NOTICE OF MEETING

Notice is hereby given of an Extraordinary Meeting of the Invercargill City Council to be held in the Council Chamber, First Floor Civic Administration Building, 101 Esk Street, Invercargill On Tuesday 8 November 2016 at 4.00 pm

His Worship the Mayor Mr T R Shadbolt JP
Cr D J Ludlow (Deputy Mayor)
Cr R L Abbott
Cr R R Amundsen
Cr A J Arnold
Cr K F Arnold
Cr T M Biddle
Cr A H Crackett
Cr I L Esler
Cr G D Lewis
Cr I R Pottinger
Cr L F Soper
Cr L S Thomas

RICHARD KING
CHIEF EXECUTIVE
AGENDA

1. APOLOGIES
   Cr R R Amundsen.

2. REPORT OF THE INVERCARGILL YOUTH COUNCIL

3. MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 20 SEPTEMBER 2016

4. MINUTES OF THE MEETING OF COUNCIL HELD ON 13 SEPTEMBER 2016

5. MINUTES OF THE INAUGURAL COUNCIL MEETING HELD ON 26 OCTOBER 2016

6. MINUTES OF THE INAUGURAL BLUFF COMMUNITY BOARD MEETING HELD ON 31 OCTOBER 2016

7. REPORT OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES
   7.1 EASTER TRADING POLICY
       Appendix 1
       Appendix 2
   7.2 SUMMARY OF ANNUAL REPORT
       Appendix 1

8. REPORT OF THE CHIEF EXECUTIVE
   8.1 STANDING ORDERS
       Appendix 1
   8.2 CODE OF CONDUCT
       Appendix 1

9. REPORT OF THE CITY CENTRE CO-ORDINATOR

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11. PUBLIC EXCLUDED SESSION

Moved, seconded that the public be excluded from the following parts of the proceedings of this meeting, with the exception of Mr Jason Smith and Mr John Prendergast, namely:

(a) Confirming of Minutes of the Public Excluded Session of Council 13 September 2016
(b) Confirming of Extraordinary Minutes of the Public Excluded Session of Council 20 September 2016
(c) Receiving of Minutes of the Public Excluded Session of the Shared Services Forum 25 September 2015
(d) Report of the Chief Executive
(e) Report of the Director of Finance and Corporate Services

<table>
<thead>
<tr>
<th>General subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Ground(s) under Section 48(1) for the passing of this resolution</th>
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<tr>
<td>(a) Confirming of Extraordinary Minutes – Council 20 September 2016</td>
<td>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</td>
<td>Section 7(2)(i)</td>
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<td>(b) Confirming of Minutes – Council 13 September 2016</td>
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<td>(c) Receiving Notes of the Shared Services Forum 25 September 2015</td>
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<td>Invercargill City Holdings Limited Remuneration</td>
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<td>Director Appointments</td>
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Section 7(2)(i)

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PRESENT: His Worship the Mayor Mr T R Shadbolt
Cr D J Ludlow – Deputy Mayor
Cr R R Amundsen
Cr K F Arnold
Cr N D Boniface
Cr A G Dennis
Cr P W Kett
Cr I R Pottinger
Cr G J Sycamore
Cr L S Thomas

IN ATTENDANCE: Mr R W King – Chief Executive
Mr D J Johnston – Director of Finance and Corporate Services
Ms L Kuresa – Governance Officer

1. APOLOGIES

Cr R L Abbott, Cr I L Esler and Cr G D Lewis.

Moved His Worship the Mayor, seconded Cr Ludlow and RESOLVED that the apologies be accepted.

2. MEETING IN PUBLIC EXCLUDED SESSION

Moved His Worship the Mayor seconded Cr Ludlow and RESOLVED that the public be excluded from the following parts of the proceedings of this meeting, namely:

Report of the Director of the Director of Finance and Corporate Services

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1)(d) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:
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1. APOLOGIES

Nil.

2. PUBLIC FORUM

2.1 The Southland Youth One Stop Shop Charitable Trust and The Secondary Schools Network Trust

Representatives from the Invercargill Student Support Network (ISSN) and the Southland Youth One Stop Shop Charitable Trust were in attendance to speak to this Item.

Andy Wood, Principal of James Hargest College was the delegated spokesperson on behalf of the two organisations.

Mr Wood said they operated programmes which were highly valuable but at the moment there was a feeling of insecurity within the two organisations. They were feeling physically insecure in a building that they occupied due to the fact that there had been some approaches over the last few months from people who could be developers who had been looking at the building and on one occasion without any introduction.
He noted that on another occasion people had been referred by a Council staff member to make to have a look at the building. He said these events conspired the two organisations feel uncertain and insecure in their lease, which was currently a year by year lease that ran out in 2018.

A copy of their submission was tabled and Mr Wood took the meeting through it.

In response to a question from Cr Boniface as to whether they would be happy with a long term lease for the Number 10 building, Mr Wood said the two organisations would prefer a longer term lease of up to five years. He said any security was better than no security and to secure the investment that had already been made in the building.

In response to a question from Cr Dennis as to who had given the authority to have people looking at that site as though it was for sale, because it had not been discussed around the Council table recently, Mr Johnston said Council had been approached by somebody that was looking at development opportunities in Invercargill. That was one site they looked at and part of it was to discuss with Council about re-housing the organisations in the same building or look at constructing a new building. He said only initial discussions were taking place but there was nothing else happening at this point.

His Worship the Mayor thanked the submitters for their submission and taking the time to present to Council.

2.2 Civic Awards, Animal Control and Library

Wendy Baker was in attendance to speak to this Item.

Papers in support of Ms Baker's submission were tabled and she took the meeting through them.

Ms Baker acknowledged Library staff for the great displays that they create, especially for children and Southland. She suggested that there be more individual volunteer recognition appreciation by Council on an annual basis. She noted that the Civic Awards were three-yearly and the TrustPower Awards were held annually but only for organisations in Southland. She said she felt that as a dedicated volunteer for over three decades this was not enough appreciation of individual volunteers. She suggested issuing certificates which acknowledged the good work that volunteers did. She referred to a trophy that she brought with her and said that she would be presenting it to a dedicated, caring volunteer this year. She said the award would be symbolic because it would be presented by one volunteer to another volunteer, representing comradeship. She informed the meeting that information regarding the government policy on Volunteering was available on the Department of Internal Affairs’ website. The vision of this Policy was a society with a high level of volunteering, where the many contributions people made to the common good through volunteering and fulfilment of cultural obligations were actively supported and valued. She referred to the letter from the Associate Minister of Local Government regarding dog safety and dog control and went on to discuss some of the results of the Feedback Survey on Dog Control, which Council had a copy of. She said Council needed to get serious with dog owners who were not abiding by the bylaws and had their dogs off lead. She was concerned for other people who had bad experiences with uncontrolled dogs and said it was not fair when there were plenty of areas where dogs could be exercised off-lead.
She had contacted Statistics New Zealand and asked what the population of the Invercargill City Council area was and she was told that the latest figure was 54,200. This showed that there were more people than dogs and people needed to be respected more regarding their concerns about dog control. She noted that Council’s vision was part of Council’s Big Picture, which stated the following: “Creating an exciting, innovative, safe, caring and friendly city. Offering lifestyles based on a healthy environment and diverse growing economy.” She accentuated the “healthy and safe environment” part of Council’s vision and said uncontrolled dogs may potentially be a safety concern and therefore not create a healthy environment for some. She noted that the Library Computer area was an unsafe and unhealthy environment at times, due to the lack of privacy and the inappropriate language that some people used whilst using the computers. It was an ongoing problem and suggested that the computer area be split into four separate areas throughout the Library as soon as possible. The Library was a place to be respected and staff needed to make sure that this was upheld and that they cared about customers who had been intimidated by people who used offensive and foul language. To conclude, she asked that the Council minutes be more detailed regarding presentations.

In response to questions, the following answers were given:

- It will be later on in the year that I present the trophy to someone. It’s something that Council can do and I know that certificates are presented at the Civic Awards, which is nice but something like this trophy is really nice. I also know that there are two nominations needed for the Civic Awards but it would be nice if someone can nominate themselves without someone else nominating them. It’s nice to appreciate lots of volunteers and not just specific ones and only a few.
- I have spoken to Cr Ludlow and he is aware of other incidents where people use inappropriate language at the Library, including some youth issues.

His Worship the Mayor thanked Ms Baker for taking the time to present to Council.

2.3 Proposed Traffic Lights at the Intersection of Herbert and Kelvin Streets

Michele Poole was in attendance to speak to this Item.

Ms Poole distributed copies of photos with regard to this matter and said that she wanted to address Council in relation to the recommendation from the Infrastructure and Services Committee Meeting that traffic lights be installed on the corner of Kelvin Street and Herbert Street. Her concerns fell into two categories. The first related to the consultation and engagement that was undertaken and the second was with regard to the way that concerns raised had been addressed on this matter. The initial steps that were taken to consult with residents were very satisfactory. The proposal was clearly stated and it was dropped into the letterboxes of residents who were directly affected and as residents they had ample opportunity to provide feedback. She said from that point there was a total absence of communication and it did not seem to meet the spirit or the letter of Council’s Significance and Engagement Policy. She was concerned that there was no follow up communication, despite the recommendation to last week’s meeting, noting that further consultation was required. Residents who made comment were not contacted to advise what the proposed proposal would be and they were not told how or whether their concerns would be addressed.
They were not told that the matter was on the Infrastructure and Services Committee agenda and consequently, the Committee may have thought from the fact that nobody attended the Committee meeting to speak on this matter, that everybody was happy. She said residents were not told that there was any opportunity for further input, either by way of further discussion with staff, or by speaking to Council under Public Forum. Furthermore, they were not told that the Committee was recommending that the Council proceeds with the installation of the traffic lights. She noted that there was a story in The Southland Times last week, in which she was quoted and as a result of her submission having been a public report. She had no issue with that, except to the extent that residents who gave feedback were not told that the submissions would be made public. She said she worked in this area, and it was not normal practice because submitters were normally told that their submissions would be public. Normal practice was that submitters would be told that submissions would become a public document, which she had no problems with but some residents may have expressed themselves differently. She said she had spoken with Mr Dolman and Mr Pearson and they had both acknowledged that the consultation was less than complete but that still left them in the current situation that Council was presented with a recommendation based on less than complete consultation and engagement with those affected. She had raised with Mr Dolman and Mr Pearson that the safest way to access her garage was to reverse into it and drive out forwards as shown in Photograph 1. She said Photograph 2 showed how far out a vehicle driving forward needed to go before you could see oncoming traffic and Photograph 3 showed the same issue when reversing out onto the street. She said that Mr Dolman had suggested that the option to address the concerns she raised would be to drive into her garage forwards and reverse out onto the cycle lane but she would hate to have to rely on that as a defence if she was up on a charge of reckless driving injury. The manoeuvre to get in and out of her garage would become functionally impossible because of the conjunction of the yellow lines that were already there and the queue of traffic. While she was aware from the minutes of the meeting that some Councillors did query how access would be affected, her concerns were not addressed. She said other residents including Mr and Mrs Edwards had raised the issue of parking restrictions and she was not in a position to address whether or not the off-street parking was adequate but they obviously had concerns that no parking would be available outside their property. She said she was a realist and she was sure that Council would go ahead with the traffic lights for valid reasons and she had to accept the engineer’s assessment that a roundabout was not a feasible option but she would have liked to see more supporting information on this matter. She was asking for a commitment from Council, when considering the recommendation, that the recommendation possibly be amended that further consideration be given to the concerns that she and other residents had made and that an agreement was reached with residents on how those could be mitigated before the plans for the traffic lights were finalised for construction.

Cr Thomas asked after whether seeing the photographs she had distributed, if there were revised plan and the engineers consulted directly with her and Mr Edwards about their concerns, she would be happy with that before the work was undertaken. Ms Poole said she took the photographs on Saturday afternoon and she did not have to wait very long before there was a line of traffic. She said she would be delighted to be involved with the revised plan.

His Worship the Mayor thanked Ms Poole for taking the time to present to Council on this matter.
3. REPORT OF THE INVERCARGILL YOUTH COUNCIL

3.1 Youth Council 2016

The report had been circulated and Kieran Perkins and Janaya Stevenson took the meeting through a PowerPoint Presentation.

Cr Abbott commented that the Youth Council had great attributes towards leadership.

Cr Thomas thanked the Youth Council for their work over the last year. The Youth Council had put in a lot of work and they had been proactive in the projects they had been involved with. He said the Youth Council had also been critical, which was a good thing in democracy and they had managed to point out some shortcomings that Council had. The new concept of the “unders” and “overs” had worked with 30 Youth Council Members this year. He congratulated them for their work.

Moved Cr Thomas, seconded Cr Lewis and **RESOLVED** that the report be received.

4. MINUTES OF THE MEETING OF COUNCIL HELD ON 2 AUGUST 2016

Moved Cr Ludlow, seconded Cr Abbott and **RESOLVED** that the minutes be approved.

5. MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 5 AUGUST 2016

Moved Cr Boniface, seconded Cr Abbott and **RESOLVED** that the minutes be approved.

6. MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 23 AUGUST 2016

Moved Cr Ludlow, seconded Cr Thomas and **RESOLVED** that the minutes be approved.

7. MINUTES OF THE MEETING OF THE BLUFF COMMUNITY BOARD HELD ON 22 AUGUST 2016

**Moved** Cr Esler, seconded Cr Lewis that the minutes be received.

Cr Sycamore said he was interested in reading about the New Zealand Transport Agency and the changes they had made in its contract style. He wondered what implications that had on Council and whether New Zealand Transport Agency would be informing Council of those implications, due to the fact that Council spent a lot of money on projects with the New Zealand Transport Agency.

Mr McIntosh said New Zealand Transport Agency made this change some time ago and they were updating the Bluff Community Board on the effects of the contract in relation to the maintenance contract for the State Highway.
Ms Harris informed Council that New Zealand Transport Agency would be briefing the new Council.

The motion, now being put, was **RESOLVED** in the **affirmative** with the amendment that W Glassey should be Mrs W Glassey.

### 8. MINUTES OF COMMITTEES

#### 8.1 Community Services Committee 29 August 2016

Moved Cr Abbott, seconded Cr Kett and **RESOLVED** that the minutes be approved with an amendment that Cr N J Elder needed to be removed from the Members who were present and that Cr P W Kett be added.

#### 8.2 Regulatory Services Committee 30 August 2016

Moved Cr Ludlow, seconded Cr Arnold and **RESOLVED** that the minutes be approved.

#### 8.3 Infrastructure and Services Committee 5 September 2016

Cr Thomas said with regard to Ms Poole’s recommendation to change the recommendation in relation to the proposed traffic lights at the intersection of Herbert and Kelvin Streets, she was happy with the suggestion of being involved in the revised plan and the recommendation set out in the minutes still stood.

Cr Arnold asked for clarification as to whether that meant, that it was accepted that the traffic signals would still be going ahead, but there would be conversations with Ms Poole and Mr and Mrs Edwards. Cr Thomas confirmed that was correct.

Moved Cr Thomas, seconded Cr Pottinger and **RESOLVED** that the minutes be approved.

#### 8.4 Finance and Policy Committee 6 September 2016

Cr Boniface said he moved Items 1 to 8, excluding Item 4.1, Funding Application from St John, as there was a separate report on that item.

Cr Pottinger said he wished to speak to Item 7.1.

Moved Cr Boniface, seconded Cr Sycamore and **RESOLVED** that the minutes be approved, with the exception of Item 4.1.

Cr Boniface took the meeting through the report on the Funding Application from St John.

**Moved** Cr Boniface, seconded Cr Sycamore that Council accepts Option 2, to spread the funding over three financial years as follows:

- **$34,000 in the 2017/18 Financial Year**, Grant available July 2017
- **$33,000 in the 2018/19 Financial Year**, Grant available July 2018
- **$33,000 in the 2019/20 Financial Year**, Grant available July 2019
Cr Sycamore said that everybody who was present at the Finance and Policy Committee meeting was impressed with the presentation from St John and it highlighted the need for this city to ensure the ongoing availability of that emergency service.

Cr Boniface took the meeting through the initial report and for the benefit of Councillors who were not at the meeting. He said he was not sure if Council should still consider the $30,000 or whether it should consider the $100,000 set out in the tabled report.

Cr Boniface said the direction from the Committee was that $100,000 was probably more acceptable and that was what was included in the report as Option 2. By adopting Option 2, it would need to go to through the Annual Plan so it would be available for public consultation and it gave Council flexibility and may be $34,000 could be in lieu of building consent fees.

Cr Arnold said she was going to make the same point that Cr Boniface did with regard to building consent fees and with Option 2, the first $34,000 or the equivalent of and $66,000 in grant. She wondered what the impact on the rates increase would be.

Mrs Gare said she had not had an opportunity to have a look at what the building consent fees were, but if those fees were waived then $100,000 in ratepayers’ money would still need to be spent because Council would need to provide that service.

The motion, now being put, was RESOLVED in the affirmative.

Cr Potterger said with regard to Item 7.1, Invercargill City Holdings Limited Monitoring of Performance referred to the lateness of Electricity Invercargill Limited's Annual Report for public availability. This matter was discussed at the meeting and it was moved by Cr Thomas and seconded by Cr Lewis that this matter would be referred to Invercargill City Holdings Limited to provide an explanation. He wondered what sort of a timeframe and in what form this explanation would be provided.

Mr Johnston said Council had written to the Chairman of Invercargill City Holdings Limited, seeking an explanation on this matter and the Chairman had forwarded the letter on to the Chairman of Electricity Invercargill Limited. Invercargill City Holdings Limited Board had asked to have a response back by 30 September.

Cr Potterger said since the recent changes to the Constitution that were passed at the last Council meeting, he wondered if Invercargill City Holdings Limited had looked at changing Electricity Invercargill Limited’s Constitution to accommodate this situation happening in the future.

Mr Johnston said that this matter had not been discussed at the Invercargill City Holdings Limited’s table as yet, but it would be discussed at the next Board meeting, which was scheduled to be held next week, so at this point he could not give a yes or no answer.

Cr Arnold said on Page 62 of the agenda, it stated in the minutes that she moved that the meeting goes into Public Excluded Session but she was not a Member of the Finance and Policy Committee.
The motion, now been put was **RESOLVED** in the **affirmative** with the amendment that Cr Boniface moved for the Committee to go into Public Excluded Session and not Cr Arnold.

9.  

**NOTES OF THE MEETING OF THE SHARED SERVICES FORUM HELD ON 25 SEPTEMBER 2015**

**Moved** Cr Boniface, seconded Cr Ludlow that the minutes be received.

Cr Sycamore wondered why it took nearly 12 months for the Shared Services minutes to come to this Council. He noted there had been at least two Shared Services meetings since this meeting.

Ms Harris said she was not sure why there was a delay, but as soon as the minutes were sent to Secretarial Services, they were put through to Council for ratification.

The motion, now being put, was **RESOLVED** in the **affirmative**.

10.  

**MINUTES OF THE MEETING OF THE URBAN REJUVENATION GOVERNANCE SUB-COMMITTEE HELD ON 28 JUNE 2016 AND 30 AUGUST 2016**

Cr Boniface said the minutes of the meeting held on 28 June 2016 were tabled and asked that they be included in this recommendation.

**Moved** Cr Boniface, seconded Cr Amundsen that the minutes be received.

Cr Arnold noted that there was an unhappiness expressed about the time it was taking to come to a decision on the Pilot Project and she wondered if there had been any discussion about it or timeline given.

Cr Boniface said this was covered in Public Excluded Session minutes and he was happy with explain it in detail under Public Excluded Session.

The motion, now being put, was **RESOLVED** in the **affirmative**.

11.  

**REPORT OF THE DIRECTOR OF WORKS AND SERVICES**

The report had been circulated and Mr McIntosh took the meeting through it.

11.1  

**Places of Remembrance Project**

In response to a question by Cr Esler, as to whether Council was liaising with the people who were doing work towards War Memorials, Cr Ludlow said it was a separate project. He said this project was specifically looking at street names and the history linked to those.

Cr Thomas said he was sure that this was an ongoing process and he believed that while Council had some, there were some significant other names that could be used as street names too.

Moved Cr Ludlow, seconded Cr Amundsen and **RESOLVED** that Council agrees to participate in the Places of Remembrance Project.
12. REPORT OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES

The report had been circulated and Ms Short took the meeting through it.

12.1 Delegations Register

Moved Cr Ludlow, seconded Cr Thomas that the Delegations Register, including the Delegations Policy contained in Section 1, be adopted;

AND THAT

This Register supersedes all existing Delegation Registers.

Cr Sycamore said under “Obligations” on Page 86, Number 3 said, “Delegations will normally be made to positions, not people…” and Number 7, Point 2 said, “To whom the delegation is made”. He wondered if that should say, “The position to which the delegation is made”, to make it consistent. He also referred to page 87 with regard to the list of, “Powers that cannot be given to subcommittees and community boards” where he noticed that Point H said, “the power to adopt a remuneration and employment policy”, which did not appear on Page 88. He wondered if that meant that a subcommittee and community board could be delegated that power.

Ms Short said that was an error on her part, Point H should be in there and it would be added to.

Cr Sycamore said on Page 96, under the “Building Act 2004”, Section 5, Delegation by Statute, it appeared that Section 72 was in there twice.

The motion, now being put, was RESOLVED in the affirmative with amendments as discussed.

12.2 Venture Southland Heads of Agreement

The report had been circulated.

Moved Cr Boniface, seconded Cr Arnold and RESOLVED that the current Venture Southland Heads of Agreement 2014-2017 be extended to 30 June 2018, subject to it being reviewed by 30 June 2018;

AND THAT

The Chief Executive is delegated the authority to develop and sign the 2017/18 Venture Southland Letter of Expectation.

12.3 Easter Trading Policy

The report had been circulated.

Moved Cr Boniface, seconded Cr Ludlow that the report be received;

AND THAT

As a result of approaches from retailers, staff engage with the community to investigate the likely desirability for creating a draft Policy, allowing trade throughout the entire District, and that the results of this investigation, including any potential draft policy, is prepared for Council’s consideration.
Cr Thomas commented that all councils around New Zealand would need to go out for public consultation on this Policy. The Government had shifted the onus on councils to spend a lot of money when it could have made that decision itself.

Cr Arnold said she disagreed with Cr Thomas because what she read from the report was that Council had the option of doing nothing and not coming up with a Policy, so therefore it was business as usual. She said this was a big issue for Council and she did not think Council had the background to it but Council needed to know what the potential consequences were. She did not understand how the recommendation came about saying, “a draft policy allowing trade throughout the entire district is prepared”, when Council had not discussed if Council wanted to go down the path of having a Policy and allowing Sunday Easter Trading. She said it would be better leaving this matter for the new Council because greater discussion was needed before considering a Policy.

