

**ORDINARY MEETING**

**OF**

**STRATEGY AND POLICY COMMITTEE**

**AGENDA**

**Time:** 9:30am  
**Date:** Thursday, 12 March 2020  
**Venue:** Ngake (16.09)  
Level 16, Tahiwī  
113 The Terrace  
Wellington

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**MEMBERSHIP**

Mayor Foster  
Councillor Calvert (Deputy Chair)  
Councillor Condie  
Councillor Day (Chair)  
Councillor Fitzsimons  
Councillor Foon  
Councillor Free  
Councillor Matthews  
Councillor O'Neill  
Councillor Pannett  
Councillor Paul  
Councillor Rush  
Councillor Sparrow  
Councillor Woolf  
Councillor Young

**NON-VOTING MEMBERS**

Te Rūnanga o Toa Rangatira Incorporated  
Port Nicholson Block Settlement Trust

**Have your say!**

*You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 04-803-8334, emailing [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz) or writing to Democracy Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number, and the issue you would like to talk about. All Council and committee meetings are livestreamed on our YouTube page. This includes any public participation at the meeting.*

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## **AREA OF FOCUS**

The role of the Strategy and Policy Committee is to set the broad vision and direction of the city, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies and policies, bylaws and regulations, and work programmes to achieve those goals.

In determining and shaping the strategies, policies, regulations, and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the seven strategic areas covered in the Long-Term Plan (Governance, Environment, Economic Development, Cultural Wellbeing, Social and Recreation, Urban Development and Transport) with particular focus on the priority areas of Council.

The Strategy and Policy Committee works closely with the Annual Plan/Long-Term Plan Committee to achieve its objective.

To read the full delegations of this Committee, please visit [wellington.govt.nz/meetings](https://wellington.govt.nz/meetings).

**Quorum:** 8 members

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## 1. Meeting Conduct

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### 1.1 Karakia

The Chairperson will open the meeting with a karakia.

<b>Whakataka te hau ki te uru,</b>	Cease oh winds of the west
<b>Whakataka te hau ki te tonga.</b>	and of the south
<b>Kia mākinakina ki uta,</b>	Let the bracing breezes flow,
<b>Kia mātaratara ki tai.</b>	over the land and the sea.
<b>E hī ake ana te atākura.</b>	Let the red-tipped dawn come
<b>He tio, he huka, he hauhū.</b>	with a sharpened edge, a touch of frost,
<b>Tihei Mauri Ora!</b>	a promise of a glorious day

At the appropriate time, the following karakia will be read to close the meeting.

<b>Unuhia, unuhia, unuhia ki te uru tapu nui</b>	Draw on, draw on
<b>Kia wātea, kia māmā, te ngākau, te tinana,</b>	Draw on the supreme sacredness
<b>te wairua</b>	To clear, to free the heart, the body
<b>I te ara takatū</b>	and the spirit of mankind
<b>Koia rā e Rongo, whakairia ake ki runga</b>	Oh Rongo, above (symbol of peace)
<b>Kia wātea, kia wātea</b>	Let this all be done in unity
<b>Āe rā, kua wātea!</b>	

### 1.2 Apologies

The Chairperson invites notice from members of apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

### 1.3 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

### 1.4 Confirmation of Minutes

The minutes of the meeting held on 5 March 2020 will be put to the Strategy and Policy Committee for confirmation.

### 1.5 Items not on the Agenda

The Chairperson will give notice of items not on the agenda as follows.

***Matters Requiring Urgent Attention as Determined by Resolution of the Strategy and Policy Committee.***

The Chairperson shall state to the meeting:

1. The reason why the item is not on the agenda; and

2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

The item may be allowed onto the agenda by resolution of the Strategy and Policy Committee.

***Minor Matters relating to the General Business of the Strategy and Policy Committee.***

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Strategy and Policy Committee for further discussion.

## **1.6 Public Participation**

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 3.23.3 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

Requests for public participation can be sent by email to [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz), by post to Democracy Services, Wellington City Council, PO Box 2199, Wellington, or by phone at 04 803 8334, giving the requester's name, phone number and the issue to be raised.

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## **2. General Business**

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# **UPDATE ON THE WELLINGTON CITY COUNCIL HOUSING STRATEGY AND HOUSING ACTION PLAN 2020-22**

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### **Purpose**

1. This report asks the Strategy and Policy Committee to approve the Wellington City Council Housing Action Plan for the 2020-22 triennium.
2. If approved, this will set the three year work programme which will contribute to the long-term outcomes of the Housing Strategy.

### **Summary**

3. In June 2018 the City Strategy Committee approved the Wellington City Council Housing Strategy (the Strategy). The Strategy had been developed based on extensive engagement, consultation through the Long-term Plan 2018-28 and recommendations from the Mayor's Housing Taskforce.
4. An Action Plan was adopted alongside the Strategy in 2018, with the intention that this would be reviewed after a year. The Action Plan has now been reviewed and the timeframe updated to align better with the Council triennium.
5. The revised Action Plan (the Plan) for 2020-22 is now up for adoption by the Strategy and Policy Committee. The Plan presents six priority programmes of work which provide greater focus and structure than the previous plan; this will take Council delivery on the Strategy from good to great.

### **Recommendation/s**

That the Strategy and Policy Committee:

1. Receive the information.
2. Note that the Housing Strategy was adopted in June 2018 and sets the outcomes for the next 10 years. The strategy has a long-term focus; the short to medium term priorities and actions to deliver on that strategy are set by action plans.
3. Adopt the Housing Action Plan 2020-22. This plan sets the priorities for the next three years in terms of Wellington City Council's work toward delivering on the long-term outcomes set by the Housing Strategy.
4. Note that the draft Action Plan (the Plan) is focused around six priority programmes of work. Outlined within this report, the Plan covers consenting improvements, planning for the future growth of Wellington, improving Council's City Housing service, supporting our partners to provide places and services to end homelessness, and facilitating delivery of a variety of housing options. Delivery will be supported by continuing to develop and formalise strategic partnerships which ensure a collaborative approach to delivering housing outcomes for the city.
5. Note that the Wellington Housing Affordability Model (WHAM) has been developed to

support the Strategy. This model is based on the premise that assessing affordability depends on each household's circumstances and composition. Council is working with partners to continue to improve the model, including making it available for other organisations. Further updates on this will be shared with the Strategy and Policy Committee during 2020.

6. Note that following adoption of the Action Plan, the Plan will be published on the Council website and officers will proactively engage with key delivery partners, including Kāinga Ora, Community Housing Aotearoa, Community Housing Providers and Universities.
7. Note that officers will report back to the Strategy and Policy Committee on progress of the Action Plan on an annual basis.

## **Background**

6. Improving housing outcomes is a significant priority for Wellington City Council (the Council). Having the security of a home that is safe, warm, dry and affordable is a key foundation to ensuring that individuals, families, and whanau can live well and achieve their aspirations. In turn this also supports wider community outcomes, and is a crucial component to ensure the city's full potential and wider socio-economic aims are being realised.
7. In June 2018 the City Strategy Committee approved the Wellington Housing Strategy (the Strategy). The Strategy had been developed based on extensive engagement, consultation through the Long-term Plan 2018-28 and recommendations from the Mayor's Housing Taskforce report published in June 2017.
8. An Action Plan was adopted alongside the Strategy in 2018, with the intention that this would be reviewed after a year. The Action Plan was a stocktake of activities undertaken across the Council that contribute to the desired outcomes for Housing.
9. While the Action Plan has provided a good foundation for delivery against the Strategy, there is room to take delivery from good to great. With this in mind, officers and ELT reviewed the Plan at the end of 2019 and the result is a more structured and focused draft Action Plan that will align to the 2020-22 Council triennium.

## **Discussion**

### ***The Housing Strategy***

10. The Strategy defines the outcomes Council is working towards over the next 10 years and acknowledges the important role that Council plays in leading the change required to see all Wellingtonians well-housed. The Strategy and the Action Plan for 2018-19 can be found on the Council website <https://wellington.govt.nz/your-council/plans-policies-and-bylaws/policies/housing-strategy>
11. The Strategy includes guiding principles such as Council taking a leadership role and establishing partnerships with central government and other housing sector stakeholders to improve housing outcomes in Wellington.
12. The Strategy also defines four long-term outcomes for Wellington City, these are:



- Wellington has a well-functioning housing system – working in coordination and/or partnership to achieve:
    - more availability and choice of housing,
    - more affordable homes, and
    - growth in supply.
  - Homes in Wellington are of good quality and are resilient – through regulation, support and guidance we will see:
    - more homes are safe, secure and resilient,
    - more homes are warm, dry and energy efficient, and
    - more homes are environmentally sustainable.
  - Homes meet the needs of Wellingtonians – we will monitor and respond to changes in the Wellington housing environment and work to ensure:
    - decisions reflect the housing need in Wellington,
    - more Wellingtonians can access a home, and
    - more Wellingtonians can sustain a home.
  - Our housing system supports sustainable, resilient and connected communities – we will engage with housing stakeholders and the wider community to ensure that:
    - housing supports wellbeing, particularly for the most vulnerable, and
    - housing supports connected communities and better placemaking.
13. The Strategy presents a vision and outcomes for the city and recognises Council's role in achieving those outcomes. The Action Plan details specific actions that are the responsibility of the Council and specific partnerships that Council engages in to achieve the outcomes.
14. The vision of the Strategy is for all Wellingtonians to be well-housed; this is considered within the context of the housing continuum. The housing continuum presents six categories of housing from emergency housing through to private ownership.
15. Council is active in all parts of the continuum to some degree, in some areas it is as the deliverer or operator and in others it is through partnerships or as a regulator and facilitator.
16. Supporting the Strategy is the Wellington Housing Affordability Model (WHAM). WHAM was created to address a gap where publicly available measures were found to not be fit for purpose to inform decisions about how to direct local resource.
17. WHAM is based on the premise that assessing affordability depends on each household's circumstances and composition, and that housing affordability is more complex than providing one set dollar amount or ratio that is applied in a 'one size fits all' way. At a high level WHAM has been developed to answer the following questions:
- Who is a particular rent or purchase price affordable for?
  - What is affordable for a particular household type (income and composition)?

- How affordable is a particular rent or purchase price for a particular household type?

18. There are four key elements of the high level methodology for WHAM:



19. The WHAM approach and methodology was independently reviewed and assessed by leading economists Shamubeel Eaqub and Kirdin Lees of Sense Partners.
20. Council officers are working with partners from Ministry of Housing and Urban Development and the Centre for Research Evaluation and Social Assessment to assess opportunities for improvement and wider use of the model by other organisations.

### **Action Plan 2020-22**

21. While the Strategy is city focused, the Action Plan is Council focused. It outlines Council's projects which work toward delivering on the outcomes set by the Strategy.
22. The first Action Plan was adopted along with the Strategy in June 2018. This provided a strong foundation but we need to shift our performance from good to great. The Action Plan has now been reviewed and the timing better aligned to the Council triennium.
23. The review of the Action Plan started with ELT considering objectives and priorities for the triennium that will put the Council on track to meet the long-term outcomes and to amplify our delivery.
24. The objectives and long-term outcomes set the basis for the draft Action Plan. From those objectives, six priority programmes of work have been identified. These are considered the programmes that will deliver most effectively on the long-term outcomes and overall vision of the Strategy, at this point in time.
25. The priority programmes are summarised as follows and further defined in the draft Action Plan, attached.
- *Planning for Growth* - this programme includes consulting and finalising a spatial plan for Wellington, and review of the District Plan. This programme of work is expected to have outcomes for housing by enabling more supply with greater density. The next stage of this programme is to consult on the draft Spatial Plan; approval for this consultation will be sought Council on 25 March 2020.
  - *City Housing sustainability* – City Housing is Council's social housing provider, the focus in this triennium is on achieving financial sustainability. The work programme includes implementing revised policy settings and continuing to

deliver on the Strategic Housing Investment Plan (SHIP). For more on the City Housing policy settings please refer to the SPC paper of 12 March 2020, an update on SHIP will go to SPC on 9 April 2020.

- *One-Stop Shop consenting improvements* – this is a series of improvements which will see improved case management and pre-application processes, as well as online lodgements of resource consents and other technology-based improvements for consenting.
  - *Te Mahana Homelessness strategy* – the focus for Wellington City Council in the triennium is on the Wellington Housing First pilot, supporting partner DCM to provide tenancy sustaining services and outreach services, and on a programme to increase transitional and supported housing through partnerships with organisations such as Wellington Night Shelter, Kāinga Ora and Wellington City Mission.
  - *Proactive development* – this programme covers opportunities to develop underutilised sites, on Council land. Within the triennium this is expected to include the central city apartment conversions programme and the St John's site development in Karori. Through this programme opportunities will also be maximised through other strategic programmes such as Planning for Growth and Let's Get Wellington Moving, the Plan will be updated as these opportunities become clearer.
  - *Strategic partnerships* – partnerships are implicitly part of delivery in many of the other priority programmes. It is of critical importance to build strong partnerships and relationships for the success of the plan, working collaboratively together not in competition with each other. This priority programme will provide greater focus on building these partnerships with key partners such as Kāinga Ora, Community Housing Providers and universities.
26. In addition to the above, there are a number of considerations that sit across all priority programmes. These include Wellington Towards 2040: Wellington's vision for the future, Wellington Resilience Strategy, sustainability and Te Atakura: Wellington's blueprint toward a zero carbon city, and accessibility of new and old housing assets, as well as heritage and character preservation.
27. Council will also consider other significant programmes of work for further opportunities. In particular and as one of the key priorities for the Council over the next few years, Let's Get Wellington Moving is a key consideration for this work. There are likely to be some opportunities that arise and officers will work together to ensure any opportunities are maximised for housing outcomes.

### **Engagement and consultation**

28. Engagement and consultation on housing issues has been extensive over the past three years, for example consultation by the District Plan team on Planning for Growth, City Housing engagement on the Strategic Housing Investment Plan and on policy settings. Housing was also a priority consultation topic in the Long-term Plan 2018-28 (LTP) with the draft Housing Strategy and Action Plan included as part of that significant engagement.
29. Overall public feedback on the Housing Strategy, gathered through the LTP consultation, indicated a strong level of support for the strategic direction.

30. Key themes from the range of consultation on housing to date include:
- A long term, more strategic and connected approach is required to achieve key housing outcomes
  - More and different partnerships with a range of stakeholders are required for housing outcomes in the city
  - There needs to be a focus on creating a diversity of housing options across the continuum, and a more targeted approach to supporting vulnerable communities and those who face barriers to accessing quality housing
  - The Council needs to make better use of Council owned land and assets
  - The Council needs to collect and use better data to inform decisions that impact housing outcomes.
31. The Action Plan 2018 was consulted on alongside the Strategy and LTP; it identifies the activities across Council that contribute to the long-term outcomes of the Strategy.
32. The Action Plan has been reviewed since consultation. The Action Plan 2020-22 is a more organised plan with the projects sorted into six priority programmes, with specific outputs for the next three years; the projects within those programmes are not significantly different to the previous Action Plan.
33. As the new Action Plan is not significantly different from the previous plan and doesn't propose any new projects or funding, it is proposed that engagement on the plan is through targeted communications, publishing the plan on the Council website and in person events with key external partners.

### **Risk**

34. In June 2019 a workshop was held, in which the Finance Audit and Risk Management Subcommittee reviewed the risks to the delivery of the Housing Strategy and Housing Action Plan. Mitigation measures for many of the identified risks will be supported by the improved structure and focus of the draft Action Plan.
35. Council has a Housing Action Plan Advisory Group which includes project owners and business unit managers from each of the six priority programmes. This group meets monthly and will review the risks and mitigations with the new Action Plan, following its adoption at this meeting. Significant residual risks will be reported back to the Strategy and Policy Committee through the annual updates on the Action Plan.

### **Next Actions**

36. Delivery on the projects in the Action Plan has continued while the review was underway and there are now a number of project decisions to be made. These decisions are the focus of separate papers and include:
- City Housing sustainability, operations (12 March) – policy framework and rent settings, approval to consult.
  - Planning for Growth (25 March) – draft 30-year Spatial Plan, approval to consult.

- Proactive Development (9 April) – Te Kāinga, Central city apartment conversion programme update and policy.
  - City Housing sustainability and Proactive Development, development (9 April) – update on Strategic Housing Investment Plan (SHIP) with decisions required on specific divestment options and an update on the redevelopment plans for Harrison Street and Nairn Street.
37. Officers will provide Action Plan progress updates to the Strategy and Policy Committee annually and the plan will be reviewed every three years.

### Attachments

Attachment 1. [Draft Housing Action Plan 2020-2022](#)  

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Authors	John McDonald, Housing Development Manager Rebecca Tong, Programme Manager, Housing Development
Authoriser	Moana Mackey, Acting Chief City Planner Phil Becker, Business Engagement Manager

## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

The development of the Housing Strategy and Action Plan has been guided and informed by extensive consultation with a wide range of stakeholders. This has included consultation through the Mayor's Summit, a Housing Forum, the Mayor's Housing Taskforce, and engagement and consultation on a number of specific housing related issues or projects. The key elements of the proposed Housing Strategy were consulted on through the LTP and feedback has been incorporated into the final documents accordingly.

A communications plan for publishing the new Action Plan has been developed and involves targeted communications, publishing the plan on the Council website and in person events with key external partners.

### **Treaty of Waitangi considerations**

Treaty of Waitangi implications will be identified and addressed within the context of discrete Housing Action Plan projects as appropriate. In a more general sense, understanding and addressing the needs of Māori is an important component of achieving each of the four key outcome areas identified within the Housing Strategy.

### **Financial implications**

1. No specific funding is allocated for the Housing Strategy itself and Housing Action Plan projects are being delivered within existing budgets. Any future funding requirements for current or new Housing Action Plan projects will be sought through normal planning processes as required.

### **Policy and legislative implications**

The Housing Strategy will guide and influence the development and review of various Council policies that relate to housing. Specific implications will be considered within the context of the individual projects identified in the Housing Action Plan.

### **Risks / legal**

We will undertake a risk assessment and have in place risk management practices in implementing the Housing Strategy. This will include seeking legal advice where the need arises.

