operates. Relevant sections of the LGA - **sections 9 to 19, and Sections 38 to 48** - are provided in **Attachment 1**.

7.1 General statutory framework

The LGA sets out the following purpose of local government (section 10):

- a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

The Council's role is to give effect to that purpose of local government in relation to its district and to perform the duties and exercise the rights conferred on it by law (section 11). The Council is responsible and democratically accountable for the decision-making of the local authority (section 41(3)).

Except where another law provides otherwise, the Council has full capacity to carry on or undertake any activity or business, or do any act, or enter into any transaction (section 12(2)). However, the Council must exercise its powers wholly or principally for the benefit of the district (section 12(4)). That does not prevent two or more councils engaging in joint or cooperative activities (section 12(6)).

In performing its role, a Council must act in accordance with certain principles in section 14. In addition, section 39 of that Act sets out governance principles that apply to councils.

When making decisions, the Council must comply with the decision-making requirements set out in Part 6 of the Act. Under Part 6, local authorities are required to confirm their mandate from their communities through various forms of consultation, especially in relation to the Long-Term Plan and Annual Plan process, and for other significant decisions.

EMs need to be mindful however of the Local Government (System Improvements) Amendment Bill currently at Select Committee stage which will have a significant impact on councils. The Bill aims to:

- refocus the purpose of local government; and
- better measure and publicise council performance; and
- prioritise core services in council spending; and
- strengthen council transparency and accountability; and
- provide regulatory relief to councils.

Information on the Bill can be found at

<https://www.legislation.govt.nz/bill/government/2025/0180/latest/d6503847e2.html#LMS1454337>

7.2 Legal provisions - Roles of the Council and the Chief Executive/Council staff

This is a brief summary of the legal provisions relevant to the respective roles of the Council and the Chief Executive.

Section 42(1) of the LGA requires the Council to appoint a Chief Executive. The Chief Executive's responsibilities are set out in subsection (2), as follows:

- a) implementing the decisions of the local authority; and
- b) providing advice to members of the local authority and to its community boards, if any; and
- c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and
- d) ensuring the effective and efficient management of the activities of the local authority; and
- e) facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001; and
- f) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
- g) providing leadership for the staff of the local authority; and
- h) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and
- i) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy)

The Council's role is limited to the appointment of the Chief Executive; all other appointments are for the Chief Executive to make, on the Council's behalf.

Overall, section 42 demonstrates a legislative intent that the Chief Executive should be responsible for managing, with the staff they appoint, the affairs of the Council.

Although the dividing line will sometimes be difficult to draw, the Council's role should be in governance and in particular, the establishment of policy and associated decision-making. Actual implementation of Council decisions, administration, and management should be in the hands of the Chief Executive and staff.

7.3 The Council's planning process and consultation

The LGA requires the Council to adopt a number of planning and other policy and financial management documents.

The principal planning document is the Long Term Plan (LTP) which covers a period of at least 10 years and is reviewed every three years. The LTP can be amended at any time, but this requires use of the special consultative procedure (see below). In addition, prior to the beginning of each financial year the Council must have adopted an Annual Plan for that year (although for those years where a new LTP is adopted, the financial statement and funding impact statement included in the LTP in relation to the first year is the Annual Plan (section 95(4)).

Under section 97 of the LGA, certain decisions may only be made if they are provided for in the LTP. These are:

- a) a decision to alter significantly the intended level of service provision for a significant activity carried out by or on behalf of the Council (including a decision to commence or cease any such activity);
- b) a decision to transfer the ownership or control of a strategic asset to or from the Council;
- c) a decision to construct, replace, or abandon a strategic asset; and
- d) a decision that will, directly or indirectly, significantly affect the capacity of the Council, or the cost to the Council, in relation to any activity identified in the LTP.

Strategic assets are defined in the Act, partly by reference to assets listed in the Council's policy on significance.

The LTP must set out any steps that the Council intends to take to develop Māori capacity to contribute to the decision-making process over the period covered by the plan (Schedule 10, section 5). The LTP and the Annual Plan, as well as some other formal policy documents must be adopted using the Special Consultative Procedure (SCP). This procedure is also required for, amongst other things, the adoption or amendment of bylaws, and where there is a proposed change in the mode of delivery of certain significant activities.

The SCP involves:

- preparation of a statement of proposal, which must be included on the agenda for a meeting of the Council; preparation and distribution of a summary of that proposal;
- public notice;
- the opportunity for the public to make submissions and to be heard in relation to that submission; and
- deliberation and the making of a final decision on the proposal.

Court decisions relating to "consultation" have stressed that bodies or persons having a statutory obligation to consult must go into the process with an open mind, that is, a mind capable of persuasion having fairly considered the submissions.

In addition, and quite apart from those decisions requiring use of the SCP, the LGA contains detailed provisions which govern more generally the Council's required approach to decision-making and consultation. These include the requirement to consider community views (section 78), and to encourage Māori contributions to the decision-making process (section 81).

8. CONSIDERATIONS**4.1 Climate change**

There are no direct climate change implications from decisions in this paper.

4.2 Tāngata whenua

There are no tāngata whenua considerations from the decisions in this paper.

4.3 Financial impact

There are no financial impacts.

4.4 Community Engagement requirements

There are no community engagement requirements.

4.5 Risks

There are no additional risks associated with the decisions in this paper.

4.6 Community Wellbeings

There are no decision considerations required in relation to the community wellbeings.

9. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Notes** the relevant legislation and legal obligations as outlined in the report.

File Number: 451453

Author: Geri Brooking, Group Manager People and Corporate

Attachments: 1. Local Government Act 2002 Exerpts [↓](#)

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1 July 2025

Local Government Act 2002

Part 2 s 11

Section 8(2)(c): amended, on 5 December 2012, by section 6 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

8A Provisions affecting application of amendments to this Act

The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

Section 8A: inserted, on 8 August 2014, by section 6 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Part 2

Purpose of local government, and role and powers of local authorities

9 Outline of Part

This Part—

- (a) states the purpose of local government; and
- (b) states the role and powers of local authorities.

Subpart 1—Purpose of local government

10 Purpose of local government

- (1) The purpose of local government is—
 - (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
 - (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.
- (2) *[Repealed]*

Section 10(1)(b): replaced, on 14 May 2019, by section 6(1) of the Local Government (Community Well-being) Amendment Act 2019 (2019 No 17).

Section 10(2): repealed, on 14 May 2019, by section 6(2) of the Local Government (Community Well-being) Amendment Act 2019 (2019 No 17).

Subpart 2—Role of local authorities and related matters

11 Role of local authority

The role of a local authority is to—

- (a) give effect, in relation to its district or region, to the purpose of local government stated in section 10; and
- (b) perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

11A Core services to be considered in performing role*[Repealed]*

Section 11A: repealed, on 14 May 2019, by section 10 of the Local Government (Community Well-being) Amendment Act 2019 (2019 No 17).