Cr Pottinger said he agreed with Cr Arnold and he was concerned about how Council wrote in each implication, “Has the Child, Youth and Family Friendly Policy been considered?” This matter that relates to family, children and youth and it says that it was considering the Child, Youth and Family Friendly Policy. He said he was struggling with this point and he wanted an explanation on how Implication 6 was determined because it did not seem to have any consistency.

Mr King said he was reminded of the saying, “beauty is in the eye of the beholder” so whoever wrote the report had to give consideration to that and it was their decision. In this instance it was saying that it was not applicable.

Cr Amundsen said Council could argue that it was applicable because as pointed out, Easter trading could affect the employment of parents who would not be able to spend time with their children.

Cr Pottinger asked if Implication 6 should be removed and His Worship the Mayor said Council needed to discuss it further.

Cr Lewis said he agreed with Cr Pottinger but the Bill allowed employers to refuse to work on Easter Sunday and in theory that made it easy for families to say no to working on Easter Sunday. In practice, that did not work with employers in some cases.

Cr Ludlow said there were some valid points on whether or not the Easter Trading Policy had an effect on families. He said it did matter whether it was this Council or the next, Council was putting it out there for consideration. Neither Council would make a decision without the feedback that came from consultation, and if people felt strongly that they did not want to see Easter Trading in the Invercargill District, particularly because of the effect it would have on families, then he expected that they would say so.

Cr Boniface said this was a controversial thing that the Government had given to all councils and this Council could not duck for cover on it. Council needed to face up to it and staff were asking for some direction on this matter to start preparations. The new Council would come in and deal with it but the reality was, if this matter went out for public consultation at Christmas time, it would be around February/March before a decision was made on it and then Easter. He wanted Council to be prepared and Council needed to deal with it and go out for consultation and get some feedback from the public.
Cr Sycamore said this had the potential to be a huge political hot potato for this Council. It was not something that Council had to consider before because Invercargill was not termed as a “tourist area” but he wanted to get the feel from the public as to whether they wanted Council to have a Policy. He said if Council did not have a Policy, the status quo remained and there was no change, next Easter was no different to the last 150 Easters that New Zealand had. He said people were still getting on with their lives and businesses were still operating. They did not stand or fail on whether or not they opened on Easter Sunday or not. He said a Policy would not come cheap, it would take a lot of work, a lot of effort and Council would need to consider whether the whole city area could open or just parts of it and it could be quite controversial. He suggested that this matter should be taken gradually in consultation with the public as part of Council’s next Annual Plan on whether or not it should have a Policy or not.

Cr Amundsen said she saw the disadvantage of the approach that Cr Sycamore was suggesting, because if Council was asking yes and no questions and the answer was “yes, we should have a Policy”, Council would need to go back again and do the engagement all over again to find out what should be in the Policy.

Cr Abbott suggested that the recommendation should be, “a draft policy considering trade” and not “allowing trade”.

Cr Thomas asked what Local Government’s view was on this matter? He said there were so many councils around New Zealand consulting and considering this matter because it was a contentious issue for everybody and it would create a lot of debate between employers and employees and Council would be in the middle of it.

With the permission of the mover and seconder the recommendation now read:

Moved Cr Boniface, seconded Cr Ludlow that the report be received;

AND THAT

A draft Policy, considering trade throughout the entire District is prepared for Council's consideration.

Mr King said with the word “considering”, he was not sure what that meant because Council was still uncertain, so this matter was back to step one.

His Worship the Mayor said he did not see it as the Government dodging the issue necessarily. He thought that the Government was trying to introduce horses for courses type scenario for places like Queenstown where it was catering for huge numbers of tourists. He said there were other areas of more religious communities that may not want to have a Policy. They may want to have a traditional Easter in Church. He thought it was allowing for that diversity.

Cr Amundsen wondered if the approach should be that Council sent out a survey and get a feel from the community first and based on the survey results, Council uses that to develop a Policy or not. That could be done as part of the engagement process. She said it could be a Survey Monkey survey and in the newspaper, which people could complete. This would give Council a feel for what the community wanted and it would give direction on whether Council wanted to be permissive, status quo, or something in between.
His Worship the Mayor asked if the mover and seconder thought that the resolution allowed for that kind of flexibility that had been discussed and Cr Ludlow said it was simply the mechanics of how the Policy came about. He did not see any problems with that as a process.

Cr Boniface said that Council needed to give direction to staff one way or another and he agreed with Cr Amundsen’s suggestion of having a survey to gauge what the public wanted, as long as there was enough time.

Cr Arnold said she did not understand what the rush was for staff to do anything because it would be better for Council to have more information on this matter. This information supported the allowing of trade but there should be more information about what Council’s obligations were on what a policy would include.

Ms Short said the development of the Policy could be included and the reason it seemed rushed was because it came through on 29 August and staff wanted to get it before Council had a break to allow staff time to start the development of a Policy. She said if Council wanted to have a Policy before Easter next year, and Council did not want to do any of the consultation over the Christmas period, which was usually frowned upon by the public saying that Council was trying to sneak things through while they were all on holiday, then there was a need to start developing it now. It could be as some Councillors had suggested by doing a pre-consultation phase. The reason why an entire area was suggested was because it was easier to put forward at this stage. People could submit and say it should be inner city, it should be a specific area only or through that pre-consultation period, people could say it should only be Bluff and specific areas. Council did not have to do a Policy but if Council did not develop a Policy and the status quo remained, that meant that no businesses were allowed to trade on Easter Sunday. That option needed to be put out to the public and be available to people for feedback.

Cr Arnold said that Council had gone a step forward and Council had not decided if it wanted a Policy and that needed to be decided on first, including the pre-consultation process to get a feel on whether there was a need for a Policy. She said there was no need for staff to be working on something that turned out to be unwanted or unnecessary.

Cr Ludlow said there was no pressing issue because Council had not been approached by people saying that they felt very strongly that there should be Easter Sunday Trade, so there was no rush to have consultation now. If it was not in place for Easter 2017 then Council was all good with that.

Ms Short said Council had received emails from retailers asking what Council was doing about this Policy and that was why it was brought to Council today.

Cr Arnold said the frustration was that Council was given a report that did not provide that information. If there was a report saying, “Council had been asked…”, then there was context for discussion and that was a problem.

His Worship the Mayor suggested that if it was included in the recommendation, “As a result of approaches by the retailers…”, would that be acceptable and Cr Arnold confirmed that it would be acceptable because it had context.

Cr Ludlow said that was the context that should have been included in the report as Cr Arnold had pointed out and it did not change the recommendation.
With the permission of the mover and seconder, the recommendation now read:

Moved Cr Boniface, seconded Cr Ludlow and **RESOLVED** that the report be received;

AND THAT

As a result of approaches by the retailers, a draft Policy, allowing trade throughout the entire District is prepared for Council’s consideration.

13. **MAYOR’S REPORT**

The report was tabled.

**Moved** His Worship the Mayor, seconded Cr Ludlow that the report be received.

Cr Ludlow said this was His Worship the Mayor’s last meeting chairing Council for this term and on behalf of Council he thanked His Worship for the leadership he had provided and the long hours he had put in.

His Worship the Mayor said he wanted to focus on Cr Dennis who would not be around the Council table again for meetings. He thanked him for his contribution to Council and he looked forward to working with him as being the link between Council and the present Invercargill Licensing Trust. He had done a great job in that regard and there had been a positive partnership on a whole range of projects, including films, which were dear to his heart.

Cr Dennis said at the first Council meeting on his first term as a Councillor, he had referred to His Worship the Mayor as Your Honour, and it was a good start because they had worked well together ever since. He thanked His Worship the Mayor for the kind words.

The motion, now being put, was **RESOLVED** in the **affirmative**.

14. **URGENT BUSINESS**

Nil.

15. **COUNCIL IN PUBLIC EXCLUDED SESSION**

Moved His Worship the Mayor, seconded Cr Ludlow and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, with the exception of Mr Jason Smith and Mr John Prendergast, namely:

(a) **Confirming of Minutes of the Public Excluded Session of Council 2 August 2016**

(b) **Confirming of Extraordinary Minutes of the Public Excluded Session of Council 5 August 2016**

(c) **Confirming of Extraordinary Minutes of the Public Excluded Session of Council 23 August 2016**

(d) **Receiving of Minutes of the Public Excluded Session of the Regulatory Services Committee 30 August 2016**

(e) **Confirming of Minutes of the Public Excluded Session Infrastructure and Services Committee 5 September 2016**
(f) Confirming of Minutes of the Public Excluded Session of Finance and Policy Committee 6 September 2016

(g) Receiving of Minutes of the Public Excluded Session of the Shared Services Forum 25 September 2016

(h) Report of the Human Resources Director

(i) Report of the Chief Executive

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1)(d) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<table>
<thead>
<tr>
<th>General subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Ground(s) under Section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Confirming of Minutes – Council 2 August 2016</td>
<td>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</td>
<td>Section 7(2)(i)</td>
</tr>
<tr>
<td>(b) Confirming of Extraordinary Minutes – Council 5 August 2016</td>
<td>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</td>
<td>Section 7(2)(i)</td>
</tr>
<tr>
<td>(c) Confirming of Extraordinary Minutes – Council 23 August 2016</td>
<td>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</td>
<td>Section 7(2)(i)</td>
</tr>
<tr>
<td>(d) Confirming of Minutes – Regulatory Services Committee 30 August 2016</td>
<td>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</td>
<td>Section 7(2)(i)</td>
</tr>
</tbody>
</table>
(e) Confirming of Minutes – Infrastructure and Services Committee 5 September 2015
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiation)

(f) Confirming of Minutes – Finance and Policy Committee 6 September 2016
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

(g) Receiving of Minutes – Shared Services Forum 25 September 2015
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

(h) Health, Safety and Wellness
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

(i) SoRDS Inner City Development
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

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The meeting started with a Mihi and prayer by Mr Michael Skerrett.

1. **APOLOGIES**

   Nil.

2. **DECLARATIONS**

   The report had been circulated.

2.1 **Formal Announcement of Election Results**

   The Chief Executive opened the meeting and announced the names of the successful candidates in the Election.

   He then explained about the making and attesting of the declarations of the Mayor and Members required by Schedule 7 Clause 14 of the Local Government Act 2002.
2.2 Declaration of His Worship the Mayor, Mr T R Shadbolt

His Worship the Mayor read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002, and assumed the chair.

2.3 Declarations of Councillors

I. Cr D J Ludlow read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

II. Cr I L Esler read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

III. Cr K F Arnold read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

IV. Cr R R Amundsen read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

V. Cr G D Lewis read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

VI. Cr A H Crackett read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

VII. Cr T M Biddle read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

VIII. Cr L F Soper read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

IX. Cr I R Pottinger read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

X. Cr A J Arnold read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

XI. Cr L S Thomas read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

XII. Cr R L Abbott read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

3. INTRODUCTION OF COUNCILLORS AND THEIR VISION FOR COUNCIL FOR THE COMING TERM

Cr Ludlow said he was happy to be able to serve his sixth term on Council. He was encouraged that Council had retained some of the intellectual property sitting around the table and was also invigorated by having four new Councillors. He looked forward to serving with them and assisting them for the next three years as they found their feet and their voice as elective representatives. It was a daunting task and in the past three years, one of the projects that he had been driving had been the Invercargill District Plan, which would be notified this Friday. He thanked the Mayor for having reappointed him as his Deputy and he was happy to serve. He wanted to focus on enabling Council to communicate what it was doing and in information gathering. He said he wanted to play a role in making sure that Invercargill remained a city where families felt enabled to reach their potential if they choose to. He was aware that the Family Friendly brand had been questioned in the past, but he still stood behind it. It was the one thing that had the most engagement for a number of people when Council asked, what the point of difference was that Invercargill offered. Overwhelmingly, a large number of people said that it was a great place to raise a family and it had been a pleasure for him to take that journey as a parent.
Cr Thomas welcomed the new Councillors and said he was delighted to be back as a Councillor. He hoped to be able to provide some guidance to the new Councillors and said that Invercargill was the life blood of Southland and Invercargill created a lot of opportunities. Council had some challenges coming up and he would keep reminding Council about the core infrastructure that was needed in the City to make it a great place to live. Invercargill was far more multicultural now, which was a blessing. He said SIT was working hard to have more overseas students studying in Invercargill and he welcomed them with open arms. He was looking forward to a strong, positive Council working around the table in the best interests of the City.

Cr Abbott said he was happy to be back as a Councillor. He was not an old boy, he was fiercely independent and he did not subscribe to shadow cabinets. He said to correct some suggestions throughout the campaign that he was past his used-by date because of health issues, he was a phoenix who had risen from the ashes and he was tenacious and strong. His role was to work and advocate for all electors. As an individual he would be listening, considering and taking on board all comments and suggestions. He liked good governance and supported that role. He was not swayed by personalities or conflicts or shadow cabinets. He was a man of few words and he looked forward to working with the new Councillors and re-elected colleagues.

Cr Lewis said welcomed the new Councillors and said the next three years would be an exciting time for the new Council. His vision was to continue the good work Council had with organisations such as Creative Communities that provided funding through the Government to have entertainment and education in the City to make it a more interesting place to live. There were also events funds that brought a lot of tourism into the City and he wanted to ensure that Council took advantage of that to create more employment for our young people who had moved away from Invercargill. He wanted to create more opportunities for our young people to want to stay in Invercargill to further their education, hobbies and enjoy living here as he did.

Cr Pottinger said he was very proud to be re-elected and he welcomed the new Councillors to Council. He said this term he would like to see the reintroduction of portfolios of Councillors, which was something that was done in his first term. There was a need for an increased workload and there were gaps in what Council did and time wise. It would be great for each Councillor to have challenges and in a previous meeting the Mayor had mentioned that some councils had Mayoral Reports, where each Councillor gave a brief outline of their particular portfolio roles. With regard to Council work, he was seeking improved transparency around Council’s actions and he would like to see Council lead with stronger Governance and not be satisfied with the tail wagging the dog.

Cr Biddle said she was very humbled and extremely overwhelmed to be sitting around the Council table. She acknowledged her family and friends for their support through this new chapter in her life. She said His Worship the Mayor, Mr King, staff and Councillors had already been incredibly welcoming to her and the other new Councillors and they were very excited for the next three years. She hoped to contribute to the best of her ability to represent the people who had voted for her and she intended to remain in the community 100%, so that she could see and hear the community. In respect of her skills and what she had to bring to Council, she had a definite interest in Community Services and Regulatory Services. She said she was also looking forward to learn from re-elected Councillors on a whole range of skills.
She said what excited her most was the diversity and the demographic around the table, which was something she strongly campaigned about and it was great to see five beautiful, strong wahine toa (women), and she was very excited to be one of them. Regardless of how old they were, they brought a lot of skills and diversity and she was looking forward to the next three years.

Cr Soper thanked Michael and Winsome Skerrett for the welcome to Council. She quoted the following: “What is the greatest, it is people, people, people, he tangata, he tangata, he tangata”. She said she stood for this Council because she believed that she could serve the people in this City where she was born and grew up in. She would do her best to add something to a City that she was proud of but she also wanted to see a friendlier and more centred and more prideful City. She believed she could contribute to this Council in many ways. There were many challenges coming up and her vision for this term was to be a united team with other fellow Councillors, prepared to work together to deliver the best outcomes for the City as possible. To cooperate with the rest of the region because whist being proud of being part of Invercargill City, there was a Southland region that everybody had a great deal of reason to be proud of. Councillors needed to support each other now and into the future because she was very committed to work in this City to make herself open and available to people and also to work with the region to make this City and region an equally proud place to be. She was keen that Council emphasises infrastructure and Council needed to be serious as a Council that there was a need for inner city development that had been long delayed and could not be delayed any longer. Council also needed to be mindful that core infrastructure was one of its greatest responsibilities. Council needed to be sure that it kept the communication open and that they were good Governors, but never forgetting who they were the Governors for and she brought that back to the fact that it was all about people. She concluded by saying that as part of her vision and something she had lived by for many years, she quoted, “That for all of us we seek the treasure we hold most dearly, if we bow our heads, let it be only to a lofty mountain”.

Cr Allan Arnold said he was pleased to have been elected and it was a new experience. He was looking forward to working with the Councillors because this was all new to him. He was hoping that he could contribute in a positive way for the benefit of the community who voted for him. He had ideas that he would like to bring to the table, which benefited everybody. He thanked Council and said he looked forward to working with everybody.

Cr Crackett said staff and colleagues had been very welcoming. She been studying the mechanics of Council for quite a while and it was very humbling and she was honoured to be elected and be able to sit on the other side of the table. She was proud to live in Invercargill and call this City her home and the fact that she was a true daughter of Invercargill. She said Invercargill was sitting on the cusp of incredible change and she was pleased to see such a different demographic than what Council had previously presented. This was something she had campaigned about and she was excited about the vitality that Council offered. She would continue to listen and work fastidiously and give it 120%. She thanked everybody who had voted for her and she thanked her colleagues and other Councillors for their advice and great introduction into Council.
Cr Karen Arnold said she was proud to return for a second term on Council. She had campaigned for a culture change and she would like to think that with the people around the Council table, that there would be a positive change for Council. She wanted to see Councillors contribute honestly and positively to the City and that Council would do things by the book. Things would not be done behind the scenes, wheeling and dealing but be more transparent. She said after three years she could not believe how much she loved Council and she felt weird for having so much fun but Local Government and Governance, if it was something that you believe in and were true to, then you enjoyed it. She had grown a lot personally in the past three years and learnt a lot, not only about Council and the City but a lot about herself. She was happy to have another three years to further develop as a person and contribute to the City, testing all the information that Council received.

Cr Esler said he was privileged to have the opportunity to be back for his third term as a Councillor for Invercargill and Bluff. Clearly the election was a vote for change and it was great to see a greater gender balance. This term he wanted to see more democracy in clear decision making and for Council being able to decide on the spending Policy. There was a need to work better to justify Council expenditure on overseas trips. The biggest challenge was dealing with the rejuvenation of the City. The SoRDS project promised some good things for the City, the Central City Art Gallery, a serious commitment to funding staffing at the Museum at its present site and bringing new entertainment to the City, with the new Council it was an opportunity to make progress. He said it was essential to support the Smelter and there was a need to draw more in growing numbers of free and independent travellers to the City who were exploring New Zealand over the summer season. The issue of amalgamation would be raised this term and he was opposed to compulsory amalgamation of local authorities. There was a need to look at ways of sharing projects and emphasising our unity as Southlanders whenever the opportunity arises. He was pleased to see that one of the projects that he had been involved with, the Te Araroa Trail, which was identified as one of the most dangerous day’s walks had been made safer with the construction of the walkway and cycleway. There was a need to find good ways to welcome this year’s 500 walkers and help them celebrate their 3,007 kilometres from Cape Reinga. He said the project that he and Cr Soper had been involved with for several years was the completion of the Omaui Hill Track. He invited Cr Allan Arnold to team up and work together on Otatara matters, being the two residents of Otatara. He said he looked forward to working with other Councillors on other issues. To conclude, he asked, “Can we change the music?”

Cr Amundsen said it was an honour to be re-elected to the Invercargill City Council and she was excited to be able to serve another three years. During her first term it was about learning and understanding how she could work towards achieving her goals within Council, while getting to know staff and other Councillors. She was able to work through the challenge of understanding Council processes and how to operate within it. She was looking forward to working together with the new Councillors as well as re-elected Councillors this term. She was hoping to be able to have some new and exciting roles that would challenge her and give her an opportunity to use the skills she had used so far. Her vision for this term was the same as it was in 2013. She wanted to be part of moving Invercargill City Council towards being a Council that prioritises community engagement in everything it did, especially in decision making. During the last term, Council took some steps towards this and she hoped that the Engagement Strategy that Council was working on would assist in progressing with this.
This would involve becoming more customer-centric, providing more opportunities to connect with Council in the community using technology for gathering and distributing information and looking for innovative ways to engage, connect and progress. She believed that it was time to look to the future, which included visiting Council’s vision to create something that was meaningful and exciting with lots of community buy-in. She said on a personal level, she would remain committed to the community, be accessible, approachable and support people who want to make a difference in the community.

His Worship the Mayor said one of the privileges being the Mayor was that he did not have to say what his vision was but he had circulated a report, generally encouraging Councillors to look beyond what was on the agenda. Councillors should be well rounded Southlanders. Today he had a call from a film maker who was doing the story of the St John Church next door. Harry Stoker who was the Arch-Deacon there for 30 years and one of his sons who was on the Troopers Memorial and the statue to the Boer War (South African War), was perhaps one of the most decorated soldiers of the South African War and he was sure that most people did not know that. He said it was good to extend ourselves and know the City and region well.

4. EXPLANATION OF LEGISLATION

4.1 Local Government Official Information and Members Act 1987 (R W King – Chief Executive)

The Chief Executive gave a general explanation of this Act to Councillors.

4.2 Other Laws Affecting Members Including: (W A Cambridge – City Solicitor)

Mr W Cambridge, City Solicitor, took the meeting through a general explanation of the following legislation:

(a) The Local Authorities (Members’ Interests) Act 1968

(b) Section 99, 105, 105A of the Crimes Act 1961

(c) The Secret Commissions Act 1910

(d) The Financial Markets Conduct Act 2013

Mr Cambridge stressed the need for all Councillors to seek advice when in doubt over the interpretation of any legislation.

5. APPOINTMENT OF THE DEPUTY MAYOR AND APPOINTMENT OF COUNCILLORS TO COMMITTEES, BLUFF COMMUNITY BOARD AND OUTSIDE ORGANISATIONS

5.1 Report of His Worship the Mayor

The report was tabled and His Worship the Mayor took the meeting through it.

Moved Cr Ludlow seconded Cr Lewis that the report be adopted.
Cr Esler said it would have been beneficial for Councillors to have this report prior to the meeting so that Councillors had more opportunity to reflect on it. He said there was also some information outlined in the report that could be negotiated for some of the appointments. The content of the report controlled the direction of Council for the next three years.

His Worship the Mayor said the process was that he carried out one-to-one interviews with all Councillors and then discussions were had with senior Council staff members to try and ensure that there were no conflicts. He was aware that there would be some disappointments and Councillors would not always get what they asked for in the interviews. He said it was a difficult balancing act to try and arrive at a situation where everyone around the table were reasonably confident that they would do the work that had been assigned to them and believe that it was a reasonably fair distribution of responsibilities. Ideally it would have been good to have more time but it was a difficult situation where once the election results were announced, Council no longer exists until today.

Cr Thomas asked for clarification as to how his appointment as Chairman of the Audit Committee fitted with being the Chairman of Infrastructure and Services. Former there was no Chair who was Chairman of Audit and he was looking after a Directorate that had a lot of input in the Annual Plan and Long Term Plan and he wanted to seek some clarification about working with Audit and within the Works and Services Directorate.

His Worship the Mayor asked Mr Lothian, New Zealand Audit, to clarify this matter.