### **Climate Change impact and considerations**


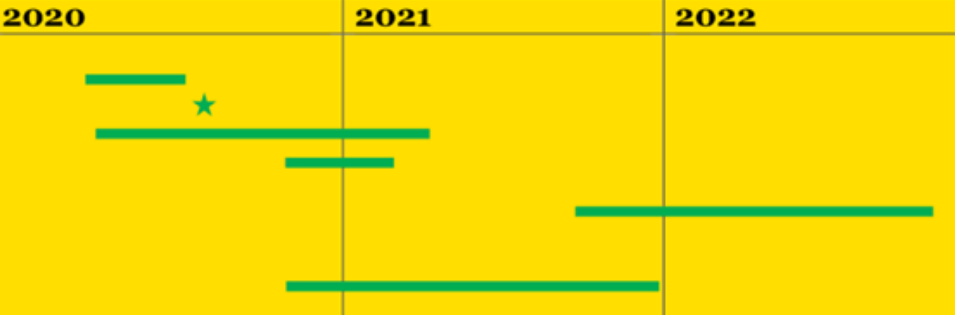



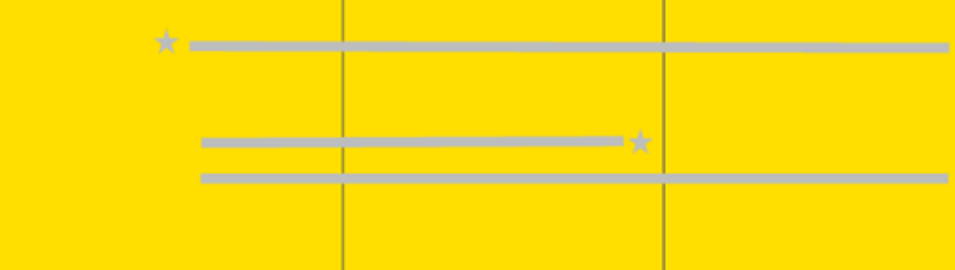
Outcome area four focuses on ensuring our housing system supports sustainable, resilient and connected communities, and Outcome area three includes focus on ensuring environmental sustainability. Working to address climate change is therefore a component of the Housing Strategy, and is also acknowledged as part of the Council's Resilience Strategy.

### **Communications Plan**

A communications plan has been prepared to manage public communications regarding the Housing Strategy and Housing Action Plan.

### **Health and Safety Impact considered**

Not applicable for the Housing Strategy, but is or will be considered within the context of individual Housing Action Plan projects as appropriate.

	Priority Programme	Projects	2020	2021	2022
 <h2>Housing Action Plan 2020-22</h2> <p>As our population grows, we want to make sure everyone has access to safe and affordable quality housing.</p> <p>The Housing Strategy sets out the long-term outcomes for housing over 10 years. Refer to the Strategy for these outcomes.</p> <p>The Housing Action Plan captures the priority programmes of work that the Council will deliver to meet the vision of 'All Wellingtonians well-housed'.</p> <h2>Strategic Partnerships</h2> <p>We're working with many partners to deliver this Plan and housing outcomes for the city. Over the course of the three years of this plan we will continue to develop these partnerships, in particular with:</p> <ul style="list-style-type: none"> <li>• Kāinga Ora</li> <li>• Universities</li> <li>• Community Housing Providers</li> </ul>	<p><b>Planning for Growth</b></p> <p>Our city is growing. The District Plan is up for review. This programme will shape the way we live, for decades.</p>	<ul style="list-style-type: none"> <li>• Draft Spatial Plan consultation (April-May 2020)</li> <li>• Final Spatial Plan (Mid 2020)</li> <li>• Stebbings Valley structure plan (mid 2020 – early 2021)</li> <li>• Draft District Plan consultation (Late 2020)</li> <li>• Proposed District Plan statutory process (publicly notified late 2021)</li> <li>• Wellington Regional Growth Framework – developing a Spatial Plan for the region (draft for consultation late 2020)</li> </ul>			
	<p><b>One-stop Shop</b></p> <p>A series of improvements to our consenting process is underway. This programme supports growth in supply of houses in the private market by improving the ease and efficiency of the consenting processes.</p>	<ul style="list-style-type: none"> <li>• Consents website content refresh &amp; online resource consent lodgement (Early 2020)</li> <li>• Improve pre-application processes (Mid 2020)</li> <li>• Online resource consent tool incrementally implemented by coding rules of District Plan, if proven feasible (starting end 2020)</li> <li>• Ongoing improvements over three years include greater visibility of applications, consistent information, advice and service</li> </ul>			
	<p><b>City Housing sustainability</b></p> <p>City Housing is the Council's social housing provider and one of the largest landlords in New Zealand. The purpose is to provide affordable residential rental accommodation, allocated to people in housing need.</p>	<p><i>Revised policy framework and rent settings</i> – ensuring rents are fair and financially sustainable</p> <ul style="list-style-type: none"> <li>• Consultation (March – April 2020)</li> <li>• Settings adopted and implemented (mid – end 2020)</li> </ul> <p><i>Strategic Housing Investment Plan (SHIP)</i> – making better use of City Housing assets with ongoing maintenance, development and divestments. Specific development sites are included in Proactive Development below.</p>			
	<p><b>Te Mahana – homelessness strategy</b></p> <p>The strategy to end homelessness is endorsed by 30 Government agencies and marks a shared commitment to work together in a collaborative and culturally-specific way.</p>	<p>Focus is on the Housing First pilot, supporting DCM to provide tenancy sustaining services and outreach services, and supporting partners to provide the following supported and transitional housing:</p> <ul style="list-style-type: none"> <li>• Wellington City Mission new build 40-50 units, 35 to be supported (operational by early 2022)</li> <li>• Wellington Night Shelter renovation including 33 supported units (completion late 2020)</li> <li>• Kāinga Ora – Rolleston site, including approximately 20 supported housing units (completion early 2022)</li> <li>• Kāinga Ora – Arlington sites 1 and 3 up to 40 supported units included as part of the redevelopment that will deliver new quality, fit for purpose housing on these sites.</li> </ul>			
	<p><b>Proactive Development</b></p> <p>This programme focuses on being prepared and open to maximising opportunities for greater provision of housing supply.</p>	<ul style="list-style-type: none"> <li>• Te Kāinga – central city apartment conversions – pilot programme of up to four buildings (first due for completion mid 2020)</li> <li>• City Housing Development sites in next three years:                             <ul style="list-style-type: none"> <li>• Harrison Street, 72 new bed spaces (completion end 2021)</li> <li>• Nairn Street (undergoing investigation)</li> </ul> </li> <li>• Future development opportunities likely out of Planning for Growth and Let's Get Wellington Moving strategic programmes, the Plan will be updated as these progress.</li> </ul>			





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## WELLINGTON CONVENTION & EXHIBITION CENTRE NAMING

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### Purpose

1. This report asks the Strategy and Policy Committee to approve the name for the Wellington Convention & Exhibition Centre in accordance with Council's Naming Policy Te Māpihi Maurea so that branding and identity work can be progressed for the centre.

### Summary

2. The Wellington Convention & Exhibition Centre was approved in December 2018 and construction is now underway. Over the last two months, Council and WellingtonNZ have run a collaborative process around the branding and identity of the centre involving strong engagement with Taranaki Whānui, establishing a working group and selecting a branding agency to lead this work.
3. Cato Brand Partners (Cato) were the selected agency to deliver this piece of work, the first element being development of a name for the Centre that will then inform the development of the brand, its visual representation and how it will be used within the Centre.
4. The process ran by Cato involved interviewing key stakeholders and seeking their views of the building, its purpose, meaning and importance to the City. Taranaki Whānui kaumatua, Kura Moeahu, has had significant involvement in working through this identity process and has gifted a karakia for the building to Council based on the key themes arising from this process.
5. A shortlist of names was developed and assessed by the the working group and all parties unaimously agreed that *Tūtaki*, literally translated as 'to encounter', was the preferred option and is presented below in more detail.

### Recommendation/s

That the Strategy and Policy Committee:

1. Receive the information.
2. Note that the process undertaken to develop the name for the new Wellington Convention & Exhibition Centre is in accordance with Council's Naming Policy Te Māpihi Maurea.
3. Note the engagement with mana whenua in this process and the support this name has from Taranaki Whānui.
4. Agree that the name *Tūtaki* be the official name for the Wellington Convention & Exhibition Centre.
5. Note that further branding and identity work, including logo and visual art development, will be completed in the next phase of the branding and identity programme of work.

### Background

6. The Wellington Convention and Exhibition Centre was approved on 13 December 2018 and the construction proejct is now well underway.

7. As Wellington's newest civic building, Council had a desire for the building to have an identity and story anchored by the history of the site, its surroundings and its meaning to the city. Council wanted a cultural connection with a strong back story that made this a uniquely Wellington building with significance and deep meaning.
8. The branding and identity project was launched with this purpose in mind and is a significant step in launching the Centre in the international and domestic marketplace to provide confidence in the delivery of the Centre, carve out the niche Wellington will play in the market and to help secure business within the centre.
9. Through October and November 2019 Council and WellingtonNZ ran an EOI process with several brand development agencies. Three agencies were shortlisted to present to the working group comprising representatives from Studio Pacific Architecture, Council, WellingtonNZ and importantly mana whenua (Kura Moeahu and Pekaira Rei representing Taranaki Whānui ki Te Upoko o Te Ika (Taranaki Whānui)). This working group selected Cato Brand Partners to lead the branding and identity process.
10. The working group consisted of the following members:

<b>Organisation</b>	<b>Members</b>
<b>Wellington City Council</b>	Danny McComb, Manager Economic and Commercial Kiri Rasmussen, Manager Economic Development Projects
<b>WellingtonNZ</b>	David Perks, GM Regional Development Destination & Attraction Anna Calver, GM Marketing and Communications Sarah Todd, Project Manager
<b>Studio Pacific Architecture</b>	Stephen McDougall, Director Daryl Calder, Senior Principal
<b>Taranaki Whānui</b>	Kura Moeahu, Kaumatua and Cultural Advisor Pekaira Rei, Cultural Advisor

11. The branding and identity project has several stages. The first stages involved gaining a deep understanding of the facts and brief, then developing the key themes for the brand expression and strategy. The name development comes out of the brand strategy and needs to be agreed before development of the visual brand identity including logos and key marketing assets.
12. Council's Naming Policy Te Māpihi Maurea provides guidelines and principles to be considered when deciding the names of Council facilities. This recognises that names are important. Making sure that we have appropriate names for our facilities and buildings is vital to protect and enhance Wellington's character and heritage. Names connect us to the land and the environment around us. They help us identify precisely where places are located, which is vital for emergency and other services. Names also help us recognise and reflect culture, history and landscape, and they help tell stories about how we got to where we are today, and what has gone before.
13. The process and name presented today has been developed in close collaboration with our iwi partners representing Taranaki Whānui and follows the guidelines and principles of Council's Naming Policy.

## Discussion

### Cato Brand Partners engagement process and results

14. The branding process followed by Cato is a six-stage process outlined in the following diagram:



15. The process is currently at the third stage 'Develop the strategy' where the decision of the name for the building needs to be made before the process can proceed.
16. Interviews with key stakeholders are an important step in developing the key themes from which to base the brand expression. The stakeholders interviewed and engaged with for this process were:

Stakeholder	Name	Role
<b>WCC</b>	Mayor Andy Foster	Wellington City Mayor
	Councillor Jill Day	Wellington City Councillor
	Kevin Lavery	CEO
	Danny McComb	Manager Economic & Commercial
	Kiri Rasmussen	Manager Economic Development Projects
<b>Mana Whenua</b>	Kura Moeahu	Cultural Advisor and Kaumatua, Taranaki Whānui ki Te Upoko o Te Ika
	Pekaira Rei	Cultural Advisor, Taranaki Whānui ki Te Upoko o Te Ika
<b>WellingtonNZ</b>	David Perks	GM Regional Development Destination and Attraction
	Anna Calver	GM Marketing and Communications
	Sarah Todd	Project Manager
<b>WCEC Architects</b>	Stephen McDougall	Studio Pacific Architecture, Director
	Daryl Calder	Studio Pacific Architecture, Senior Principal
<b>Conference Industry Experts</b>	Jan Tonkin	The Conference Company, Director
	Lisa Gardiner	Tourism NZ, Global Manager
<b>Te Papa</b>	Ian Crowe	Director Museum and Commercial Services
	Liz Hay	Manager Business and Market Development

17. Through the engagement process it was clear that the story of this building must be able to forge a connection with Wellington, New Zealand's creative heart and the centre of the country. The brand and story cannot be too inward looking and needs to communicate beyond Wellington so that others can connect with it. It also cannot close off commercial opportunities.
18. Cato recognised that locals must see this building as their own, while visitors must see it as a key expression of the city. The building needed to be positioned as a place that brings to life ideas that enrich and inform Wellington.

19. The key themes that came from the process where the following:
- **Change and the fact that the building itself changes** – changing light, opportunities, weather, winds of change.
  - **Real life connections** – people come back from being here having made deeper connections and links
  - **Centre of knowledge and connection, a facilitator of change** – people coming together to improve their places.
  - **Wild ideas come about through collaborative culture, positive active nature.**
20. The Cato team and Kura landed on the following theme to be the basis for their naming process:
- Te Whanganui-a-Tara (Wellington harbour) is renowned for its unique and diverse winds – from those that rage across the harbour to the softer and more welcoming winds. Together they make Wellington a unique place in the world.*
21. Winds represent ideas that are powerful metaphors for this building:
- Winds represent the shift of knowledge from one generation to another;
  - Navigators would call the four winds to help them find the way forward – without wind, no-one could go anywhere;
  - Particles, like small specks of truth, move on the winds and find their way out across the world and even the universe;
  - Winds don't blow. They are pulled from one place to another. They bring things from further afield to a place where others can see and share them.
22. This idea was put at the core of the new brand:



### **Iwi Engagement and gifted Karakia**

23. Through this process of engagement and story-telling and the wind being the connection of this building in this place, Kura has gifted a karakia to Council for this

building. This karakia illustrates and attempts to represent the numerous and various winds that are unique and pertinent to Te Whanganui-a-Tara (Wellington Harbour).

24. Te Whanganui-a-Tara, is renowned for its unique and diverse elements of wind. It identifies the commonly raging winds that the harbour is known for, however it also unveils the softer and welcoming winds of tranquillity and harmony that Wellington is best known. It is our winds that make Wellington a unique place amongst the world. It is our winds that make us distinct, that stimulate thought and debate, that lead to peace and calm. Our winds are winds of change.

**Ngā Hau Motuhake o Te Whanganui-a-Tara**

*Tūtaki tākina te hau ka riri*

*Tūtaki tākina te hau ka nguha*

*Tūtaki tākina ngā hau o te tonga*

*O Te Whanganui-a-Tara*

*Ngā tai hekenga o Tāwhirimātea*

*Tūtaki takina ia rango te whenua, ko Rongo*

*Ko Rongo ki te whakatipua*

*Ko Rongo ki te whakatawhito*

*E rū i te one i uta*

*E rū i te one i tai*

*E rū i a Ranginui e tū nei*

*E rū i a Papatūānuku e takoto nei*

*E rū i a Tangaroa*

*Puehu te one, pakini te one*

*Ko te one i tua, ka makawarua*

*Karanga tupua, karanga tawhito*

*Ki tōna whakamārōrō hau*

*He toka hau mihi aroha*

*He toka hau mihi rongo mau*

*Kia mākohā i te hau riri*

*Kia mākohā i te hau nguha*

*Hekeheke iho i te rangi*

*Ka tutū āniwaniwa ngā hau horo ki waho oī*

*I te haupāmaiwaho*

*Na ngā hau riri ki te hau marino*

*O Te Whanganui*

*I te ao, i te pō, i te ao, i te pō*

*Hau, hau, hau āwhiowhio*

25. Translated to English:

*Encounter and invoke the raging wind*

*Encounter and invoke the fierce winds*

*Encounter and invoke the winds of the south*

*O Te Whanganui-a-Tara*

*The descending tides of Tāwhirimātea*

*Encounter and invoke rolling cycle, Rongo*

*Rongo the evolving phenomenon*

*Rongo the ancient phenomenon*

*Inland rumbling*

*The coastal lands tremble*

*The resonating of Ranginui universal space*

*The resonating of Papatūānuku solid matter*

*The resonating of water tributaries of Tangaroa*

*The dust rises, a pinch of dust*

*The dusts well beyond, the galaxies*

*The evolving and ancient call summoning*

*On the extended winds from afar*

*As a reminder of the wind that welcome love*

*A reminder of the wind that welcomes peace*

*Bring peace and tranquillity the angry winds*

*Bring peace and tranquillity to the raging winds*

*Brought forth from universal space*

*The rainbow stands amongst the outer winds*

*From the winds on the outer periphery*

*From raging tempestuous to the most calmest*

*winds of Te Whanganui-a-Tara*

*Continuously, day and night, day and night*

*Wind, wind, wind continually encircling*

26. This karakia is a beautiful taonga that has been gifted to the city for use at the Wellington Convention & Exhibition Centre. It also spawned many of the name options that resulted in the process. We envisage this karakia being embedded in the building through its use, art works, and further naming of internal spaces and rooms of the building.

### Brand Value Territories

27. Also out of the stakeholder conversation process came the value themes that can be broken down into five value territories:

*Connecting – Welcoming – Immersive – Challenging – Enriching*

28. The karakia evokes more powerful emotions and a rich energy which we can transfer to the values and make them more vivid:


Connecting	Welcoming	Immersive	Challenging	Enriching
<b>Powerfully Connecting</b>	<b>Always Welcoming</b>	<b>Fully Immersive</b>	<b>Bravely Challenging</b>	<b>Deeply Enriching</b>
People come together here, to collaborate, to solve, to challenge – and in so doing, they forge communities.	Everyone who comes here feels that this is a place for them. They are drawn to our warmth, our openness and our hospitality.	Once visitors step across our threshold, they enter worlds filled with intriguing and involving experiences.	This is a place of new ideas. Like the winds that encircle this building, there are times of calm and moments of turbulence.	Visitors learn here. They adapt to what they hear. They gain knowledge. They achieve clarity. They grow stronger and wiser with every visit.