12 Status and powers

- (1) A local authority is a body corporate with perpetual succession.
- (2) For the purposes of performing its role, a local authority has—
 - (a) full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction; and
 - (b) for the purposes of paragraph (a), full rights, powers, and privileges.
- (3) Subsection (2) is subject to this Act, any other enactment, and the general law.
- (4) A territorial authority must exercise its powers under this section wholly or principally for the benefit of its district.
- (5) A regional council must exercise its powers under this section wholly or principally for the benefit of all or a significant part of its region, and not for the benefit of a single district.
- (6) Subsections (4) and (5) do not—
 - (a) prevent 2 or more local authorities engaging in a joint undertaking, a joint activity, or a co-operative activity; or
 - (b) prevent a transfer of responsibility from one local authority to another in accordance with this Act; or
 - (c) restrict the activities of a council-controlled organisation; or
 - (d) prevent a local authority from making a donation (whether of money, resources, or otherwise) to another local authority or to a person or organisation outside its district or region or outside New Zealand—
 - (i) if the local authority considers, on reasonable grounds, that the donation will benefit its district or region, or the communities within its district or region; or
 - (ii) if the local authority considers, on reasonable grounds, that a benefit will be conferred on the local government sector as a whole; or
 - (iii) for emergency relief; or
 - (e) prevent a local authority from making a donation (whether of money, resources, or otherwise) to a local government body outside New Zealand to enable it to share its experience and expertise with that body.

Section 12(6)(c): amended, on 28 June 2006, by section 6 of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 12(6)(d): added, on 28 June 2006, by section 6 of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

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Local Government Act 2002

Part 2 s 14

Section 12(6)(e): added, on 28 June 2006, by section 6 of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

13 Performance of functions under other enactments

Sections 10 and 12(2) apply to a local authority performing a function under another enactment to the extent that the application of those provisions is not inconsistent with the other enactment.

14 Principles relating to local authorities

- (1) In performing its role, a local authority must act in accordance with the following principles:
- (a) a local authority should—
 - (i) conduct its business in an open, transparent, and democratically accountable manner; and
 - (ii) give effect to its identified priorities and desired outcomes in an efficient and effective manner:
 - (b) a local authority should make itself aware of, and should have regard to, the views of all of its communities; and
 - (c) when making a decision, a local authority should take account of—
 - (i) the diversity of the community, and the community's interests, within its district or region; and
 - (ii) the interests of future as well as current communities; and
 - (iii) the likely impact of any decision on each aspect of well-being referred to in section 10:
 - (d) a local authority should provide opportunities for Māori to contribute to its decision-making processes:
 - (e) a local authority should actively seek to collaborate and co-operate with other local authorities and bodies to improve the effectiveness and efficiency with which it achieves its identified priorities and desired outcomes; and
 - (f) a local authority should undertake any commercial transactions in accordance with sound business practices; and
 - (fa) a local authority should periodically—
 - (i) assess the expected returns to the authority from investing in, or undertaking, a commercial activity; and
 - (ii) satisfy itself that the expected returns are likely to outweigh the risks inherent in the investment or activity; and
 - (g) a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and

- (h) in taking a sustainable development approach, a local authority should take into account—
 - (i) the social, economic, and cultural well-being of people and communities; and
 - (ii) the need to maintain and enhance the quality of the environment; and
 - (iii) the reasonably foreseeable needs of future generations.
- (2) If any of these principles, or any aspects of well-being referred to in section 10, are in conflict in any particular case, the local authority should resolve the conflict in accordance with the principle in subsection (1)(a)(i).

Section 14(1)(c)(iii): replaced, on 14 May 2019, by section 7(1) of the Local Government (Community Well-being) Amendment Act 2019 (2019 No 17).

Section 14(1)(e): replaced, on 8 August 2014, by section 8(1) of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 14(1)(fa): inserted, on 27 November 2010, by section 6 of the Local Government Act 2002 Amendment Act 2010 (2010 No 124).

Section 14(1)(g): replaced, on 8 August 2014, by section 8(2) of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 14(1)(h)(i): amended, on 14 May 2019, by section 7(2) of the Local Government (Community Well-being) Amendment Act 2019 (2019 No 17).

Section 14(2): amended, on 14 May 2019, by section 7(3) of the Local Government (Community Well-being) Amendment Act 2019 (2019 No 17).

Section 14(2): amended, on 5 December 2012, by section 8(3) of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

Subpart 3—Co-ordination of responsibilities of local authorities

15 Triennial agreements

- (1) Not later than 1 March after each triennial general election of members, all local authorities within each region must enter into an agreement under this section covering the period until the next triennial general election of members.
- (2) An agreement under this section must include—
 - (a) protocols for communication and co-ordination among the local authorities; and
 - (b) a statement of the process by which the local authorities will comply with section 16 in respect of proposals for new regional council activities; and
 - (c) processes and protocols through which all local authorities can participate in identifying, delivering, and funding facilities and services of significance to more than 1 district.
- (3) An agreement under this section may also include—
 - (a) commitments by local authorities within the region to establish or continue 1 or more joint committees or other joint governance arrangements

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Part 2 s 16

- to give better effect to 1 or more of the matters referred to in subsection (2); and
- (b) the matters to be included in the terms of reference for any such committees or arrangements, including any delegations.
- (4) An agreement under this section may be varied by agreement between all the local authorities within the region.
- (5) An agreement under this section remains in force until it is replaced by another agreement.
- (6) If a decision of a local authority is significantly inconsistent with, or is expected to have consequences that will be significantly inconsistent with, the agreement under this section that is currently in force within the region, the local authority must, when making the decision, clearly identify—
- (a) the inconsistency; and
- (b) the reasons for the inconsistency; and
- (c) any intention of the local authority to seek an amendment to the agreement under subsection (4).
- (7) As soon as practicable after making any decision to which subsection (6) applies, the local authority must give to each of the other local authorities within the region notice of the decision and of the matters specified in that subsection.

Section 15: replaced, on 8 August 2014, by section 9 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

16 Significant new activities proposed by regional council

- (1) This section applies if,—
- (a) in the exercise of its powers under section 12(2), a regional council proposes to undertake a significant new activity; or
- (b) a regional council-controlled organisation proposes to undertake a significant new activity; and
- (c) in either case, 1 or more territorial authorities in the region of the regional council—
- (i) are already undertaking the significant new activity; or
- (ii) have notified their intention to do so in their long-term plans.
- (2) When this section applies, the regional council—
- (a) must advise all the territorial authorities within its region and the Minister of the proposal and the reasons for it; and
- (b) must include the proposal in the consultation document referred to in section 93A.
- (3) A proposal included in the consultation document referred to in section 93A must include—

- (a) the reasons for the proposal; and
 - (b) the expected effects of the proposal on the activities of the territorial authorities within the region; and
 - (c) the objections raised by those territorial authorities, if any.
- (4) If, after complying with subsection (2), the regional council indicates that it intends to continue with the proposal, but agreement is not reached on the proposal among the regional council and all of the affected territorial authorities, either the regional council or 1 or more of the affected territorial authorities may submit the matter to mediation.
- (5) Mediation must be by a mediator or a mediation process—
 - (a) agreed to by the relevant local authorities; or
 - (b) in the absence of an agreement, as specified by the Minister.
- (6) If mediation is unsuccessful, either the regional council or 1 or more affected territorial authorities may ask the Minister to make a binding decision on the proposal.
- (7) Before making a binding decision, the Minister must—
 - (a) seek and consider the advice of the Commission; and
 - (b) consult with other Ministers whose responsibilities may be affected by the proposal.
- (8) This section does not apply to—
 - (a) a proposal by a regional council to establish, own, or operate a park for the benefit of its region; or
 - (b) a proposal to transfer responsibilities; or
 - (c) a proposal to transfer bylaw-making powers; or
 - (d) a reorganisation under Schedule 3; or
 - (e) a proposal to undertake an activity or enter into an undertaking jointly with the Crown.
- (9) For the purposes of this section,—

affected territorial authority means a territorial authority—

 - (a) the district of which is wholly or partly in the region of a regional council; and
 - (b) that undertakes, or has notified in its long-term plan its intention to undertake, the significant new activity

new activity—

 - (a) means an activity that, before the commencement of this section, a regional council was not authorised to undertake; but
 - (b) does not include an activity authorised by or under an enactment