Mr Lothian said there was no reason in itself not to mix the two rules. He would be happy to work with a Chair of the Audit who was also the Chair of Infrastructure and Services. In itself there was no conflict. If the Committee and His Worship the Mayor felt that an independent Chair or another person who was one step removed from significance of the Infrastructure and Services Committee would be a better choice, he had no objection to it. He said from Audit New Zealand’s point of view, working on behalf of the Auditor General, the main priority was to have an Audit Committee with a Chair that they were able to work with without any issues. He had no doubts that Audit New Zealand would be able to work effectively with the proposed Chair and there was no reason to think that there was an inbuilt conflict of interest as such.

Cr Esler informed the meeting that there was no longer a New Zealand Historical Places Trust. With regard to the Southland Historic Buildings Preservation Trust, he would sooner not be a representative for that Trust due to his conflict of interest.

Cr Lewis said with regard to the Audit Committee, it was previously called the Audit and Risk Committee and then it was split into two Committees with different Councillors involved in various meetings. He wondered if there would still be a risk aspect of the Audit and Risk.

Mr King said there would be some consequential amendments to the Governance Statement if Council adopted this report. The intent for the ‘risk’ side of it would be incorporated into the Finance and Policy Committee because that included all Committee Chairmen rather than having a separate Committee altogether.
His Worship the Mayor said there would be further questions raised, for example the issue with the tree that was leaning over a neighbour’s property and one branch blew off and damaged another neighbour’s glasshouse and a Contractor tried to saw it off and he smashed another neighbour’s garage. It was on a heritage property and the owner felt he was not allowed to subdivide but all sorts of limitations were identified and he had given Council a written outline of what he had been through. He asked if Council was at risk under the new Legislation if a branch did blow off and kills a neighbour. He said those were some of the uncertainties and he asked Mr Lothian if was able to comment on this situation.

Mr Lothian said he preferred not to comment on this matter because it was a legal question for Council to ask a legal expert and not an auditing expert.

Cr Crackett queried conflicts of interest that she had declared with regard to her employer, Market South where they dealt with some regional promotions and they worked alongside Venture Southland. She noted that she was now a Council representative on Venture Southland as set out in the report. She asked for clarification that there was no conflict of interest in her taking up this role.

His Worship the Mayor asked Mr Lothian if there was a possible conflict of interest or pecuniary interest with regard to the matter that Cr Crackett had raised.

Mr Lothian said the process he saw was that if there were any questions with regard to a legal interest or a possible conflict of interest, Council needed to contact the Officer of the Auditor General and they would give some indication of whether the matter was easily resolved through discussions with them or whether there was a need to seek legal advice.

His Worship the Mayor said there was one case in the past where Cr Sycamore who was on Venture Southland, and his Company did some printing work for them of up to $40,000. He did not know that his Company had tended for that job and got it, it put him in a difficult situation.

Mr Cambridge said it was a question of advising what Cr Crackett believed the conflict was through the Chief Executive and it would then be considered against legislation and a legal opinion would then be given. If there was an issue, a discussion would be carried out in writing with Audit New Zealand.

Cr Thomas said he was under the impression that the Events Committee would be extended to five members and not three because there had been some issues with only two members being available for meetings.

Cr Ludlow said the current Governance Statement only allowed for three members. The Governance Statement would need to be amended to extend the number of members on the Events Committee.

Cr Pottinger said he wanted to speak to Cr Thomas raising the issue of the Chair of Audit. In the interview with His Worship the Mayor, he had applied for the Chair of Audit and he had been a Council representative on Venture Southland for two terms.
His Worship the Mayor said as part of the balancing process, the issue that Cr Pottinger was concerned about, when he raised at a previous Council meeting as well as in discussions, was that he felt that he was denied his right to vote on the Finance and Policy Committee and with this change in structure, it would give Cr Pottinger that right to vote on that Committee.

Cr Pottinger accepted the Mayor’s explanation and said that the did apply for the role as Chair of Audit and if Cr Thomas felt generous to relinquish that, he was happy to provide a good balanced, open mind audit view for Council.

Cr Thomas said he was happy to Chair the Audit Committee, which was not something he applied and he was not shirking the workload but he was prepared to relinquish the role of Chair of the Audit Committee. The workload for the Audit Committee was big as well the Infrastructure and Services Committee and he was not prepared for the Audit Committee.

Cr Amundsen informed the meeting that The Southland Rural Heritage Trust no longer existed.

Cr Thomas queried as to whether Invercargill Venue and Events Management should be included in this report.

His Worship the Mayor informed the meeting that this matter was another area of clarification.

Cr K Arnold said she was happy with her roles as set out in the report and supported Cr Pottinger in the role as Chair of the Audit Committee.

His Worship the Mayor said all the items would be brought back to the Extraordinary Council Meeting scheduled to be held on Tuesday 8 November for further clarification or change.

The motion, now being put, was RESOLVED in the affirmative, with the exception of Item 5.3, 6.1, 2.5, 5.6 and Clause 7.

6. **REPORT OF THE MANAGER OF SECRETARIAL SERVICES**

The report had been circulated.

6.1 **Meetings Schedule 2016, 2017, 2018**

Moved Cr Ludlow, seconded Cr Abbott and RESOLVED that the Meeting Schedule for 2016, 2017 and 2018 as presented be adopted.

7. **RESOLUTION OF THANKS TO FORMER MEMBERS**

Moved His Worship the Mayor, seconded Cr Ludlow and RESOLVED that this Councils sends a letter of thanks to the following former Councillors for their contribution to Council and the City:

- Cr N D Boniface
- Cr A G Dennis
- Cr P W Kett
- Cr G J Sycamore
8. **REPORT OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES**

8.1 **Adoption of Annual report 2015/16**

The report had been circulated and Cr Ludlow took the meeting through it, along with a supplementary report in relation to the amendments to the Annual Report. He congratulated Dale Booth, Todd O’Connor, Melissa Short, Colleen Montgomery and the team for their work on the Annual Plan Report 2015/16.

**Moved** Cr Ludlow, seconded Cr Lewis that the 2015/16 Annual Plan Report be adopted by Council, incorporating the amendments presented in the report.

Mr Lothian said as the appointed Auditor by the Auditor General, Lyn Provost, to carry out the audit on her behalf with the resources and staff of Audit New Zealand, he congratulated and offered his best wishes to the new Council and His Worship the Mayor for the new term and the challenging times ahead. In listening to the introductory speeches by Councillors, he was encouraged by many remarks, including, an interest in the core infrastructure, open communication, transparency and engagement with ratepayers. There were over 250 pages in the Annual Plan Report that included a lot of information on the whole of Council. It was audited because it was a requirement and Council prepared the Report because it was legal. He thanked Council staff who had been extremely helpful in assisting Audit New Zealand to finish this sizeable project. Many staff members deserved his thanks, including Dale Booth and Melissa Short who had been instrumental in the process being completed well.

The motion, now being put, was **RESOLVED** in the **affirmative**.

9. **URGENT BUSINESS**

Nil.

There being no further business, the meeting finished at 5.36 pm.

************
PRESENT: Mr R Fife - Chair
Mrs W Glassey – Deputy Chair
Mrs G Henderson
Mr G Laidlaw
Mrs P Young
Cr I L Esler

IN ATTENDANCE: His Worship the Mayor, Mr T R Shadbolt JP
Mr R W King – Chief Executive
Cr L S Thomas
Cr G D Lewis
Cr A J Arnold
Cr T M Biddle
Mrs E Harris Mitchell – Manager of Communication and Secretarial Services
Mrs N Allan – Service Centre Manager
Ms L Kuresa – Governance Officer

1. APOLOGY
Nil.

2. DECLARATIONS
i. R Fife read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.
ii. W Glassey read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.
iii. G Laidlaw read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.
iv. P Young read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.
v. G Henderson read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.
vi. Cr I Esler read out and signed the formal declaration, as required by Schedule 7, Clause 14 of the Local Government Act 2002.

The Chief Executive welcomed the newly elected members of the Bluff Community Board.

3. ELECTION OF CHAIRPERSON

There were no other nominations and the Chief Executive declared that nominations were closed and also declared that R Fife be elected as Chairman of the Bluff Community Board.

Moved W Glassey, seconded P Young and RESOLVED that Mr Raymond Fife be elected as Chair of the Bluff Community Board.
R Fife assumed the Chair and welcomed everybody to the meeting. He said over the last three years the Board had a lot of projects in mind, and had started off with a lot of enthusiasm, but the wheels of progress turned slowly both in Central Government and Local Government. The Board had slowly made progress and was working closely with the Council as a team to progress ideas and in particular the management side of Council with Mr Pearson, Mr Pagan, and Mr Murray. Over the next term the Board wanted to continue to engage with the community including the rural community. He said the Bluff Ward included the Awarua Siding Road and over the next term he would like the Board to meet with residents in that area and engage with them to hear what their concerns were. Over the last three years the Board was solely focused on Bluff issues. It was important for the Board to work as a team. He would like to think that the people of Bluff and the general Bluff Ward had faith in the Board and that was why all Members were re-elected unopposed. He believed they were a good team who worked well together and even though they had their differences now and again, they managed to sort them out amongst themselves so that when they went out to fight issues, they stood together as a team to do so. He said over the next three years the Board would be working hard towards making Bluff a better place to live. He would like to see more businesses being encouraged to come to Bluff, which was an aspect the Board would be working hard to achieve. He congratulated all Board Members on being re-elected and he looked forward to working with Members over the next three years including Council. He said the Board had discussed and agreed to elect a Deputy Chairperson. He was aware that there had never been a Deputy Chairperson but the Board felt it was important that if he was not available then the Deputy Chairperson was able to step in. He called for nominations for a Deputy Chairperson.

Moved P Young, seconded G Laidlaw and RESOLVED that Mrs W Glassey be elected as Deputy Chairperson of the Bluff Community Board.

There were no other nominations and the Chairperson declared that nominations were closed and also declared that W Glassey be elected as Deputy Chairperson of the Bluff Community Board.

3.2 Board Members Vision for 2016 - 2019

W Glassey said she had enjoyed the last three years. It had been a major learning curve for her and she was happy to be part of a great team. The Board had done some great things for Bluff over the last term with more projects to push forward for the next three years. She said one of the aspects of Bluff she would be pushing forward was ensuring that beautifying the roadways was completed. She was happy with the relationship that the Board had built up over the last term in working in partnership with Council and she would like that relationship to continue so that there was better engagement and progress for the good of Bluff. She said over the next three years it was important to do a lot for Bluff because Bluff had a lot to offer to Invercargill and surrounding districts. She thanked everybody for their support and said she looked forward to the new term.

G Laidlaw said for the next three years he would be supporting the Chairman and he was happy with the fact all Board Members worked well together as a team. For the next three years, he would be pushing for a new boat ramp, not only for Bluff but for the whole of Invercargill and Southland. He said he would also like to see the safety issue with regard to the walkway to Bluff being resolved. The 2024 Group had done an amazing job for Bluff and he would like to assist and support the Group for the good of Bluff.
P Young welcomed everybody to the meeting and said she looked forward to the journey ahead for the new term. The last three years had been very interesting learning experience and it had taken all three years to get to where she was now. All Board members in their own ways had decided that there would be projects that they would be pushing for over the next three years that they were committed and passionate about. Her goal was to see the Bluff Hill completed. She said as a current employee in Health and Social Services in Invercargill, which had given 15 years of dedicated services to Invercargill and she would like to see something similar being developed for Bluff. She would like to see the Board working closely on that Kaupapa and in liaising with the Runanga as well by strengthening those relationships over the next three years. She said it was an absolute accolade that the Bluff community had confidence in the Board by being re-elected for another term without opposition and she was proud and happy to be part of the team.

G Henderson said she had enjoyed working with the Bluff Community Board and the fact that they were a wonderful team to work with. As everybody was aware Bluff was the gateway to Stewart Island and to the Sub Antarctic Islands and the Board needed to concentrate on the infrastructure side of that and promoting it more for visitors coming to Bluff. She wanted the Board to do more work with community groups such as the 2024 Group that was doing a wonderful job. She said it was also important to promote the businesses in Bluff and working with the young people of Bluff.

The Chairperson thanked Cr Esler for being the Council representative for the Bluff Community Board. He said the last three years had been interesting in working with Cr Esler and he had brought a lot of good ideas to the table. Cr Esler had Bluff at heart and he was able to look at what he had been able to achieve and saw the conservation side of Bluff. He had also been able to bring his skills with regard to the Museum and the Board looked forward to working with him over the next three years. He noted that Cr A Arnold was in attendance and he looked forward to him attending future meetings as well.

Cr Esler said he was happy to be the Council representative for the Bluff Community Board again for the next three years. He said Bluff was one of his portfolios as well as Otatara, the Southland Museum and the Bluff Maritime Museum. There was a lot of work on the periphery of Council business rather than right in the heart of it. He congratulated Board Members and said it was a tribute to Members for being elected without opposition. The Board had worked well as a team over the previous term and he was pleased to be part of that. The issues that he wanted to work on this term for Bluff, was the Te Araroa Trail, the Walkway-Cycleway from Invercargill to Bluff. It was important for that to be pushed forward as there would probably be around 500 people walking from Cape Reinga to Bluff this year. It would be good to welcome them and he wanted to discuss with the Board about different ways that those people could be welcomed into Bluff and Invercargill. He said the future of the Smelter was very important to Bluff. The 2024 Group was doing good things and Dog Island had a future as a visitor spot in the tourist destination. He noted that pest control was working well on Bluff Hill and the Omaui Track had been constructed but had not been opened yet. He said the Bluff Maritime Museum had made good progress in the last few years and he was very positive about the future of Bluff.

The Chairman invited His Worship the Mayor to address the meeting.
His Worship the Mayor congratulated the Board and said the Chairman was correct in suggesting that there was contentment in Bluff and that was the reason why all Board Members were elected unopposed. He said when he first got elected as Mayor in 1993, he announced that Bluff was the jewel in Invercargill's tourist crown and he was mocked for that statement but people were now beginning to realise that with the whole Southern coastline, the Southern scenic route and the development of infrastructure in Stewart Island, that dream would be fulfilled. From a broader picture, his favourite project over the last term was the Airport, which Bluff was a part of. It was the front door for the whole of Invercargill and Bluff with more than 200,000 people going through that front every year. He said Invercargill and Bluff had a fantastic future ahead and Council looked forward to working with the Bluff Community Board.

4. **EXPLANATION OF LEGISLATION**

4.1 **Local Government Official Information and Meetings Act 1987 (R W King – City Solicitor)**

The Chief Executive gave a general explanation of this Act to Community Board Members.

4.2 **Other Laws Affecting Members – (W A Cambridge – City Solicitor)**

(a) **The Local Authorities (Member’s Interests) Act 1986**

(b) **Sections 99, 105, 105A of the Crimes Act 1961**

(c) **The Secret Commissions Act 1910**

(d) **The Financial Markets Conduct Act 2013**

5. **MEETING SCHEDULE**

The report had been circulated.

5.1 **Report of the Manager Secretarial Services**

Moved W Glassey, seconded G Henderson that the report be adopted.

The Chairperson noted that a Bluff Community Board Meeting had been scheduled to be held 1 May 2017, which as when he and Mrs Young would be away at the Muttonbird Islands. He said he would work with Mrs Harris Mitchell, Secretarial Services Manager, to reschedule that meeting for another date.

The motion, now being put, was **RESOLVED** in the **affirmative**.
6. REPORT TO THE BLUFF COMMUNITY BOARD INAUGURAL MEETING

The report was tabled and the Chairman took the meeting through it.

6.1 Appointments to Sub-Committees

The Chairperson said he had prepared the tabled report with regard to the processes on the Sub-Committees for the Bluff Community Board. This report was usually presented at the first Board meeting but he had decided, with the Board’s approval, to do this now to get things up and running before the 21 November Board Meeting. The Board had a Workshop to discuss all the positions outlined in the report and he would like to endorse the Appointments for the Sub-Committees as outlined in the report.

Moved R Fife, seconded G Laidlaw and **RESOLVED** that the report be adopted.

There being no further business, the meeting finished 7.45 pm.

************
REPORT ON EASTER TRADING POLICY

TO: COUNCIL
FROM: DIRECTOR, FINANCE & CORPORATE SERVICES
MEETING DATE: TUESDAY 8 NOVEMBER 2016

SUMMARY

Council has the responsibility of deciding whether to introduce and implement a Policy that would allow shops to open and trade on Easter Sunday following an amendment to the Shop Trading Hours Act Repeal Act 1990.

RECOMMENDATIONS

That this report be received.

IMPLICATIONS

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Has this been provided for in the Long Term Plan/Annual Plan? Yes.</td>
</tr>
<tr>
<td>2</td>
<td>Is a budget amendment required? No.</td>
</tr>
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<td>Is this matter significant in terms of Council’s Policy on Significance? No.</td>
</tr>
<tr>
<td>4</td>
<td>Implications in terms of other Council Strategic Documents or Council Policy?N/A.</td>
</tr>
<tr>
<td>5</td>
<td>Have the views of affected or interested persons been obtained and is any further public consultation required? Yes.</td>
</tr>
<tr>
<td>6</td>
<td>Has the Child, Youth and Family Friendly Policy been considered? Yes.</td>
</tr>
</tbody>
</table>

FINANCIAL IMPLICATIONS
None.
BACKGROUND

The Shop Trading Hours Act Repeal Act 1990 was amended providing powers to Territorial Authorities to decide whether shops can open to trade on Easter Sunday; this would be done through the introduction of a Policy.

At the September Council meeting it was recommended that the report be received and pre-consultation occur prior to developing a policy for consultation. This was recommended due to local businesses contacting Council enquiring as to the Council’s position on this legislative change and the need to know to prepare for the upcoming 2017 Easter hours.

Pre-consultation consisted of an online survey that was publicised via Council’s social media. This generated over 400 responses. A further online survey was sent out to City Centre businesses, Glengarry, South Alive and the Windsor Business Group – it received 11 responses. The decision to create two separate surveys was to discern the difference of opinion, if there was one, between those immediately affected if a policy were introduced and those who had a general opinion on the matter.

Further, on the 21st September the ICC Noticeboard full page in the Southland Times included a cut-out survey that could be returned to Council to offer a further opinion on the matter. Twenty-two slips were received back. The results from the pre-consultation are attached in Appendix 1 with the further information provided to retailers in Appendix 2.

The split was consistent across all methods of pre-consultation with approximately 60% of respondents opposing the introduction of a Policy.

This responsibility to determine whether to establish a Policy remains with Council. Should Council determine to create and adopt a policy, it would need to be done in line with the special consultative procedure that is required by law.

Following the results of the pre-consultation, Council staff seek direction on whether a draft Easter Trading Policy should be developed for public consultation.

**********
PRE-CONSULTATION RESULTS

Survey One - Public

Question 1: Do you think Council should introduce a policy allowing shops to trade on Easter Sunday?

Yes: 179 (40.87%)
No: 259 (59.13%)
TOTAL: 438

Question 2: If yes, would you want all shops in Invercargill City, including Bluff, to be allowed to open or just specific areas?

Entire City, including Bluff: 168 (76.02%)
Specific areas: 53 (23.98%)
TOTAL: 221

Survey Two – Retailers

Question 1: Do you think Council should introduce a policy allowing shops to trade on Easter Sunday?

Yes: 4 (36.36%)
No: 7 (63.64%)
TOTAL: 11

Question 2: If yes, would you want all shops in Invercargill City, including Bluff, to be allowed to open or just specific areas?

Entire City, including Bluff: 4
Specific areas: 0
TOTAL: 4
Questions 3 – 5:

These questions allowed retailers to provide their contact details (optional), provide further feedback (optional), and required that they indicate that they were aware that any feedback provided may be made public in a Council document.

The feedback was mixed with some respondents believing that if a Policy were adopted it would infringe on the families time together and that there are limited days that they do not have to open and knowing this would be a day off is ideal for many small businesses. It was also stated that Sunday is usually a slow-trade day in Invercargill anyway. Conversely, some feedback stated that during the winter months they felt there was more demand for their products so may be inclined to open and that shopping can be a family activity that some families may choose to take up at Easter time. Others noted that they understood that the employee would have the option to work or not, and that the decision should best be left in the hands of the businesses that are affected.

Survey Three – Newspaper

The Southland Times published on the 21st September the ICC Noticeboard page which had a cut-out slip that residents could fill out and return to Council.

Question 1: Do you think the Council should introduce a policy allowing shops to trade on Easter Sunday?

Yes: 6 (27.27%)

No: 16 (72.72%)

TOTAL: 22

Question 2: If yes, would you want all shops in Invercargill City, including Bluff, to be allowed to open or just specific areas?

Entire City, including Bluff: 6 (85.71%)

Specific areas: 1 (14.29%)

TOTAL: 7

Further Feedback

There were three further e-mails received on this potential policy, two of which were from retailers. These retailers both indicated they were not in favour of the creation of a policy.
INFORMATION FOR RETAILERS

This infographic was sent around to retailers with a link to the survey – it explains the legislative changes and what the creation of a Policy would allow.

Easter Trading Laws

The Government has passed legislation allowing Council to introduce a policy that would allow shops to trade on Easter Sunday with no fines imposed.

EMPLOYEE’S ROLE:

- Easter Sunday is a day of significance in New Zealand and some people would rather not work on this day.
- All shop employees will be able to refuse to work on Easter Sunday without any repercussions for their employment relationship.
- There are requirements associated with the right to refuse work on Easter Sunday for both employers and employees. This is to do with how much notice is required by each party.

For further information about this please go to the employment.govt.nz website.

COUNCIL’S ROLE:

- Council can introduce a Policy after consulting with the public, if they wish to introduce Easter Sunday trading.
- If a Policy is introduced it will not control or override existing legislation such as defining specific opening hours, alcohol licensing provisions or determining what types of shops may open.

WHERE TO FROM HERE?

- If the community response is positive for change, then a draft Policy will be prepared and taken to Council in November. It will then go out for consultation where anyone can submit and be heard before Council either in support or against the Policy.

FURTHER INFORMATION:

- We are conducting a survey to see how the community feels about this; you can fill this out at surveymonkey.com/e/eastertrading
- Email policy@ice.govt.nz with any queries or even just to let us know your thoughts!
TO: COUNCIL
FROM: DIRECTOR OF FINANCE & CORPORATE SERVICES
MEETING DATE: 8 NOVEMBER 2016

SUMMARY OF ANNUAL REPORT

Report Prepared by: Melissa Short – Manager, Strategy and Policy
Dale Booth – Financial Controller

SUMMARY

This is Council’s Summary of the 2015/16 Annual Report. It has not yet been audited; any changes will be tabled at the Meeting.

RECOMMENDATIONS

That the Summary 2015/16 Annual Report be adopted.

IMPLIEDATIONS

<table>
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<td>Yes and no consultation is required.</td>
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<td>Yes.</td>
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FINANCIAL IMPLICATIONS

No financial implications arise from this report.
**SUMMARY OF ANNUAL REPORT**

In accordance with the Local Government Act 2002, staff have prepared a summary of the 2015/16 Annual Report. The Summary must be adopted within 30 days of the Annual Report being adopted.