29. These value territories also determined the name options considered.

### Options

30. The name options considered, and their meaning are outlined in Attachment 1.

31. The working group unanimously agreed that **Tūtaki** was the preferred name:

<p><b>Tūtaki</b></p> <p><i>(verb) Is to encounter</i></p>	
<p>The first word from the Karakia. 'Tūtaki' presents the building as the home of unique and diverse encounters. The verb acts as a call to action, welcoming all visitors to 'encounter and invoke the ranging winds'.</p>	

32. **Tūtaki** has been recommended as the name for the Wellington Convention and Exhibition Centre for the following key reasons:


- Being the first word of the karakia, and repeated in the first three lines, it has a strong connection to the meaning of the building and activities that are undertaken there;
- It has a strong connection to the key themes and value territories that were identified during the brand expression process;
- It is strong yet simple, making it easy to recall;
- It can be used without further abbreviation (thereby changing its intended meaning)
- It is easily pronounceable, which is important in the international market place when promoting the venue to buyers;

- The working group was unanimous in its preference for this name.
33. In our exploration of conflicts in use of **Tūtaki** the only other use noted within the Wellington region is a café attached to the Lower Hutt Events Centre (called Tūtaki Café). We have notified both Lower Hutt City Council and the café operators Sarin Group of our preference to use this name for the Wellington Convention & Exhibition Centre.
34. Despite the apparent conflict, we recommend use of **Tūtaki** because the use of the word in each context is different. The use of the word for the café is more about meeting up for a coffee/kai, a date, 'lets get together' and has a simple meaning. In the context that Kura has provided in his karakia for the Centre, Tūtaki is a more powerful meaning of the word – 'Encounter the winds of Wellington'.
35. We also found some conflict with many of the name options either in their totally, or component parts.

### Next Actions

36. Further develop the brand and identity of **Tūtaki** and prepare for the launch of the final brand including the brand values, logo and identity later in the year.

### Attachments

Attachment 1. Wellington Convention and Exhibition Centre Name Options Summary [↓](#)  Page 26

Author	Kiri Rasmussen, Manager, Economic Development Projects
Authoriser	Danny McComb, Manager Economic & Commercial

## SUPPORTING INFORMATION

### Engagement and Consultation

The naming process for the Wellington Convention and Exhibition Centre has required input and engagement with several key stakeholders, and most significantly Mana Whenua through Kura Moeahu. The views and feedback from key stakeholders has been taken into account when assessing the preferred name for recommendation in this paper.

### Treaty of Waitangi considerations

The WCEC building is located on a site that Mana Whenua regard as important and they have a strong interest in the naming of the building on this site to respect the history of Wellington and the importance of this building. The Port Nicholson Block Settlement Trust were engaged early in the process, and delegated all engagement on this matter to their cultural group *Kahui Turoa* (lead by Kura Moeahu and Pekaira Rei).

There are no Treaty settlement issues in relation to the site.

### Financial implications

There are no additional financial implications of this proposal to what is already included in the LTP for the project.

### Policy and legislative implications

Council's Naming Policy Te Māpihi Maurea has been considered and our in-house legal team has confirmed complied with in relation to the process and recommendations for naming of this Council building. This policy states that names should meet four guidelines:

- Unique ("not duplicated in Wellington city, and preferably not be duplicated in the wider Wellington region, for the same type of feature")
  - *There is a hospitality facility (café) associated with another conference centre in Lower Hutt already called Tūtaki Cafe.*
  - *However, the use in the wider region is stated as not "preferable" rather than prohibited.*
- Short - *satisfied*
- Simple - *satisfied*
- Respectful - *satisfied*

### Risks / legal

#### **Name conflict risk**

The risk for conflict with other users of this name has been considered and noted above. Currently there are two other users of the name "Tūtaki": a café attached to the Lower Hutt Events Centre (Tūtaki Café) run by Sarin Group, and a Youth programme located in Stratford (Tūtaki Youth Inc). Neither group has legal rights of use of the name through trademark, but there may be some PR and relationship risks associated with the café located in Lower Hutt due to its proximity to Wellington, and the attachment to an events centre. We will continue to work through this in our discussions both with Lower Hutt City Council and Sarin Group.

#### **Trademark /Copyright Issues**

Words from Te Reo or Maori culture generally have special protections to prevent a culturally offensive trademark being registered. Therefore Council in choosing a Te Reo name cannot legally protect this name in that context. It is only possible to register a Te Reo trademark as long as it is not offensive. The Trade Marks Maori Advisory Committee considers whether a trademark is offensive before allowing it to be registered or otherwise.



“Tutaki” itself is not currently a registered trademark. This may be because the word “Tutaki” is a simple verb, translated into English as “to meet” or “encounter”. A trademark may not be registered if it has no distinctive character (Section 19(1)(b), Trade Marks Act 2002). It is possible that a word that is commonly used in language is considered not to have a distinctive character for the purposes of the Act, and is unable to be registered. It is also possible that a small café, and a youth programme have simply not applied to register their names as trademarks.

If WCC intends to protect that name if it is adopted, it may be difficult to register the name as a trademark. It is also unlikely copyright will exist in the name, as it arguably is not an “original work” for the purposes of the Copyright Act 1994. This would apply to most Te Reo name options

**Climate Change impact and considerations**

n/a







**Communications Plan**

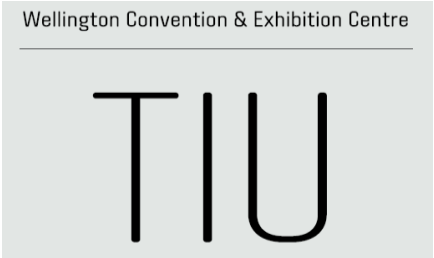
An announcement of the name will be made, but a formal launch of the brand will not be made until the next stage of the brand development process has been completed.

**Health and Safety Impact considered**

No material impacts assessed.

Wellington Convention and Exhibition Centre Name Options Summary

Name image	Name and Meaning	Description
1. Wellington Convention & Exhibition Centre 	<b>Tūtaki</b> <i>(verb) Is to encounter.</i>	The first word from the Karakia. 'Tūtaki' presents the building as the home of unique and diverse encounters. The verb acts as a call to action, welcoming all visitors to 'encounter and invoke the ranging winds'.
2. Wellington Convention & Exhibition Centre 	<b>Tākina</b> <i>(verb) Is to invoke.</i>	The second word from the Karakia. 'Tākina' calls on the ranging winds to welcome all visitors and deliver peace, tranquillity and knowledge.
3. Wellington Convention & Exhibition Centre 	<b>He Kura Hau   Kura Hau*</b> <i>Treasured Wind</i>	Without the wind, you are not going anywhere. Wellingtonians treasure the wind every day for bringing a freshness and vitality to who we are. 'Kura' meaning 'the celestial knowledge' recognises the winds role in bringing us future thought and innovation. Winds are never the same, they are constantly contrasting and opposing, bringing with it unique headwinds, swirls of thought, breaths of fresh air and projections of voice.
4. Wellington Convention & Exhibition Centre 		
5. Wellington Convention & Exhibition Centre 	<b>Ngā Hau o Te Aro</b> Literal translation: <i>"The winds of the face"</i> . Can be interpreted as: <i>"the diverse faces of the winds"</i> .	"Ngā Hau o te Aro" has many different meanings at many different levels: - Taiao / Environmental - Taha Tinana / Physical - Ha-u - Location
6. Wellington Convention & Exhibition Centre 	<b>Ngā Hau Tuku</b> <i>Intergenerational Wind</i>  Abbreviations: <b>Te Hau</b> <i>The Wind</i>	Winds are not blown, they are pulled from one place to another. And just like the wind, ideas are shared and expanded by pulling them from one generation to the next. To learn, grow and innovate, we rely on the passing of this intergenerational knowledge.

Name image	Name and Meaning	Description
<p>7.</p> <p>Wellington Convention &amp; Exhibition Centre</p> 	<p><b>Tiu</b></p> <p><i>Pronounced Tee-You (verb).</i></p> <p><i>Means to soar, wander, swing to and fro, like a kite in a Wellington wind.</i></p>	<p>This is reflective of the uplifting nature of wind, invigorating and lifting levels of conversation for positive change. It also discovers new perspectives of thought, taking us in uncharted directions. Lastly, wind is never constant. Changing, challenging and contrasting.</p>



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## SOCIAL HOUSING POLICY

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### PURPOSE

1. This report asks the Strategy and Policy Committee to agree to consultation on:
  - the proposed draft **Social Housing Policy**; and
  - the proposed **City Housing Policy: Rent Setting**.
2. The report discusses the expected impact of the changes, with a focus on improved tenant equity and financial sustainability of the service.
3. It also presents proposed City Housing policies for Enhanced Services to Door, Prioritisation & Needs Assessment and Asset Management that will form the basis of an overall City Housing Policy Framework.

### SUMMARY

4. On 21 June 2018, Councillors approved the development of a new rent setting policy and agreed principles and service parameters for City Housing. The new rent setting policy has now been developed as the City Housing Policy: Rent Setting, and is enabled by the draft Social Housing Policy (Attachment 1).
5. The draft Social Housing Policy recommitments the Council to housing those who face barriers in the housing market and providing social housing to a high standard.
6. As approved by Council, the draft City Housing Policy: Rent Setting (also in Attachment 1) proposes to set rents based on a tenant's circumstances. This is a move away from a standard 30% off market rent to a more equitable and fair system. If adopted, tenants will receive discounts ranging up to 40% of market rent.
7. The drivers for adjusting Council's rent settings have been discussed and documented to Councillors through a series of papers and workshops. These drivers include addressing housing need, creating equitable tenancies and improving the financial sustainability of the City Housing service.
8. In terms of tenant equity, the proposed changes will result in tenants on lowest incomes paying less rent, while those who can afford to pay more may face an increase in rent. Preliminary engagement with tenants indicates support for this approach.
9. The proposed changes will generate an estimated \$1.5 million per year in additional rental income based on 2019/20 rental figures. These funds will contribute to the sustainability of the City Housing service and the delivery of the 20 year Housing Upgrade Programme (HUP).
10. The proposed rent settings will result in an immediate and much needed positive impact on equity for tenants and on the cash flow position of City Housing. However, this will not resolve the long term financial sustainability of City Housing.
11. The proposed next steps are consultation on the draft Social Housing Policy and City Housing Policy: Rent Setting. Consultation will include information on how discounted market rates will be calculated and how tenants may be impacted.

12. Officers will report back on consultation in June 2020 with a final policy for approval.

## **RECOMMENDATION/S**

That the Strategy and Policy Committee:

1. Receive the information.
2. Agree to consult on the proposed draft *Social Housing Policy* and *City Housing Policy: Rent Setting*.
3. Note that the Social Housing Policy reflects the principles and service delivery parameters as agreed by Councillors on 21 June 2018 and proposes a policy framework that includes a separate progressive rent setting policy.
4. Note the proposed City Housing Policy: Enhanced Services to Door (Attachment 2) acknowledges and benchmarks City Housing's commitment to enhancing the renting experience of its tenants.
5. Note that the City Housing Policy: Asset Management is being developed as a part of the Council's long term planning (LTP) process. A summary of this policy can be viewed in Attachment 3.
6. Note that the City Housing Policy: Prioritisation and Needs Assessment (Attachment 4) captures all the relevant detail from the Social Housing Policy 2010 and creates a separate focused policy. No significant change is being recommended.
7. Note that the most significant changes are the removal of a blanket discount of 30% off market rent and implementation of a discounted market rate based on a tenant's circumstances, and the removal of ad-hoc discounts. These changes are summarised in Table 3: Summary of Policy Recommendations.
8. Note that a more equitable rent setting policy has been developed that takes into account household size, composition and income received to determine the level of discount to be applied to the market rent.
9. Note that the Council approved Wellington Housing Affordability Model (WHAM) has been used to test the affordability of the proposed new rent settings.
10. Note that transition options have been investigated and that the proposed rent setting policy includes a move to reviewing rents for tenants on the anniversary of a tenancy.
11. Note that consultation with tenants and with the wider public, if approved, will be undertaken from 19 March to 19 April 2020, with a final report back to Council on consultation in June 2020.
12. Note that public consultation is appropriate given the proposal is a significant change to the current practice of discounting market rent of 30%. The decision to undertake consultation in this manner is also consistent with Council obligations under Section 82(4)(c) of the Local Government Act 2002.
13. Delegate to the Chief Executive and the Portfolio Leader for Community Well-Being the authority to amend the proposal to include any amendments made by the Strategy and Policy Committee and any associated minor consequential edits.

## **BACKGROUND**

13. City Housing is Council's social housing service. It manages approximately 2,000 tenancies and houses approximately 3,500 tenants. Many of our tenants are some of

Wellington City's most vulnerable and the service they receive far exceeds that of a typical landlord.

14. In 2007, the Council signed a Deed of Grant (the Deed) with the Crown. The Deed involves a \$400m (\$220m committed by the Crown) upgrade of the City Housing portfolio and requires that Council remain in social housing at approximately the same levels until 2037.
15. The Deed specifically requires that the Council:
  - complies with a list of agreed property condition specifications with the aim being a warm, dry and modern housing standard;
  - maintains a similar number of units/bed spaces;
  - ensures that funds generated by City Housing are ring fenced for social housing purposes only; and that
  - the service is financially sustainable.
16. Income for the service is fully derived from its rental stream. The base rate for rent charged to its tenants is 70% of median market rent. In certain circumstances, this is further discounted. There are equity issues with this policy, which is largely seen as a blunt instrument to address affordability. Additionally, the rental return does not generate sufficient income to operate the service or to generate reserves to improve the condition of the portfolio.
17. On 27 February 2018 and 19 June 2018, officers briefed councillors on issues affecting the City Housing service. Chief among these issues were those of inequity among tenants caused by policy settings, our obligations under the Deed and the challenges for the service to be financially sustainable.
18. On 21 June 2018, the City Strategy Committee agreed to officers preparing a draft rental policy that provides for a greater level of equity for our tenants, to be considered by Council for consultation.
19. The City Strategy committee also agreed principles and service delivery parameters as follows:
  - *Governing principles:*
    - a) *The policy strengthens All Wellingtonians being "well housed" by providing fit-for-purpose housing, for the right households, in the right location, at the right price, with the right support.*
    - b) *Matching housing need with supply takes a person-centred approach and considers need variables including affordability, access, discrimination, and security of tenure.*
    - c) *Where City Housing is the right outcome, those most in need are allocated housing using strategies tailored to household need and tiered by service level. This includes a new rental policy that allows rent charges to be set in a more equitable way.*
    - d) *Leveraging partnerships creates better outcomes for those in housing need, increases housing supply options and improves overall services to tenants, and the city.*
    - e) *The strategies and priorities for City Housing are agreed and monitored, with outcomes reported back to governors on a regular basis.*
  - *Service delivery parameters and outcomes for City Housing operations:*
    - a) *Fit-for-purpose housing to a modern standard (warm, dry, and safe) with a target percentage meeting an agreed level of accessibility.*

- b) *For the right households using a Needs Assessment to determine eligibility based on current situation, housing need and best outcome.*
  - c) *In the right location that delivers a sense of community, safety, belonging and best matches housing need and supply across the housing spectrum.*
  - d) *At the right price for tenants using the Council's social housing rent setting system with charges based on tenant circumstances, including scenarios mitigating negative financial impacts for existing tenants.*
  - e) *Ensuring a commitment to tenants by engaging with them to achieve their housing aspirations and providing appropriate support when required.*
20. At this time, Council also noted the significant cost to our tenants of the current policy, and called on Central Government to act with urgency to extend Income Related Rent Subsidies (IRRS) to Council social housing tenants who otherwise meet the criteria to receive these subsidies.
21. Several approaches have been made by officers to lobby for access to IRRS. Central Government has repeatedly stated that they do not intend to make IRRS available to Local Government Authorities.

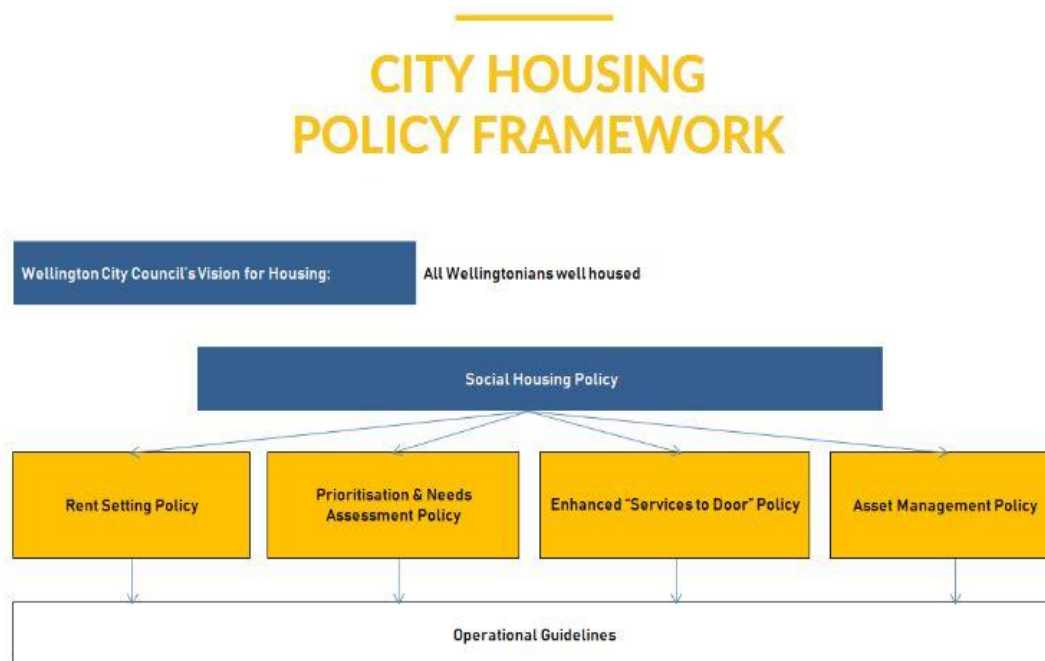
## **DISCUSSION**

### **Proposed City Housing Policy Framework**

22. The current Social Housing Policy (2010) is no longer fit for purpose. It does not allow the individual needs and circumstances of our tenants to be met in an equitable or responsive way.
23. Pressures on the housing market and issues of affordability strengthen the need for the way City Housing undertakes its functions to be revised. It needs to be flexible enough to allow the service to respond operationally to changing need, whilst also ensuring its purpose and direction is clear and enduring.
24. While Council agreed to officers reviewing the City Housing rent settings, it quickly became evident that these matters were scattered throughout its policy document and could not easily be amended without addressing the full Social Housing Policy. Based on this, a new City Housing Policy Framework is being proposed.
25. The proposed framework separates the existing purpose and outcome statements into an overarching primary Social Housing Policy. This policy will set the long-term strategic direction and outcomes sought from the service and include who is eligible to use and benefit from the service.
26. Four key policy pillars that identify the core functions for City Housing are also being proposed. These policy pillars are more tactical in nature and cover more detail in relation to "how" the service will be operationalised. By creating the separate policy pillars, this will enable City Housing to review each pillar as needed and to seek Council approval on specific matters.
27. The four policy pillars are Rent Setting, Prioritisation and Needs Assessment, Enhanced Services to Door and Asset Management. The Four Pillars then inform the development of operational guidelines that will detail practice and process.