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regional council-controlled organisation means a council-controlled organisation that is—

- (a) a company—
 - (i) in which equity securities carrying 50% or more of the voting rights at a meeting of the shareholders of the company are—
 - (A) held by 1 or more regional councils; or
 - (B) controlled, directly or indirectly, by 1 or more regional councils; or
 - (ii) in which 1 or more regional councils have the right, directly or indirectly, to appoint 50% or more of the directors of the company; or
- (b) an organisation in respect of which 1 or more regional councils have, whether or not jointly with other regional councils or persons,—
 - (i) control, directly or indirectly, of 50% or more of the votes at any meeting of the members or controlling body of the organisation; or
 - (ii) the right, directly or indirectly, to appoint 50% or more of the trustees, directors, or managers (however described) of the organisation.

Section 16(1)(c)(ii): amended, on 22 October 2019, by section 6(1) of the Local Government Act 2002 Amendment Act 2019 (2019 No 54).

Section 16(1)(c)(ii): amended, on 27 November 2010, by section 49 of the Local Government Act 2002 Amendment Act 2010 (2010 No 124).

Section 16(2)(b): replaced, on 8 August 2014, by section 10(1) of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 16(3): amended, on 8 August 2014, by section 10(2) of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 16(8)(d): amended, on 22 October 2019, by section 6(2) of the Local Government Act 2002 Amendment Act 2019 (2019 No 54).

Section 16(8)(d): amended, on 5 December 2012, by section 9 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

Section 16(9) **affected territorial authority** paragraph (b): amended, on 22 October 2019, by section 6(3) of the Local Government Act 2002 Amendment Act 2019 (2019 No 54).

Section 16(9) **affected territorial authority** paragraph (b): amended, on 27 November 2010, by section 49 of the Local Government Act 2002 Amendment Act 2010 (2010 No 124).

Section 16(9) **annual plan**: repealed, on 22 October 2019, by section 6(4) of the Local Government Act 2002 Amendment Act 2019 (2019 No 54).

17 Transfer of responsibilities

- (1) A regional council may transfer 1 or more of its responsibilities to a territorial authority in accordance with this section.
- (2) A territorial authority may transfer 1 or more of its responsibilities to a regional council in accordance with this section.

- (3) A transfer of responsibilities under this section must be made by agreement between the local authorities concerned and may be on the terms and conditions that are agreed between them.
- (3A) The terms and conditions agreed under subsection (3) must ensure effective provision for any affected co-governance or co-management arrangements that are established by legislation (including Treaty of Waitangi claim settlement legislation) and that are between local authorities and iwi or Māori organisations.
- (4) A local authority may not agree to transfer a responsibility or agree to accept a transfer of a responsibility under this section unless it is satisfied, following consultation in accordance with section 82, that the benefits of the proposed transfer to its district or region will outweigh any negative impacts of the proposal.
- (4A) In assessing, for the purposes of subsection (4), the benefits and negative impacts of a proposed transfer, a local authority must have regard to the following matters:
 - (a) whether the transfer will promote—
 - (i) better fulfilment of the purpose of local government:
 - (ii) productivity improvements within local authorities and districts or regions:
 - (iii) efficiencies and cost savings:
 - (iv) assurance that the local authorities concerned have the resources necessary to enable them to effectively perform or exercise their responsibilities, duties, and powers:
 - (v) effective responses to the opportunities, needs, and circumstances of the affected area:
 - (vi) enhanced effectiveness, efficiency, and sustainability of local government services:
 - (vii) better support for the ability of local and regional economies to develop and prosper:
 - (viii) enhanced ability of local government to meet the changing needs of communities for governance and services into the future:
 - (b) the scale and probability of the potential benefits of the transfer to users of local government services:
 - (c) the financial, disruption, and opportunity costs of implementing the proposed transfer at the proposed time:
 - (d) the consequences and risks of not implementing the proposed transfer at the proposed time:

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- (e) existing communities of interest, and the extent to which the proposed transfer will maintain linkages between communities (including iwi and hapū) and sites and resources of significance to them.
- (5) A local authority must notify the Minister of its intention to transfer a responsibility or accept a transfer of responsibility under this section.
- (6) From the time a transfer takes effect, the responsibilities and powers of the local authority receiving the transfer are extended as necessary to enable the local authority to undertake, exercise, and perform the transferred responsibilities.
- (7) If a transfer of responsibilities has been made, either local authority that was a party to the transfer may, through the process set out in subsections (3) to (6), initiate—
 - (a) a variation of the terms of the transfer; or
 - (b) the reversal of the transfer.
- (8) In this section, **responsibility**—
 - (a) means any responsibility, duty, or legal obligation (including a responsibility, duty, or legal obligation that has previously been transferred under this section and a discretionary function), and any powers associated with that responsibility, duty, or legal obligation; but
 - (b) does not include a responsibility, duty, or legal obligation conferred by or under any other Act, unless that Act provides that the responsibility, duty, or legal obligation may be transferred in accordance with this section.
- (9) Nothing in this section limits the ability of a local authority to—
 - (a) delegate the exercise of any responsibility to another local authority; or
 - (b) enter into a contractual agreement with another local authority for the performance of any activity or function.

Compare: 1974 No 66 ss 37SC, 37SD

Section 17: replaced, on 8 August 2014, by section 11 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 17(3A): inserted, on 22 October 2019, by section 7(1) of the Local Government Act 2002 Amendment Act 2019 (2019 No 54).

Section 17(4A): inserted, on 22 October 2019, by section 7(2) of the Local Government Act 2002 Amendment Act 2019 (2019 No 54).

Section 17(8): replaced, on 22 October 2019, by section 7(3) of the Local Government Act 2002 Amendment Act 2019 (2019 No 54).

17A Delivery of services

- (1) A local authority must review the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services, and performance of regulatory functions.