Council’s Summary of the 2015/16 Annual Report is attached at **Appendix 1**. This summary has not yet been audited; any changes will be tabled at the meeting, although few are expected.

**********
This has been one of the toughest years our city has faced in its recent history. The reforms proposed in the amendments of the Local Government Act could smash Local Government as we know it. I’ve experienced the great purge of 1989 and it was a nightmare. The staff are all sacked and you have to re-hire them along with an army of consultants, then you have to realign computer systems, Annual Plans and Long Term Plans, then you have to deal with debts and assets. As a result no new initiatives are launched over the year it takes to achieve these objectives.

The other great challenge we face is the distribution of transmission costs for electricity from the national grid. The Tiwai Smelter is an example of local industry that is paying exorbitant transmission costs even though it is right next door to the Manapouri Power Station. The South Island is paying for the entire cost of maintaining the Cook Straight cable. At the same time there is an intense Local Government election being held and there is a high degree of anxiety about the future. While Councillors are trying to focus on these highly traumatic issues we are continually having to deal with issues such as the Christmas lights from China saga.

Looking at the bigger picture this Council can feel proud of its achievements over the last year. We committed ourselves to an upgraded water purification plant at Branxholme, we completed a new Airport Terminal and we saved Rugby Park. The Zero Fee Scheme is still attracting students from all over the country and yet another feature film has been completed. We have attracted several major events to our city such as the World Shearing Championships, tourism is booming, the price of milk is rising and our population increased by 2.7% at the last census.

We can look forward to a positive future.

Mayor Tim Shadbolt
I am pleased to present the Invercargill City Council’s 2015/16 Annual Report. The Council has been working hard to deliver improved services for all residents, providing greater opportunities for residents to have their say on Council policy and looking to positively influence change in the City through new initiatives and encouraging more activity, especially within the CBD. For the foreseeable future, Invercargill City will have to actively promote the City Centre rejuvenation drive and encourage residents to continue backing local business.

This is a time of opportunity for the City. With local body elections coming up we have seen the highest turnout of candidates since 2001. The high number of candidates is positive with many locals taking an interest in their community, having innovative ideas and continuing to work towards enhancing our City’s vision. It is an exciting space to watch as it is our first social media election campaign, with many candidates utilising it to access and engage with their audience on a personable level.

Our successful shared service for solid waste collection and disposal was recognised by Local Government New Zealand. As a result we assisted in Kiribati as part of a New Zealand Foreign Affairs and Trade Aid Programme where we initiated an agreement to establish shared waste services between Betio Town Council and the Teinainano Urban Council. It was a fantastic opportunity to see one of our unique services highlighted as a model to follow. We have also been active with our partnership in the Southland Regional Development Strategy – whilst there are many challenges ahead, these are being noted and a strong workforce has been working toward countering these issues and working forward towards our goal of increasing our population and reinvigorating our city centre.

I am confident that our Council has the strategic direction we need, and are clear about what services we can provide to deliver to our residents. I wish to acknowledge our Councillors, Staff and the community for their contribution to our great City. Their ability to improve performance year by year is a result of their hard work, dedication and the passion that drives them. This report shows what we have achieved together over the last year, and how well we are set up to do more in the year ahead. I look forward to seeing what we can achieve together with our new Council in the upcoming year.

In the opinion of the Council and management of Invercargill City Council, this Summary Annual Report represents fairly and consistently the financial position and operations of Council as detailed in the Annual Report 2015/16. This Summary Annual Report is authorised for release by the undersigned on 8 November 2016.
Summary of Service

SUMMARY OF ACTIVITIES AND LEVELS OF PERFORMANCE

The 2015/16 Annual Plan identified 91 levels of service against which its performance would be measured for its activities. 18 of these were Department of Internal Affairs measures. The levels of service were what Council wanted to provide to its community and the actual measurement indicates whether or not it has been delivered.

Council achieved 69 of its 91 measures.

In the graph above, “Achieved” means that the 2015/16 performance measure was met or exceeded. “Not Achieved” means the 2015/16 performance measure was not undertaken or not provided to the target level.
This Annual Report details the performance measures and their achievement for the activities. A summary of how these activities positively contribute towards Council’s four Community Outcomes is detailed below.

<table>
<thead>
<tr>
<th>Community Outcome</th>
<th>Activity and Performance Measure</th>
<th>2015/16 Target</th>
<th>2015/16 Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Healthy lifestyle in a healthy environment.</td>
<td>Civil Defence - Percentage of surveyed households prepared for an emergency including self-sufficiency for three days.</td>
<td>50% by 2016</td>
<td>Achieved - 51% (New Measure)</td>
</tr>
<tr>
<td></td>
<td>Libraries and Archives - Membership as a percentage of the total population.</td>
<td>65% - 75%</td>
<td>Achieved - 70.52% (2014/15: Achieved - 71%)</td>
</tr>
<tr>
<td></td>
<td>Passenger Transport - Homes in the Invercargill urban area are within 400 metres of a serviced bus route.</td>
<td>90%</td>
<td>Achieved - 90% (2014/15: Achieved - 90%)</td>
</tr>
<tr>
<td></td>
<td>Pools - Number of visits to Splash Palace per head of Invercargill population.</td>
<td>At least 6</td>
<td>Achieved - 7.6 visits (2014/15: Achieved - 7.7 visits)</td>
</tr>
<tr>
<td></td>
<td>Public Toilets - Automated toilets are available 24 hours a day.</td>
<td>95%</td>
<td>Achieved - 99% (2014/15: Achieved - 97%)</td>
</tr>
</tbody>
</table>
## Community Outcome Activity and Performance

<table>
<thead>
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<th>2015/16 Target</th>
<th>2015/16 Actual</th>
</tr>
</thead>
<tbody>
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<td></td>
<td>Destinational Marketing - Number of tourism businesses using Venture Southland services.</td>
<td>&gt;25</td>
<td>Achieved - 105 businesses* (2014/15: Achieved - 98)</td>
</tr>
<tr>
<td></td>
<td>Enterprise - Business Mentor Programme.</td>
<td>50 mentor/client matches.</td>
<td>Not Achieved - 36 (New Measure)</td>
</tr>
<tr>
<td></td>
<td>Investment Property - Rate of return is at least equal to the current market interest rate.</td>
<td>Achieve current market interest rate.</td>
<td>Achieved - 5.08% (2014/15: Achieved)</td>
</tr>
<tr>
<td></td>
<td>Solid Waste Management - Maintain a regional materials discarded rate of 605kg disposed per person.</td>
<td>Maintain.</td>
<td>Not Achieved - 653kg disposed per person. (New Measure)</td>
</tr>
<tr>
<td></td>
<td>Pools - Percentage of Swim School customers who rate their experience as good or very good when surveyed.</td>
<td>80%</td>
<td>Achieved - 85% (2014/15: Achieved - 95.6%)</td>
</tr>
</tbody>
</table>

* NB. The results are for the Southland Region, not just Invercargill.
<table>
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<th>2015/16 Target</th>
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</thead>
<tbody>
<tr>
<td>A city that is a great place to live and visit.</td>
<td>Building Control - Accreditation as a Building Consent Authority is retained.</td>
<td>Accreditation is retained.</td>
<td>Achieved - Assessment report included three Corrective Action Requests which were addressed and approved by IANZ (Auditors) in August 2016. (2014/15: Achieved - Audit undertaken in June 2014. Accreditation was retained).</td>
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<td></td>
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<tr>
<td></td>
<td>Democratic Process - Percentage of residents survey respondents who provide a rating of satisfied or greater with the opportunities Council provides for community involvement in decision making.</td>
<td>50%</td>
<td>Not Achieved - 34% (New Measure)</td>
</tr>
<tr>
<td></td>
<td>Destinational Marketing - Number of media and famil* opportunities facilitated.</td>
<td>8 per year</td>
<td>Achieved - 40 famil (28 media, 12 trade) (2014/15: Achieved - 23)</td>
</tr>
<tr>
<td></td>
<td>Housing - Rental does not exceed 30% of the gross superannuation benefit</td>
<td>&lt;30%</td>
<td>Achieved - All rents are below 30% (2014/15: Achieved)</td>
</tr>
<tr>
<td></td>
<td>Parks and Reserves - Percentage of urban residents within 500 metres of a park or reserve.</td>
<td>100%</td>
<td>Not Achieved - 96% (2014/15: Achieved - 96%)</td>
</tr>
<tr>
<td></td>
<td>Passenger Transport - All members of the community have the opportunity to use the public transport.</td>
<td>Total Mobility Scheme is administered.</td>
<td>Achieved. (2014/15: Achieved - Total mobility administered and delivered to the community).</td>
</tr>
</tbody>
</table>

*Famil – a free or low-cost trip for travel agents or consultants, provided by a travel wholesaler as a means of promoting their service.
<table>
<thead>
<tr>
<th>Community Outcome</th>
<th>Activity and Performance Measure</th>
<th>2015/16 Target</th>
<th>2015/16 Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strong, innovative leadership.</td>
<td>Animal Services – Trained staff are available 24 hours per day, seven days a week.</td>
<td>Achieved.</td>
<td>Achieved.</td>
</tr>
<tr>
<td></td>
<td>(2014/15: Achieved)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compliance - Educational material is distributed at schools.</td>
<td>Distributed to eight schools per year.</td>
<td>Achieved.</td>
<td>Achieved.</td>
</tr>
<tr>
<td></td>
<td>(2014/15: Achieved)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roading - Council’s cycling network is fully marked.</td>
<td>Increasing percentage.</td>
<td>Achieved - additional cycle-way added.</td>
<td>(2014/15: Not Achieved - 83%)</td>
</tr>
<tr>
<td></td>
<td>(2014/15: Not Achieved - 83%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewerage - Service disruptions for individual properties are less than 12 hours.</td>
<td>100%</td>
<td>Not Achieved - 87.5%</td>
<td>(2014/15: Not Achieved - 83%)</td>
</tr>
<tr>
<td></td>
<td>(2014/15: Not Achieved - 83%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Control - Statutory time frames for processing consents are met.</td>
<td>100%</td>
<td>Not Achieved - 99.06%</td>
<td>(2014/15: Not Achieved - 99.70%)</td>
</tr>
<tr>
<td></td>
<td>(2014/15: Not Achieved - 99.70%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stormwater - Complaints of stormwater blockage responded to within one hour.</td>
<td>90%</td>
<td>Achieved - 91.76%</td>
<td>(2014/15: Not Achieved - 71%)</td>
</tr>
</tbody>
</table>
Not all projects planned and funded in 2015/16 were completed. Projects valued over $100,000 which will now be completed or undertaken in 2016/17 are:

### Community Services
- Passenger Transport - National Regional Ticketing Project $174,000 (funded from Rates)

### Infrastructure and Services
- Services Administration - Asset Management System $350,000 (funded from Rates)
- Drainage - Sewerage - Clifton - Waste Water Treatment Plant $2,158,960 (funded from Rates and Special Funds)
- Drainage - Sewerage - Beatrice Street Treatment Pond $100,000 (funded from Loan)
- Drainage - Sewerage - Mersey Street foul sewer $197,982 (funded from Rates)
- Drainage - Sewerage - Mersey Street raising main $226,742 (funded from Rates)
- Drainage - Sewerage - Kennington sewerage scheme $978,993 (funded from Loan and User Levies)
- Drainage - Stormwater Renewals - Prestonville pump installation $183,654 (funded from Loan)
- Drainage - Stormwater Renewals - Ythan/Jed Street pipe network $997,027 (funded from Rates)
- Parks and Reserves - Operational plant $177,000 (funded from Rates)
- Parks and Reserves - Anderson Park building $100,000 (funded from Rates)
- Property - Bluff Service Centre $109,000 (funded from Special Funds)
- Property - Library $995,000 (funded from Loan and Special Funds)
- Property - Administration Building $3,526,000 (funded from Loan)
- Property - Splash Palace $1,400,000 (funded from Loan)
- Roading - Surveillance Cameras $116,500 (funded from Rates)
- Roading - Footpaths and Frontages - Maintenance and Capital $435,000 (funded from Rates)
- Roading - Parking Facilities - Car parking changes $250,000 (funded from Loan)
- Water - Branxholme duplicate pipeline $280,000 (funded from Rates)
- Water - Asbestos cement mains renewals $822,074 (funded from Rates)
- Water - Bluff pipeline replacement $485,551 (funded from Loan)
- Water - Supply to Awarua Industrial Estate $100,000 (funded from Loan)
- Water - Branxholme plant upgrade $11,033,455 (funded from Loan and Rates)
- Water - Emergency water supply $202,000 (funded from Loan)
- Water - Waikiwi Pump Station pump and equipment $290,000 (funded from Loan and Rates)
- Water - City Pump station and equipment $250,000 (funded from Rates)

### Finance and Policy
- Corporate Service - Phone System $105,174 (funded from Special Funds)
- CBD Redevelopment - Inner City Upgrade capital works $2,804,995 (funded from Loan and Special Funds)
- Grants - Walkway to Bluff (with Southland Regional Council) $150,000 (funded from Rates)
Financial Overview

<table>
<thead>
<tr>
<th>Financial Performance Summary</th>
<th>2014/15 $000</th>
<th>2015/16 $000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates Revenue</td>
<td>46,022</td>
<td>47,883</td>
</tr>
<tr>
<td>Other Revenue, Other Gains &amp; Losses and Interest Revenue</td>
<td>31,245</td>
<td>36,614</td>
</tr>
<tr>
<td>Operating Expenditure including Interest Expenditure</td>
<td>78,104</td>
<td>83,645</td>
</tr>
<tr>
<td>Operating Surplus/(Deficit)</td>
<td>(837)</td>
<td>852</td>
</tr>
<tr>
<td>Working Capital (excluding loan facility)</td>
<td>3,923</td>
<td>29,799</td>
</tr>
<tr>
<td>Total Assets</td>
<td>739,944</td>
<td>783,386</td>
</tr>
<tr>
<td>External Debt</td>
<td>28,861</td>
<td>71,248</td>
</tr>
<tr>
<td>Fixed Assets (Net Book value)</td>
<td>670,117</td>
<td>670,691</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Financial Statistics Summary</th>
<th>2014/15 $000</th>
<th>2015/16 $000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proportion of rates to Total Operating Revenue</td>
<td>59.05%</td>
<td>56.67%</td>
</tr>
<tr>
<td>Average rate revenue per rateable property</td>
<td>$1,837.28</td>
<td>$1,914.94</td>
</tr>
<tr>
<td>External Term Debt (as a percentage of total assets)</td>
<td>3.90%</td>
<td>9.09%</td>
</tr>
<tr>
<td>External Term Debt (per rateable property)</td>
<td>$1,152.18</td>
<td>$2,849.35</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ratepayer Data</th>
<th>2014/15</th>
<th>2015/16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Rateable Properties</td>
<td>25,049</td>
<td>25,005</td>
</tr>
</tbody>
</table>
The purpose of this Statement is to disclose the Council's financial performance in relation to other benchmarks to enable the assessment of whether the Council is prudently managing its revenues, expenses, assets, liabilities and general financial dealings.

The Council is required to include the Statement in its Annual Report in accordance with the Local Government (Financial Reporting and Prudence) Regulations 2014 (the regulations). Refer to the regulations for more information, including definitions of some of the terms used in this Statement.

Please note, prior to the 2012 - 2022 Long-Term Plan, these benchmarks were not required, and therefore are missing from the following graphs. The current year figures come from the 2015-2025 Long-Term Plan.

The following graph compares the Council's actual rates income with the limit imposed in the Long-Term Plan being "Rates revenue as a source will not exceed 60% of its total revenues".

Council aims to maintain the rates collected at a maximum of 60% of the total Council revenue. Council has achieved this over the past four years.
The Council meets the rates affordability benchmark if -
- its actual rates income equals or is less than each quantified limit on rates; and
- its actual rates increases equal or are less than each quantified limit on rates increases.

The following graph compares the Council's actual rates income with the limit imposed in the Long-Term Plan being "Total rates increases will be limited to forecast LGCI + 3.0%".

Council's financial strategy aims to limit rates increase to forecast LGCI + 3.0%. As shown above Council has achieved this goal for the last four financial years.
The Council meets the debt affordability benchmark if its actual borrowings is within each quantified limit on borrowing.

Council’s current and historical limit per the Long-Term Plan is that borrowing of external funds is limited to 15% of total assets.

The following graph compares the Council’s actual borrowing with this limit.

The Council has a low percentage of debt in relation to total assets, and is mindful of keeping debt to a manageable level. Council considers that setting a borrowing limit of 15% of assets will assist in prudently managing Council’s borrowing activities to ensure the ongoing funding of Council.

In 2015/16 Council refinanced its internal debt ($14 million) with external debt, and issued a $30 million bond that was then lent to its subsidiary Invercargill City Holdings Limited. This has increased this measure from 4% last year to 9% this year, which is still less than 15% limit that Council has set.
The following graph displays the Council’s revenue (excluding development contributions, financial contributions, vested assets, gains on derivative financial instruments, and revaluations of property, plant and equipment) as a proportion of operating expenses (excluding losses on derivative financial instruments and revaluations of property, plant and equipment). The Council meets this benchmark if its revenue equals or is greater than its operating expenses.

Council is aware of the issue of affordability and financial sustainability. Council revenue has been greater than its operating expenses for four of the past six years. Council continues to investigate efficiencies to reduce expenditure and increase other revenue, and by doing so reduce the revenue needed from rates.
The following graph displays the Council’s capital expenditure on network services as a proportion of depreciation on those network service assets. The Council meets this benchmark if its capital expenditure on network services equals or is greater than the depreciation of those network service assets.

Over time Council’s capital expenditure should equal its depreciation, which will mean that Council is replacing its assets as they deteriorate. However, due to some projects being large, it is hard to assess this on a year-by-year basis. During the 2015/16 year Council spent less on capital expenditure than depreciation. This expenditure gap is expected to be closed in the 2016/17 year as larger capital projects are completed. An example of this is the upgrade of the large water treatment plant at Branxholme which was started in the 2015/16 year and is due for completion in the 2016/17 year.

---

**ESSENTIAL SERVICES BENCHMARK**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure (Additions) *</td>
<td>12,918</td>
<td>11,047</td>
<td>21,468</td>
<td>12,455</td>
<td>16,684</td>
</tr>
<tr>
<td>Depreciation ^</td>
<td>14,472</td>
<td>14,412</td>
<td>14,895</td>
<td>16,839</td>
<td>17,373</td>
</tr>
</tbody>
</table>

---

* Capital expenditure on network assets has been deemed to be additions to Infrastructural Assets as per Note 11: Property, plant and equipment.

^ Depreciation on network assets has been deemed to be depreciation of Infrastructural Assets as per Note 11: Property, plant and equipment.
The following graph displays the Council's borrowing costs as a proportion of revenue (excluding development contributions, financial contributions, vested assets, gains on derivative financial instruments, and revaluations of property, plant and equipment).

Because Statistics New Zealand projects that the Council's population will grow more slowly than the national population growth rate, then Council meets the debt servicing benchmark if its borrowing costs equal or are less than 10% of its revenue.

**DEBT SERVICING BENCHMARK**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Borrowing Costs *</td>
<td>$2,268</td>
<td>$2,070</td>
<td>$2,154</td>
<td>$1,801</td>
<td>$2,253</td>
</tr>
<tr>
<td>Revenue (Balanced Budget)</td>
<td>$69,815</td>
<td>$76,776</td>
<td>$77,285</td>
<td>$77,962</td>
<td>$84,474</td>
</tr>
</tbody>
</table>

* Deemed to be Finance Expenses from the Statement of Comprehensive Revenue and Expense.

Council's cost of debt is well under the legislative threshold of 10% of revenue. Borrowing costs have increased from 2014/15 due to the refinancing of internal debt with external debt.
The following graph displays the Council's actual net debt as a proportion of planned net debt. In this statement net debt means financial liabilities less financial assets (excluding trade and other receivables).

### DEBT CONTROL BENCHMARK

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Assets</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td>Annual Report *</td>
<td>18,061</td>
<td>21,843</td>
<td>13,746</td>
<td>15,278</td>
<td>59,529</td>
</tr>
<tr>
<td>Financial Liabilities</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td>Annual Report ^</td>
<td>44,103</td>
<td>50,958</td>
<td>38,989</td>
<td>39,803</td>
<td>81,978</td>
</tr>
<tr>
<td>Actual Net Debt</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td></td>
<td>26,042</td>
<td>29,115</td>
<td>25,243</td>
<td>24,525</td>
<td>22,449</td>
</tr>
<tr>
<td>Planned</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td>Financial Assets *</td>
<td>12,532</td>
<td>10,855</td>
<td>12,699</td>
<td>16,063</td>
<td>7,833</td>
</tr>
<tr>
<td>Financial Liabilities ^</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td></td>
<td>60,868</td>
<td>63,918</td>
<td>67,368</td>
<td>71,436</td>
<td>57,791</td>
</tr>
<tr>
<td>Planned Net Debt</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td></td>
<td>48,336</td>
<td>53,063</td>
<td>54,669</td>
<td>55,373</td>
<td>49,958</td>
</tr>
</tbody>
</table>

* Financial Assets (excluding trade and other receivables) - as per Annual Report or Annual Plan (LTP) - Statement of Financial Position.

^ Financial Liabilities - as per Annual Report or Annual Plan (LTP) - Statement of Financial Position.

Council's actual net debt position has consistently been below its planned net debt position for the past six years. Council's net debt has remained lower than planned net debt due to the deferral of large debt funded capital projects.
This graph displays the Council's actual net cash flow from operations as a proportion of its planned net cash flow from operations.

The Council meets the operations control benchmark if its actual net cash flow from operations equals or is greater than its planned net cash flow from operations.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td>Actual Net Cash flows from Operations *</td>
<td>20,404</td>
<td>18,530</td>
<td>20,248</td>
<td>20,906</td>
<td>20,370</td>
</tr>
<tr>
<td>Planned Net Cash flows from Operations ^</td>
<td>14,909</td>
<td>17,907</td>
<td>17,183</td>
<td>18,526</td>
<td>19,530</td>
</tr>
</tbody>
</table>

* Taken from the Statement of Cash Flows in the relevant year's Annual Report.
^ Taken from the Statement of Cash Flows in the relevant year's Long-term Plan.