Diagram1: City Housing Policy Framework



28. The Rent Setting Policy is discussed at length in this paper. Its purpose is to define how market rents are set and to provide direction in terms of how the discounted market rate is calculated for each household.
29. The Prioritisation and Needs Assessment Policy sets how housing need is determined, taking into account all contributing factors of an applicant's circumstances. This pillar reflects the current priorities as set in the 2010 Social Housing Policy. The current policy settings are viewed as fit for purpose and do not require additional change or approval through a consultation process at this point in time. These may be reviewed separately as demand for social housing changes.
30. The Enhanced Services to Door Policy reflects the desire of City Housing to be a great landlord that builds strong communities. This pillar commits City Housing to investigate and implement programmes and initiatives that enhance a tenant's sense of place and wellbeing, sustain their tenancies and support them to lead a successful life. This pillar reflects previous policy and allows a level of flexibility to adjust and add to the support services as and when required and therefore does not require public consultation.
31. The Asset Management Policy will set out the key principles and approach that guide asset related decisions for City Housing. It will include factors such as the Strategic Housing Investment Plan, Deed of Grant commitments and account for legislative requirements. This will be developed and approval sought as a part of Council's long term planning process.

### Proposed Social Housing Policy

32. The draft Social Housing Policy (Attachment 1) sets out the governing principles and service parameters previously agreed by Councillors for City Housing. It defines our

role as a provider of social housing in Wellington and sets out our long term strategic approach, direction and priorities.

33. Its purpose is to support the delivery and management of an agile and responsive social housing service, which is fair and equitable to all tenants and is financially sustainable into the future. It also sets out who is eligible to apply for a home, including age, household income, and the maximum level of household assets.
34. In addition, this policy ensures housing need is matched with supply, taking a people-centred approach and considering need variables that include affordability, access, discrimination and security of tenure.

### **Asset Limits- Eligibility**

35. The current asset limits were set in the mid 1990's at a level that enabled tenants to save a deposit for an average home. In 1994, a paper to the Housing and Community Development Committee noted that \$35,000 would provide a 25% deposit on an average home at \$130,000.
36. The housing market in Wellington has experienced a period of strong growth in recent years. The average entry level (first quartile) house price for Wellington region has increased from \$360,200 at February 2016 to \$495,000 at February 2019. A 20% deposit for today's market would equate to approximately \$99,000.
37. Increasing the asset limit to \$99,000 also aligns with the figures associated with accessing the Kiwisaver Homestart Grant criteria as set by Central Government policy. Allowing tenants to accumulate sufficient funds for a home deposit will further support those who have an aspiration to own their own home, which would have been prohibited under current settings.
38. It is recommended that the asset limit for all tenants be set to allow a 20% deposit on the entry level residential house price for the Wellington region. This will be reviewed and published every two years to reflect changes in market conditions.

### **Security of Tenure – Out of Policy**

39. Currently, tenants who earn above the current income threshold or who have assets above the asset threshold are required to pay market rent. In addition, they are given 12 months before their circumstances are reassessed. If after the 12 months they still exceed either of the thresholds, in accordance with the current policy the tenant is given formal notice to find alternative accommodation, regardless of their circumstances.
40. City Housing tenants generally experience a range of complex social and physical needs that prevent them from accessing a home in the private sector. These needs, as well as a range of other considerations such as the age of the tenant, their sense of place within their existing community and in general their ability to access a home in the private sector, should be key determinants when considering tenure.
41. Having security of tenure enhances a sense of place and creates a level of certainty and stability for tenants. Lack of security of tenure impacts negatively on people and communities, particularly our elderly tenants who want to age in place and on families with school aged children.

- 42. The average length of tenure of a City Housing tenant is approximately five years. This indicates low levels of risk associated with changing the policy to allow tenants to stay longer. This will need to be monitored closely to track impact over time.
- 43. It is recommended that tenants who exceed the income and asset threshold by default remain as a City Housing tenant. In turn, they will be required to pay market rent and, where appropriate, City Housing will work closely with the tenant and other support agencies to transition to a private rental or home ownership.
- 44. This change also aligns with policy and legislative changes in Central Government to protect the security of tenure of rental households. The level of risk associated with this policy change is low when balanced with the benefits to tenants.

**Proposed Rent Setting Policy**

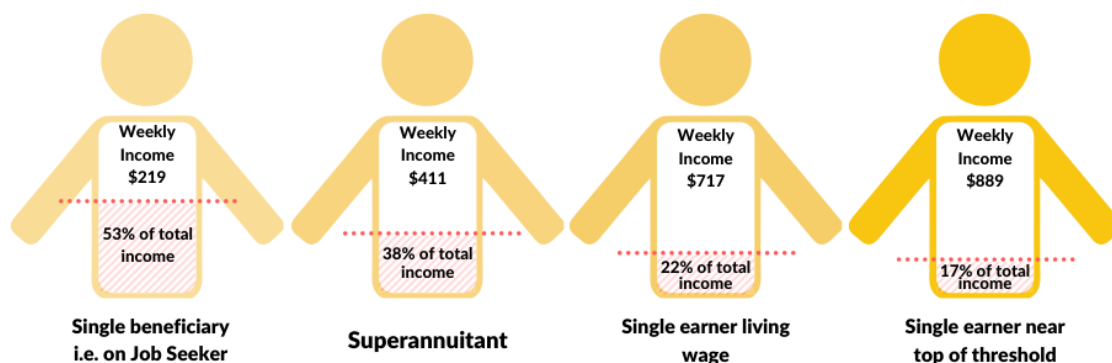
- 45. The proposed City Housing Policy: Rent Setting (Attachment 1) places our tenants at the centre of our operating model by removing a “one size fits all” approach and introduces a policy whereby rents are set based on a household circumstance. The recommended changes also align more closely to central government policy settings.
- 46. The proposed changes replace a number of current additional ad-hoc discounts that are inequitable and administratively burdensome for both tenants and the service, do not achieve the intended policy outcomes and create additional challenges for some tenants.

**Current State - 30% Rent Subsidies and Discounts**

- 47. City Housing currently sets rent at 70% of median market rates. Regardless of a tenant’s income and circumstances, they generally receive the same level of discount. This 30% rental discount will cost Council approximately \$10.4m in the 2019/20 financial year. Despite the high cost, this blanket discount policy also creates issues of inequity and hardship for our lowest income tenants.
- 48. Diagram 2 (below), illustrates the current rent settings and differences between various tenant incomes created by applying an “across the board” rental discount.

*Diagram 2. Inequity Under Current Settings*

**Current Rent Setting Structure for City Housing Tenants**



49. Lowest income tenants pay a significantly higher portion of their income on rent, while higher income earners pay considerably less. If those on higher income were housed by the state, they would be required to pay more in rent than what they pay Council.
50. There are a range of additional rental discounts set out in the current policy. These are as follows:
  - Rent increase caps – annual rent increase maximum of \$20 for a single person or \$30 for a family;
  - Affordable Rent Limit Subsidy – tenants must apply for this temporary support to reduce their rent to 35% of their income for 6 months;
  - 80+ rent freeze – when a tenant turns 80 years old they no longer have their annual rent reviewed and pay a rent fixed as at that date for the remainder of their tenure.
51. The eligibility criteria for these discounts are confusing for tenants and are heavily administrative. They often do not achieve the policy intention of improving tenants' overall financial positions.
52. In some circumstances, Council's current policy settings do not align with Central Government policy. For example, by providing the range of rental discounts, City Housing reduces its own rental income in lieu of an Accommodation Supplement (AS) provided to tenants by the Ministry of Social Development (MSD).

### **Proposed Rent Settings**

53. Replacing the current rent settings with a progressive rent setting policy that allows for the level of discount to vary based on income and household type will result in:
  - a more equitable structure with those on the lower incomes receiving the greater discounts, with the level of discount gradually reducing as income increases;
  - automatic application of a discount suitable to an individual household's circumstances;
  - improving the financial sustainability of City Housing by reducing administrative overheads and increasing rental returns, whilst also balancing housing outcomes.
54. The progressive rent setting policy also takes into account the AS that MSD provides to low income earners. For some tenants, the increase in rent would be partially offset by an increased AS. Where possible, the maximum amount of AS has been targeted to reduce the financial impact on the tenant and for City Housing.
55. As per current settings, market rent rates will be independently assessed annually and applied to each property. Following this, annual tenancy reviews will be carried out to determine the composition of each household and the level of income received. This will then be used to determine the level of discount that will be applied to each household.
56. Modelling shows that this policy can provide a positive financial impact for our most financially vulnerable tenants, and the sustainability of the City Housing service, while not unduly affecting affordability for tenants overall.

**Calculation of new rent levels**

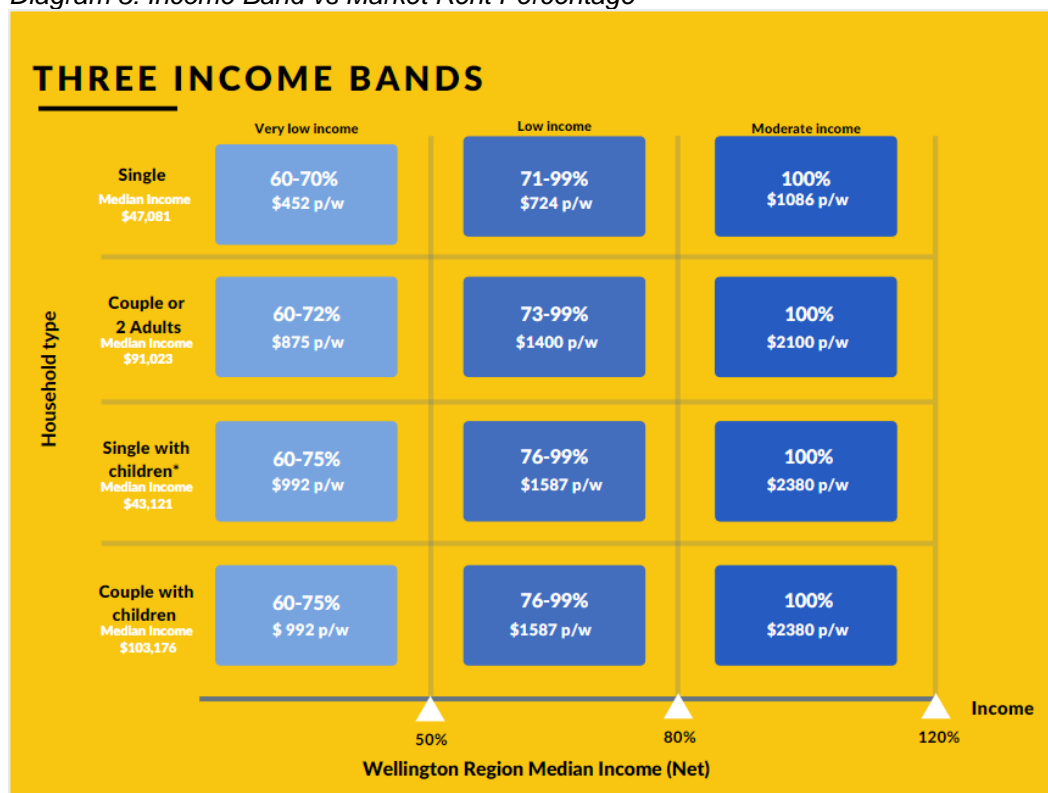
- 57. City Housing’s proposed rent setting policy uses household type and income to determine the level of discount to be applied, also known as the Discounted Market Rate (DMR). Under the policy, the DMR would be up to a maximum of 40% discount on market rent.
- 58. The policy uses the median income for the Wellington Region published annually by Statistics New Zealand as the base for its calculation. Table 1 depicts three income bands determined for each household type using the median income thresholds.

*Table 1: Income Band by Median Income Threshold*

Income Band	% of Median Income
Very Low Income	Up to 50%
Low Income	Up to 80%
Moderate Income	Up to 120%

- 59. Within each income band is a range of market rent percentages to be charged to each tenancy dependent on the household type. This again enables those on a lower income to pay less than those who earn more. These are depicted in Diagram 3: Income Band vs Market Rent Percentage.

*Diagram 3: Income Band vs Market Rent Percentage*



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**Additional Ad-hoc Discounts**

60. To ensure equity, consistency and certainty of rents payable for tenants, it is proposed that the additional discounts be removed. These discounts are difficult to access, confusing for tenants and are not applied consistently or in an equitable way. Each of the discounts are addressed separately below.

**Rent Caps**

61. The current policy applies to all tenants and requires that following the annual rent review there is a maximum rent increase of \$20 per week for a single tenant and \$30 for two or more tenants, regardless of their circumstances. Based on 2019 figures, this policy further discounts market rental return by approximately \$177,000 a year.
62. The cumulative effect of rental caps means the rent charged falls well behind the already discounted median market rental rates, further reducing our ability to manage the financial impact on service delivery.
63. It is proposed that rental caps are removed immediately. Under the proposed rental discount policy, tenants will be paying the amount of rent that is most appropriate and sustainable relative to their income level.

**Affordable Rent Limit Subsidy**

64. The Affordable Rent Limit Subsidy is a complex component of the current policy. It allows for an additional short term (6 month) discount for any tenant whose rent exceeds 35% of net household income. Tenants are required to apply for the subsidy and supply a range of relevant documentation.
65. The affordable rent limit was originally introduced to address temporary periods of hardship. However, due to unclear policy outcomes, the terms and conditions of this discount were not clearly operationalised. A number of tenants apply every six months, and some have been receiving this subsidy for a number of years while others who may be eligible choose not to apply. This creates inequity amongst our tenants and places an increased administrative burden on all parties.
66. Many tenants have noted that when receiving this subsidy their AS from MSD reduces, resulting in an overall reduction in their total income, as the two subsidies do not align from a policy perspective. In other cases where there is a marginal benefit to the tenant, there is a trade-off between the AS and rental income. In most cases the AS reduces and the discount provided increases. Effectively, City Housing is receiving less rental return and in turn is cross subsidising the AS.
67. It is proposed that we discontinue this discount as each application expires. No new applications will be received from the date of implementation of the new policy.
68. In lieu of the subsidy, City Housing will continue to work with tenants to support them to access support in times of hardship, including through MSD who are funded by Central Government to provide ongoing financial support to those in need. Where appropriate, referrals to support agencies will be made to address any underlying financial issues or concerns.

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**Rent Freeze for the Over 80s**

69. Currently there is no annual rent increase for those tenancies where the tenant is aged over 80 years of age. This group is increasing in number and the length of tenure is also increasing, as is typical of general aging population statistics.
70. There are currently 98 tenancies that have a rent freeze. Based on 2019/20 figures, this additional discount costs approximately \$233,000. As market rent increases each year this deficit increases accordingly. A further 29 tenancies will become eligible for this discount in the 2020/21 financial year.
71. Superannuation rates are typically the highest base benefit rate and are regularly reviewed compared to other benefits, so the policy of maintaining the rent freeze is difficult to justify. From an equity perspective, many other tenants experience higher levels of hardship.
72. In addition, the vast majority of super annuitants with a rent freeze receive little or no AS due to their rent being well below standard market rates.
73. City Housing actively supports our senior tenants to enable them to “age in place” and connect with their community as part of its service offering. It would be more effective and prudent to use the discounted rental income to assist with the cost of the additional level of service provided.
74. It is recommended that a number of options be considered in terms of transitioning the rent freeze for the current group of over 80s. These are as follows:

Table 2: 80+ Rent Freeze Options

Transition Option	Pros	Cons	Other
Option 1 Discontinue rent freeze from transition date	<ul style="list-style-type: none"> <li>Improved equity across tenant base</li> <li>Increased access to AS</li> <li>Increased rental income</li> </ul>	<ul style="list-style-type: none"> <li>Immediate impact on tenant though partially offset for those eligible to receive an AS</li> <li>Potential overall decrease in income after rent for some</li> </ul>	<ul style="list-style-type: none"> <li>Approximately 98 tenants impacted</li> <li>Estimated current subsidy of \$233K for 2019/20</li> <li>On the anniversary date of the tenancy, those affected will be given 60 calendar days' notice as a minimum.</li> </ul>
Option 2 Continue rent freeze for current group only	<ul style="list-style-type: none"> <li>No impact on tenants already in receipt of discount</li> </ul>	<ul style="list-style-type: none"> <li>Significant advantage for small group of tenants</li> <li>Significant increasing cost and inequity over time</li> <li>Two separate administrative schemes.</li> <li>Expectations of those tenants nearing qualifying age not met</li> </ul>	<ul style="list-style-type: none"> <li>Estimated current subsidy of \$233K for 2019/20 and ongoing cost each year</li> <li>Projected 5 year cost of approx. \$880k with an average market rent increase of 5%</li> </ul>
Option 3 Continue rent freeze for current group only + annual CPI adjustment	<ul style="list-style-type: none"> <li>Potential greater use of AS</li> <li>Minor positive impact on rental income</li> </ul>	<ul style="list-style-type: none"> <li>Advantage for small group of tenants</li> <li>Increasing cost and inequity over time</li> <li>Two separate administrative schemes</li> <li>Increase complexity with CPI adjustment</li> </ul>	<ul style="list-style-type: none"> <li>Estimated current subsidy of \$233K for 2019/20 and ongoing cost each year</li> </ul>
Option 4 Continue rent freeze for the current group and for those eligible within next 12 months	<ul style="list-style-type: none"> <li>127 (additional 29) tenants receive the discount</li> </ul>	<ul style="list-style-type: none"> <li>Advantage for small group of tenants</li> <li>Increasing cost and inequity over time</li> <li>Two separate administrative schemes the portfolio</li> </ul>	<ul style="list-style-type: none"> <li>Estimated current subsidy of \$233K for 2019/20 and ongoing cost each year</li> <li>Projected 5 year cost of approx. \$950K with an average market rent increase of 5%</li> </ul>

75. While the cost of these discounts may decrease over time as tenancies end, increases in market rent and the greater life expectancy would mean the overall cost of this discount will increase substantially year by year.
76. Officers recommend Option 1, the rental freeze is discontinued. This will improve equity across the entire portfolio, rent will be set at an affordable rate in relation to income and this more closely aligns with leveraging the maximum support provided through the AS. This will also financially support the targeted provision of additional support for this group.