- (2) Subject to subsection (3), a review under subsection (1) must be undertaken—
- (a) in conjunction with consideration of any significant change to relevant service levels; and
 - (b) within 2 years before the expiry of any contract or other binding agreement relating to the delivery of that infrastructure, service, or regulatory function; and
 - (c) at such other times as the local authority considers desirable, but not later than 6 years following the last review under subsection (1).
- (3) Despite subsection (2)(c), a local authority is not required to undertake a review under subsection (1) in relation to the governance, funding, and delivery of any infrastructure, service, or regulatory function—
- (a) to the extent that the delivery of that infrastructure, service, or regulatory function is governed by legislation, contract, or other binding agreement such that it cannot reasonably be altered within the following 2 years; or
 - (b) if the local authority is satisfied that the potential benefits of undertaking a review in relation to that infrastructure, service, or regulatory function do not justify the costs of undertaking the review.
- (4) A review under subsection (1) must consider options for the governance, funding, and delivery of infrastructure, services, and regulatory functions, including, but not limited to, the following options:
- (a) responsibility for governance, funding, and delivery is exercised by the local authority;
 - (b) responsibility for governance and funding is exercised by the local authority, and responsibility for delivery is exercised by—
 - (i) a council-controlled organisation of the local authority; or
 - (ii) a council-controlled organisation in which the local authority is one of several shareholders; or
 - (iii) another local authority; or
 - (iv) another person or agency;
 - (c) responsibility for governance and funding is delegated to a joint committee or other shared governance arrangement, and responsibility for delivery is exercised by an entity or a person listed in paragraph (b)(i) to (iv).
- (5) If responsibility for delivery of infrastructure, services, or regulatory functions is to be undertaken by a different entity from that responsible for governance, the entity that is responsible for governance must ensure that there is a contract or other binding agreement that clearly specifies—
- (a) the required service levels; and
 - (b) the performance measures and targets to be used to assess compliance with the required service levels; and

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- (c) how performance is to be assessed and reported; and
- (d) how the costs of delivery are to be met; and
- (e) how any risks are to be managed; and
- (f) what penalties for non-performance may be applied; and
- (g) how accountability is to be enforced.
- (6) Subsection (5) does not apply to an arrangement to the extent that any of the matters specified in paragraphs (a) to (g) are—
 - (a) governed by any provision in an enactment; or
 - (b) specified in the constitution or statement of intent of a council-controlled organisation.
- (7) Subsection (5) does not apply to an arrangement if the entity that is responsible for governance is satisfied that—
 - (a) the entity responsible for delivery is a community group or a not-for-profit organisation; and
 - (b) the arrangement does not involve significant cost or risk to any local authority.
- (8) The entity that is responsible for governance must ensure that any agreement under subsection (5) is made publicly available.
- (9) Nothing in this section requires the entity that is responsible for governance to make publicly accessible any information that may be properly withheld if a request for that information were made under the Local Government Official Information and Meetings Act 1987.

Section 17A: inserted, on 8 August 2014, by section 12 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Subpart 4—Minister and Secretary

18 Responsibilities, powers, and duties of Minister

- (1) The responsibilities, powers, and duties conferred or imposed on the Minister of Internal Affairs by any of the Acts specified in Schedule 1, or by any regulations, rules, orders, or bylaws made under any of those Acts, must be exercised or performed by the Minister.
- (2) The Governor-General may, by Order in Council, amend Schedule 1 to add or delete any Act.
- (3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1974 No 66 s 2A

Legislation Act 2019 requirements for secondary legislation made under this section

Publication PCO must publish it on the legislation website and notify it in the *Gazette* LA19 s 69(1)(c)

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Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)	
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116	
<i>This note is not part of the Act.</i>			

Section 18(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

19 Secretary

The responsibilities, powers, and duties conferred on the Secretary for Internal Affairs by any of the Acts specified in Schedule 1, or by any regulations, rules, orders, or bylaws made under any such Act, must be exercised or performed by the Secretary for Local Government.

Compare: 1974 No 66 s 2B(2)

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Part 4

Governance and management of local authorities and community boards

38 Outline of Part

This Part—

- (a) identifies the principles and requirements for the governance and management of local authorities; and
- (b) provides for the establishment of community boards and their governance arrangements.

Subpart 1—Local authorities

Governance and management

39 Governance principles

A local authority must act in accordance with the following principles in relation to its governance:

- (a) a local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community; and

- (b) a local authority should ensure that the governance structures and processes are effective, open, and transparent; and
- (c) a local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities; and
- (d) a local authority should be a good employer; and
- (e) a local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.

40 Local governance statements

- (1) A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on—
 - (a) the functions, responsibilities, and activities of the local authority; and
 - (b) any local legislation that confers powers on the local authority; and
 - (ba) the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under section 158 or 159; and
 - (c) the electoral system and the opportunity to change it; and
 - (d) representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and
 - (e) members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and
 - (f) governance structures and processes, membership, and delegations; and
 - (g) meeting processes (with specific reference to the applicable provisions of the Local Government Official Information and Meetings Act 1987 and standing orders); and
 - (h) consultation policies; and
 - (i) policies for liaising with, and memoranda or agreements with, Māori; and
 - (j) the management structure and the relationship between management and elected members; and
 - (ja) the remuneration and employment policy, if adopted; and
 - (k) equal employment opportunities policy; and
 - (l) key approved planning and policy documents and the process for their development and review; and
 - (m) systems for public access to it and its elected members; and

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- (n) processes for requests for official information.
- (2) A local authority must comply with subsection (1) within 6 months after each triennial general election of members of the local authority.
- (3) A local authority must update its governance statement as it considers appropriate.

Section 40(1)(ba): inserted, on 14 October 2007, by section 7 of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 40(1)(ja): inserted, on 5 December 2012, by section 20 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

Governing bodies and chief executives

41 Governing bodies

- (1) A regional council must have a governing body consisting of—
 - (a) members elected in accordance with the Local Electoral Act 2001; and
 - (b) a chairperson elected by members of the regional council in accordance with clause 25 of Schedule 7.
- (2) A territorial authority must have a governing body consisting of members and a mayor elected in accordance with the Local Electoral Act 2001.
- (3) A governing body of a local authority is responsible and democratically accountable for the decision-making of the local authority.
- (4) A chairperson of a regional council, or a mayor of a territorial authority, is a Justice of the Peace during the time that he or she holds the office of chairperson or mayor.
- (5) An employee of a local authority who is elected to be a member of the local authority's governing body must resign from his or her position as an employee of the local authority before taking up his or her position as a member of the local authority.

Compare: 1974 No 66 ss 101C, 101CA, 101N, 101T

41A Role and powers of mayors

- (1) The role of a mayor is to provide leadership to—
 - (a) the other members of the territorial authority; and
 - (b) the people in the district of the territorial authority.
- (2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- (3) For the purposes of subsections (1) and (2), a mayor has the following powers:
 - (a) to appoint the deputy mayor;
 - (b) to establish committees of the territorial authority;

- (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—
 - (i) may make the appointment before the other members of the committee are determined; and
 - (ii) may appoint himself or herself.
- (4) However, nothing in subsection (3) limits or prevents a territorial authority from—
 - (a) removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or
 - (b) discharging or reconstituting, in accordance with clause 30 of Schedule 7, a committee established by the mayor under subsection (3)(b); or
 - (c) appointing, in accordance with clause 30 of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or
 - (d) discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).
- (5) A mayor is a member of each committee of a territorial authority.
- (5A) *[Repealed]*
- (6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).
- (7) To avoid doubt,—
 - (a) clause 17(1) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a);
 - (b) clauses 25 and 26(3) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.

Section 41A: inserted, on 12 October 2013, by section 21 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

Section 41A(5A): repealed, on 23 December 2023, by section 6 of the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68).