Council has consistently met the operations control benchmark, with actual net cash flows from operations slightly higher than planned cash flows in all six years.
## Statement of Financial Position
For the year ended June 30, 2016

<table>
<thead>
<tr>
<th></th>
<th>Council Actual 2016 ($000)</th>
<th>Council Budget 2016 ($000)</th>
<th>Council Actual 2015 ($000)</th>
<th>Group Actual 2016 ($000)</th>
<th>Group Actual 2015 ($000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equity</td>
<td>696,746</td>
<td>696,013</td>
<td>696,108</td>
<td>767,465</td>
<td>763,762</td>
</tr>
<tr>
<td>Represented by:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current assets</td>
<td>42,026</td>
<td>17,096</td>
<td>16,626</td>
<td>43,210</td>
<td>25,501</td>
</tr>
<tr>
<td>Non-current assets</td>
<td>741,360</td>
<td>740,473</td>
<td>723,318</td>
<td>927,271</td>
<td>889,216</td>
</tr>
<tr>
<td>Total assets</td>
<td>783,386</td>
<td>757,569</td>
<td>739,944</td>
<td>970,481</td>
<td>914,717</td>
</tr>
<tr>
<td>Current liabilities</td>
<td>12,227</td>
<td>14,890</td>
<td>12,703</td>
<td>20,568</td>
<td>23,299</td>
</tr>
<tr>
<td>Non-current liabilities</td>
<td>74,413</td>
<td>46,666</td>
<td>31,133</td>
<td>182,448</td>
<td>127,656</td>
</tr>
<tr>
<td>Total liabilities</td>
<td>86,640</td>
<td>61,556</td>
<td>43,836</td>
<td>203,016</td>
<td>150,955</td>
</tr>
<tr>
<td>Net assets</td>
<td>696,746</td>
<td>696,013</td>
<td>696,108</td>
<td>767,465</td>
<td>763,762</td>
</tr>
</tbody>
</table>
## STATEMENT OF CHANGES IN NET ASSETS
For the year ended June 30, 2016

<table>
<thead>
<tr>
<th></th>
<th>Council Actual 2016 ($000)</th>
<th>Council Budget 2016 ($000)</th>
<th>Council Actual 2015 ($000)</th>
<th>Group Actual 2016 ($000)</th>
<th>Group Actual 2015 ($000)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Balance at 1 July</strong></td>
<td>696,108</td>
<td>698,051</td>
<td>697,370</td>
<td>763,762</td>
<td>760,573</td>
</tr>
<tr>
<td><strong>Total comprehensive revenue and expense for the year</strong></td>
<td>638</td>
<td>(2,038)</td>
<td>(1,262)</td>
<td>3,703</td>
<td>3,189</td>
</tr>
<tr>
<td><strong>Balance at 30 June</strong></td>
<td>696,746</td>
<td>696,013</td>
<td>696,108</td>
<td>767,465</td>
<td>763,762</td>
</tr>
</tbody>
</table>

**Attributable to:**

<table>
<thead>
<tr>
<th></th>
<th>Invercargill City Council</th>
<th></th>
<th>Minority interest</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Balance at 30 June</strong></td>
<td>696,746</td>
<td>696,013</td>
<td>696,108</td>
<td>764,614</td>
<td>760,911</td>
</tr>
</tbody>
</table>

**Components of net assets**

<table>
<thead>
<tr>
<th></th>
<th>Retained earnings 398,739</th>
<th>408,869</th>
<th>398,212</th>
<th>443,731</th>
<th>438,323</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted and non-restricted reserves</td>
<td>26,518</td>
<td>15,016</td>
<td>26,193</td>
<td>27,065</td>
<td>26,740</td>
</tr>
<tr>
<td>Hedging reserve</td>
<td>(1,122)</td>
<td>(143)</td>
<td>(568)</td>
<td>(4,493)</td>
<td>(2,178)</td>
</tr>
<tr>
<td>Carbon credit revaluation reserve</td>
<td>340</td>
<td>-</td>
<td>-</td>
<td>340</td>
<td>-</td>
</tr>
<tr>
<td>Asset revaluation reserve</td>
<td>272,271</td>
<td>272,271</td>
<td>272,271</td>
<td>300,822</td>
<td>300,877</td>
</tr>
</tbody>
</table>

|                                | 696,746                           | 696,013                      | 696,108                         | 767,465                      | 763,762                    |
### STATEMENT OF COMPREHENSIVE REVENUE AND EXPENSE

For the year ended June 30, 2016

<table>
<thead>
<tr>
<th></th>
<th>Council Actual 2016 ($000)</th>
<th>Council Budget 2016 ($000)</th>
<th>Council Actual 2015 ($000)</th>
<th>Group Actual 2016 ($000)</th>
<th>Group Actual 2015 ($000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Revenue</td>
<td>82,209</td>
<td>81,715</td>
<td>77,521</td>
<td>108,380</td>
<td>105,892</td>
</tr>
<tr>
<td>Less:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating expenditure on activities</td>
<td>81,392</td>
<td>82,397</td>
<td>76,303</td>
<td>103,137</td>
<td>101,544</td>
</tr>
<tr>
<td>Results from operating activities</td>
<td>817</td>
<td>(682)</td>
<td>1,218</td>
<td>5,243</td>
<td>4,348</td>
</tr>
<tr>
<td>Less:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net finance costs</td>
<td>1,210</td>
<td>1,966</td>
<td>1,360</td>
<td>4,076</td>
<td>4,158</td>
</tr>
<tr>
<td>Operating surplus (deficit) before tax</td>
<td>(393)</td>
<td>(2,648)</td>
<td>(142)</td>
<td>1,167</td>
<td>190</td>
</tr>
<tr>
<td>Plus:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other gains/(losses)</td>
<td>1,245</td>
<td>610</td>
<td>(695)</td>
<td>3,604</td>
<td>2,206</td>
</tr>
<tr>
<td>Share of associates' and joint ventures' surplus (deficit)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3,681</td>
<td>2,842</td>
</tr>
<tr>
<td>Surplus (deficit) before tax</td>
<td>852</td>
<td>(2,038)</td>
<td>(837)</td>
<td>8,452</td>
<td>5,238</td>
</tr>
<tr>
<td>Less:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Income tax expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2,774</td>
<td>3,125</td>
</tr>
<tr>
<td>Surplus (deficit) after tax</td>
<td>852</td>
<td>(2,038)</td>
<td>(837)</td>
<td>5,678</td>
<td>2,113</td>
</tr>
</tbody>
</table>

**Attributable to:**

<table>
<thead>
<tr>
<th></th>
<th>852</th>
<th>(2,038)</th>
<th>(837)</th>
<th>5,678</th>
<th>2,113</th>
</tr>
</thead>
<tbody>
<tr>
<td>Invercargill City Council</td>
<td>852</td>
<td>(2,038)</td>
<td>(837)</td>
<td>5,657</td>
<td>2,092</td>
</tr>
<tr>
<td>Minority interest</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>21</td>
<td>21</td>
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</table>

<p>| | | | | | |</p>
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</tr>
</thead>
<tbody>
<tr>
<td>Total other comprehensive revenue and expense</td>
<td>(214)</td>
<td>-</td>
<td>(425)</td>
<td>(2,315)</td>
<td>(1,810)</td>
</tr>
<tr>
<td>Total comprehensive revenue and expense</td>
<td>638</td>
<td>(2,038)</td>
<td>(1,262)</td>
<td>3,703</td>
<td>3,189</td>
</tr>
</tbody>
</table>

**Total comprehensive revenue and expense attributable to:**

<table>
<thead>
<tr>
<th></th>
<th>Council Actual 2016 ($000)</th>
<th>Council Budget 2016 ($000)</th>
<th>Council Actual 2015 ($000)</th>
<th>Group Actual 2016 ($000)</th>
<th>Group Actual 2015 ($000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equity holders of the Council</td>
<td>638</td>
<td>(2,038)</td>
<td>(1,262)</td>
<td>3,682</td>
<td>3,168</td>
</tr>
<tr>
<td>Minority interest</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>21</td>
<td>21</td>
</tr>
</tbody>
</table>

<p>| | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total comprehensive revenue and expense attributable to:</td>
<td>638</td>
<td>(2,038)</td>
<td>(1,262)</td>
<td>3,703</td>
<td>3,189</td>
</tr>
</tbody>
</table>
### SUMMARY CASH FLOW STATEMENT
For the year ended June 30, 2016

<table>
<thead>
<tr>
<th></th>
<th>Council Actual 2016 ($000)</th>
<th>Council Budget 2016 ($000)</th>
<th>Council Actual 2015 ($000)</th>
<th>Group Actual 2016 ($000)</th>
<th>Group Actual 2015 ($000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net cash flows from operating activities</td>
<td>20,370</td>
<td>19,530</td>
<td>20,906</td>
<td>23,911</td>
<td>26,294</td>
</tr>
<tr>
<td>Net cash flows from investing activities</td>
<td>(58,707)</td>
<td>(34,437)</td>
<td>(20,660)</td>
<td>(73,144)</td>
<td>(36,999)</td>
</tr>
<tr>
<td>Net cash flows from financing activities</td>
<td>42,387</td>
<td>14,857</td>
<td>(855)</td>
<td>46,793</td>
<td>16,913</td>
</tr>
<tr>
<td><strong>Net increase (decrease) in cash, cash equivalents and bank overdrafts</strong></td>
<td>4,050</td>
<td>(50)</td>
<td>(609)</td>
<td>(2,440)</td>
<td>6,208</td>
</tr>
<tr>
<td>Cash, cash equivalents and bank overdrafts at the beginning of the year</td>
<td>4,469</td>
<td>6,466</td>
<td>5,078</td>
<td>13,818</td>
<td>7,610</td>
</tr>
<tr>
<td><strong>Cash, cash equivalents and bank overdrafts at the end of the year</strong></td>
<td><strong>8,519</strong></td>
<td><strong>6,416</strong></td>
<td><strong>4,469</strong></td>
<td><strong>11,378</strong></td>
<td><strong>13,818</strong></td>
</tr>
</tbody>
</table>
Explanation of Major Variances

For the year ended 30 June 2016

**Actual 2016 against Budget 2016**

**Statement of Financial Position**

1. Current assets are higher than budget because some financial asset investments, including some short term deposits, were reclassified from non-current assets to current assets.

2. Non-current liabilities are higher than budget because of $14m of internal loans being repaid and becoming external loans, and a $30m (Holdco) bond being issued.

**Statement of Comprehensive Revenue and Expense**

3. Total revenue was higher than budget because of additional roading subsidies received from NZTA, and rental revenue from commercial sites being greater than anticipated.

4. Operating expenditure on activities was lower than budget because the Joint Committee expenses are now consolidated into the Group figures. In the 2015/16 budget the Joint Committees' expenses were included in the Council figures.

5. Net finance costs were lower than budget due to the refinancing of internal debt to external debt. This meant that Council had more externally invested funds, leading to more finance revenue than anticipated.

6. Other gains/(losses) were higher than budget due to the revaluation of Council's forestry assets being higher than anticipated. These valuations were provided by independent valuers. Also, the Council valued its carbon credit intangible assets for the first time in 2016.

**Actual 2015 against Actual 2014**

**Statement of Comprehensive Revenue and Expenses**

1. Total revenue was higher than 2015 because of additional roading subsidies received from NZTA, an increase in rates revenue and from Council activities such as timber sales, dog registrations and dividends received.

2. Operating expenditure on activities was higher than 2015 because of increases in employee expenses, and in the maintenance areas of Council.
Notes to the Financial Statements

For the year ended 30 June 2016

The full financial statements are contained in the Annual Report, which can be viewed on the Council website at www.icc.govt.nz. Annual Report hard copies are available from the Civic Administration office at 101 Esk Street, Invercargill.

Basis of preparation
The Council is a public benefit entity for financial reporting purposes. The financial statements have been prepared in accordance with Tier 1 PBE accounting standards and comply with Public Benefit Entity standards and other applicable Financial Reporting Standards, as appropriate for public benefit entities. The Annual Report 2015/16 includes a Statement of Compliance to this effect.

The summary financial statements are in compliance with PBE FRS 43 - Summary Financial Statements.

Audit New Zealand has audited Council’s full Annual Report and Summary and has issued an unmodified report on both.

The disclosures included in the summary financial statements have been extracted from the full financial information in the Annual Report 2015/16 which was adopted by the Council on 26 October 2016.

The summary financial statements cannot be expected to provide as complete an understanding as provided by the full financial statements.

The summary financial statements are presented in New Zealand dollars and all values are rounded to the nearest thousand dollars.

The Council has adopted new Tier 1 PBE Accounting Standards for the period ended 30 June, 2016. There have been no significant changes to accounting policies as a result of applying the new accounting standards in the current year. Council has changed its accounting policy relating to the recognition of carbon credit intangible assets. Council has changed from recognising these assets at cost less accumulated amortisation and accumulated impairment losses to recognising these assets at fair value. Council has opted not to adjust prior periods on the basis of materiality. For further details, refer to the full set of Financial Statements.
Audit Opinion
TO: EXTRAORDINARY COUNCIL
FROM: CHIEF EXECUTIVE
MEETING DATE: TUESDAY 8 NOVEMBER 2016

STANDING ORDERS

Report Prepared by: Richard King – Chief Executive

SUMMARY

Clause 27 of the 7th Schedule requires the Council to adopt a set of Standing Orders for the conduct of its meetings and those of its committees.

RECOMMENDATIONS

That the report be received and Standing Orders be adopted.

IMPLICATIONS

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Has this been provided for in the Long Term Plan/Annual Plan?</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>2.</td>
<td>Is a budget amendment required?</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>3.</td>
<td>Is this matter significant in terms of Council’s Policy on Significance?</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>4.</td>
<td>Implications in terms of other Council Strategic Documents or Council Policy?</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>5.</td>
<td>Have the views of affected or interested persons been obtained and is any further public consultation required?</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>6.</td>
<td>Has the Child, Youth and Family Friendly Policy been considered?</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>

STANDING ORDERS

Clause 27 of the 7th Schedule requires the Council to adopt a set of Standing Orders for the conduct of its meetings and those of its committees.

Local Government New Zealand has recommended that the attached model be adopted which incorporate legislation change and allows a member to ‘attend’ a meeting through audio means.

************
Standing Orders

8 November 2016
Preface

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

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

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

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

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

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

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

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- amend the standing orders (Amended Standing Orders) so that they are suitable for the Council’s specific context and needs;
- copy the Amended Standing Orders for use by the Council’s employees and elected members and the public; and
- place the Amended Standing Orders on the Council or public website.

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EquiP has made every reasonable effort to provide accurate information in this document, however it is not advice and we do not accept any responsibility for actions taken that may be based on reading it.
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   21.1 Options for speaking and moving
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   22.1 Proposing and seconding motions
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   24.1 Procedural motions must be taken immediately
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   26.3 Mover of notice of motion
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Appendix 11: Process for raising matters for a decision 65
1. **Introduction**

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

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

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

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

1.1 **Principles**

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

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

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

1.2 **Statutory references**

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

It is important to note that during a meeting any statutory references in the standing orders apply throughout the period of the meeting, regardless of whether or not parts or all of the Standing Orders have been suspended. These provisions must also be carried through into any amendment of the standing orders that might be made. Please note, where it is employed the word ‘must’, unless otherwise stated, identifies a mandatory legislative requirement.
1.3 Acronyms
LGA 2002  Local Government Act 2002
LGOIMA  Local Government Official Information Act 1987
LAMIA  Local Authority Members' Interests Act 1968

1.4 Application
For the removal of any doubt these standing orders do not apply to workshops or meetings of working parties and advisory groups.

2. Definitions

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

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

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

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

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

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

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

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

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

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

Community Board means a community board established under s.49 of the LGA 2002.
Contempt means being disobedient to, or disrespectful of, the chair of a meeting, or disrespectful to any members, officers or the public.

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

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

Electronic link means both an audio and audio visual link.

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

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

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

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

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

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

Mayor means the Mayor of a territorial authority elected under the Local Electoral Act 2001.

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

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

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

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

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

Newspaper means a periodical publication published (whether in New Zealand or elsewhere) at intervals not exceeding 40 days, or any copy of, or part of any copy of, any such publications; and this includes every publication that at any time accompanies and is distributed along with any newspaper.
**Notice of motion** means a motion given in writing by a member in advance of a meeting in accordance with, and as provided for, in these standing orders.

**Open voting** means voting that is conducted openly and in a transparent manner and may be conducted by electronic means. The result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

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

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

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

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

**Presiding member** means the person chairing a meeting.

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

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

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

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

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

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

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

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

**Quorum** means the minimum number of members required to be present in order to constitute a valid meeting.
Regional Council Chairperson means the member of the governing body of a regional council elected as Chairperson of that regional council under cl.25 Schedule 7 LGA 2002.

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

Right of reply means the right of the mover of a motion to sum up the debate and reply to those who have spoken against the motion. (The right can also apply to an amendment.)

Seconder means the member who seconds a motion.

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

Subordinate decision-making body means committees, subcommittees, and any other bodies established by a local authority that have decision-making authority, but not local or community boards or joint committees.

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

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

Subcommittee means a subordinate decision-making body established by a council, or a committee of a council, local board or community board. See definition of “Committee”.

Working day means any day of the week other than:
(a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign’s Birthday, and Labour Day and, if Waitangi Day or Anzac Day falls on a weekend, the following Monday.
(b) A day in the period commencing with the 25th day of December in any year and ending with the 15th day of January in the following year.

Should a local authority wish to meet between the 25th of December and the 15th day of January in the following year any meeting must be notified as an extraordinary meeting unless there is sufficient time to notify an ordinary meeting before the commencement of the period.

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

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

3. Standing orders

3.1 Obligation to adopt standing orders
A council is required to operate in accordance with standing orders for the conduct of its meetings and the meetings of its committees and subcommittees. Local boards and community boards must also adopt standing orders. Standing orders must not contravene any Act.

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

3.2 Process for adoption and alteration of standing orders
The adoption of standing orders and any amendment to standing orders must be made by the Council and by a vote of not less than 75% of the members present. Similarly, in the case of a local and community board the adoption of standing orders and any amendments also requires a vote of not less than 75% of the members of the specific board.

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

3.3 Members must obey standing orders
All members of the local authority, including members of committees and subcommittees, must obey these standing orders. Local boards and community boards which have adopted these standing orders must also comply with them.

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

3.4 Application of standing orders
These standing orders apply to all meetings of the local authority, its committees, subcommittees and subordinate decision-making bodies. They will also apply to any local boards and community boards unless stated otherwise. This includes meetings and parts of meetings that the public are excluded from.

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

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

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

3.6 Quasi-judicial proceedings
For quasi-judicial proceedings the local authority or a local or community board may amend meeting procedures. For example, committees hearing applications under the RMA 1991 have additional powers under the Commissions of Inquiry Act 1908.
3.7 Physical address of members
Every member of a local authority, local board and community board must give to the chief executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or delivered. Members are to provide their address within 5 working days of the publication of the declaration of the election results.

4. Meetings

4.1 Legal requirement to hold meetings
The local authority must hold meetings for the good government of its city, district or region. The same requirement applies to local boards and community boards in respect of their communities. Meetings must be called and conducted in accordance with:
(a) Schedule 7 of the LGA 2002;
(b) Part 7 of LGOIMA; and
(c) These standing orders.

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

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

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

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

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

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

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

cl. 21(1) - (4), Schedule 7, LGA 2002.
4.6 Requirements for the first meeting
The chief executive (or, in the absence of the chief executive, their nominee) must chair the first meeting until the Chairperson has made an oral declaration and attested the declaration (see cl. 21(4), Schedule 7 (LGA 2002)).

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

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

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

Please note that the election of a deputy mayor is not required if the Mayor has already made the appointment under s. 41A (3)(a) of the LGA 2002 prior to the meeting. Nothing limits a territorial authority from removing a deputy Mayor from office in accordance with cl.18 of Schedule 7 LGA 2002.

5. Appointments and elections

5.1 Mayoral appointment of deputy Mayor, committee chairs and members
A Mayor may appoint the deputy Mayor, the Chairperson and the members of each committee of the territorial authority. The names of any appointments made by the Mayor must be tabled at the first meeting of the council after the appointments are made. The Mayor may also appoint him or herself.

s. 41A (3) LGA 2002.

5.2 Council Discharge of a Mayoral Appointment
Nothing, however, limits or prevents a territorial authority from discharging deputy Mayor, a Chairperson or a member of a committee appointed by the Mayor. Any decision by the territorial authority to discharge a deputy Mayor shall follow the procedure in Standing Order 5.5.

If the Mayor declines to appoint a deputy Mayor or committee Chairpersons in accordance with s.41A LGA 2002, the council (or a committee, if so directed by the council) must elect those positions in accordance with standing order 5.4.

cl. 31, Schedule 7 LGA 2002
5.3 Establishment of committees by the Mayor
The Mayor may establish committees of the territorial authority. Where a Mayor exercises this right a list of the committees and their terms of reference must be tabled at the next following meeting of the Council. Should the Mayor decline to establish committees under s. 41A then any decision to establish committees must follow the processes set out in these standing orders.

Nothing, however, limits or prevents a territorial authority from discharging or reconstituting, in accordance with cl. 30 of Schedule 7, LGA 2002, a committee established by the Mayor or appointing, more committees in addition to any established by the Mayor.

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

5.4 Elections of regional Chairpersons, deputy Mayors and deputy Chairpersons
The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.5) when electing people to the following positions:
- the Chairperson and deputy Chairperson of a regional council;
- the deputy Mayor;
- the Chairperson and deputy Chairperson of a committee; and
- a representative of a local authority.

Please note, this provision does not apply in situations where a mayor has used their appointment powers under s.41A to appoint a deputy Mayor or committee chairs. See Appendix 7.

cl. 25 Schedule 7, LGA 2002.

5.5 Removal of a deputy Mayor
A deputy Mayor, whether appointed by the Mayor under standing order 5.1 or elected by the council, can only be removed in accordance with cl. 18, Schedule 7, of the LGA 2002. See Appendix 8.

cl. 18, Schedule 7, LGA 2002.

5.6 Voting system for chairs, deputy Mayors and committee chairs
When electing a regional council chair, a deputy Mayor or a committee chair the local authority must resolve to use one of the following two voting systems.

System A
The candidate will be elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee who are present and voting. This system has the following characteristics:
(a) there is a first round of voting for all candidates;
(b) if no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
(c) if no candidate is successful in the second round, there is a third round, and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.

In any round of voting, if two or more candidates tie for the lowest number of votes, the person to be excluded from the next round is resolved by lot.
System B
The candidate will be elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:
(a) there is only one round of voting; and
(b) if two or more candidates tie for the most votes, the tie is resolved by lot.

cl. 25 Schedule 7, LGA 2002.

6. Delegations

6.1 Limits on delegations
Unless clearly stated in the LGA or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, community board, local board, member, or officer of the local authority, any of its responsibilities, duties, or powers except:
(a) the power to make a rate;
(b) the power to make a bylaw;
(c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
(d) the power to adopt a long-term plan, annual plan, or annual report;
(e) the power to appoint a chief executive;
(f) the power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement;
(g) Repealed;
(h) the power to adopt a remuneration and employment policy.

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

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

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

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

cl. 32(2) & (3)(4) Schedule 7, LGA 2002.
6.4 Decisions made under delegated authority cannot be rescinded or amended
Nothing in these standing orders allows a council, committee and subcommittee to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation authorising the making of that decision. The same requirement applies to a local board and community board in relation to any committees or subcommittees with delegated authority.