## Summary of Policy Changes

77. Table 3 (below) summarises the recommended key changes that are proposed within the Social Housing Policy and City Housing Policy: Rent Setting.



*Table 3: Summary of Policy Recommendations*

• Policy	• Current	• Proposed Change
30% rental discount	30% rental discount is applied to all eligible tenants.	<ul style="list-style-type: none"> <li>Discontinued.</li> <li>Three income bands introduced using the median Wellington Regional Income to be reviewed every two years</li> <li>Income and household type used to determine the discounted market rate.</li> </ul>
Rental Caps	Maximum increases of \$20 for singles and \$30 for other household types.	<ul style="list-style-type: none"> <li>Discontinued.</li> <li>Income and household type used to determine the discounted market rate.</li> </ul>
Affordable Rent Limit Subsidy	Six month hardship grant setting rent to 35% of income.	<ul style="list-style-type: none"> <li>Discontinued.</li> <li>Tenants currently receiving this discount will receive it until their current subsidy expires.</li> <li>Income and household type used to determine the discounted market rate.</li> </ul>
Rent freeze for 80+	80+ year olds no longer have their rent reviewed	<ul style="list-style-type: none"> <li>Officers recommend Option 1 – discontinue rent freeze on the tenancy anniversary from the date of policy implementation.</li> <li>Income and household type used to determine the discounted market rate.</li> </ul>
Eligibility Asset Limit	Tenants can hold cash assets up to \$35,000.	<ul style="list-style-type: none"> <li>Asset limit increased to \$99,000</li> <li>Set at 20% of the deposit required for an entry level house price in Wellington.</li> <li>Reviewed every two years.</li> </ul>
Eligibility Out of Policy Exit	If either income or asset thresholds are exceeded the tenancy is ended after a 12 month period	<ul style="list-style-type: none"> <li>Discontinued.</li> <li>Security of tenure is expanded to include additional factors that recognise individual circumstances.</li> </ul>

## Impact Analysis

78. For the purposes of review, a detailed impact analysis has been completed using the actual data from 1407 tenancies. Given the sample size is approximately 80% of the portfolio; a reasonable level of accuracy can be assured.
79. A Rental Forecasting Analysis Tool was developed by KPMG to assist with the analysis and to provide an additional level of assurance of the financial results and impacts.
80. To demonstrate the impact in a comprehensive and meaningful way, four key tenancy household types were identified as outlined in Table 4 (below). These four household types, as at 18 February 2020, make up 95% of the sample population. The remaining 5% are families with three or more adults and cover a wide variance of household composition.

*Table 4: Key Tenancy Household Types*

Household type	% of current tenant population
Singles - living alone	68%
Couples – 2 adults	10%
Two adult families	9%
Single adult families	8%
Other	5%

81. By implementing all the proposed policy changes, over half of City Housing tenants would benefit, taking into consideration both rental and additional discounts. From the 1407 sample group, 52% or 735 tenancies would benefit from the new settings. Six percent or 80 tenancies will have no impact and 42% or 592 tenancies will be impacted.
82. The average rent percentage shift by household type and income band is demonstrated in Table 5 (below). The first column shows the average % of market rent currently paid. The second column shows the proposed average percentage of rent. For example any single tenant living alone earning less than \$15,000 net per annum is currently paying an average of 68% of market rent compared to 60% of market rent in the proposed settings. The average decrease for this group is 8%.
83. Overall tenants earning less than \$434 net per week will on average receive a greater rental discount. Those earning more than this figure will on average receive a rent increase and /or the same level of discount. As each income band goes up the level of discount steadily decreases.

*Table 5: Average shift of rent paid by household type and income band*

Tenancy Type	Income Band Current % v Proposed %																					
	<289		<434		<579		<724		<870		<1015		<1160		<1306		<1451		<1596		1596+	
Income \$ net per week																						
Single	68	60	69	65	69	75	69	93	69	100	68	100	70	100	70	100	-	-	-	-	-	-
Couple	-	-	70	61	68	63	70	67	70	70	70	93	69	100	70	100	70	100	70	100	70	100
Single Family	70	60	70	61	69	65	69	68	69	71	69	75	89	82	68	94	70	100	-	-	-	-
Family	-	-	70	61	70	65	70	68	69	71	69	75	71	82	68	94	68	100	69	100	68	100
1 Retiree	70	60	67	65	66	75	70	93	69	100	69	100	70	100	70	100	-	-	-	-	-	-
2+ Retiree	65	60	65	61	61	63	67	67	70	70	70	93	-	-	-	-	-	-	-	-	-	-
Other	51	60	69	60	70	60	69	61	70	64	69	66	70	69	70	74	68	78	68	82	70	90
<b>Key:</b>																						
Current % of market rent	Proposed average % of market rent		Note: Those tenants lower in the band will receive a higher discount while those higher will receive a lower discounted market rate. To demonstrate the overall shift the average DMR has been used.																			

84. For those households that are eligible to receive an AS, any rent increase under the new policy may be partially offset by a higher amount of AS payment up to a threshold. Conversely, any decrease in rent will result in a partial decrease in the amount of AS. It is anticipated that any decrease in AS will balance out over time as market rent rates increase providing a further marginal financial benefit to each tenant and City Housing.
85. Overall, City Housing currently receives 68% of market rent under the existing settings. In the proposed settings, this total percentage of market rent received would increase to 73% resulting in a revenue gain of approximately \$1.5m. All groups above the two base income bands contribute to the revenue uplift in varying degrees.

## Wellington Housing Affordability Model

86. The Wellington Housing Affordability Model (WHAM) as approved by Council is based on the premise that assessing affordability depends on each household's

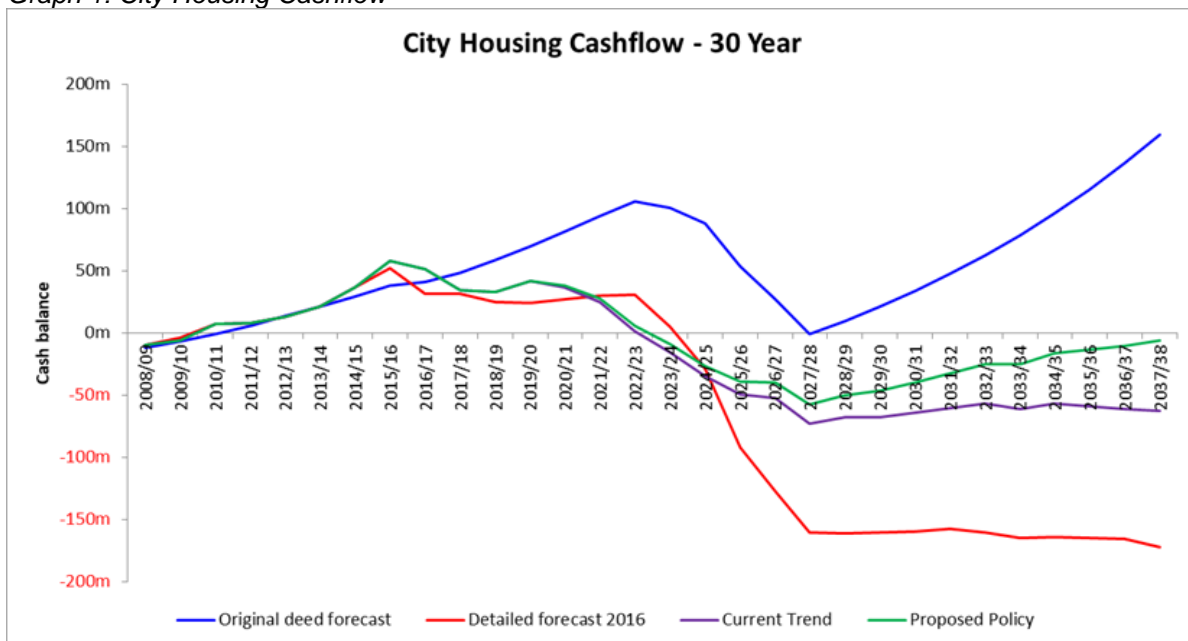
circumstances and composition, and that housing affordability is more complex than providing one set dollar amount or ratio that is applied in a 'one size fits all' way.

- 87. When applying WHAM to the proposed rent settings, it confirmed the vast majority of our tenants will be paying a more affordable rent. While there are a few exceptions, many of these can be mitigated moving forward by using a tailored allocation approach.

**Long Term Financial Impact**

- 88. Following a detailed review of the policy change impacts the changes in income were then factored into the long term financial forecast for the remaining duration of the Deed till 2037. Below in Graph 1: City Housing Cash flow shows that with the improvement in financial return, at year 30, an almost break even position is achieved.
- 89. The financial gains achieved through the policy change do not fully address the financial sustainability of the service as additional reserves need to be accumulated to fund future upgrade works. From a best practise perspective, cash reserves should be accumulated and then reinvested back into the condition of the properties, thus creating a sustainable cycle of housing upgrade investment.
- 90. To not generate reserves will mean that there will be no funds to invest in property condition resulting again in deferred maintenance and poor property condition requiring a substantial cash input.
- 91. While policy changes contribute considerably to improving the financial position for City Housing, long term this will need to be revisited on a regular basis to ensure every opportunity to reduce costs and, where possible, every opportunity to increase revenue is explored and implemented.

*Graph 1: City Housing Cashflow*



## Enhanced Services to Door Policy

92. Council takes seriously its responsibility to provide assistance to tenants to enhance their sense of place and wellbeing, improve personal skills and self-confidence and to offer access to services that will offset rents and result in higher levels of disposable income.
93. Enhanced Services to Door that the Council currently provides include:
- facilitated support from funded community agencies to provide budget advice, health and counselling services, donated food;
  - facilitated support to develop partnerships for support and training to develop personal skills;
  - access to computer training and free laptops;
  - access to the Council Leisure Card providing discounts to access recreational activity
  - community development initiatives that foster and build strong, connected, empowered and resilient connections between tenants and their neighbours, such as community gardens and cultural events;
  - provision of an annual Community In Action Fund available for tenant groups to apply to for partial funding of community activities.
94. Additional benefits for tenants that the Council is currently exploring include:
- energy efficiency and consumer education;
  - access to subsidised power;
  - access to free Wi-Fi in common areas;
  - a partnership arrangement with local Public Health Organisations to deliver health services in community centres.

## Asset Management Policy

95. The City Housing Policy: Asset Management (Attachment 3) will be developed and approved as a part of the Council's long term planning (LTP) process. In principle, it will cover the following:
- set out the key principles and approach that guide asset management for the City Housing portfolio;
  - have the goal of delivering the services required both cost effectively and to defined standards;
  - will consider asset lifecycles from a whole-of-life perspective; and
  - support the achievement of organisational objectives, with due consideration given to stakeholder needs, levels of service and risks.
96. The Asset Management Policy and associated documents will reflect changes already agreed or in place such as the Strategic Housing Investment Plan (SHIP) and Facilities Maintenance Contracts.

## Prioritisation and Needs Assessment Policy

97. City Housing is committed to providing social housing to Wellingtonians most in need. The City Housing Policy: Prioritisation and Needs Assessment (Attachment 4) creates a separate focused policy relating to how applicants' needs are assessed and prioritised. It captures all the relevant detail from the Social Housing Policy 2010.

98. While housing demand has increased over the past 10 years, the level of service and City Housing's ability to prioritise applicants remains relevant. Based on this, the current settings are deemed fit for purpose and do not currently require review. No significant change is being recommended other than to separate these settings into a separate policy pillar.

### **Implementation and Transition Options**

99. Should the new Social Housing Policy and City Housing Policy: Rent Setting be approved, there are various options for transitioning to implementation that have been considered for impact and risk. Table 6: Transition Options, provides an overview of the transition options, impacts and risks.
100. Option 4 is recommended as it provides an acceptable balance between allowing enough time for all tenants to adapt to the changes and receive support if required, whilst also improving the financial outcome for the service.
101. It is anticipated that if the new policy settings are approved these will take effect from 1 July 2020 for all new tenants. Any existing tenants that have their tenancy anniversary in July will need to provide their updated income details, following which they will then be advised of any potential rent change. The required notice period is 60 calendar days, meaning that the first rent changes will take place in September 2020 at the very earliest.
102. City Housing will provide a case management approach, and will ensure all tenants are supported to access financial support from Central Government (e.g. Accommodation Supplement, Working for Families and other tax system transfers). Further detail on how the changes will be introduced will be confirmed in detail following the consultation process.

*Table 6: Transition Options*

Transition Period	Impact for Tenants	Impact to Council	Risks
1. Immediate	<ul style="list-style-type: none"> <li>Rent increases/ decreases without enough warning to adjust</li> </ul>	<ul style="list-style-type: none"> <li>Immediate financial gains</li> </ul>	<ul style="list-style-type: none"> <li>Public criticism</li> <li>Complaints from customers</li> </ul>
2. One-year	<ul style="list-style-type: none"> <li>Tenants have had one year to adjust to impacts and make decisions accordingly</li> </ul>	<ul style="list-style-type: none"> <li>One year until financial gains begin to show</li> </ul>	<ul style="list-style-type: none"> <li>Complaints from customers who want longer to adjust</li> <li>Negative financial impact</li> </ul>
3. Two-year	<ul style="list-style-type: none"> <li>Tenants will be well prepared</li> </ul>	<ul style="list-style-type: none"> <li>Two years until financial gains begin to show</li> </ul>	<ul style="list-style-type: none"> <li>Complaints from customers who had settled back into status quo after initial notification (due to length of time pre implementation)</li> <li>Increased negative financial impact</li> </ul>
4. Staged by anniversary date	<ul style="list-style-type: none"> <li>Rents will change on the date of the anniversary of each tenancy.</li> <li>Each tenant will receive the minimum of 60 days formal notice period.</li> <li>New Tenancies subject to new policy</li> </ul>	<ul style="list-style-type: none"> <li>Financial benefit to Council not immediate but will be fully implemented 18 months after approval.</li> <li>Administrative burden spread across the first year with both schemes in place during transition period.</li> </ul>	<ul style="list-style-type: none"> <li>Review process must be sustained and consistent</li> <li>Some tenants may want rent reduction immediately while those getting an increase will want to defer. Will need to be consistent in approach.</li> </ul>

## ALTERNATIVE OPTIONS

103. To address the affordability issues for individual households, whilst also addressing the financial sustainability of the City Housing Service, a range of options and considerations have been canvassed. These are vastly constrained by the Deed and the current legislative framework set by Central Government and previous Council decision. Details are as follows:

- Local government is excluded from registering as a Community Housing Provider and is therefore unable to access an Income Related Rent Subsidy (IRRS). Some councils have chosen to give up control of their housing services, and created alternative structures (community trusts, joint ventures and sale of housing) to enable tenants to access IRRS.
- Under the Deed, the Council is required to remain in social housing until 2037 and to maintain ownership of the portfolio at similar numbers. Any change would require renegotiation of the Deed.
- Council to date has not wanted to relinquish control of the portfolio to a third party and the option of a stock transfer has previously been dismissed by Council. As an alternative, City Housing has established a number of local partnerships with Community Housing Providers, including Kainga Ora, to increase the availability of IRRS tenancies in Wellington and also improve financial returns.
- City Housing is not currently rates funded. Rates funding could be applied; however there are issues of both equity and affordability for Council. The level

of rates contribution required is significant and will increase over time if policy settings are not adjusted. This option will also require public consultation.

104. While the above alternative options are more long term in nature and require rigorous detailed investigation, it must also be noted that consideration must be given to the impact on both equity and on the financial sustainability of the City Housing service.






## **CONSULTATION**

105. Officers have prepared detailed consultation plans and documents. An overview of the process is captured in Attachment 5 – Social Housing Policy Consultation Overview.
106. Subject to Council approval to proceed to consultation, the period for providing feedback on the proposal will run for one month from 19 March 2020 to 19 April 2020.
107. A consultation document and a short survey to guide feedback will form the basis for the consultation. The survey is focussed on two key questions that provide an opportunity for respondents to comment on the both the Social Housing Policy and the City Housing Policy: Rent Setting.
108. The public consultation will be Wellington-wide, with feedback gathered via the Council’s Korero Mai Let’s Talk Wellington engagement platform and people will also be able to provide feedback in writing or in person. Hard copies will be delivered to all large City Housing sites and community centres. A series of more targeted engagement activities with tenants including drop in sessions and personal visits will also be undertaken.
109. Submitters who elect to speak to their views will be given an opportunity to do so at oral hearings.
110. It is anticipated that a summary of submissions and a final decision paper regarding the proposed policy changes will be presented to elected members in June 2020.

## **NEXT ACTIONS**

111. Following approval from the Council, the consultation document and survey will be finalised for a ‘go live’ date of 19 March 2020.
112. Officers have proposed that approval of any necessary minor editorial changes will be delegated to the Portfolio Leader for Community Wellbeing and the Chief Executive.
113. Elected members will consider feedback received through the consultation in early June 2020, and officers will seek Council’s approval to finalise and execute the new settings by 01 July 2020.

## **Attachments**

Attachment 1.	draft Social Housing Policy and City Housing Policy: Rent Setting <a href="#">↓</a> 	Page 51
Attachment 2.	City Housing Policy: Enhanced Services to Door <a href="#">↓</a> 	Page 63
Attachment 3.	City Housing Policy: Asset Management <a href="#">↓</a> 	Page 65
Attachment 4.	City Housing Policy: Prioritisation and Needs Assessment <a href="#">↓</a> 	Page 67
Attachment 5.	Social Housing Policy Consultation Overview <a href="#">↓</a> 	Page 70

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Authoriser	Paul Andrews, Chief Operating Officer (Acting)

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## SUPPORTING INFORMATION

### Engagement and consultation

Pre-engagement has taken place with tenants from all types of tenancies. This has included workshops, focus groups, attendance at Kaitiaki meetings and meetings on site with tenant groups. Tenants have also been made aware via the tenant newsletter that work is in progress to review the current rent settings.