42 Chief executive

- (1) A local authority must, in accordance with clauses 33 and 34 of Schedule 7, appoint a chief executive.
- (2) A chief executive appointed under subsection (1) is responsible to his or her local authority for—
 - (a) implementing the decisions of the local authority; and

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- (b) providing advice to members of the local authority and to its community boards, if any; and
 - (c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and
 - (d) ensuring the effective and efficient management of the activities of the local authority; and
 - (da) facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001; and
 - (e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
 - (f) providing leadership for the staff of the local authority; and
 - (g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and
 - (h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).
- (2A) In the case of a unitary authority for a district that includes 1 or more local board areas, a chief executive appointed under subsection (1) is also responsible to the unitary authority for—
- (a) implementing the decisions of each local board within the district of the unitary authority; and
 - (b) implementing each local board agreement; and
 - (c) providing advice to each local board and its members; and
 - (d) providing the administrative and other facilities for each local board that are necessary for the board to carry out its functions and perform its duties.
- (3) A chief executive appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority—
- (a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and
 - (b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.
- (4) For the purposes of any other Act, a chief executive appointed under this section is the principal administrative officer of the local authority.

Compare: 1974 No 66 ss 119C, 119D

Section 42(2)(da): inserted, on 21 March 2019, by section 15 of the Local Government Regulatory Systems Amendment Act 2019 (2019 No 6).

Section 42(2)(g): amended, on 5 December 2012, by section 22(1) of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

Section 42(2)(h): amended, on 5 December 2012, by section 22(2) of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

Section 42(2A): inserted, on 8 August 2014, by section 16 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Other governance matters

43 Certain members indemnified

- (1) A member of a local authority (or a committee, community board, or other subordinate decision-making body of that local authority) is indemnified by that local authority, whether or not that member was elected to that local authority or community board under the Local Electoral Act 2001 or appointed by the local authority, for—
 - (a) costs and damages for any civil liability arising from any action brought by a third party if the member was acting in good faith and in pursuance (or intended pursuance) of the responsibilities or powers of the local authority (or committee, community board, or other subordinate decision-making body of that local authority); and
 - (b) costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as a member.
- (2) Subsection (1) does not apply to a member's liability for a loss under section 46.
- (3) To avoid doubt, a local authority may not indemnify a director of a council-controlled organisation for any liability arising from that director's acts or omissions in relation to that council-controlled organisation.

44 Report by Auditor-General on loss incurred by local authority

- (1) For the purposes of this section and sections 45 and 46, a local authority is to be regarded as having incurred a loss to the extent that any of the following actions and omissions has occurred and the local authority has not been fully compensated for the action or omission concerned:
 - (a) money belonging to, or administrable by, a local authority has been unlawfully expended; or
 - (b) an asset has been unlawfully sold or otherwise disposed of by the local authority; or
 - (c) a liability has been unlawfully incurred by the local authority; or
 - (d) a local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

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- (2) If the Auditor-General is satisfied that a local authority has incurred a loss, the Auditor-General may make a report on the loss to the local authority, and may include in the report any recommendations in relation to the recovery of the loss or the prevention of further loss that the Auditor-General thinks fit.
- (3) The Auditor-General must send copies of the report to the Minister and every member of the local authority.

Compare: 1974 No 66 s 706A

45 Local authority to respond to Auditor-General

- (1) On receipt of a report from the Auditor-General, the local authority must, within 28 days, respond in writing to the Auditor-General, and send a copy of the response to the Minister.
- (2) The local authority's response must—
 - (a) respond to each of the Auditor-General's recommendations; and
 - (b) include a statement as to what action, if any, the local authority intends to take in respect of the loss.
- (3) The Minister may extend the period of time within which the local authority must forward its response.
- (4) An individual member of the local authority may respond to the Auditor-General—
 - (a) by making a separate response to the Auditor-General, and sending a copy to the local authority and the Minister, within the time required for the local authority's response; or
 - (b) with the consent of the local authority, by incorporating that member's response in the local authority's response.
- (5) The local authority must, as soon as practicable after the expiry of the time for forwarding its response, table in a meeting of the local authority that is open to the public a copy of the Auditor-General's report, the local authority's response, and any response of an individual member of the local authority not incorporated in the local authority's response.

Compare: 1974 No 66 s 706B

46 Members of local authority liable for loss

- (1) If the Auditor-General has made a report on a loss to a local authority under section 44, then, without limiting any other person's liability for the loss, the loss is recoverable as a debt due to the Crown from each member of the local authority jointly and severally.
- (2) If the members of the local authority or any other person or persons do not pay the amount of the loss to the Crown or the local authority within a reasonable time, the Crown may commence proceedings to recover the loss from any or all of those members.

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- (3) Any amount recovered by the Crown under subsection (2), less all costs incurred by the Crown in respect of the recovery, must be paid by the Crown to the local authority concerned.
- (4) It is a defence to any proceedings under subsection (2) if the defendant proves that the act or failure to act resulting in the loss occurred—
 - (a) without the defendant's knowledge; or
 - (b) with the defendant's knowledge but against the defendant's protest made at or before the time when the loss occurred; or
 - (c) contrary to the manner in which the defendant voted on the issue at a meeting of the local authority; or
 - (d) in circumstances where, although being a party to the act or failure to act, the defendant acted in good faith and in reliance on reports, statements, financial data, or other information prepared or supplied, or on professional or expert advice given, by any of the following persons:
 - (i) an employee of the local authority whom the defendant believed on reasonable grounds to be reliable and competent in relation to the matters concerned:
 - (ii) a professional adviser or expert in relation to matters that the defendant believed on reasonable grounds to be within the person's professional or expert competence.

Compare: 1974 No 66 s 706C

47 Members may be required to pay costs of proceeding in certain cases

- (1) This section applies if, in a proceeding commenced by the Attorney-General, the local authority is—
 - (a) held to have—
 - (i) disposed of, or dealt with, any of its property wrongfully or illegally; or
 - (ii) applied its property to any unlawful purpose; or
 - (iii) permitted the reserves that it must manage to be used for purposes not authorised by law; or
 - (b) restrained from acting in the ways referred to in paragraph (a).
- (2) If subsection (1) applies, costs and other expenses arising out of the proceeding or incurred in doing the things to which the proceeding relates—
 - (a) must not be paid out of general revenues by the local authority; and
 - (b) must be paid, by order of the court, by the members of the local authority who, by voting or otherwise, assented to the acts concerned.
- (3) The court must not make an order under subsection (2) against a member of the local authority if the member proves that, in doing the act concerned,—

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- (a) the member acted in good faith and in accordance with the written advice of the solicitor to the local authority; or
- (b) the member acted honestly and reasonably and, having regard to all the circumstances of the case, the member ought fairly to be excused.

Compare: 1974 No 66 s 706

47A Application of sections 43 to 47 to planning committees under Natural and Built Environment Act 2023

[Repealed]

Section 47A: repealed, on 23 December 2023, by section 6 of the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68).

48 Further provisions of Schedule 7

The following activities of local authorities must be carried out in accordance with Part 1 of Schedule 7:

- (a) vacation of office by members:
- (b) remuneration of members:
- (c) conduct of members:
- (d) election and removal of chairperson, deputy chairperson, and deputy mayor:
- (e) calling of meetings:
- (f) conduct of meetings:
- (g) procedures at meetings:
- (h) subordinate decision-making structures:
- (i) delegations:
- (j) employment of staff:
- (k) adoption of a remuneration and employment policy.