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

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

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

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

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

7. Committees

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

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

7.2 Discharge or reconstitution of committees and subcommittees
Unless expressly provided otherwise in legislation or regulation:
(a) a local authority may discharge or reconstitute a committee or subcommittee, or other subordinate decision-making body; and
(b) a committee may discharge or reconstitute a subcommittee.

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

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

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

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

cl. 31 (1) & (2), Schedule 7, LGA 2002
7.4 **Elected members on committees and subcommittees**
The members of a committee or subcommittee may be, but are not required to be, elected members of a local authority. A council or committee may appoint a person who is not a member of the local authority to a committee or subcommittee if, in the opinion of the council or committee, the person has the skills, attributes or knowledge to assist the committee or subcommittee.

At least one member of a committee must be an elected member of the council. In the case of a committee established by a local board or community board at least one member must be a member of that board. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

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

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

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

7.6 **Membership of Mayor**
The Mayor is a member of every committee of the local authority.

*s. 41A (5), LGA 2002.*

7.7 **Decision not invalid despite irregularity in membership**
For the purpose of these standing orders a decision of a local authority, committee, local board and community board is not invalidated if:

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

*cl. 29, Schedule 7, LGA 2002.*

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

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

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

*cl. 30A (1) & (2), Schedule 7, LGA 2002.*
7.9  **Status of joint committees**
A joint committee is deemed to be both a committee of a council and a committee of each other participating local authority or public body.

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

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

*cl. 30A (6)(a), Schedule 7, LGA 2002.*
Pre-meeting

8. Giving notice
Please note; the processes described in this section (standing orders 8.1 – 8.13) apply as appropriate to local boards and community boards.

8.1 Public notice – ordinary meetings
All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification must be given not more than 10 or less than 5 working days before the day on which the meeting is to be held.

s. 46, LGOIMA.

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

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

8.3 Extraordinary meeting may be called
An extraordinary council meeting may be called by:
(a) resolution of the council, or
(b) a requisition in writing delivered to the chief executive which is signed by:
   i. the Mayor or Chairperson, or
   ii. no less than one third of the total membership of the council (including vacancies).

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

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

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

8.5 Public notice - extraordinary meetings
Where an extraordinary meeting of a local authority was called and notice of that meeting was inconsistent with these standing orders the local authority must, as soon as practicable following the meeting, give public notice stating that:
(a) the meeting has occurred;
(b) the general nature of business transacted; and
(c) the reasons why it was not correctly notified.

s. 46 (3) & (4), LGOIMA.
8.6 **Process for calling an extraordinary meeting at an earlier time**
If the nature of business requires a meeting to be held at an earlier time than is allowed by the notice requirements specified in standing order 8.4, a meeting may be called by the Mayor or Chairperson, or if the Mayor and Chairperson are not available, the chief executive.

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

8.7 **Notification of extraordinary meetings held at an earlier time**
Notice of the time, place and matters to be considered of a meeting called under Standing Order 8.6, must be given by the person calling the meeting or by another person on that person’s behalf. Notice must be given to each member of the council and the chief executive by whatever means is reasonable in the circumstances and at least 24 hours before the time appointed for the meeting.

*cl. 22 (4), Schedule7 LGA 2002.*

8.8 **Chief executive may make other arrangements**
The chief executive is to make any other arrangement for the notification of meetings, including extraordinary meetings, as the local authority may, from time to time, determine.

*s. 46(5) LGOIMA.*

8.9 **Meetings not invalid**
The failure to notify a public meeting under these standing orders does not of itself make that meeting invalid. However, where a local authority becomes aware that a meeting has been incorrectly notified it must, as soon as practicable, give public notice stating:
- that the meeting occurred without proper notification;
- the general nature of the business transacted; and
- the reasons why the meeting was not properly notified.

*s. 46 (6), LGOIMA.*

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

(a) the resolution was passed at a meeting or part of a meeting from which the public was excluded; or

(b) the extraordinary meeting was publicly notified at least 5 working days before the day on which the meeting was held.

*s. 51A, LGOIMA.*

8.11 **Meeting schedules**
Where the local authority adopts a meeting schedule it may cover any period that the council considers appropriate and may be amended. Notification of the schedule, or an amendment, will constitute notification to members of every meeting on the schedule or the amendment. This does not replace the requirements under LGOIMA to also publicly notify each meeting.

*cl. 19 (6) Schedule 7, LGA 2002.*
8.12 **Non-receipt of notice to members**
A meeting of a local authority is not invalid if notice of that meeting was not received, or not received in due time, by a member of the local authority or board unless:
(a) it is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and
(b) the member concerned did not attend the meeting.

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

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

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

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

9. **Meeting agenda**

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

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

9.2 **Process for raising matters for a decision**
Requests for reports may be made by a resolution of the council, committee, subcommittee, subordinate decision-making body, local boards or community board and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 11.

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

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

9.4 **Order of business**
At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the Chairperson, or the meeting, decides otherwise. An example of a default order of business is set out in Appendix 10.

The order of business for an extraordinary meeting must be limited to items that are relevant to the purpose for which the meeting has been called.
9.5 **Chairperson’s recommendation**
A Chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a Chairperson’s recommendation varies significantly from an officer’s recommendation the reason for the variation must be explained.

9.6 **Chairperson’s report**
The Chairperson of a meeting has the right, through a report, to direct the attention of a meeting to any matter which is on the agenda or which falls within the responsibilities of that meeting.

9.7 **Public availability of the agenda**
All information provided to members at a local authority, or local or community board, meeting must be publicly available except where an item included in the agenda refers to a matter reasonably expected to be discussed with the public excluded.

*s. 5 & 46A, LGOIMA.*

9.8 **Public inspection of agenda**
Any member of the public may, without payment of a fee, inspect, during normal office hours and within a period of at least 2 working days before a meeting, all agendas and associated reports circulated to members of the local authority and local and community boards relating to that meeting. The agenda:
(a) must be available for inspection at the public offices of the local authority (including service centres), at public libraries under the authority’s control and on the council’s website, and:
(b) must be accompanied by either:
   i. the associated reports; or
   ii. a notice specifying the places at which the associated reports may be inspected.

*s. 46A (1), LGOIMA.*

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

9.10 **Distribution of the agenda**
The chief executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting (see Standing Order 8.4).

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

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

9.12 **Items of business not on the agenda which cannot be delayed**
A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:
(a) the reason the item is not on the agenda; and
(b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA

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

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

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

s. 46A (7A), LGOIMA.

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

s. 46A (9), LGOIMA.

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

s. 52, LGOIMA.
Meeting Procedures

Opening and closing
Local authorities, local boards and community boards may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau. Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

10. Quorum

10.1 Councils
The quorum for a meeting of the council is:
(a) half of the members physically present, where the number of members (including vacancies) is even; and
(b) a majority of the members physically present, where the number of members (including vacancies) is odd.

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

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

In the case of subcommittees the quorum will be two members unless otherwise stated. In the case of committees at least one member of the quorum must be a member of the council, or if established by a local board or community board, the relevant board.

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

10.3 Joint Committees
The quorum at a meeting of a joint committee must be consistent with Standing Order 10.1. Local authorities participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each local authority or any party.

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

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

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

10.5 Meeting lapses where no quorum
A meeting must lapse, and the Chairperson vacate the chair, if a quorum is not present within 10 minutes of the advertised start of the meeting. Where members are known to be travelling to the meeting, but are delayed due to extraordinary circumstance, the Chairperson has discretion to wait for a longer period.
No business may be conducted while waiting for the quorum to be reached. Minutes will record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended.

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

11. Public access and recording

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

s.47 & 49(a), LGOIMA.

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

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

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

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

12. Attendance

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

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

If the member of the local authority is not an appointed member of the meeting at which they are in attendance they may not vote on any matter at that meeting. However, they may, with the leave of the chair, take part in the meeting’s discussions.
A member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of s.48 LGOIMA. Consequently, if the meeting resolves to exclude the public any members of the local authority who are present may remain unless they are lawfully excluded.

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

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

12.3 Leave of absence
A council, local board or community board may grant a member leave of absence following an application from that member.

In addition a council, local board or community board may delegate the power to grant a leave of absence to the Chairperson in order to protect a member’s privacy. The Chairperson will advise all members of the council, local board or community board whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

12.4 Apologies
A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Chairperson must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies.

For clarification, the acceptance of a member’s apology constitutes a grant of ‘leave of absence’ for that meeting.

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

12.6 Absent without leave
Where a member is absent from the council, local board or community board for four consecutive meetings without leave of absence (not including extraordinary meetings) then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

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

12.7 Right to attend by audio or audio visual link
Provided the conditions in these standing orders are met members of the local authority or its committees have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

12.8 Member’s status: quorum
Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.
12.9 **Member's status: voting**

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

12.10 **Chairperson's duties**

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

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

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

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

12.11 **Conditions for attending by audio or audio visual link**

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.

12.12 **Request to attend by audio or audio visual link**

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

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

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

12.13 **Chairperson may terminate link**

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

- (a) use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) the behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) it is distracting to the members who are physically present at the meeting; and
- (d) the quality of the link is no longer suitable.
12.14 Giving or showing a document
A person attending a meeting by audio or audio visual link may give or show a document by:
(a) transmitting it electronically;
(b) using the audio visual link; or
(c) any other manner that the Chairperson thinks fit.

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

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

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

13. Chairperson’s role in meetings

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

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

13.2 Committee meetings
The appointed Chairperson of a committee must preside at all committee meetings, unless they vacate the chair for a particular meeting or part of a meeting. If the Chairperson is absent from a meeting or vacates the chair, the deputy Chairperson (if any) will act as Chairperson. If the deputy Chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as Chairperson at that meeting who may exercise the meeting responsibilities, duties and powers of the Chairperson.

This standing order also applies to subcommittees and subordinate decision-making bodies.

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

13.3 Addressing the Chairperson
Members will address the Chairperson in a manner that the Chairperson has determined.
13.4 Chairperson's rulings
The Chairperson will decide all procedural questions where insufficient provision is made by these standing orders and with regard to all points of order. Any refusal to obey a Chairperson’s ruling or direction constitutes contempt.

13.5 Chairperson standing
Whenever the Chairperson stands during a debate members are required to sit down and be silent so that they can hear the Chairperson without interruption.

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

13.7 Chairperson may prioritise speakers
When two or more members want to speak the Chairperson will name the member who may speak first. Other members who wish to speak have precedence where they intend to:
(a) raise a point of order, including a request to obtain a time extension for the previous speaker; and/or
(b) move a motion to terminate or adjourn the debate; and/or
(c) make a point of explanation; and/or
(d) request the chair to permit the member a special request.

14. Public Forums
Public forums are a defined period of time, usually at the start of a meeting, which, at the discretion of a meeting, is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters to the attention of the local authority.

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

14.1 Time limits
A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled local authority meeting. Requests must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

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

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

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

14.4 No resolutions
Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.

15. Deputations
The purpose of a deputation is to enable a person, group or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's terms of reference. Deputations are approved by the Chairperson or an official with delegated authority.

15.1 Time limits
Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation’s deputation.

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

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

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

16. Petitions

16.1 Form of petitions
Petitions may be presented to the local authority or any of its committees, local boards or community boards. Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented.
Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to make a petition in te reo Māori or sign language should advise the relevant Chairperson at least two working days before the meeting to enable the petition to be translated and reprinted, if necessary.

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

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

16.3 Petition presented by member
Members may present petitions on behalf of petitioners. In doing so, members must confine themselves to presenting:
(a) the petition;
(b) the petitioners’ statement; and
(c) the number of signatures.

17. Exclusion of public

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

Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be available to any member of the public who is present. If the motion is passed the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The resolution must state:
(a) the general subject of each matter to be excluded;
(b) the reason for passing the resolution in relation to that matter; and
(c) the grounds on which the resolution is based.

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

s. 48 LGOIMA.

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

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

s.48 (6) LGOIMA.
17.3 Public excluded items
The chief executive must place in the public-excluded section of the agenda any items that he or she reasonably expects the meeting to consider with the public excluded. The public excluded section of the agenda must indicate the subject matter of the item and the reason the public are excluded.

s.46A (8) LGOIMA.

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

This restriction does not apply where a meeting has resolved to make the information publicly available or where the chief executive has advised, in writing, that one or both of the following apply:
(a) there are no grounds under LGOIMA for withholding the information;
(b) the information is no longer confidential.

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

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

18. Voting

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

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

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

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

18.3 Chairperson has a casting vote
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.

cl. 24 (2) Schedule 7, LGA 2002.
18.4 Method of voting
The method of voting must be as follows:
(a) the Chairperson in putting the motion must call for an expression of opinion on
the voices or take a show of hands, the result of either of which, as announced
by the Chairperson, must be conclusive unless such announcement is
questioned immediately by any member, in which event the Chairperson will call
a division;
(b) the Chairperson or any member may call for a division instead of or after voting
on the voices and/or taking a show of hands; and
(c) where a suitable electronic voting system is available that system may be used
instead of a show of hands, vote by voices or division, and the result displayed
notified to the Chairperson who must declare the result.

18.5 Calling for a division
When a division is called, the chief executive must record the names of the members
voting for and against the motion and abstentions and provide the names to the
Chairperson to declare the result. The result of the division must be entered into the
minutes and include members’ names and the way in which they voted.

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

18.6 Request to have votes recorded
If requested by a member immediately after a vote the minutes must record the
member’s vote or abstention.

18.7 Members may abstain
Any member may abstain from voting.

19. Conduct

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

19.2 Disrespect
No member may speak or act in a manner which is disrespectful of other members or
inconsistent with the local authority’s Code of Conduct at any meeting.

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

19.4 Disorderly conduct
Where the conduct of a member is disorderly or is creating a disturbance the
Chairperson may require that member to leave the meeting immediately for a specified
time.
If the disorder continues the Chairperson may adjourn the meeting for a specified time. At the end of this time the meeting must resume and decide, without debate, whether the meeting should proceed or be adjourned.

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

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

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

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

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

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

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

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

s. 6 & 7 LAMIA.

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

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

Neither the Chairperson nor the meeting may rule on whether a member has a non-financial interest in the matter being discussed.
19.9 Qualified privilege for meeting proceedings
Any oral statement made at any meeting of the local authority in accordance with the rules adopted by the local authority for guiding its proceedings is privileged, unless the statement is proved to have been made with ill will or took improper advantage of the occasion of publication.

s. 53, LGOIMA.

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

s. 53, LGOIMA.

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

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

20. General rules of debate

20.1 Chairperson may exercise discretion
The application of any procedural matters in this section of the standing orders, such as the number of times a member may speak, is subject to the discretion of the Chairperson.

20.2 Time limits on speakers
The following time limits apply to members speaking at meetings:
(a) movers of motions when speaking to the motion – not more than 10 minutes;
(b) movers of motions when exercising their right of reply – not more than 5 minutes;
(c) other members – not more than 5 minutes.

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

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

In the course of any debate at any local authority meeting, any officer may, at the chairperson’s discretion, give advice or guidance.

20.4 Questions of clarification
At any point of a debate a member may ask the Chairperson for clarification about the nature and content of the motion which is the subject of the debate and the particular stage the debate has reached.
20.5 Members may speak only once
A member may not speak more than once to a motion at a meeting of a local authority or any local or community board except with permission of the Chairperson.

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

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

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

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

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

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

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

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

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

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

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

20.13 No other member may speak
In exercising a right of reply, no other member may speak:
(a) after the mover has started their reply;
(b) after the mover has indicated that they want to forego this right;
(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.

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

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

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

21. General procedures for speaking and moving motions

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

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

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

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

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

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

22. Motions and amendments

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

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

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

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

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

22.5 Amendments to be relevant and not direct negatives
Every proposed amendment must be relevant to the motion under discussion. Proposed amendments cannot be similar to an amendment that has already been lost. Any amendment which, if carried, would have the effect of defeating a previous motion that was carried is a direct negative and is therefore not allowed.
22.6 Foreshadowed amendments
The meeting must dispose of an existing amendment before a new amendment can be foreshadowed. However, members may notify the Chairperson that they intend to move further amendments and the nature of their content.

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

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

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

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

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

22.11 No speakers after reply or motion has been put
A member may not speak to any motion once:
(a) the mover has started their right of reply in relation to the motion; and
(b) the Chairperson has started putting the motion.

23. Revocation or alteration of resolutions

23.1 Member may move revocation of a decision
A member may give the chief executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, subordinate body, local or community board. The notice must set out:
(a) The resolution or part of the resolution which the member proposes to revoke or alter;
(b) The meeting date when the resolution was passed;
(c) The motion, if any, which the member proposes to replace it with; and
(d) Sufficient information to satisfy the decision-making provisions of sections 77-82 of the LGA 2002.

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

23.2 Revocation must be made by the body responsible for the decision
If a resolution is made under delegated authority by a committee, subcommittee or subordinate decision-making body, or a local or community board, only that body may revoke or amend the resolution, assuming the resolution is legally made.
This provision does not prevent the body that made the delegation from removing or amending a delegation given to a subordinate body or local board or community board.

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

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

### 23.4 Restrictions on actions under the affected resolution
Once a notice of motion to revoke or alter a previous resolution has been received, no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with. Exceptions apply where, in the opinion of the Chairperson:

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

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

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

### 23.6 Revocation or alteration by recommendation in report
The local authority, on a recommendation in a report by the Chairperson, chief executive, or any committee or subcommittee, 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.

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

### 24. Procedural motions

#### 24.1 Procedural motions must be taken immediately
A procedural motion to close or adjourn a debate will take precedence over other business, except points of order and rights of reply. If the procedural motion is seconded, the Chairperson must put it to the vote immediately, without discussion or debate.
24.2 Procedural motions to close or adjourn a debate

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

(a) that the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
(b) that the motion under debate should now be put (a closure motion);
(c) that the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
(d) that the item of business being discussed should lie on the table and not be further discussed at this meeting;
(e) that the item being discussed should be referred (or referred back) to the relevant committee or local or community board.

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

24.3 Voting on procedural motions

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

24.4 Debate on adjourned items

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

24.5 Remaining business at adjourned meetings

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

24.6 Business referred to the council, committee or local or community board

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

24.7 Other types of procedural motions

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

25. Points of order

25.1 Members may raise points of order

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

25.2 Subjects for points of order

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

(a) disorder – bringing disorder to the attention of the Chairperson;
(b) language – use of disrespectful, offensive or malicious language;
(c) irrelevance – the topic being discussed is not the matter currently before the meeting;
(d) misrepresentation – misrepresentation of any statement made by a member or by an officer or council employee;
(e) breach of standing order – the breach of any standing order while also specifying which standing order is subject to the breach;
(f) request the recording of words, such as a request that the minutes record words that have been the subject of an objection.

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

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

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

26. Notices of motion

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

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

26.2 Refusal of notice of motion
The Chairperson may direct the chief executive to refuse to accept any notice of motion which:
(a) is disrespectful or which contains offensive language or statements made with malice; or
(b) is not related to the role or functions of the local authority or meeting concerned; or
(c) contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
(d) is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
(e) fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or
(f) concerns a matter where decision-making authority has been delegated to a subordinate body or a local or community board.

Reasons for refusing a notice of motion should be provided to the mover. Where the refusal is due to (f) the notice of motion may be referred to the appropriate committee or board.
26.3 Mover of notice of motion
Notices of motion may not proceed in the absence of the mover unless moved by another member authorised to do so, in writing, by the mover.

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

26.5 When notices of motion lapse
Notices of motion that are not put when called by the Chairperson must lapse.

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

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

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

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

27. Minutes

27.1 Minutes to be evidence of proceedings
The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard copy, signed and included in the council's minute book and, when confirmed by resolution at a subsequent meeting and signed by the Chairperson, will be prima facie evidence of the proceedings they relate to.

cl. 28 Schedule 7, LGA 2002.

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

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

27.3 **No discussion on minutes**
The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

27.4 **Minutes of last meeting before election**
The chief executive and the relevant Chairpersons must sign the minutes of the last meeting of the local authority and its local and community boards before the next election of members.

28. **Minute books**

28.1 **Inspection**
A hard copy of the local authority’s minute books must be kept by the chief executive and be open for inspection by the public. This does not preclude the complementary use of electronic minutes in accordance with the Electronics Transactions Act.

*s. 51 LGOIMA.*

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

**Referenced documents**
- Commissions of Inquiry Act 1908
- Sale of Alcohol Act 2012
- Crimes Act 1961
- Financial Markets Conduct Act 2013
- Local Authorities (Members’ Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971
- Resource Management Act 1991 (RMA)
- Secret Commissions Act 1910
- Securities Act 1978
Appendix 1: Grounds to exclude the public

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

A1 That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
   (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
   (b) to endanger the safety of any person.

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

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

A3 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
   (a) Be contrary to the provisions of a specified enactment; or
   (b) Constitute contempt of Court or of the House of Representatives.
A4 That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to 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; or
   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

(b) Any proceedings of a Council in relation to any application or objection under the Marine Farming Act 1971.
Appendix 2: Sample resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:
- *Name of report(s) ..............................................................*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<table>
<thead>
<tr>
<th>General subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 <em>Put in name of report</em></td>
<td>Good reason to withhold exists under Section 7.</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)</td>
</tr>
<tr>
<td>2</td>
<td>Good reason to withhold exists under Section 7.</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)</td>
</tr>
<tr>
<td>3</td>
<td>Good reason to withhold exists under Section 7.</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)</td>
</tr>
<tr>
<td>General subject of each matter to be considered</td>
<td>Reason for passing this resolution in relation to each matter</td>
<td>Ground(s) under section 48(1) for the passing of this resolution</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---------------------------------------------------------------</td>
<td>-------------------------------------------------------------</td>
</tr>
<tr>
<td>4    Hearings Committee</td>
<td>To enable the Committee to consider the application and submissions. OR To enable the Committee to consider the objection to fees and charges. OR To enable the Committee to.</td>
<td>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/Committee to deliberate in private on its decision or recommendation in any proceedings where: i) a right of appeal lies to any Court or tribunal against the final decision of the Council/Committee in those proceedings; or ii) the local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. Use (i) for the RMA hearings and (ii) for hearings under LGA such as objections to Development Contributions or hearings under the Dog Control Act s. 48(1)(d).</td>
</tr>
</tbody>
</table>

This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

<table>
<thead>
<tr>
<th>Item No</th>
<th>Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))</td>
</tr>
<tr>
<td></td>
<td>Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))</td>
</tr>
<tr>
<td></td>
<td>Maintain legal professional privilege (Schedule 7(2)(g))</td>
</tr>
<tr>
<td></td>
<td>Prevent the disclosure or use of official information for improper gain or improper advantage (Schedule 7(2)(j))</td>
</tr>
<tr>
<td></td>
<td>Protect information where the making available of the information (i) would disclose a trade secret; or (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b))</td>
</tr>
<tr>
<td></td>
<td>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 (Schedule 7(2)(ba))</td>
</tr>
<tr>
<td>Item No</td>
<td>Interest</td>
</tr>
<tr>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td></td>
<td>Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information - (i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or (ii) would be likely otherwise to damage the public interest (Schedule 7(2)(c))</td>
</tr>
<tr>
<td></td>
<td>Avoid prejudice to measures protecting the health or safety of members of the public (Schedule 7(2)(d))</td>
</tr>
<tr>
<td></td>
<td>Avoid prejudice to measures that prevent or mitigate material loss to members of the public (Schedule 7(2)(e))</td>
</tr>
<tr>
<td></td>
<td>Maintain the effective conduct of public affairs through the protection of members or officers or employees of the Council, and persons to whom Section 2(5) of the Local Government Official Information and Meetings Act 1987 applies in the course of their duty, from improper pressure or harassment (Schedule 7(2)(f)(ii)).</td>
</tr>
<tr>
<td></td>
<td>Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (Schedule 7(2)(h))</td>
</tr>
</tbody>
</table>

**THAT XXXX be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of XXXX. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because XXXX.**
Appendix 3: Motions and amendments (option A)

**Motions without amendments**

- Motion moved (Maximum 5 minutes)

  - Motion moved but not seconded, motion lapses.