The initial feedback from tenants is that they support:

- Implementing a system that provides equity to all tenants, especially lowest earning tenants;
- Implementing a system that is sustainable in the long-term;
- Removing the existing rent settings;
- Implementing an income-based rent setting policy; and
- Implementing other services that positively impact on exposable discretionary income.

This paper seeks approval to consult more comprehensively with tenants, and the wider public, on the proposed rent setting policy.

An overview of the planned consultation is attached.

### Treaty of Waitangi considerations

Provision of safe, warm and dry housing to all New Zealanders is mandated in the Treaty of Waitangi. Iwi and other groups that represent mana whenua and other Māori will be asked for feedback as part of the consultation process.

### Financial implications

Under the current settings, the model is not financially sustainable in the long term. City Housing is fully funded by rental income (with no rates funding). Current rent income is approximately \$23.2 million per annum, which increases each year.

For many years the City Housing service has not been subsidised by Council rates and is not eligible to receive IRRS from Central Government. Council will continue to advocate for access to the IRRS for our tenants. The positive impact of achieving this on both equity for tenants and our financial viability will be significant and will allow Council to relook at its social housing model. However, access to IRRS is not anticipated in the foreseeable future and approaches to successive governments have been unsuccessful. Financial analysis cannot consider access to IRRS as a viable option.

The existing rent settings and ad-hoc discounts currently cost City Housing approximately \$11 million per annum in lost revenue. This is not sustainable and puts ongoing delivery and maintenance of the properties at risk. Despite the high cost of the current policy settings, there are issues of inequity and hardship for tenants.

Graph 2 below (City Housing Cashflow – 30 Years) the cash position for City Housing is depicted over several scenarios. The “Original Deed” (blue) line represents the forecast position when the grant monies had been agreed with the Crown.

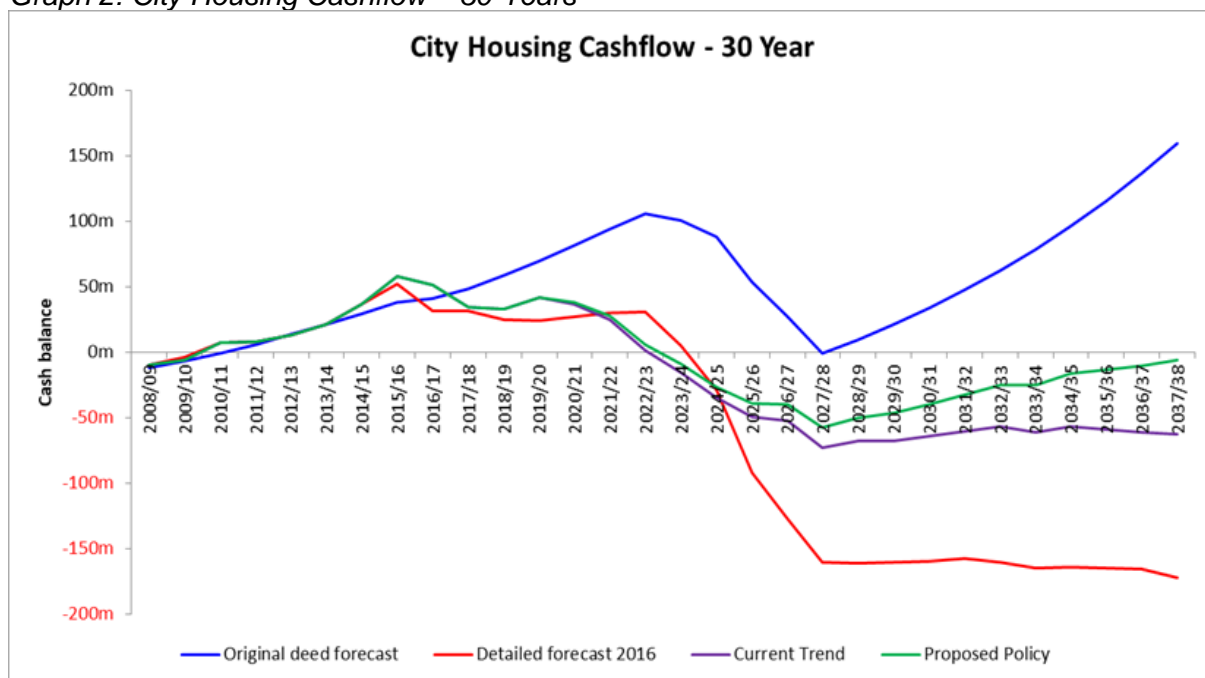
In 2016, a Business Model Review was completed and a new forecast, including actual data to that point, was calculated (red line). A significant deficit was forecast at the time, following



which, a series of operational efficiencies and strategic plans were implemented to address the shortfall. To date, the current trend (purple line) finds City Housing in a much better financial position than the 2016 forecast. However a significant deficit is still forecast.

To ensure a sustainable service, that provides warm, dry and modern homes that comply with legislative and Deed requirements, a cash reserve needs to be generated. From a best practise perspective, cash reserves should be accumulated and then reinvested back into the condition of the properties, thus creating a sustainable cycle of housing upgrade investment. Graph 2 illustrates the effect of the proposed new policies.

*Graph 2: City Housing Cashflow – 30 Years*



To support the development of the new rent policy, WCC and KPMG jointly developed the Rental Assessment Forecasting Tool (RAFT). The RAFT uses City Housing’s current tenancy data (2019/20) i.e. rent payment, income & benefit, household composition, and property types etc. as the base for its financial calculation and forecast.

The RAFT enables City Housing to test different rent adjusting scenarios and ascertain the financial impact/benefit for the tenants and the Council. KPMG has verified the integrity of the calculations and the proper use of the tool by the Council.

**Policy and legislative implications**

City Housing must comply with a range of regulations and any rent setting policy must be consistent with this, particularly the Residential Tenancies Act 1986, Privacy Act 1993, Protected Disclosures Act 2000 and various building regulations. The rent setting policy must also recognise the obligations under the Deed of Grant.

Once the rent setting policy is finalised and a transition plan agreed, the 2010 Social Housing Policy may be replaced or revoked. The consultation process may recommend additional priorities for action as this topic area often generates much interest.

**Risks/legal**

Any possible changes to Council's housing policy will be of interest to existing tenants. Existing tenants will feature in the consultation process proposed for the draft policy.

There will also be media interest in the proposed changes. A Communication and Engagement Plan containing key messages has been developed to emphasise the improvement in equity for all tenants and contribution to financial sustainability of an ongoing social housing service.

**Climate change impact and considerations**

A financially sustainable housing portfolio may be maintained to a more modern standard with suitable insulation. This has benefits to tenants in cost savings, and the energy savings will have a small impact.

**Communications plan**

A Communications and Engagement Plan has been developed for the consultation process and any future implementation work will be similarly supported (Attachment 6).

**Health and safety impact considered**

Change to existing circumstances may cause stress for some tenants. However, the proposed changes have been assessed to ensure that those in most financial stress will receive more assistance, and those expected to pay more should not experience hardship as a result of changes, as assessed against the Wellington Housing Affordability Model.

# **City Housing** Social Housing Policy documents





## Social Housing Policy

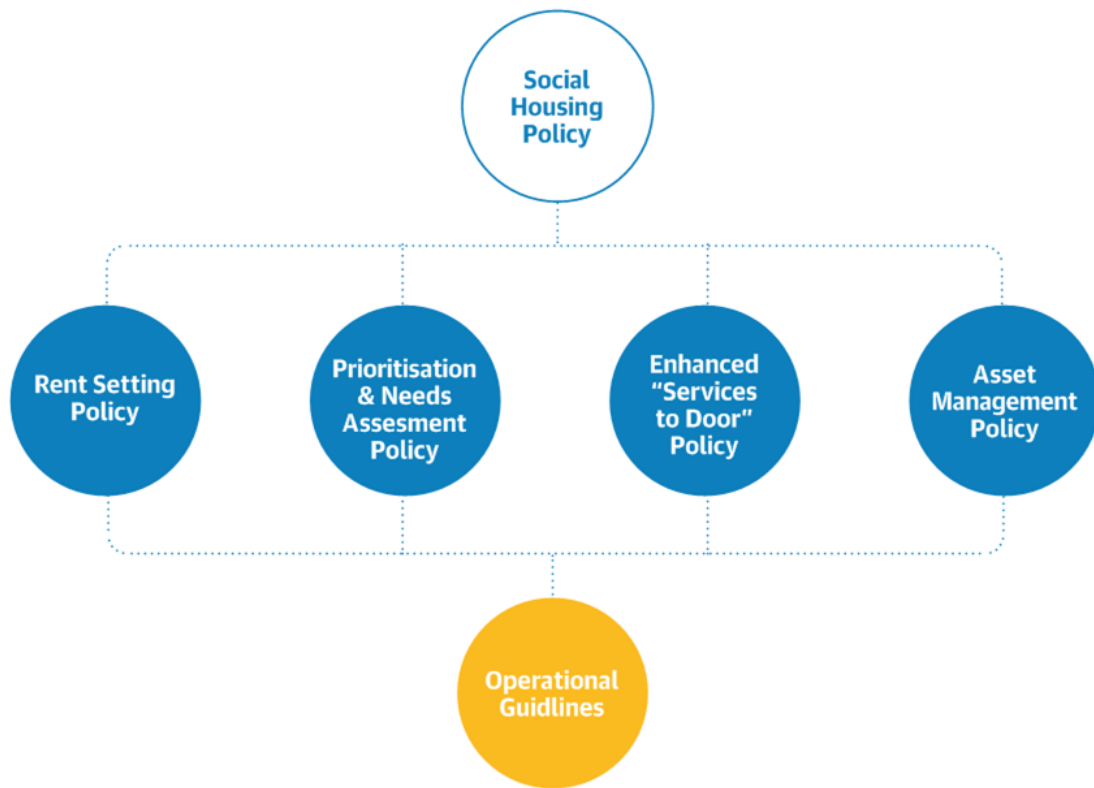
This policy sets out the governing principles and service parameters agreed by Councillors for City Housing. It is the overall governing policy that provides the framework for City Housing Policy, and is supported by four interrelated policy pillars; Rent Setting Policy, Prioritisation & Needs Assessment Policy, Enhanced “Services to Door” Policy and Asset Policy.

City Housing Policy

Wellington City Council

## Wellington City Council's Vision for Housing

All Wellingtonians well housed



## Purpose and Intent

The purpose and intent of this Policy is to:

1. Support the delivery and management of an agile and responsive social housing service that is fair and equitable to all tenants and that is financially sustainable into the future.
2. Set and monitor the long-term direction through governing principles and service delivery parameters, enabling City Housing to:
  - develop operational procedures and guidelines to deliver a social housing service within agreed parameters;
  - manage risks and achieve outcomes for tenants (seeking Council approval if actions exceed parameters within this policy); and
  - maintain a fit for purpose, legislatively compliant asset base.
3. Ensure City Housing actively participates in, and contributes to, achieving the wider vision of the Wellington City Council Housing Strategy "All Wellingtonians well housed".

## Our Context

4. City Housing is one of the largest landlords in New Zealand with around 3,500 tenants and 2,000 homes across Wellington City.
5. It manages its social housing portfolio based on the Social Housing Policy set by the Council and provides discounted rental accommodation to people with a housing need. City Housing's goal is to assist in meeting housing need, manage tenancies fairly and be financially sustainable.
6. City Housing does not receive funding from rates and is solely funded by the rental income it receives.

## Governing Principles

7. Governing principles outline the purpose and values that guide City Housing. It will use them to test, drive and influence how and why it operates.

The following principles set the strategic direction for City Housing:

- Social housing strengthens the Council strategy of "All Wellingtonians well housed" by providing fit for purpose housing for the right households, in the right location at the right price and with the right support.
- Housing need is matched with supply, taking a people-centred approach and considering need variables that include affordability, access, discrimination and security of tenure.
- Where City Housing is the right outcome, those most in need are allocated housing using strategies tailored to household need and tiered by service level, including rent settings that allow rent charges to be set that are equitable to all tenants.
- Partnerships are leveraged that create better outcomes for those in housing need, increase housing supply options and improve overall services and support to tenants.
- Strategies and priorities are agreed and monitored, with outcomes reported to Council regularly.

## Service Parameters

8. Service parameters explain the minimum levels of service City Housing aspires to provide. The way it operates is designed to meet or exceed these levels.

City Housing will apply the following service parameters:

- Provide fit for purpose housing to a modern standard (warm, dry and safe) with a target percentage meeting an agreed level of accessibility as outlined in the Deed of Grant<sup>1</sup>.
- Determine eligibility and priority for households using a needs assessment based on their current situation, housing need and best outcome.
- Consider the right location for households that delivers a sense of community, safety, belonging and best matches housing need and supply across the housing spectrum.
- The rent setting system is equitable and affordable based on tenant circumstances.
- There is a commitment to engage with tenants to achieve their housing aspirations and provide appropriate support when required.

<sup>1</sup> The Deed of Grant was signed in 2008 and currently requires 5% of any new builds to be fully accessible, lifts in buildings with 5+ floors with more than four units, and identified blocks having universal access units on the ground floor.

## Eligibility

9. City Housing is not able to house all applicants due to limited stock. The social housing portfolio is for people who face barriers in accessing housing in the private sector. Consequently, households are eligible if the:
- primary tenant is at least 18 years of age;
  - household income is within the relevant income bands for the Wellington region<sup>2</sup>;
  - household assets are under the average entry level (first quartile) house price deposit for the Wellington region<sup>3</sup>.
10. Applicants who meet eligibility requirements undergo a needs assessment to determine their relative housing need and requirements, and the urgency of that need.
11. As a part of an annual review, City Housing will ensure that all tenants are housed appropriately and, where appropriate, have the right to age in place.

## Security of Tenure

12. City Housing is committed to supporting the security of tenure for its tenants who generally experience a range of complex social and physical needs that prevent them from accessing a home in the private sector.
13. Security of tenure enhances a sense of place and creates a level of certainty and stability for tenants and their wider communities, impacting positively on health and wellbeing outcomes.
14. Where appropriate, tenants who exceed income and asset thresholds will be assessed for ongoing eligibility to the service.

This will include considering factors that may prevent them from accessing a home in the private sector. If the tenant does remain, by default they will be required to pay full market rent.

15. As appropriate, City Housing will work closely with tenants and other support agencies to transition to a private rental or home ownership.

## Working in Partnership

16. It is not the intention of Council to duplicate services provided by other agencies that contribute to social and affordable housing in Wellington but rather to work in partnership with them to ensure all Wellingtonians are well housed.
17. Central government, through the Ministry of Social Development (MSD), provides support for those with the most serious and/or complex housing needs by allowing access to Income Related Rent Subsidy (IRRS) with social housing providers such as Kāinga Ora and Registered Community Housing Providers.
18. City Housing will work with these agencies for them to house applicants that are eligible for IRRS where it is appropriate to do so.
19. City Housing will support community development initiatives to improve the overall wellbeing of its tenants so they build independence and confidence. It will facilitate support, activities and connections by developing partnerships with social support services, iwi and community agencies.

## Tenancy Management

20. The Residential Tenancies Act 1986 (the RTA) is the primary legislation that governs the tenancy agreements entered into between City Housing and its tenants.
21. City Housing is committed to undertaking best practice as a landlord and will strive to meet and exceed its obligations under the RTA.
22. City Housing is committed to developing, implementing and reviewing fair and transparent operational guidelines, policies and procedures that are legislatively robust and that position City Housing as being Wellington's landlord of choice.

<sup>2</sup> Median income bands for the Wellington region will be set bi-annually in line with annual statistics published by Statistics New Zealand.

<sup>3</sup> The average entry level (first quartile) house price deposit levels for the Wellington region will be set bi-annually in line with the Home Loan Affordability Report Wellington published annually by interest.co.nz.



## The Four Policy Pillars

### Policy: Rent Setting

23. The rent setting policy allows City Housing to ensure the rent paid by its tenants is equitable, sustainable and affordable, and is based on tenants' income. It will ensure people pay the appropriate level of rent based on their income and circumstances.
24. Market rents are assessed annually by an independent assessor and applied to all City Housing properties.
25. Discounted market rates (DMRs) are determined annually for each tenancy based on total household income and household type, allowing for a progressive adjustment as income increases or decreases. Income bands will be reviewed, updated and published bi-annually.
26. Annual rent reviews are undertaken by City Housing to determine DMRs based on current income and asset circumstances, and rents are adjusted accordingly.

### Policy: Prioritisation and Needs Assessment

27. City Housing is committed to providing social housing to Wellingtonians most in need. Supply is limited so a needs assessment is applied to eligible applicants to determine their relative housing need and the urgency of that need.
28. This policy enables City Housing to understand the applicant's current living situation and to determine their priority on the housing waitlist.

29. Creating strong communities can be achieved within this policy by allocating available properties to the right applicants. City Housing is committed to supporting tenants to lead successful lives and matching the right people to the right properties is a key component of this goal.

### Policy: Enhanced Services to Door

30. City Housing is committed to providing additional services to tenants in order to enhance their sense of place and wellbeing, to sustain their tenancies, and support them to lead successful lives.
31. City Housing will work with tenants to implement community development initiatives that foster and build strong, connected, empowered and resilient relationships between tenants, their neighbours and wider community.
32. This policy enables City Housing to apply enhanced services that support tenants' needs and develop the communities they live in.

### Policy: Asset Management

33. This purpose of this policy is to set out the key principles and approach that guide City Housing's management of its portfolio.
34. This policy is approved as part of Council's Long Term Planning (LTP) process.

## Policy Review

35. This Policy will be reviewed every ten years, or sooner as required.



# City Housing Policy

## Rent Setting

This is the City Housing policy relating to the setting of market rents for its properties and to determining the appropriate discounted market rate payable by its tenants.

## 1. Purpose of this document

This is the City Housing policy relating to the setting of market rents for its properties and to determining the appropriate discounted market rate payable by its tenants.

## 2. Definitions

### Market rent

Market rent is defined in the Residential Tenancies Act 1986 (the RTA) and is broadly accepted as being what the cost would be to rent a property in the private rental market.