Section 48(k): inserted, on 5 December 2012, by section 23 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

Subpart 1A—Local boards

Subpart 1A: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48A Application

- (1) This subpart applies only to a unitary authority for a district that includes 1 or more local board areas established by Order in Council under section 25.
- (2) Nothing in this subpart applies to the Auckland Council established under section 6 of the Local Government (Auckland Council) Act 2009 or to any local board of that council.

Section 48A: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48B Interpretation

In this subpart, **local activities** means the non-regulatory activities of the unitary authority in respect of which a local board is allocated decision-making responsibility under section 48L, including—

- (a) providing services; and
- (b) providing and operating facilities; and
- (c) providing funding and other support to groups and organisations.

Section 48B: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48C Purpose of local boards

The purpose of a local board, in relation to its local board area, is to—

- (a) enable democratic decision making by, and on behalf of, communities within the local board area; and
- (b) better enable the purpose of local government to be given effect to within the local board area.

Section 48C: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48D Unitary authority decision making shared between governing body and local boards

- (1) Despite section 41(3), if a unitary authority has 1 or more local boards, the governing body and the local board or boards are each responsible and democratically accountable for the decision-making responsibilities of the unitary authority that are allocated to them in accordance with sections 48J to 48L.
- (2) A governance statement prepared by the unitary authority for the purposes of section 40 must include a description and an explanation of the matters referred to in subsection (1) of this section.

Section 48D: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48E Membership of local boards

The membership of a local board consists of—

- (a) members elected in accordance with the Local Electoral Act 2001; and
- (b) if an Order in Council under section 25 so provides, members appointed by the governing body in accordance with section 19EA(1)(c) of the Local Electoral Act 2001; and
- (c) a chairperson—

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- (i) elected by the members of the local board from among themselves using one of the systems of voting set out in clause 25(3) and (4) of Schedule 7; or
- (ii) if an Order in Council under section 25 so provides, directly elected to that office by the electors of the local board area in accordance with section 19EB of the Local Electoral Act 2001.

Section 48E: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48F Indemnification and liability of local board members

- (1) Sections 43, 46, and 47 apply to a member of a local board, with any necessary modifications, as if the member were a member of the governing body of the unitary authority.
- (2) However, a member of a local board can be liable under section 46 or 47 only in respect of a matter that is the responsibility of the member's local board.

Section 48F: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48G Status of local boards

- (1) A local board is an unincorporated body.
- (2) A local board is not a local authority, a community board, or a committee of a governing body.
- (3) A local board does not have separate legal standing from the unitary authority and therefore, without limitation, may not—
 - (a) acquire, hold, or dispose of property; or
 - (b) enter into contracts; or
 - (c) appoint, suspend, or remove employees; or
 - (d) commence, or be a party to, or be heard in legal proceedings.
- (4) Nothing in this section limits the responsibility of a local board to make the decisions of the unitary authority that are allocated to it in accordance with section 48K.

Section 48G: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48H Functions, duties, and powers of local boards

- (1) A local board has the functions, duties, and powers conferred on a local board by or under this Act or any other enactment.
- (2) Without limiting subsection (1), a local board—
 - (a) must exercise the responsibilities conferred on it by section 48K(1); and

- (b) must monitor and report on the implementation of the local board agreement for its local board area (in accordance with section 48O(6) and clause 34A of Schedule 10); and
- (c) must communicate with community organisations and special interest groups within its local board area; and
- (d) must undertake any responsibilities or duties that are delegated to it by the governing body under clause 36C of Schedule 7; and
- (e) may consider and report to the governing body on any matter of interest or concern to the local board, whether or not the matter is referred to it by the governing body; and
- (f) may exercise any powers that are delegated to it by the governing body under clause 36C of Schedule 7.

Section 48H: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Decision making

Heading: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48I General scheme

- (1) This section sets out the general scheme of sections 48J to 48O. These are the provisions of this Act that set out how a unitary authority with local boards makes its decisions. This section is by way of explanation only and does not limit or affect the other provisions of this Act or any other enactment.
- (2) Both the governing body and the local boards are responsible and democratically accountable for the decision making of the unitary authority. Whether responsibility for making any particular decision rests with the governing body or with 1 or more local boards depends on the nature of the decision being made.
- (3) Section 48J sets out the classes of decisions that the governing body must make. Section 48K sets out the classes of decisions that local boards must make. Both sections include a class of decisions in respect of non-regulatory activities of the unitary authority within a local board area. The governing body must allocate responsibility for decisions within this class to either itself or the local board for the area, in accordance with the principles in section 48L(2). The results of the allocation must then be set out in the long-term plan and the annual plans of the unitary authority so that people of each local board area, and any other persons, can easily determine whether the governing body or a local board is responsible for any particular decision of the unitary authority.
- (4) To determine local wishes and priorities in relation to the non-regulatory activities for which a local board is allocated responsibility, the board must consult its communities. The local board does this by preparing a local board plan under section 48N. This plan is used as a basis for the board to develop an

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annual local board agreement with the governing body under section 48O in which the nature, levels, and funding of the activities are set out.

Section 48I: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48J Decision-making responsibilities of governing body

- (1) The governing body is responsible and democratically accountable for—
 - (a) the decision making of the unitary authority in relation to any regulatory responsibility, duty, or power conferred on, or applying to, the unitary authority under this Act or any other enactment (for example, the responsibilities, duties, or powers conferred on, or applying to, a local authority under the Resource Management Act 1991, the Health Act 1956, the Building Act 2004, and the Civil Defence Emergency Management Act 2002); and
 - (b) the decision making of the unitary authority in relation to—
 - (i) transport networks and infrastructure; and
 - (ii) any non-regulatory activities of the unitary authority that are allocated to the governing body in accordance with section 48L; and
 - (c) the decision making of the unitary authority in relation to the establishment and maintenance of capacity to provide, or to ensure the provision of, services and facilities (including local activities) by the unitary authority; and
 - (d) the decision making of the unitary authority in relation to the governance of its council-controlled organisations; and
 - (e) the decision making of the unitary authority in relation to compliance with section 101 (which relates to the financial management of a local authority); and
 - (f) reaching agreement with each local board (as set out in each local board agreement) in respect of local activities for the local board areas.
- (2) Before making a decision described in subsection (1)(a) to (d), the governing body must—
 - (a) comply with any requirement of this Act; and
 - (b) comply with any requirements of any other enactment; and
 - (c) consider any views and preferences expressed by a local board if the decision affects or may affect the responsibilities or operation of the local board or the well-being of communities within its local board area.

Section 48J: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 48J(1)(a): amended, on 23 December 2023, by section 6 of the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023 (2023 No 68).