- Motion seconded (Seconder may reserve the right to speak in the double debate – maximum 5 minutes)

  - Notice of intention to move additional or alternative motion. (Foreshadowed motion)

- Motion debated (Maximum 5 minutes per speaker. If 3 consecutive speakers are in support or opposition, Chairperson may call for speaker to the contrary and if none, the motion may be put after mover and seconder has exercised right to speak).

  - Mover’s right of reply (Maximum 5 minutes)

  - Chairperson to put Motion

    - Motion LOST
      - No further action, move to next item.

    - Revocation, alteration or modification permitted at same meeting by 75% majority if fresh facts received during meeting.

  - Motion carried

    - No further discussion permitted, move to next item

- Motion withdrawn by a majority decision or by agreement of mover and seconder.

**Motions with amendments**

- Amendment (not a direct negative) moved and seconded by persons that have not yet spoken (Maximum 5 minutes for mover and 3 minutes for seconder)

  - NOTE: Movers of the original motion may speak once to each amendment.

- Amendment debated (Maximum 5 minutes per speaker. If 3 consecutive speakers are in support or opposition, Chairperson may call for speaker to the contrary and if none, the motion may be put).

  - Amendment withdrawn by a majority decision or by agreement of mover and seconder.

  - Notice of intention to move further amendment maybe given. (Foreshadowed)

  - Mover of original motion may exercise right of reply here

  - Motion debated (Maximum 5 minutes per speaker. If 3 consecutive speakers are in support or opposition, Chairperson may call for speaker to the contrary and if none, the motion may be put after mover and seconder has exercised right to speak).

  - Chairperson to put Amendment

    - Amendment CARRIED

    - Amendment LOST

    - Amendment to the original motion becomes the new substantive motion

    - Further relevant amendments to the new substantive motion moved and seconded by persons who have not yet spoken (Maximum 5 minutes for mover and 5 minutes for other speakers)

    - If CARRIED, amendment become substantive motion

    - If LOST original motion put, and other CARRIED of LOST

- Amendment withdrawn by a majority decision or by agreement of mover and seconder.

  - Notice of intention to move additional or alternative motion. (Foreshadowed motion)

  - Motion moved (Maximum 5 minutes)

  - Motion seconded

    - Amendment withdrawn by a majority decision or by agreement of mover and seconder.

  - Amendment debated (Maximum 5 minutes per speaker. If 3 consecutive speakers are in support or opposition, Chairperson may call for speaker to the contrary and if none, the motion may be put).

  - Amendment LOST

    - Motion CARRIED

    - If CARRIED, substantive motion is put, either CARRIED or LOST
# Appendix 4: Table of procedural motions

<table>
<thead>
<tr>
<th>Motion</th>
<th>Has the Chair discretion to refuse this Motion?</th>
<th>Is seconder required?</th>
<th>Is discussion in order?</th>
<th>Are amendments in order?</th>
<th>Is mover of procedural motion entitled to reply?</th>
<th>Can a speaker be interrupted by the mover of this motion?</th>
<th>If lost, can motion be moved after an interval?</th>
<th>Position if an amendment is already before the Chair</th>
<th>Position if a procedural motion is already before the Chair</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) “That the meeting be adjourned to the next ordinary meeting, or to a stated time and place”</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>As to time and date only</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes – 15 minutes</td>
<td>If carried, debate on the original motion and amendment are adjourned</td>
<td>If carried, debate on the original motion and procedural motion are adjourned</td>
</tr>
<tr>
<td>(b) “That the motion under debate be now put (closure motion)”</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes – 15 Minutes</td>
<td>If carried, only the amendment is put</td>
<td>If carried, only the procedural motion is put</td>
</tr>
<tr>
<td>(c) “That the item of business being discussed be adjourned to a stated time and place”</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>As to time and date only</td>
<td>No</td>
<td>NO</td>
<td>Yes – 15 minutes</td>
<td>If carried, debate on the original motion and amendment are adjourned</td>
<td>If carried, debate on the original motion and procedural motion are adjourned</td>
<td></td>
</tr>
<tr>
<td>Motion</td>
<td>Has the Chair discretion to refuse this Motion?</td>
<td>Is second required?</td>
<td>Is discussion in order?</td>
<td>Are amendments in order?</td>
<td>Is mover of procedural motion entitled to interrupt previous participants in debate entitled to move this motion?</td>
<td>Can a speaker be interrupted by the mover of this motion?</td>
<td>If lost, can motion be moved after an interval?</td>
<td>Position if an amendment is already before the Chair</td>
<td>Position if a procedural motion is already before the Chair</td>
<td>Remarks</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
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<td>----------------------------------------------------------------</td>
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<td>-------------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td>(d) “That the item of business being discussed does lie on the table and not be discussed at this meeting”</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes – 15 minutes</td>
<td>If carried, the original motion and amendment are both laid on the table</td>
<td>Motion not in order</td>
<td></td>
</tr>
<tr>
<td>(e) “That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee”</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>As to committee, time for reporting back etc only</td>
<td>No</td>
<td>No</td>
<td>Yes – 15 minutes</td>
<td>If carried, the original motion and all amendments are referred to the committee</td>
<td>If carried, the procedural motion is deemed disposed of</td>
<td></td>
</tr>
<tr>
<td>(f) “Points of order”</td>
<td>No – but may rule against</td>
<td>No</td>
<td>Yes – at discretion of Chairperson</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Point of order takes precedence</td>
<td>Point of order takes precedence</td>
<td>See standing order 3.14</td>
</tr>
</tbody>
</table>
Appendix 5: Webcasting protocols

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

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

2. Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.

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

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

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

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

7. Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being web cast.
Appendix 6: Powers of a Chairperson

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Taking down words**
The Chairperson may order words used and objected to by any member, to be recorded in the minutes, provided such objection is made at the time the words are used and not after any other members have spoken.
Explanations
The Chairperson may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken, to explain some material part of a previous speech in the same debate.

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

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

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

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

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

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

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

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

Disorderly behaviour
The Chairperson may:
(a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the Chairperson.
(b) Ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.
Failure to leave meeting
If a member or member of the public who is required, in accordance with a Chairperson’s ruling, to leave the meeting, refuses or fails to do so, or having left the meeting, attempts to re-enter without the permission of the Chairperson, any member of the police or officer or employee of the local authority may, at the Chairperson’s request, remove or exclude that person from the meeting.

Audio or audio visual attendance
Where the technology is available and a member is attending a meeting by audio or audio-visual link, the Chairperson must ensure that:
(a) the technology for the link is available and of suitable quality
(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
   iv. the requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairing duties will undertaken by the deputy chair or a member who is physically present
Appendix 7: Mayors’ powers to appoint under s.41A

The role of a Mayor is:
(a) to provide leadership to councillors and the people of the city or district.
(b) to lead development of the council’s plans (including the long-term and annual plans), policies and budgets for consideration by councillors.

The Mayor has authority to:
(a) Appoint the deputy Mayor.
(b) Establish Council committees, their terms of reference, appoint the Chairperson of each of those committees and the members.
(c) Appoint themselves as the Chairperson of a committee.
(d) Decline to exercise the powers under clause a) and b) above but may not delegate those powers to another person.

The Council retains the ability to:
(a) Remove a deputy Mayor appointed by the Mayor.
(b) Discharge of reconstitute a committee established by the Mayor.
(c) Discharge a committee Chairperson who has been appointed by the Mayor.

The Mayor is a member of each committee of the Council.
Appendix 8: Process for removing a Chairperson and deputy Mayor from office

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:
   (a) specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
   (b) indicate whether or not, if the Chairperson, deputy Chairperson, or deputy 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.

cl. 18 Schedule 7, LGA 2002.
Appendix 9: Workshops

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

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

Calling a workshop
Workshops, briefings and working parties may be called by:
(a) a resolution of the local authority or its committees
(b) the Mayor,
(c) a committee Chairperson or
(d) the chief executive.

Process for calling workshops
The chief executive will give at least 24 hours’ notice of the time and place of the workshop and the matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances. Any notice given must expressly:
(a) state that the meeting is a workshop
(b) advise the date, time and place
(c) confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

Public notice of a workshop is not required and workshops can be either open to the public or public excluded.
Appendix 10: Sample order of business

Open section
(a) Apologies
(b) Declarations of interest
(c) Confirmation of minutes
(d) Leave of absence
(e) Acknowledgements and tributes
(f) Petitions
(g) Public input
(h) Local and/or community board input
(i) Extraordinary business
(j) Notices of motion
(k) Reports of committees
(l) Reports of local and/or community boards
(m) Reports of the chief executive and staff
(n) 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 11: Process for raising matters for a decision

Matters requiring a decision may be placed on an agenda of a meeting by a:
- report of chief executive
- report of a Chairperson
- report of a committee
- report of a community and/or local board
- notice of motion from a member.

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

Although out of time for a notice of motion, a member may bring an urgent matter to the attention of the meeting through the meeting chair.
TO: EXTRAORDINARY COUNCIL
FROM: CHIEF EXECUTIVE
MEETING DATE: TUESDAY 8 NOVEMBER 2016

CODE OF CONDUCT

Report Prepared by: Richard King – Chief Executive

SUMMARY

Clause 15 of the 7th Schedule to the Local Government Act requires the Council to adopt a Code of Conduct.

RECOMMENDATIONS

It is recommended that the attached Code of Conduct be adopted by Council.

IMPLICATIONS

1. Has this been provided for in the Long Term Plan/Annual Plan?
   N/A

2. Is a budget amendment required?
   N/A

3. Is this matter significant in terms of Council’s Policy on Significance?
   N/A

4. Implications in terms of other Council Strategic Documents or Council Policy?
   N/A

5. Have the views of affected or interested persons been obtained and is any further public consultation required?
   N/A

6. Has the Child, Youth and Family Friendly Policy been considered?
   N/A

STANDING ORDERS

Clause 15 of the 7th Schedule to the Local Government Act requires the Council to adopt a Code of Conduct.

The provisions of Section 15 are reproduced below:

15 Code of conduct

(1) 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 –

(a) 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 -

(i) behaviour toward one another, staff, and the public; and

(ii) disclosure of information, including (but not limited to) the provision of any document, to elected members that -

(A) is received by, or is in the possession of, an elected member in his or her capacity as an elected member; and

(B) relates to the ability of the local authority to give effect to any provision of this Act; and

(b) 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.

(3) A local authority may amend or replace its code of conduct, but may not revoke it without replacement.

(4) A member of a local authority must comply with the code of conduct of that local authority.

(5) 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.

(6) 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.

(7) To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act.

Local Government New Zealand has recommended that the attached model Code of Conduct for consideration by the Council.

*************
Invercargill City Council

Code of Conduct

Adopted on the 8 November 2016
1. Introduction

This Code of Conduct (the Code) sets out the standards of behaviour expected from elected members in the exercise of their duties. Its purpose is to:

- enhance the effectiveness of the local authority and the provision of good local government of the community, city, district or region;
- promote effective decision-making and community engagement;
- enhance the credibility and accountability of the local authority to its communities; and
- develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management.

This purpose is given effect through the values, roles, responsibilities and specific behaviours agreed in this Code.

2. Scope

The Code has been adopted in accordance with clause 16 of Schedule 7 of the Local Government Act 2002 (LGA 2002) and applies to all members, including the members of any local boards as well as the members of any community boards that have agreed to adopt it. The Code is designed to deal with the behaviour of members towards:

- each other;
- the chief executive and staff;
- the media; and
- the general public.

It is also concerned with the disclosure of information that members receive in their capacity as elected members and information which impacts on the ability of the local authority to give effect to its statutory responsibilities.

This Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the council’s Standing Orders.
3. Values

The Code is designed to give effect to the following values:

1. **Public interest**: members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.

2. **Public trust**: members, in order to foster community confidence and trust in their Council, will work together constructively and uphold the values of honesty, integrity, accountability and transparency.

3. **Ethical behaviour**: members will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behavior.

4. **Objectivity**: members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.

5. **Respect for others**: will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability. Members will respect the impartiality and integrity of officials.

6. **Duty to uphold the law**: members will comply with all legislative requirements applying to their role, abide by this Code of Conduct, and act in accordance with the trust placed in them by the public.

7. **Equitable contribution**: members will take all reasonable steps to ensure they fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.

8. **Leadership**: members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council’s collective performance.

These values complement, and work in conjunction with, the principles of s.14 of the LGA 2002 and the governance principles of s.39 of the LGA 2002.
4. Role and responsibilities

Good governance requires clarity of roles and respect between those charged with responsibility for the leadership of the council and those responsible for advice and the implementation of council decisions. The key roles are:

4.1 MEMBERS

The role of the governing body includes:

- representing the interests of the people of the city, district or region;
- developing and adopting plans, policies and budgets;
- monitoring the performance of the council against stated goals and objectives set out in its long term plan;
- providing prudent stewardship of the council’s resources;
- employing and monitoring the performance of the chief executive; and
- ensuring the council fulfils its responsibilities to be a ‘good employer’ and meets the requirements of the Health and Safety at Work Act 2015.

4.2 CHIEF EXECUTIVE

The role of the chief executive includes:

- implementing the decisions of the council;
- ensuring that all responsibilities delegated to the chief executive are properly performed or exercised;
- ensuring the effective and efficient management of the activities of the local authority;
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- providing leadership for the staff of the council; and
- employing staff on behalf of the council (including negotiation of the terms of employment for those staff).

Under s.42 of the LGA 2002 the chief executive is the only person directly employed by the council itself. All concerns about the performance of an individual member of staff must, in the first instance, be referred to the chief executive.

5. Relationships

This section of the Code sets out agreed standards of behaviour between members; members and staff; and members and the public.
5.1 RELATIONSHIPS BETWEEN MEMBERS

Given the importance of relationships to the effective performance of the council, members will conduct their dealings with each other in a manner that:

- maintains public confidence;
- is open and honest;
- is courteous;
- is focused on issues rather than personalities;
- avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and
- avoids aggressive, offensive or abusive conduct, including the use of disrespectful or malicious language.

Any failure by members to act in the manner described in s.5.1 represents a breach of this Code.

Please note that nothing in this section of the Code is intended to limit robust debate within the council as long as it is conducted in a respectful and insightful manner.

5.2 RELATIONSHIPS WITH STAFF

An important element of good governance involves the relationship between the council and its chief executive. Members will respect arrangements put in place to facilitate this relationship, and:

- raise any concerns about employees, officers or contracted officials with the chief executive;
- raise any concerns about the performance or behaviour of the chief executive with the mayor/chair or the chairperson of the chief executive performance review committee (however described);
- make themselves aware of the obligations that the council and the chief executive have as employers and observe those requirements at all times, such as the duty to be a good employer;
- treat all employees with courtesy and respect and avoid publicly criticising any employee;
- observe any protocols put in place by the chief executive concerning contact between members and employees;
- avoid doing anything which might compromise, or could be seen as compromising, the impartiality of an employee.

Any failure by members to act in the manner described above represents a breach of this Code.

Please note: Elected members should be aware that failure to observe this portion of the Code may compromise the council’s obligations to be a good employer and consequently expose the council to civil litigation or affect the risk assessment of council’s management and governance control processes undertaken as part of the council’s audit.
5.3 RELATIONSHIP WITH THE PUBLIC

Given that the performance of the council requires the trust and respect of individual citizens, members will:

- interact with members of the public in a fair, respectful, equitable and honest manner;
- be available to listen and respond openly and honestly to community concerns;
- consider all points of view or interests when participating in debate and making decisions;
- treat members of the public in a courteous manner; and
- act in a way that upholds the reputation of the local authority.

Any failure by members to act in the manner described above represents a breach of this Code.

6. Contact with the media

The media play an important part in the operation and efficacy of local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of council.

From time to time individual members will be approached to comment on a particular issue either on behalf of the council, or as an elected member in their own right. When responding to the media members must be mindful that operational questions should be referred to the chief executive and policy-related questions referred to the mayor or the member with the appropriate delegated authority.

When speaking to the media more generally members will abide by the following provisions:

6.1 MEDIA CONTACT ON BEHALF OF THE COUNCIL

- the mayor or chairperson is the first point of contact for an official view on any issue, unless delegations state otherwise. Where the mayor/chair is absent requests for comment will be referred to the deputy mayor/chair or relevant committee chairperson or portfolio holder;
- the mayor/chair may refer any matter to the relevant committee chairperson or to the chief executive for their comment; and
- no other member may comment on behalf of the council without having first obtained the approval of the mayo/chair.

6.2 MEDIA COMMENT ON A MEMBER’S OWN BEHALF

Elected members are free to express a personal view in the media, at any time, provided the following rules are observed:

- media comments must not state or imply that they represent the views of the council;
- media comments which are contrary to a council decision or policy must clearly state that they do not represent the views of the majority of members;
media comments must observe the other requirements of the Code; for example, comments should not disclose confidential information, criticize, or compromise the impartiality or integrity of staff; and
media comments must not be misleading and should be accurate within the bounds of reasonableness.

Any failure by members to meet the standards set out above represents a breach of this Code.

7. Information

Access to information is critical to the effective performance of a local authority and the level of public trust felt by the public.

7.1 CONFIDENTIAL INFORMATION

In the course of their duties members will occasionally receive information that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

7.2 INFORMATION RECEIVED IN CAPACITY AS AN ELECTED MEMBER

Members will disclose to other members and, where appropriate the chief executive, any information received in their capacity as an elected member that concerns the council’s ability to give effect to its responsibilities.

Members who are offered information on the condition that it remains confidential will inform the provider of the information that it is their duty to disclose the information and will decline the offer if that duty is likely to be compromised.

Any failure by members to act in the manner described above represents a breach of this Code.

Please note: failure to observe these provisions may impede the performance of the council by inhibiting information flows and undermining public confidence. It may also expose the council to prosecution under the Privacy Act and/or civil litigation.

8. Conflicts of Interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members’ Interests) Act 1968 (LAMIA).
Members will not participate in any council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member’s spouse contracts with the authority or has a pecuniary interest. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the chief executive immediately. Members may also contact the Office of the Auditor General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

Please note: Failure to observe the requirements of the LAMIA could potentially invalidate the decision made, or the action taken, by the council. Failure to observe these requirements could also leave the elected member open to prosecution (see Appendix A). In the event of a conviction, elected members can be ousted from office.

9. Register of Interests

Members shall annually make a declaration of interest. These declarations are recorded in a Register of Interests maintained by the council. The declaration must include information on the nature and extent of any interest, including:

a) any employment, trade or profession carried on by the member or the members’ spouse for profit or gain;
b) any company, trust, partnership etc for which the member or their spouse is a director, partner or trustee;
c) the address of any land in which the member has a beneficial interest within the jurisdiction of the local authority; and
d) the address of any land owned by the local authority in which the member or their spouse is:
   • a tenant; or
   • the land is tenanted by a firm in which the member or spouse is a partner, a company of which the member or spouse is a director, or a trust of which the member or spouse is a trustee;
e) any other matters which the public might reasonably regard as likely to influence the member’s actions during the course of their duties as a member (if the member is in any doubt on this, the member should seek guidance from the chief executive)

Please note: Where a member’s circumstances change they must ensure that the Register of Interests is updated as soon as practicable.
10. Ethical behaviour

Members will seek to promote the highest standards of ethical conduct. Accordingly members will:

- claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the council developed in accordance with that determination;
- not influence, or attempt to influence, any council employee, officer or member in order to benefit their own, or families personal or business interests;
- only use the Council resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and
- not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the chief executive if any such gifts are accepted. Where a gift to the value of $50 or more is accepted by a member, that member must immediately disclose this to the chief executive for inclusion in the publicly available register of interests.

Any failure by members to comply with the provisions set out in this section represents a breach of this Code.

10.1 UNDISCHARGED BANKRUPT

In accordance with clause 15(5) of Schedule 7 (LGA 2002) any member who is an “undischarged bankrupt” will notify the chief executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt. The member will also provide the chief executive with a brief explanatory statement of the circumstances surrounding the member’s adjudication and the likely outcome of the bankruptcy.

11. Creating a supportive and inclusive environment

In accordance with the purpose of the Code, members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance. These include:

- Attending post-election induction programmes organised by the council for the purpose of facilitating agreement on the council’s vision, goals and objectives and the manner and operating style by which members will work.
- Taking part in any assessment of the Council’s overall performance and operating style during the triennium.¹
- Taking all reasonable steps to ensure they possess the skills and knowledge to effectively fulfil their Declaration of Office and contribute to the good governance of the city, district or region.

¹ A self assessment template is provided in the Guidance to this Code.
12. Breaches of the Code

Members must comply with the provisions of this Code (LGA 2002, schedule 5, s. 14(4)). Any member, or the chief executive, who believes that the Code has been breached by the behaviour of a member, may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

12.1 PRINCIPLES:

The following principles will guide any processes for investigating and determining whether or not a breach under this Code has occurred:

- that the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the breach complained about;
- that the roles of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
- that the concepts of natural justice and fairness will apply in the determination of any complaints made under this Code. This requires, conditional on the nature of an alleged breach, that affected parties:
  o have a right to know that an investigation process is underway;
  o are given due notice and are provided with an opportunity to be heard;
  o have a right to seek appropriate advice and be represented; and
  o have their privacy respected.

12.2 COMPLAINTS

All complaints made under this Code must be made in writing and forwarded to the chief executive. On receipt of a complaint the chief executive must forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to warrant a full investigation.2

Only members and the chief executive may make a complaint under this Code.

12.3 INVESTIGATION, ADVICE AND DECISION

The process, following receipt of a complaint, will follow the steps outlined in Appendix B.

12.4 MATERIALITY

An alleged breach under this Code is material if, in the opinion of the independent investigator, it would, if proven, bring a member or the council into disrepute or, if not addressed, reflect adversely on another member of the council.