### Discounted market rate (DMR)

This is the percentage of market rent charged to the tenant. It is calculated based on the combined assessable net income of each household member aged 18 or over.

### Tenant(s)

The signatory (signatories) on the tenancy agreement with City Housing.

### Occupant

Anyone who has been approved by City Housing to live in the property and is listed on the tenancy agreement.

## 3. When to apply this policy

This policy will be applied when setting market rents and to calculate the appropriate DMR payable by each City Housing tenant.

The eligibility criteria to access a City Housing home is set out in Council's Social Housing Policy and on our [website](#).

## 4. RTA legislation

Any calculation of the rent or adjustments made to the DMR will be carried out in accordance with the RTA.

## 5. Policy intent

City Housing is committed to providing social housing in an equitable way to its tenants. The application of this policy is intended for City Housing to:

- ensure the DMR is equitable and affordable for all tenants with varying income levels and household types; and
- generate sufficient rental income for City Housing to:
  - cover the costs of managing and maintaining City Housing properties;
  - carry out future planned improvements on City Housing properties; and
  - provide quality services to its tenants.

## 6. Setting market rents for our properties

Market rents are independently assessed every year, and applied to all City Housing properties. These assessments take into account location, condition and the size of each property compared to similar properties in the rental market.

## 7. Establishing baselines for Median Income

To determine the appropriate DMR payable by City Housing tenants, each household will be assessed and placed into an income band<sup>1</sup> based on its total net household income and household type (see Tables 1 and 2 below):

Table 1: Income Band by Median Income Threshold

Income Band	Median Income
Very Low Income	Up to 50%
Low Income	Up to 80%
Moderate Income	Up to 120%

Table 2: Key Tenancy Household Types

Key Household Types
Singles - living alone
Couples - 2 adults
Two adult families
Single adult families
Other

<sup>1</sup> Income band thresholds will be set by City Housing bi-annually using Statistics New Zealand's annual median income figures for the Wellington region.

## 8. Calculating DMR

City Housing will calculate the percentage of market rent that will be charged to tenants. This is referred to as the Discounted Market Rate (DMR).

DMRs are calculated based on the combined assessable net income of each household member aged 18 or over, allowing for a progressive adjustment as income increases or decreases.

Income bands will be reviewed, updated and published bi-annually based on the Wellington Regional Median Income.

## 9. Tenancy review

Tenancy reviews are undertaken by City Housing on an annual basis. The review requires each tenant to provide detailed household income information. This information is then used to calculate the DMR and apply rent increases or decreases accordingly.

We also review tenants' ongoing eligibility for City Housing as well as making sure that the property is still being utilised appropriately.

### 9.1 City Housing initiated rent review

All households' income and assets will be reviewed annually as part of the tenancy review at or near the anniversary of their tenancy commencement date to determine the correct DMR.

### 9.2 Tenant initiated rent review

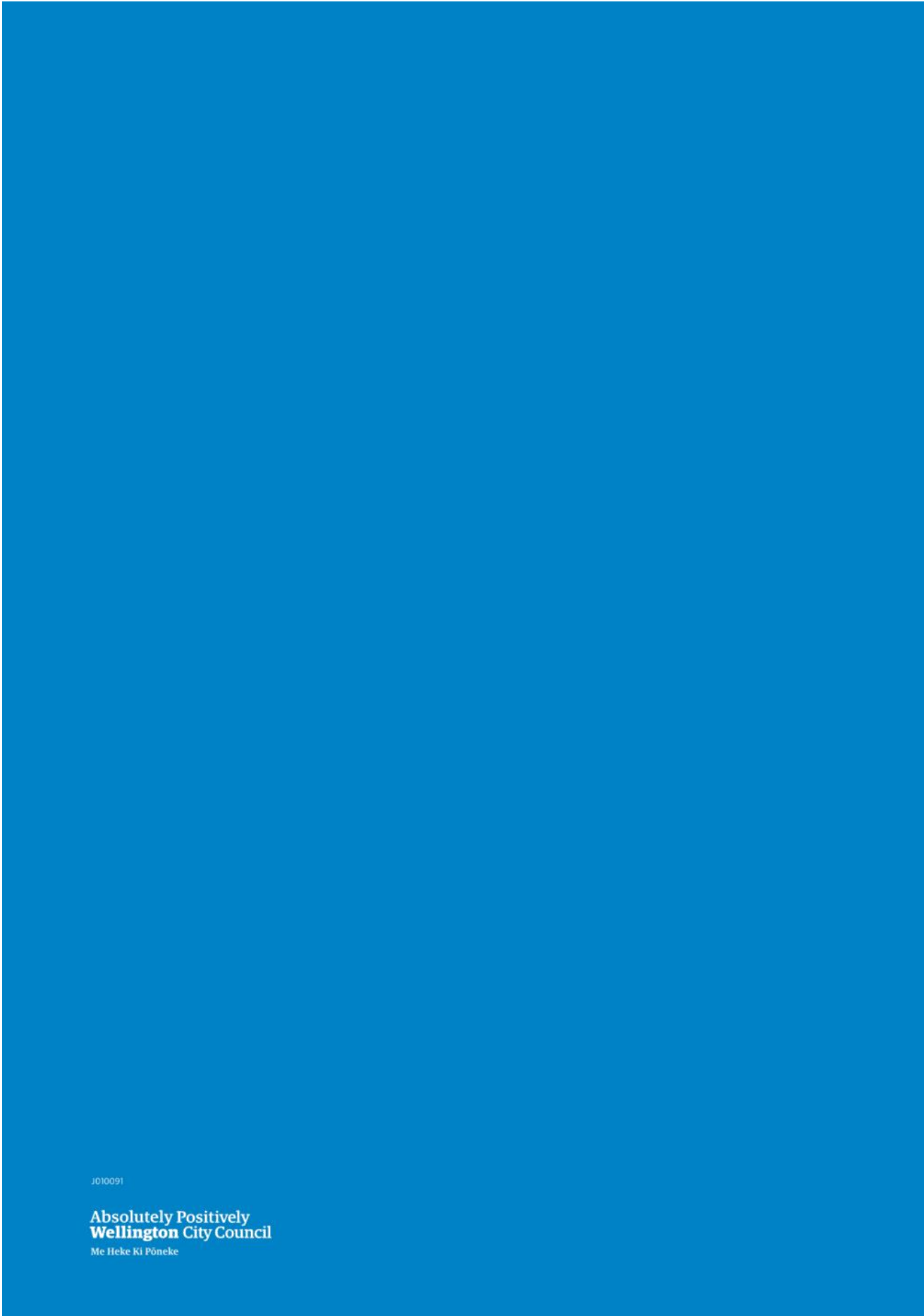
At any time during the year, if the household income and/or assets change, tenants have an obligation to notify City Housing and provide the relevant documentation within 21 days so that a new DMR can be calculated.

## 10. Failure to supply required information

All City Housing tenants are obliged to disclose information that is relevant to their tenancy, in particular, matters that may affect their DMR calculation. Updated income information is required as part of our annual tenancy review process.

While City Housing will usually apply a DMR, City Housing reserves the right to remove the DMR and charge market rent if tenants fail to provide updated income information on time and as requested.





J010091

Absolutely Positively  
**Wellington** City Council  
Me Heke Ki Pōneke

## CITY HOUSING POLICY: ENHANCED SERVICES TO DOOR

### 1. Purpose of this document

This policy relates to the provision of additional services to tenants in order to enhance their sense of place and wellbeing, to sustain their tenancies, and to lead successful lives.

It enables City Housing to apply enhanced services that support tenants' needs and develop the communities they live in.

### 2. Definitions

#### Tenant(s)

The signatory (signatories) on the tenancy agreement with City Housing.

#### Occupant

Anyone who has been approved by City Housing to live in the property and is listed on the tenancy agreement.

### 3. When to apply this policy

This policy will be applied in the day to day management of tenancy operations and community development by City Housing staff.

### 4. Policy intent

City Housing is committed to providing and facilitating enhanced services in:

- tenant support – meeting the needs of individual tenants, both in terms of housing need and other support and personal development needs; and
- community development – addressing the social needs of tenant communities by encouraging and developing a sense of place and enhancing community and individual well-being.

### 5. Service delivery

Council takes seriously its responsibility to provide assistance to its tenants to enhance wellbeing, improve personal skills, connections and self-confidence and to offer access to schemes that may offset rents and/or result in higher levels of disposable income.

City Housing staff will promote and support service delivery that provides opportunities for tenants to:

- improve their physical environment and develop pride in where they live;
- create and participate in a wide range of activities and initiatives;
- increase their sense of safety and wellbeing;
- meet others and participate in community celebrations;
- develop leadership skills;
- access social and recreational programmes;
- develop creative expression through a wide range of artistic endeavours;
- build confidence, self-reliance and a positive sense of identity;
- access primary health and wellness services and information;
- contribute to the regeneration of communities;
- access training and employment opportunities.

## CITY HOUSING POLICY: ENHANCED SERVICES TO DOOR

City Housing will endeavour to deliver services directly and indirectly via partnerships with external community and other agencies that include but are not limited to:

- budget advice, health and counselling services, donated food;
- training to develop personal and professional skills;
- welfare checks;
- funding that supports tenant-led activities/events;
- regular on-site visits by staff;
- access to the internet, devices and training to enhance digital literacy and accessibility;
- community development initiatives that foster and build strong, connected, empowered and resilient relationships between tenants and their neighbours.

City Housing will explore partnerships that deliver access to subsidised or free services that may include:

- energy efficient and consumer education;
- power supply schemes;
- wi-fi in common areas;
- community health services.



## CITY HOUSING POLICY: ASSET MANAGEMENT

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### 1. Purpose of this document

This is a summary of the key principles and approach that will feature in the City Housing policy that will guide the management of the City Housing portfolio.

The substantive Asset Management Policy for City Housing will be written as a part of Council's Long Term Planning process.

### 2. Definitions

#### Asset management

To meet a required level of service, in the most cost effective manner, through the management of assets for present and future customers (National Asset Management Support (NAMS)).

#### Levels of service

Levels of service set out what the customer can expect to receive from the different activities undertaken by the City Housing as a residential landlord.

#### Maintenance

Any activity performed on an asset with a view to ensure it delivers an expected level of service until it is scheduled to be renewed, replaced or disposed of.

### 3. When to apply this policy

This policy applies to all residential properties owned by Wellington City Council (WCC) that are managed by City Housing. These assets include, but are not limited to:

- Buildings & structures;
- Other structural elements;
- Community facilities;
- Building systems;
- Network control assets.

### 4. Policy intent

The primary objective of this policy is to support and align with Council wide strategic directions as stipulated in the WCC Asset Management Policy and to ensure the appropriate life cycle management of the portfolio, including ensuring all properties are fit for purpose.

There are a number of legislative requirements that also guide our approach to asset management. The following Acts form the key legislative references of this Policy:

- The Local Government Act 2002;
- The Resource Management Act 1991;
- The Building Act 2004;
- The Residential Tenancies Act 1986 (and Regulations);
- The Health & Safety at Work Act 2015 (and Regulations).

City Housing must also meet its current and ongoing obligations under the Deed of Grant signed with central government in 2008.

### 5. Policy Principles

WCC is committed to ensuring that its social housing portfolio is a cost effective service providing safe, warm and dry homes that are resilient, for the benefit of Wellingtonians in housing need.

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## CITY HOUSING POLICY: ASSET MANAGEMENT

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City Housing's approach will be to confirm this as part of the Long Term Plan.

### 6. Implementation

In order to achieve the asset management policy principles, the operation of a co-ordinated end-to-end asset management system will be implemented that:

- achieves the strategic plan outcomes of City Housing and the Council;
- includes an asset management strategy that is consistent with the Council's priorities;
- considers the complete lifecycle of housing assets to develop investment plans that are sustainable, efficient and based upon an optimised consideration of cost, risk and levels of service;
- ensures the efficient execution of Council annual and long-term plans; and
- encourages continual improvement through regular audits and formal management reviews allowing evolution through implementation of best practice.

### 7. Review

This Asset Management Policy will be reviewed, updated and approved at least every three years, or at any other time where it is deemed appropriate.

## CITY HOUSING POLICY: PRIORITISATION AND NEEDS ASSESSMENT

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### 1. Purpose of this document

This is the City Housing policy relating to how eligible tenants are prioritised.

### 2. Definitions

#### Needs assessment

An approach taken by City Housing staff to ascertain from potential tenants the level and urgency of their need for housing in order to prioritise them appropriately on the housing waitlist.

#### Housing waitlist

A list of applicants who have been assessed as eligible for City Housing and are awaiting allocation of a suitable City Housing property.

#### Tenant(s)

The signatory (signatories) on the tenancy agreement with City Housing.

#### Occupant

Anyone who has been approved by City Housing to live in the property and is listed on the tenancy agreement.

### 3. When to apply this policy

This policy will be applied when interviewing eligible applicants to determine their priority for a City Housing rental property.

### 4. Policy intent

City Housing is committed to providing social housing to Wellingtonians most in need. Supply is limited so a needs assessment is applied to eligible applicants to determine their relative housing need and the urgency of that need. The following factors are considered in this assessment:

- Current tenancy or living arrangement – does the applicant have a short, fixed term, long term or no tenancy? Is their current home affordable? Are they rough sleeping? Are they homeless?
- Adequacy of current housing – is the applicant living in a home in poor physical condition or one that does not meet their needs?
- Suitability of current housing – is the applicant's house size adequate for the number of occupants or the needs of the tenant?
- Accessibility – can the applicant access housing in the private market in the face of discrimination?
- Location – is the applicant able to access social infrastructure such as community centres, shopping centres, transport links, health and education services?
- Special housing needs – does the applicant have any special needs including physical disability, homelessness, substance abuse, chronic illness and domestic violence?

### 5. Applying a needs assessment

City Housing staff meet with all eligible applicants for a face-to-face discussion to ascertain individual need and urgency for housing. Applicants are welcome to bring a support person to this meeting.

## CITY HOUSING POLICY: PRIORITISATION AND NEEDS ASSESSMENT

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Questions are asked throughout the conversation with applicants to ascertain information, which results in a rating that determines a priority status when placed on the housing waitlist.

If applicants have prior debt with City Housing, staff will work with them, and their support agency if relevant, to set up a manageable repayment plan.

### 6. Allocation of vacant properties

When a housing unit becomes available, City Housing staff will determine which household's needs are best met by that house in terms of size, location, physical layout and proximity to support services.

The following factors are considered when determining whether a home meets the needs of a particular applicant:

- Household characteristics (number of people, children, older people);
- Social support considerations;
- Special housing needs (location, access);
- Tenant preferences.

This means applicants are offered the best possible dwelling to meet their needs. In every circumstance, City Housing will attempt to house the highest priority applicants first.

Consideration will be given to the particular community. For example, older people often want to live in quiet neighbourhoods, or a person with a disability may need access to a particular support agency. Decisions are made on a case by case basis taking into account the specific needs of each potential tenant and community.

Wellington City Council's housing stock is limited in type and location. Most of the dwellings are bedsits and one bedroom, in apartment style complexes. These factors limit the type of households City Housing can assist with their housing. City Housing will refer applicants who have needs that fall outside its portfolio to other agencies for support.

Given these constraints, City Housing is best suited to house single people and small families particularly from the following groups:

- **The fit elderly**  
Those able to maintain an independent lifestyle at the time of application.
- **Refugees and migrants**  
People with a valid resident visa issued by the immigration service that have entered New Zealand through the United Nations Refugee Agency (UNHCR) resettlement programme, as convention refugees or are family members joining refugees already resident in New Zealand.

## CITY HOUSING POLICY: PRIORITISATION AND NEEDS ASSESSMENT

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- **Low level mental wellbeing**  
Those people able to maintain an independent lifestyle with minimum supervision and support.
- **Multiple disadvantaged**  
Households with a number of problems that make them vulnerable in the housing market.
- **People with physical disabilities**  
People with specific accommodation need arising from a disability.

City Housing recognises that applicants often have preferences as to where they wish to live and aim to satisfy these preferences. However, the availability of suitable stock will determine the extent to which those preferences can be met.

### 7. Waitlist management

Applicants who meet eligibility criteria and who do not currently have adequate housing will be given priority on the waitlist.

Applicants who decline two suitable properties offered to them are removed from the housing waitlist. This allows City Housing to consider other applicants already on the waitlist.

## Title of Consultation/Committee Paper: Social Housing Policy

### Purpose of the consultation

The draft Social Housing Policy includes a proposal to change the rent setting policy – to base rent levels on tenants' income rather than a discounted market rent. It is a significant change to the current practice of giving all tenants a 30% discount on the rent they would pay if the rented their home on the open market. Therefore, it is vital we gauge support for this proposal, particularly with tenants and other key stakeholders. Those who participate in the consultation will be able to make comments on any aspect of the draft Social Housing Policy but the rent-setting proposal is the most significant change.

### Significance and Engagement Policy

**Medium:** recommendation is to at least **consult** the public.

### Engagement process

#### Current status

Following a series of workshops with councillors to discuss options for housing policy and equitable rent-setting in 2019, City Housing staff carried out pre-engagement with a range of City Housing stakeholders. This included a pre-engagement workshop with a small sample group of tenants to discuss options and issues. Staff also spoke to kaitiaki (tenant volunteers) and attended a number of tenant meetings to discuss rent-setting proposals. The feedback from these sessions was broadly supportive of the direction City Housing is proposing. In the lead-up to public consultation, City Housing staff have met with a wider group of key stakeholders with an interest in the proposals, to brief them on the main aspects of the proposal and encourage them to make submissions when consultation gets underway early in 2020. Tenants have also been made aware that the consultation is coming.

#### Approach to formal consultation

The public consultation will be Wellington-wide, with feedback gathered via the Council's *Kōrero Mai Let's Talk Wellington* engagement platform at <https://www.letstalk.wellington.govt.nz/>. People will also be able to provide feedback in writing.

Tenants - and the organisations/individuals who are involved with them on a regular basis - are the stakeholders who we most need to understand the proposals and engage with our consultation. Tenants will be impacted (mainly positively) and the organisations who are involved with them will have valuable feedback and are a key channel to make sure tenants know the rent-setting proposal is open for consultation, how to have their say and who to ask if they have questions. We will focus strongly on making sure those individuals and groups have good access to information about the consultation and a range of opportunities to provide their feedback. Face to face engagement will be important for our most vulnerable tenants.