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1 July 2025**48K Decision-making responsibilities of local boards**

- (1) Despite section 41(3), each local board is responsible and democratically accountable for—
 - (a) the decision making of the unitary authority in relation to the non-regulatory activities of the unitary authority that are allocated to the local board in accordance with section 48L; and
 - (b) identifying and communicating to the unitary authority the interests and preferences of the people in its local board area in relation to the content of the strategies, policies, plans, and bylaws of the unitary authority; and
 - (c) identifying and developing bylaws specifically for its local board area, and proposing them to the governing body under section 150B; and
 - (d) reaching agreement with the governing body (as set out in the local board agreement) in respect of local activities for its local board area.
- (2) In carrying out the responsibilities described in this section, a local board must comply with the requirements of sections 76 to 82 as if every reference in those sections to a local authority were a reference to a local board.
- (3) In carrying out the responsibilities described in this section, a local board must collaborate and co-operate with 1 or more other local boards or any other body or entity if the local board is satisfied that the interests and preferences of communities within the local board area will be better served by doing so.

Section 48K: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48L Principles for allocation of decision-making responsibilities of unitary authority

- (1) Decision-making responsibility for any non-regulatory activity of the unitary authority within a local board area must be allocated by the governing body—
 - (a) to either the governing body or the local board for that area; and
 - (b) in accordance with the principles set out in subsection (2); and
 - (c) after considering the views and preferences expressed by the local board.
- (2) The principles are—
 - (a) decision-making responsibility for a non-regulatory activity of the unitary authority within a local board area should be exercised by the local board for that area unless paragraph (b) applies:
 - (b) decision-making responsibility for a non-regulatory activity of the unitary authority within a local board area should be exercised by its governing body if the nature of the activity is such that decision making on a district-wide basis will better promote the interests of the communities in the district because—
 - (i) the impact of the decision will extend beyond the local board area; or

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- (ii) effective decision making will require alignment or integration with other decisions that are the responsibility of the governing body; or
 - (iii) the benefits of a consistent or co-ordinated approach in the district will outweigh the benefits of reflecting the particular needs and preferences of the communities within the local board area.
- (3) The long-term plan and each annual plan must identify the non-regulatory activities of the unitary authority for which decision-making responsibility is allocated to 1 or more local boards as set out in clauses 17A and 21A of Schedule 10.

Section 48L: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Local boards funding policy

Heading: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48M Local boards funding policy

- (1) To provide for predictability and certainty about levels of funding for local boards, a unitary authority must adopt a local boards funding policy as part of its long-term plan.
- (2) The local boards funding policy must set—
 - (a) the basis on which the total funds to be allocated to meet the cost of all local activities within the district is to be determined; and
 - (b) the formula by which the total funds allocated by the unitary authority for meeting the cost of funding local activities are to be allocated to each local board; and
 - (c) the formula by which the total funds allocated by the unitary authority for meeting the cost of funding the administrative support to local boards are to be allocated to each local board.
- (3) The local boards funding policy must also identify any funding (except funding dedicated to particular purposes) that may be available to local boards for local activities and the criteria or process by which it may be allocated to them.
- (4) The formula referred to in subsection (2)(b) must allocate funds to each local board in a way that provides an equitable capacity for the local board to enhance the well-being of the communities in its local board area, having regard to the following factors:
 - (a) the level of dependence on local government services and facilities in each local board area and in other parts of the district (as informed by information available to the unitary authority by reasonable means, and relating to the socio-economic, population, age profile, and other

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- demographic characteristics of each local board area and other part of the district); and
- (b) the costs of achieving and maintaining the identified levels of service provision for local activities in each local board area; and
 - (c) the rates revenue and any other revenue derived from each local board area in relation to local activities; and
 - (d) any other factor identified by the unitary authority as significantly affecting the nature and level of services needed in any local board area or any other part of the district (for example, the geographic isolation of a particular local board area or part of the district).
- (5) The formula referred to in subsection (2)(c) must allocate funds to each local board in a way that provides equitable resources and support to that local board, having regard to the following factors:
- (a) the number of elected members on the local board; and
 - (b) the size of the local board area; and
 - (c) any other factor identified by the unitary authority as significantly affecting the operational costs of the local board; and
 - (d) the funding amount allocated to the local board under subsection (4).
- (6) If the unitary authority amends its local boards funding policy under section 93(4), only a significant amendment to the policy is required to be audited in accordance with sections 93D(4) and 94.

Section 48M: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Local board plans and agreements

Heading: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48N Local board plans

- (1) Each local board must adopt a local board plan—
- (a) as soon as practicable after each triennial general election; but
 - (b) not later than 31 October in the year immediately after the year of that election.
- (2) The purpose of a local board plan is—
- (a) to reflect the priorities and preferences of the communities within the local board area in respect of the level and nature of local activities to be provided by the unitary authority over the next 3 years; and
 - (b) to identify and describe the interests and preferences of the people within the local board area for the purpose of enabling the local board to communicate those interests and preferences for the purposes of section 48K(1)(b); and

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- (c) to provide a basis for developing the local board agreement for the next 3 years; and
 - (d) to inform the development of the next long-term plan, particularly in relation to the identification of the non-regulatory activities of the unitary authority for which decision-making responsibility should be allocated to the local board; and
 - (e) to provide a basis for accountability of the local board to the communities in the local board area; and
 - (f) to provide an opportunity for people to participate in decision-making processes on the nature and level of local activities to be provided by the unitary authority within the local board area.
- (3) A local board plan must include—
- (a) a statement of the default levels of service for local activities; and
 - (b) an explanation of each variation from the default levels of services proposed for the local board area, if any; and
 - (c) an estimate of the additional cost or saving associated with each variation, if any; and
 - (d) an indicative local board budget, incorporating the estimates referred to in paragraph (c), that—
 - (i) does not exceed the estimated funding allocation for the local board for the following year included in the long-term plan under clause 17A(c) of Schedule 10; or
 - (ii) exceeds the estimated funding allocation referred to in subparagraph (i), but identifies how the expenses in excess of that allocation are proposed to be met from 1 or more local revenue sources.
- (4) In adopting a local board plan under subsection (1), a local board may follow whatever processes it considers appropriate to give effect to—
- (a) the purpose of the plan; and
 - (b) the requirements in section 82.
- (5) In this section,—
- default levels of service** means the levels of service provision for local activities in the district that are—
- (a) funded in each local board funding allocation; and
 - (b) specified in the long-term plan (in accordance with clause 4 of Schedule 10)
- following year** means the year commencing on the next 1 July.
- (6) In subsection (3)(d)(ii), **local revenue sources** include—
- (a) a targeted rate for all or part of the local board area; and

- (b) a fee or charge relating to a local activity; and
- (c) any other revenue connected with a local activity.