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2 On behalf of the Council the Chief Executive will, shortly after the start of a triennium, prepare, in consultation with the Mayor or Chairperson, a list of investigators for this purpose of undertaking a preliminary assessment. The Chief Executive may prepare a list specifically for his or her council, prepare a list jointly with neighbouring councils or contract with an agency capable of providing appropriate investigators, such as EquiP.
13. Penalties and actions

Where a complaint is determined to be material and referred to the council the nature of any penalty or action will depend on the seriousness of the breach.

13.1 MATERIAL BREACHES

In the case of material breaches of this Code the council, or a committee with delegated authority, may require one of the following:

1. a letter of censure to the member;
2. a request (made either privately or publicly) for an apology;
3. a vote of no confidence in the member;
4. removal of certain council-funded privileges (such as attendance at conferences);
5. restricted entry to council offices, such as no access to staff areas (where restrictions may not previously have existed);
6. limitation on any dealings with council staff so that they are confined to the chief executive only;
7. suspension from committees or other bodies; or
8. an invitation for the member to consider resigning from the council.

A council or committee may decide that a penalty will not be imposed where a respondent agrees to one or more of the following:

• attend a relevant training course; and/or
• work with a mentor for a period of time; and/or
• participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
• tender an apology.

The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

13.2 STATUTORY BREACHES

In cases where a breach of the Code is found to involve regulatory or legislative requirements, the complaint will be referred to the relevant agency. For example:

• breaches relating to members’ interests (where members may be liable for prosecution by the Auditor-General under the LAMIA);
• breaches which result in the council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s.30 of the LGA 2002 which may result in the member having to make good the loss or damage); or
• breaches relating to the commission of a criminal offence which will be referred to the Police (which may leave the elected member liable for criminal prosecution).

14. Review

Once adopted, a Code of Conduct continues in force until amended by the council. The Code can be amended at any time but cannot be revoked unless the council replaces it with another Code. Once adopted, amendments to the Code require a resolution supported by 75 per cent of the members of the council present at a council meeting where the amendment is considered.

Council may formally review the Code as soon as practicable after the beginning of each triennium. The results of that review will be considered by the council in regard to potential changes for improving the Code.
Appendix A: Legislation bearing on the role and conduct of elected members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members. The full statutes can be found at www.legislation.govt.nz.

THE LOCAL AUTHORITIES (MEMBERS’ INTERESTS) ACT 1968

The Local Authorities (Members’ Interests) Act 1968 (LAMIA) provides rules about members discussing and voting on matters in which they have a pecuniary interest and about contracts between members and the council.

A pecuniary interest is likely to exist if a matter under consideration could reasonably give rise to an expectation of a gain or loss of money for a member personally (or for their spouse or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

With regard to pecuniary or financial interests a person is deemed to be “concerned or interested” in a contract or interested “directly or indirectly” in a decision when:

- a person, or 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.

There can also be additional situations where a person is potentially “concerned or interested” in a contract or have a pecuniary interest in a decision, such as where a contract is between an elected members’ family trust and the council.

Determining whether a pecuniary interest exists

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote. When determining if this is the case or not the following test is applied:

“...whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned.” (OAG, 2001)
In deciding whether you have a pecuniary interest, members should consider the following factors.

- What is the nature of the decision being made?
- Do I have a financial interest in that decision - do I have a reasonable expectation of gain or loss of money by making that decision?
- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the LAMIA apply to me?
- Could I apply to the Auditor-General for approval to participate?

Members may seek assistance from the mayor/chair or other person to determine if they should discuss or vote on an issue but ultimately it is their own judgment as to whether or not they have pecuniary interest in the decision. Any member who is uncertain as to whether they have a pecuniary interest is advised to seek legal advice. Where uncertainty exists members may adopt a least-risk approach which is to not participate in discussions or vote on any decisions.

Members who do have a pecuniary interest will declare the pecuniary interest to the meeting and not participate in the discussion or voting. The declaration and abstention needs to be recorded in the meeting minutes. (Further requirements are set out in the council’s Standing Orders.)

The contracting rule

A member is disqualified from office if he or she is “concerned or interested” in contracts with their council if the total payments made, or to be made, by or on behalf of the council exceed $25,000 in any financial year. The $25,000 limit includes GST. The limit relates to the value of all payments made for all contracts in which you are interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by you.

The Auditor-General can give prior approval, and in limited cases, retrospective approval for contracts that would otherwise disqualify you under the Act. It is an offence under the Act for a person to act as a member of the council (or committee of the council) while disqualified.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not members need to ask:

“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 reflecting the principle that justice should not only be done, but should be seen to be done. Whether or not members believe they are not biased is irrelevant.
Members should focus be on the nature of the 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:

- members’ statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, members have a “closed mind”); and
- members have a close relationship or involvement with an individual or organisation affected by the decision.

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an RMA hearing).

**LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987**

The Local Government Official Information and Meetings Act 1987 sets out a list of meetings procedures and requirements that apply to local authorities and local/community boards. Of particular importance for the roles and conduct of elected members is the fact that the chairperson has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should:

- create a disturbance or a distraction while another councillor is speaking;
- be disrespectful when they refer to each other or other people; or
- use offensive language about the council, other members, any employee of the council or any member of the public.

See Standing Orders for more detail.
SECRET COMMISSIONS ACT 1910

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to council.

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to $1000. A conviction would therefore trigger the ouster provisions of the LGA 2002 and result in the removal of the member from office.

CRIMES ACT 1961

Under this Act it is unlawful for an elected member (or officer) to:

- accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of council; and
- use information gained in the course of their duties for their, or another persons, monetary gain or advantage.

These offences are punishable by a term of imprisonment of seven years or more. Elected members convicted of these offences will automatically cease to be members.

FINANCIAL MARKETS CONDUCT ACT 2013

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

THE LOCAL GOVERNMENT ACT 2002

The Local Government Act 2002 (LGA 2002) sets out the general powers of local government, its purpose and operating principles. Provisions directly relevant to this Code include:

Personal liability of members

Although having qualified privilege, elected members can be held personally accountable for losses incurred by a local authority where, following a report from the Auditor General under s.44 LGA 2002, it is found that one of the following applies:

a) money belonging to, or administered 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.

Members will not be personally liable where they can prove that the act or failure to act resulting in the loss occurred as a result of one of the following:

a) without the member’s knowledge;

b) with the member’s knowledge but against the member’s protest made at or before the time when the loss occurred;

c) contrary to the manner in which the member voted on the issue; and

d) in circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

In certain situation members will also be responsible for paying the costs of proceedings (s.47 LGA 2002).
Appendix B: Process for the determination and investigation of complaints

Step 1: Chief executive receives complaint

On receipt of a complaint under this Code the chief executive will refer the complaint to an investigator selected from a panel agreed at the start of the triennium. The chief executive will also:

- inform the complainant that the complaint has been referred to the independent investigator and the name of the investigator, and refer them to the process for dealing with complaints as set out in the Code; and
- inform the respondent that a complaint has been made against them, the name of the investigator and refer them to the process for dealing with complaints as set out in the Code.

Step 2: Investigator makes preliminary assessment

On receipt of a complaint the investigator will assess whether:

1. the complaint is frivolous or without substance and should be dismissed;
2. the complaint is outside the scope of the Code and should be redirected to another agency or process;
3. the complaint is non-material; and
4. the complaint is material and a full investigation is required.

In making the assessment the investigator may make whatever initial inquiry is necessary to determine the appropriate course of action. The investigator has full discretion to dismiss any complaint which, in their view, fails to meet the test of materiality.

On receiving the investigator’s preliminary assessment the chief executive will:

1. where an investigator determines that a complaint is frivolous or without substance, inform the complainant and respondent directly and inform other members (if there are no grounds for confidentiality) of the investigator’s decision;
2. in cases where the investigator finds that the complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint to the relevant agency and inform both the complainant and respondent of the action.
Step 3: Actions where a breach is found to be non-material

If the subject of a complaint is found to be non-material the investigator will inform the chief executive and, if they choose, recommend a course of action appropriate to the breach, such as:

- that the respondent seek guidance from the Chairperson or Mayor;
- that the respondent attend appropriate courses or programmes to increase their knowledge and understanding of the matters leading to the complaint.

The chief executive will advise both the complainant and the respondent of the investigator’s decision and any recommendations, neither of which are open to challenge. Any recommendations made in response to a non-material breach are non-binding on the respondent and the council.

Step 4: Actions where a breach is found to be material

If the subject of a complaint is found to be material the investigator will inform the chief executive, who will inform the complainant and respondent. The investigator will then prepare a report for the council on the seriousness of the breach.

In preparing that report the investigator may:

- consult with the complainant, respondent and any affected parties;
- undertake a hearing with relevant parties; and/or
- refer to any relevant documents or information.

On receipt of the investigator’s report the chief executive will prepare a report for the council or committee with delegated authority, which will meet to consider the findings and determine whether or not a penalty, or some other form of action, will be imposed. The chief executive’s report will include the full report prepared by the investigator.

Step 5: Process for considering the investigator’s report

Depending upon the nature of the complaint and alleged breach the investigator’s report may be considered by the full council, excluding the complainant, respondent and any other ‘interested’ members, or a committee established for that purpose.

In order to avoid any suggestion of bias, a Code of Conduct Committee may often be the best mechanism for considering and ruling on complaints. Committees should be established at the start of a triennium with a majority of members selected from the community through either an application process or by invitation.

The council or committee will consider the chief executive’s report in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, such as the misuse of confidential information or a matter that would otherwise be exempt from public disclosure under s.48 of the LGOIMA, in which case it will be a closed meeting.
Before making any decision in respect of the investigator’s report the council or committee will give the member against whom the complaint has been made an opportunity to appear and speak in their own defense. Members with an interest in the proceedings, including the complainant and the respondent, may not take part in these proceedings.

The form of penalty that might be applied will depend on the nature of the breach and may include actions set out in section 13.1 of this Code.

In accordance with this Code councils will agree to implement the recommendations of a Code of Conduct Committee without debate.
TO: EXTRAORDINARY COUNCIL
FROM: CITY CENTRE CO-ORDINATOR
MEETING DATE: TUESDAY 8 NOVEMBER 2016

UPDATE ON CITY CENTRE CO-ORDINATOR ACTIVITIES

Report Prepared by: Kari Graber - City Centre Co-ordinator

SUMMARY
This report provides Council with a review of activities and initiatives started since the appointment of a City Centre Co-ordinator, who has been employed under a targeted CBD rate. It also provides feedback and ideas from local businesses on topics involving the city centre and projects actioned on their behalf.

RECOMMENDATIONS
Report to be received.

And

Funding is allocated in the 2017/18 Annual Plan to the City Centre Co-ordinator’s budget for future initiatives.

IMPLICATIONS

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<td>1.</td>
<td>Has this been provided for in the Long Term Plan/Annual Plan? Yes.</td>
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<td>2.</td>
<td>Is a budget amendment required? 2017/18 budget provisions need to be made as part of the Annual Plan.</td>
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<td>3.</td>
<td>Is this matter significant in terms of Council’s Policy on Significance? No.</td>
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<td>4.</td>
<td>Implications in terms of other Council Strategic Documents or Council Policy? None.</td>
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<td>5.</td>
<td>Have the views of affected or interested persons been obtained and is any further public consultation required? Ongoing communication and consultation with CBD ratepayers and interested parties.</td>
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<td>6.</td>
<td>Has the Child, Youth and Family Friendly Policy been considered? Yes.</td>
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FINANCIAL IMPLICATIONS

Budget provisions need to be made as part of the 2017/18 Annual Plan.

APPOINTMENT OF CITY CENTRE CO-ORDINATOR

The position of City Centre Co-ordinator was established through a targeted rate in the 2016/17 Annual Plan. The purpose of this position was to provide business owners and retailers with a facilitator for City Centre events, communications, projects and a dedicated contact person for liaising with Council and the community. This role commenced in August 2016 and the following report gives an overview of projects to date and ongoing work.

There are three areas that have been identified as needing work in order to achieve success:

1. Perception Change

How we view our city needs to change. This includes the perception that we need to make Invercargill great again. Instead we need to remember why Invercargill is great. By using the city centre for a variety of events, we have been able to showcase the many positive things we have going well in the city centre.

2. Mind Set Change on Parking

There is a belief that there is a lack of parking. This is not actually true. In comparison to cities with similar or larger populations Invercargill has a good amount of city centre parking. The issue is how we think about parking. Parking cannot always be at the front door but that is true the world over. The non-parking issue was highlighted by the success of trick or treating in the city centre with thousands of people filling the streets. Not one comment was received that there was not enough parking to come to the city centre.

3. Strategic Direction

There is a need for specific strategies for the city centre. These strategies need to have definable timelines attached that allow for short and long term planning. The Strategies should also include future events and drivers for bringing people into the city centre.

Retail Strategy

A Retail Strategy will serve as a tool for Council and the city centre retailers to set an agreed direction and priorities to help implement positive changes and promote growth in the city centre. This will also need to include events and drivers for making the city centre attractive to the public. The Retail Strategy should also include the possibility for retailers to upskill themselves with opportunities for workshops on things like social media and changing trends in marketing.

City Centre Urban Rejuvenation Strategy

A City Centre Urban Rejuvenation Strategy is required that is specific to the city centre. This Strategy needs to be built on all the work that Council has already done. It needs to be one document that combines all the reports and efforts already undertaken and ties it to a practical working plan that has achievable markers. The City Centre Urban Rejuvenation Strategy will need to include the impacts of the District Plan on city centre development and growth, plus the reports by Craig Pocock, Mark Blumsky, the CBD Renewal Project, Kobus Mentz and recommendations from SoRDS.
**Christmas in the City Strategy**

A Christmas Strategy is also required for 2017/18 and beyond. This Strategy must be specific to the city centre as a destination for Christmas. Although we live in a climate that does not have a traditional Christmas feel, we can still embrace that difference and build around it. This Christmas Strategy will assist in the planning and installation of decorations and festivities in the city over the Christmas season. It will also help set out an overarching framework for the provision and delivery of Christmas celebrations in the city centre, including decorations, lighting, activities, events, retail activations and promotions right through to New Years’ Eve. The Strategy needs to outline the vision, strategic direction and actions to enhance the Christmas in-the-city experience.

All three of these strategies are imperative to ensure we are a successful, thriving city. It’s important that we co-ordinate resources that have already been established to benefit the businesses that occupy the city centre and the people who use it.

**City Centre Workshop and Feedback from City Centre Key Stakeholders**

One of the first actions undertaken in the new role was to hold a workshop with key stakeholders on Thursday 13 September to gain an understanding of what was relevant and important to key stakeholders in the City Centre. This information is key to understanding what types of initiatives to try and what the greatest concerns are for retailers, businesses and landlords.

With an understanding of the issues most important to key stakeholders, two events (Food Truck Friday and Halloween Trick or Treating in the City Centre) have already been implemented using their feedback. Information was obtained in three ways: through face-to-face meetings and informal discussions; an online survey; and a CBD workshop. The information gathered has been extremely valuable and has provided a starting point to finding solutions.

**City Centre Stakeholders’ Major Concerns**

*Lack of foot traffic*

By far the number one concern for most retailers has been a lack of foot traffic and vibrancy in the city centre. With a lack of people there is a lack of sales. Many shops have reported lower than average sales over the past couple of years.

*Dilapidation of buildings*

People are upset at the lack of understanding and clarity around what buildings will be invested in and what is not worth keeping. The majority of business owners have concerns about the continued dilapidation of our once beautiful city centre buildings giving a feeling that the city is tired and old.

*Empty Shop Windows*

Key stakeholders are very concerned with the number of empty shops windows in areas they feel should be thriving in the city centre.

Feedback will be continually sought from key stakeholders when considering new plans or events in the City Centre. As the city evolves and changes, so will the needs of retailers, restaurants and businesses. It’s important that Council maintains productive relationships and continues with collaborative implementation of new events and strategies.
NEW CITY CENTRE EVENTS

Food Truck Fridays

This event was the first initiative rolled out to bring people to town and encourage individuals to leave their offices at lunch time and walk around the city. The original idea came from Portland, Oregon. Food truck festivals and food truck areas in city centres have become popular the world over. The Food Truck Friday idea tied into the need for new activities in the city centre and the use of an underutilised public space and an attraction for tourist and locals. It has provided Invercargill with a point of difference and something unique and positive to talk about and relate to the city centre.

Prior to trialling this event, permission was obtained from the three local businesses that were most likely to be affected. They were: Hells Pizza, Subway and the Tuatara Café. With their approval we ran a trial for five weeks to see if the event would be successful; and whether there was any further appetite for it to continue through the summer.

Feedback from local shop keepers and the community alike has been very positive. Some weeks the number of people filling Wachner Place has been in the hundreds. There have been so many requests for this to continue that the event is now going through the end of November. Food Truck Fridays have created vibrancy in the city centre and are constantly attracting new patrons. The vendors would like to see it go through to the end of December; however we will need to re-evaluate once the Christmas tree is installed in Wachner Place and we have a better understanding of what is feasible.

HALLOWEEN TRICK OR TREATING IN THE CITY CENTRE

This event was hailed a major success by the community and far exceeded any possible expectation we had in terms of attendance. Businesses have reported the number of children in attendance at 1,000 or more. The streets were buzzing with families from all walks of life. The feedback from local shop keepers about the vibrancy and the foot traffic was very positive.

Neil Thomas, owner of The Lollie Shop in Cambridge Place Arcade said, “It was great to see the City so busy. It bought several into the CBD that hadn’t been for a long time. Being family groups most kids were well behaved and 99% of kids had very good manners.”

Paul Clark, of Zoo Keepers said, “Very successful, well done.”

Tina Lawson, owner of True Grit provided the following feedback, “I would just like to congratulate you on the Halloween Event. What a fantastic day we had with all the wee peeps and parents coming into our store. Who would of expected the amount of wee peeps that came thru, we would of least had a 1,000 +. I don’t know who had more fun my staff and myself or the children. I would like to say whatever is going we are behind you 100%, as this is exactly what the city needs is someone to spread the sunshine”

Shani Hopgood, owner of Ambrosia Designer Florist on Tay Street said, “What a wonderful time we had on Saturday!! It was so wonderful to see all the kids dressed up and everyone having such a fun time. We had to run to the supermarket twice to top up on lollies, so I estimate we gave out well over 500 lollies and I was offering the kids a flower or a lolly so gave out over 100 flowers as well. I think it would definitely be worth doing again next year and we will be better organised to support the amount of people that came through as I estimate there were well over 1000 people participating. I have already had a member of the public ring and thank me for participating on Saturday and they said their kids loved their flower, I think events like this certainly help “Family Friendly” Invercargill.”
Rob McMurdo owner of Wensley’s Cycles said he had a great sales day and didn’t close until 5pm. For his business the event was a great success and he said the families of trick or treaters were polite and gracious when they had run out of lollies.

This was the first such event of its kind so there were a few issues that were identified and need to be addressed in future. The main issue was the limited amount of lollies for distribution. Neither the Council, nor the shops, had anticipated such large numbers and many ran out very quickly and needed to top up by purchasing more. The Council gave starter packs of lollies but with a very limited budget available for City Centre initiatives, the budget was limited to $500.00. This did not go far with 61 businesses agreeing to participate. The community has already asked for this to become an annual event and many shop keepers have also said they would be keen. There have also been requests from some who did not participate asking if they could join in next year. With a dedicated budget this could be an even better event with further activities for the children on the day.

**WORKING WITH INTERNAL COUNCIL DEPARTMENTS AND BUSINESSES**

Part of the City Centre Co-ordinator’s role is to work with Council’s departments to assist retailers and businesses with issues or ideas. These have included:

- Getting a bollard moved for Skelts Jewelers. This had been an issue for some time and people were denting their vehicles on it regularly.

- Having a rubbish bin installed on Kelvin Street for the owner of Voyant who had ongoing issues with littering outside the shop. This will also help with beatification of the CBD.

- Liaising with the Engineering Services Group to look at and repair a possible issue with a storm drain on Wood Street, for Young Reflections owner, Joy Brown. The blocked drain was causing flooding in the building’s garage.

- Working with local Barbershop owner, Liza Dermody to have some public art installed in the form of a mural in the alleyway of Cambridge Place.

**CHRISTMAS FESTIVAL ON ESK STREET**

This will take place on Saturday, 17 December. This was an event previously run by Mike Sanford and funded by Council. The City Centre Co-ordinator will be taking this over from Mr Sanford (with his agreement) and organising a similar event with more of a festival theme rather than a market. In the lead-up to this, carolling groups and local musicians will be used to fill Esk Street and the pocket park with festive holiday music.

**GINGERBREAD HOUSE CONTEST**

This is a contest that will be run by Council’s City Centre Co-ordinator. It will be open to the public as well as businesses, restaurants, local bakeries and SIT Students and local high schools. The theme for the contest will be *Southland and Invercargill Icons*. The gingerbread houses will be on display in the Cambridge Place Arcade and SIT Arcade from Friday, 16 December until Sunday, 27 December. The activity is designed to fit in with the theme of Christmas in the City. The idea is to encourage people to think of the city centre as the place to be in the lead up to Christmas for shopping, socializing and absorbing the holiday spirit.
TO: EXTRAORDINARY COUNCIL
FROM: HIS WORSHIP THE MAYOR
MEETING DATE: 8 NOVEMBER 2016

MAYOR’S REPORT TO INAUGURAL COUNCIL

Report Prepared by: His Worship The Mayor, Mr T Shadbolt

SUMMARY

Clarification was sought on some Committee Appointments following the Inaugural Council Meeting.

RECOMMENDATION:

That the Appointments as noted be made;

AND THAT

The Governance Statement is updated to reflect changes.

IMPLICATIONS

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<td>4.</td>
<td>Implications in terms of other Council Strategic Documents or Council Policy?</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td>5.</td>
<td>Have the views of affected or interested persons been obtained and is any further public consultation required?</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td>6.</td>
<td>Has the Child, Youth and Family Friendly Policy been considered?</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>
APPOINTMENT OF DEPUTY MAYOR; CHAIRMEN AND COMMITTEES; REPRESENTATIVES TO OTHER ORGANISATIONS AND COMPANY DIRECTORSHIPS:

Following the Inaugural Council meeting on Wednesday 26 October 2016, I recommend the following adjustments of councillors on various committees and organisations.

1. **Audit Committee Chair**
   Cr I R Pottinger

2. **Invercargill Venue and Events Management (IVEM)**
   Cr D J Ludlow
   Cr R L Abbott
   Cr T M Biddle

3. **Invercargill Public Art Gallery Incorporated**
   Cr I R Pottinger (Mayor’s Nominee)

4. **Events Committee**
   Cr G D Lewis
   Cr A H Crackett

Deleted committees are:

1. Southland Historic Buildings Preservation Trust
2. Southland Rural Heritage Trust
3. New Zealand Historic Places Trust

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