Section 48N: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48O Local board agreements

- (1) For each financial year, the unitary authority must have a local board agreement (as agreed between the governing body and the local board) for each local board area.
- (2) A local board agreement must set out how the unitary authority will, in the year to which the agreement relates, reflect the priorities and preferences in the local board's plan in respect of—
 - (a) the local activities to be provided in the local board area; and
 - (b) the responsibilities, duties, or powers delegated to the local board by the governing body under clause 36C of Schedule 7; and
 - (c) the implementation or enforcement of bylaws made by the unitary authority as a result of a proposal from the local board.
- (3) A local board agreement is not required to reflect the priorities and preferences in its local board plan in respect of the matters referred to in subsection (2) to the extent that 1 or more of the following apply:
 - (a) the local board determines that the priorities and preferences in the plan no longer reflect the priorities and preferences of the communities in the local board area; or
 - (b) the governing body determines that the indicative budget in the plan is, or has become, significantly inaccurate; or
 - (c) consistency with the plan would be contrary to any enactment.
- (4) A local board agreement must not be inconsistent with the adopted strategies, plans, policies, and objectives of the governing body.
- (5) For the purposes of subsection (2)(a), a local board agreement must, in respect of the local activities to be provided in the local board area in the year to which the agreement relates, include—
 - (a) a statement of the intended levels of service provision that specifies—
 - (i) any performance measures specified in a rule made under section 261B for each activity described in clause 2(2) of Schedule 10; and
 - (ii) the performance measures that the unitary authority considers will enable the public to assess the level of service for major aspects of an activity for which performance measures have not been specified as described in subparagraph (i); and

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- (iii) the performance target or targets set by the unitary authority for each performance measure; and
 - (iv) any intended changes to the level of service that was provided in the year before the year to which the agreement relates and the reasons for the change; and
- (b) the funding impact statement in the form prescribed for inclusion in an annual plan under clause 20(2) of Schedule 10; and
- (c) a statement of how any expenses in excess of the local board's estimated funding allocation under clause 21A(b) of Schedule 10 are to be met (including estimated revenue levels and the other sources of funding).
- (6) Each local board must monitor the implementation of the local board agreement for its local board area.

Section 48O: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48P Consultation required on proposed content of local board agreement

- (1) A unitary authority undertaking consultation on the proposed content of a long-term plan or an annual plan under this Act must undertake consultation on the proposed content of each local board agreement to be included in that long-term plan or annual plan in accordance with sections 93A to 93G, or section 95(2), as the case may require.
- (2) Subsection (1) does not prevent the unitary authority undertaking other consultation that may be desirable in relation to the proposed content of a local board agreement."

Section 48P: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48Q Application of Schedule 7 to local boards and their members

- (1) Part 1A of Schedule 7 applies to a local board and its members.
- (2) Part 1 of Schedule 7 (excluding clauses 15 and 32AA to 36A) applies to a local board and its members, with any necessary modifications, as if the local board were a local authority and its members were members of the local authority.

Section 48Q: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Disputes between local boards and governing body

Heading: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48R Disputes about allocation of decision-making responsibilities or proposed bylaws

- (1) Subsection (2) applies if—

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- (a) 1 or more local boards are dissatisfied with a decision of the governing body under section 48L(1); or
- (b) a local board is dissatisfied with a decision of the governing body under section 150B(3)(b) or 150E(3)(b).
- (2) The local board or boards concerned and the governing body must make reasonable efforts to reach a mutually acceptable and timely resolution of the dispute, having regard to—
 - (a) the requirements of this Act; and
 - (b) the current and future well-being of the communities of the district, and the interests and preferences of the communities within each affected local board area.
- (3) If, after acting under subsection (2), the dispute is still unresolved, 1 or more local boards may apply, in writing, to the Commission for a binding determination on the matter.
- (4) An application must be accompanied by copies of all reports, correspondence, and other information that are relevant to the matter and held by the local board or boards.

Section 48R: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

48S Local Government Commission to determine disputes

- (1) Promptly after receiving an application under section 48R(3), the Local Government Commission must notify the mayor and the chief executive of the unitary authority of the application and request them to provide, within 7 days after receiving the notice, copies of all information held by the unitary authority that is relevant to the matter, including all reports and correspondence.
- (2) After receiving the information from the mayor and the chief executive, the Commission must—
 - (a) consider the information it has received from them, and from the local board or boards concerned under section 48R(4); and
 - (b) determine the matter, having regard to—
 - (i) the requirements of this Act; and
 - (ii) the current and future well-being of the communities of the district, and the interests and preferences of the communities within each affected local board area; and
 - (iii) any other matter that the Commission considers on reasonable grounds to be relevant.
- (3) For the purposes of making a determination, the Commission—
 - (a) must treat the matter as urgent; and
 - (b) may make any inquiries that it considers appropriate; and

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- (c) may (but is not obliged to) hold meetings with the local board or boards, the governing body, or any other person.
- (4) The Commission may apportion the actual and reasonable costs incurred by it in making a determination between the local board or boards and the governing body as it thinks fit, having regard to the merits of the initial positions of the local board or boards and the governing body.
- (5) Any costs apportioned to a local board under subsection (4) must be paid from the local board's budget.
- (6) Subsection (7) applies if—
 - (a) the Commission is required to determine a matter that relates to the content of an adopted long-term plan; and
 - (b) the Commission determines that the long-term plan should be amended.
- (7) The unitary authority must amend the long-term plan to the extent necessary to give effect to the determination and may do so without further authority than this section.

Section 48S: inserted, on 8 August 2014, by section 17 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Subpart 2—Community boards

49 Establishment of community boards

- (1) A community board must be established for each community constituted, in accordance with Schedule 6, by—
 - (a) an Order in Council made under section 25; or
 - (b) a resolution made by the territorial authority within whose district the community will be situated as a result of a proposal by electors to establish a community; or
 - (c) a resolution made by the territorial authority within whose district the community will be situated as a result of the territorial authority's review of representation arrangements.
- (2) The community board must be described as the “[*name of community*] Community Board”.

Compare: 1974 No 66 s 101ZG

Section 49(1)(a): amended, on 5 December 2012, by section 24 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

50 Membership of community boards

The membership of a community board consists of—

- (a) members elected under the Local Electoral Act 2001; and



7.12 COUNCIL MEETING SCHEDULE NOVEMBER-DECEMBER 2025

1. PURPOSE

To establish the schedule for Council and Committee meetings to be held in November – December 2025.

2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

3. PROPOSED MEETING SCHEDULE

A full meeting schedule for 2026 will be tabled at the December Council meeting for adoption.

In the interim, Council needs to confirm the schedule of any Council or Committee meetings to be held before the adoption of the 2026 schedule.

The proposed meeting schedule for November and December 2025 is as follows:

- Risk and Assurance Committee - 9.30 am, 12 November 2025
- Investment Committee – 12 pm, 12 November 2025
- Water Race Committee – 1.30 pm, 12 November 2025
- Policy and Projects Committee – 9 am, 3 December 2025
- Ordinary Council meeting – 1 pm, 10 December 2025

4. CONSIDERATIONS

4.1 Climate change

There are no direct climate change implications from the decisions in this paper.

4.2 Tāngata whenua

There are no tāngata whenua considerations related to the decisions in this paper.

4.3 Financial impact

There are no financial impacts.

4.4 Community Engagement requirements

There are no community engagement requirements.

4.5 Risks

There are no additional risks associated with the decisions in this paper

4.6 Community Wellbeings

There are no community wellbeing considerations associated with decisions in this report.

5. RECOMMENDATION

That the Council:

1. **Receives** the report.
2. **Adopts** the committee and council meeting schedule for November and December 2025 as outlined in this paper.

File Number: 451438

Author: Geri Brooking, Group Manager People and Corporate

Attachments: Nil

8 KARAKIA WHAKAMUTUNGA

Kia whakairia te tapu

Kia wātea ai te ara

Kia turuki whakataha ai

Kia turuki whakataha ai

Haumi ē, hui ē, taiki ē