We have identified a range of other organisations who will have a key interest in the consultation. These include Kāinga Ora, Ministry of Social Development, Community Housing Aotearoa and community housing providers. We will make sure they have the opportunity to meet with us to discuss the proposals and make submissions if they wish.

**Planned activities**

- Ongoing engagement with key stakeholders before and during consultation.
- Engagement with tenants including drop-in sessions and personal visits as appropriate.
- Close liaison with tenant support workers and organisations.
- Preparing consultation materials including briefing materials for councillors.

**Role of elected members (if appropriate)**

We will make sure elected members have access to the information they need to be able to answer any queries from tenants and others. Once the consultation has been completed the feedback from this work will inform a proposed final draft social housing policy, rent-setting policy, for elected members' decisions.

**Submissions**

Submissions will be received in a variety of ways including electronically and hard copies. There will be the opportunity for submitters to speak at an oral hearing. The submissions will be analysed and included in the Social Housing Policy paper and recommendations that will be prepared for consideration by the Council in mid 2020.





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## **WELLINGTON CITY COUNCIL STANDING ORDERS REVIEW**

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### **Purpose**

1. This report asks the Strategy and Policy Committee to approve a revised set of standing orders as per attachment 1, and recommend it to Council for adoption.

### **Summary**

2. Wellington City Council standing orders were last amended in 2015. As a result, the standing orders need to be revised to reflect the amendments that have been made to legislation over the past five years.
3. It has also been communicated to Democracy Services that Wellington City Council standing orders are difficult to understand and are in urgent need of revision. Hence along with updating the standing orders, some changes have been made to the non-legislative sections as well. Most of these changes originate from useful content in the LGNZ model standing orders.
4. The key changes to the standing orders are as follows:
  - Merging and shifting of standing orders as well as deletion of redundant ones
  - Renumbering of all sections
  - Refining the language
  - System B added to voting systems
  - Duration and language of meetings
  - Emergency meetings
  - Electronic distribution of agenda
  - Options for speaking, moving or seconding motions and amendments
  - Increasing the number of votes required for revoking/altering resolution made at the same meeting
  - Petitions

### **Recommendation/s**

That the Strategy and Policy Committee:

1. Receive the information.
2. Recommend the amended set of standing orders (Attachment 1) to Council for adoption.

### **Discussion**

#### **5. Merging and shifting of standing orders as well as deletion of redundant ones**

In order to make it easier to follow related matters, a few sections have been merged into one and some have been shifted before or after another. For instance, the revised version merges three sections of the current standing orders into one: The appointment

of committees and other subordinate decision making bodies, appointment of chairperson of a committee, and membership of committees and subcommittees are now all in one section – committees and other subordinate decision making bodies. Other examples are *notification of meetings* and *standing orders application* and *suspension* sections.

#### **6. Renumbering**

There is no longer a second subsection. This makes referring to standing orders much easier.

#### **7. System B added to the voting system**

Clause 25, Schedule 7 of Local Government Act 2002 provides for two systems for election of deputy mayor, chairpersons and deputy chairpersons. System B is much more straightforward than system A which is the only system provided for in the standing orders. It is worth noting that a local authority or a committee must first determine by resolution which system should be used.

#### **8. Emergency meetings**

This is an area where Wellington City Council standing orders do not reflect the latest legislation. The Local Government Act 2002 was amended in March 2019 to include provisions for emergency meetings (cl. 22A, Schedule 7).

#### **9. Options for speaking, moving or seconding motions and amendments**

A helpful addition from the LGNZ model standing orders, the options provide the members with the opportunity to debate more freely. This is especially useful at smaller committees where the smaller membership makes it challenging for introducing amendments.

#### **10. Petitions**

Wellington City Council is the only local authority in New Zealand that provides its residents with the ability of submitting petitions electronically. This process has been very effective in allowing Wellingtonians, especially the younger generation, to have their say and make requests at a public setting. Nevertheless, there has never been an authoritative document setting out the rules for e-petitions. There is no legislation with regards to the process either. The current standing orders only cover paper petitions, which has resulted into paper and electronic petitions having different processes. The new standing orders resolve this issue by setting out provisions for both types.

### **Options**


12. The Strategy and Policy Committee has the following options:
  - a. Approve the standing orders as attached and recommend to Council for adoption
  - b. Amend the standing orders as attached and recommend that Council adopt the amended version.
  - c. Decline to recommend the attached standing orders to Council for adoption.

---

## Next Actions

13. If approved (with or without amendments from the Strategy and Policy Committee), Democracy Services will put the final set of standing orders on the Council agenda of 25 March 2020 meeting.

## Attachments

Attachment 1. Wellington City Council's revised standing orders [↓](#) 

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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

Not applicable

### **Treaty of Waitangi considerations**

Not applicable

### **Financial implications**

Not applicable

### **Policy and legislative implications**

Not applicable

### **Risks / legal**

Not applicable

### **Climate Change impact and considerations**

Not applicable

### **Communications Plan**

Not applicable

### **Health and Safety Impact considered**

Not applicable

# **Wellington City Council**

## **Standing Orders**

**For Meetings of Council, Committees and Subcommittees**

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## **APPENDICES**

1. Grounds to exclude the public from meetings
2. Sample resolution to exclude the public
3. Powers of a chairperson
4. Chairperson's rulings
5. Motions and amendments
6. Table of procedural motions
7. Process for removing a member
8. Mayor's powers to appoint under s.41A LGA 2002
9. Process for removing a chairperson or deputy mayor from office
10. Workshops
11. Process for raising matters for a decision
12. Guidelines for broadcasting meetings

## **REFERENCED DOCUMENTS**

### **New Zealand Legislation**

Commissions of Inquiry Act 1908  
Crimes Act 1961  
Local Authorities (Members' Interests) Act 1968  
Local Electoral Act 2001  
Local Government Act 1974 and 2002 (LGA)  
Local Government Official Information and Meetings Act 1987 (LGOIMA 1987)  
Marine Farming Act 1971  
Resource Management Act 1991 (RMA)  
Secret Commissions Act 1910  
Securities Act 1978

## **FOREWORD**

These standing orders are based on the NZS: 9202 (2003): Model standing orders for Meetings of Local Authorities and Community Boards.

These standing orders reflect legislative requirements relating to the conduct of local authority meetings, particularly the provisions of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987, including amendments made to these Acts until 2019 .

Wellington City Council adopted these standing orders at a meeting held on 26 February 2020. Applying to all meetings of the Wellington City Council, its committees and subcommittees, these standing orders came into effect on 2 March 2020.



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## **PART 1 PRELIMINARY PROVISIONS**

### **1. GENERAL MATTERS**

#### **1.1 INTRODUCTION**

This document sets out standing orders for the conduct of proceedings at meetings of Wellington City Council, its committees and sub-committees.

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 2002; 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 2002).

These standing orders are presented in three parts. Part 1 covers the preliminary provisions. Part 2 covers legislative and constitutional matters, and Part 3 relates to meeting procedures.

#### **1.2 INTERPRETATION**

The terms "normative" and "informative" have been used in these standing orders to define the application of the appendix to which they apply. A "normative" appendix is an integral part of the standing orders, whereas an "informative" appendix is only for information and guidance. Informative provisions do not form part of the mandatory requirements of the standing orders.

In the standing orders the word "shall" identifies a mandatory requirement for compliance with the standing orders. The word "should" refers to practices which are advised or recommended.

Where direct quotations from the legislation are cited in these standing orders, quotation marks have been used and the reference to legislation is shown in **bold type**. Where the legislation has been paraphrased, quotation marks have not been used and the reference to legislation is shown in normal type.

### **1.3 DEFINITIONS**

In these standing orders, unless inconsistent with the context:

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

**Amendment** means any change or 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 mayor at a meeting of the Wellington City Council (or the deputy mayor in the absence of the mayor) or the person appointed to preside at a meeting of a committee or subcommittee and also includes any person properly appointed in the absence of the appointed chairperson.

**Chief Executive** means the chief executive of the Wellington City Council appointed under section 42 of the Local Government Act 2002 and includes any person appointed specially or generally by the Council to perform the duties of that office for the time being. The term also means any person deputised by the chief executive to carry out a particular duty or perform a function on her/his behalf. For the purposes of these standing orders it includes any other officer authorized by the local authority.

**Clear working days** means the number of working days prescribed in these standing orders for the giving of notice; and excluding the date of service of that notice and the date of the meeting, the subject of that notice.

**Committee** includes, in relation to a local authority:

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

**Community board** means a community board established under s.49 of the Local Government Act 2002.

**Conflict of Interest** includes any pecuniary interest and any interest arising because of that person's position as a trustee, director, officer, employee or member of another body or because of any personal non-pecuniary interest.

**Council** means the Wellington City Council comprising the mayor and members elected under the Local Electoral Act 2001.

**Division** means a formal vote at a Council, committee or subcommittee meeting whereby the names of those members present, including the mayor, are formally recorded as voting either *for* or *against*. This includes a vote where the names and votes are recorded electronically.

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

**Item** means a substantive matter for discussion at a meeting.

**Leave of the meeting** means agreement without a single member present dissenting.

**Local authority** means the Wellington City Council, being a local authority as defined in section 3 of the Local Government Act 2002.

**Mayor** means the mayor of Wellington City Council elected under the Local Electoral Act 2001.

**Meeting** means any first, ordinary or extraordinary meeting of the Council; and any meeting of any committee, standing committee, joint committee, special committee or subcommittee of the Council but excludes members' briefings and workshops.

**Member** means any person elected or appointed to the Council or to any committee or subcommittee of the local authority, and includes the mayor.

**Minutes** means the record of the proceedings of any meeting of the local authority and its committees and subcommittees.

**Motion** means a formal proposal for resolution at 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.

**Not less than 75%** means 75% of the members, or where a whole number is not obtained the next highest whole number above 75% as follows:

Not less than 75% of 3 = 3	Not less than 75% of 12 = 9
Not less than 75% of 4 = 3	Not less than 75% of 13 = 10
Not less than 75% of 5 = 4	Not less than 75% of 14 = 11
Not less than 75% of 6 = 5	Not less than 75% of 15 = 12
Not less than 75% of 7 = 6	Not less than 75% of 16 = 12
Not less than 75% of 8 = 6	Not less than 75% of 17 = 13
Not less than 75% of 9 = 7	Not less than 75% of 18 = 14
Not less than 75% of 10 = 8	Not less than 75% of 19 = 15
Not less than 75% of 11 = 9	Not less than 75% of 20 = 15

**Officer** means any person employed by the Council either full or part time, on a permanent or casual or contract basis.

**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.

**Pecuniary Interest** includes any interest described in sections 3 and 6 of the Local Authorities (Members Interests) Act 1968.

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

**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

**Public excluded information** means any information which can be excluded from the public for reasons meeting the provisions of the Local Government Official Information and Meetings Act 1987.

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

**Public participation** means a request from any person, organisation, interest group or group of people with a specific purpose or common view in the community to address the Council or any committee. This includes public participation and presentations *but excludes petitions*. Public forums participation are is designed to enable members of the public to bring

matters to the attention of the local authority. Public participation is in addition to participation in hearings as part of any statutory or non-statutory consultation.

**Publicly notified** means notified to members of the public by notice contained in some newspaper circulating in the district of the local authority, or where there is no such newspaper, by notice published on signboard affixed to public places in the district to which the notice relates.

**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 needing to be present to constitute a valid meeting.

**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.)

**Secunder** means the member who seconds a motion.

**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
- (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.

## PART 2 CONSTITUTIONAL AND LEGISLATIVE MATTERS

### 2. STANDING ORDERS

- 2.1 Requirement for the adoption of standing orders** "A local authority must adopt a set of standing orders for the conduct of its meetings and those of its committees.

The standing orders of a local authority must not contravene [any provisions of the Local Government Act 2002], the Local Government Official Information and Meetings Act 1987, or any other Act."

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

- 2.2 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.

For quasi-judicial proceedings, the local authority may adopt meeting procedures and practices additional to, or in substitution of these standing orders for the conduct of the business to be transacted. For example, committees appointed to hear applications under the Resource Management Act have powers under the Commissions of Inquiry Act 1908.

*[s.41, RMA 1991]*

- 2.3 Alteration of standing orders**

"After the adoption of the first standing orders of the local authority, an amendment of the standing orders or the adoption of a new set of standing orders requires, in every case, a vote of not less than 75% of the members present."

***[cl. 27(3), Schedule 7, LGA 2002]***

- 2.4 Temporary suspension of standing orders**

"A local authority or committee may temporarily suspend standing orders during a meeting by a vote of not less than 75% of the members present and voting, and the reason for the suspension must be stated in the resolution of suspension."

***[cl. 27(4), Schedule 7, LGA 2002]***

The motion to temporarily suspend standing orders must be moved before the following item of business is moved, and if seconded, the chairperson must put the motion without debate.

- 2.5 All members to abide by standing orders**

"A member of a local authority must abide by the standing orders adopted under clause 27 [of Schedule 7 of the Local Government Act 2002]."

*[cl. 16(1), Schedule 7, LGA 2002]*

**2.6 Exclusions for meetings at which no resolutions or decisions are made**

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

For the avoidance of doubt, any provision of these standing orders relating to the making of decisions and the passing of resolutions does not apply to any meeting of the local authority or of any committee or subcommittee or other subordinate decision-making body of the local authority which has been properly constituted as a meeting at which no resolutions or decisions are to be made under the Local Government Act 2002 or the Local Government Official Information and Meetings Act 1987.

(See Appendix 10 for workshops)

**3. MAYORAL APPOINTMENT OF DEPUTY MAYOR AND COMMITTEE CHAIRPERSONS**

**3.1 Mayor may appoint a deputy mayor**

The mayor has the power to appoint the deputy mayor. The mayor may decline to exercise this power, in which case the local authority may elect the deputy mayor at its inaugural meeting (see standing order 7).

*[s. 41A (3)(a) LGA 2002]*

**3.2 Mayor must give notice of intention**

The mayor must give notice to members that either

- (a) the mayor will appoint a deputy mayor; or
- (b) the mayor will seek ratification of their nominee for deputy mayor; or
- (c) the local authority will elect a deputy mayor at its first meeting.

**3.3 Mayor may establish committees and appoint chairpersons**

The mayor has the power to establish committees of the territorial authority and appoint the chairperson of each committee, and for that purpose, the mayor may make the appointment before the members of the committee are determined and may appoint himself or herself.

*[s. 41A (3)(a) & (3)(b), LGA 2002]*

- 3.4 Council discharge of a mayoral appointment** Nothing, however, limits or prevents a territorial authority from discharging the 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 Appendix 9.

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 7.1.

*[cl. 18 & 31, Schedule 7, LGA 2002]*

*(See Appendix 8 and 9)*

#### 4. FIRST MEETING OF THE LOCAL AUTHORITY FOLLOWING ELECTION

- 4.1 Meeting called by Chief Executive** "The first meeting of a local authority following a triennial general election of members must be called by the chief executive as soon as practicable after the results of the election are known.

The chief executive must give the persons elected to the local authority not less than 7 days' notice of the meeting.

[However,] if an emergency exists, the chief executive may give notice of the meeting as soon as practicable.

The chief executive (or, in the absence of the chief executive, a nominee of that officer) must chair the meeting until the mayor [ ] has made and attested the declaration required under clause 14 [of Schedule 7 of the Local Government Act 2002]."

***[cl. 21(1) – (4), Schedule 7, LGA 2002]***

- 4.2 Business to be conducted** "The business that must be conducted at the meeting must include –
- (a) the making and attesting of the declarations required of the mayor (if any) and members under clause 14 [of Schedule 7 of the Local Government Act 2002]; and
  - (b) the election of the chairperson (if any) and the making and attesting of the declaration required of the chairperson under clause 14 [of Schedule 7 of the Local Government Act 2002]; and
  - (c) a general explanation, given or arranged by the chief executive, of –
    - (i) the Local Government Official Information and Meetings Act 1987; and
    - (ii) other laws affecting members, including the appropriate



provisions of the Local Authorities (Members' Interests) Act 1968; and sections 99, 105 and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Securities Act 1978; and

- (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 [...] in accordance with clause 17 [of Schedule 7 of the Local Government Act 2002],“ unless notice has been given under standing order 3.2 that the mayor will appoint a deputy mayor, seek ratification of a nominee or a deputy mayor has been appointed.

***[s. 41A(3)(a), cl. 21(5), Schedule 7, LGA 2002]***

## **5. CHAIRPERSON OF MEETINGS**

### **5.1 Mayor of local authority to preside**

“The mayor ... must preside at each meeting of the local authority at which he or she is present unless the mayor vacates the chair for a particular meeting” or part thereof.

“If the mayor ... is absent from a meeting, the deputy mayor (if any) must preside.

However, if a deputy mayor ... has not been appointed, or if the deputy mayor ... is also absent, the members of the local authority ... that are present must elect 1 of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the mayor ...”

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

### **5.2 Chairperson of the committee to preside**

“The chairperson of a committee must preside at each meeting of the committee at which he or she is present unless the chairperson vacates the chair for a particular meeting” or part thereof.

“If the .... chairperson of a committee is absent from a meeting,... the deputy chairperson (if any) ... of the committee must preside.

However, if ... a deputy chairperson has not been appointed, or if ... the deputy chairperson is also absent, the members of ... the committee that are present must elect 1 of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the chairperson.”

***[cl. 26(2), (5) & (6), Schedule 7, LGA 2002]***

## 6. QUORUM AT MEETINGS

- 6.1 Requirement for quorum** "A meeting is duly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote."
- [cl. 23(1), Schedule 7, LGA 2002]*
- 6.2 Quorum to be present throughout meeting** "Business may not be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted."
- [cl. 23(2), Schedule 7, LGA 2002]*
- 6.3 Definition of quorum of local authority or joint committee** "The quorum at a meeting of a local authority [or joint committee] consists of –
- (a) half of the members if the number of members (including vacancies) is even; or
  - (b) a majority of members if the number of members (including vacancies) is odd."
- [cl. 23(3), cl. 30(9), Schedule 7, LGA 2002]*
- 6.4 Definition of quorum for committees of the whole** The quorum at a meeting of a committee of the whole is the same as that of the Council (see standing order 6.3)
- 6.5 Definition of quorum for committees** "The quorum at a meeting of a committee is not fewer than 2 members of the committee (as determined by the local authority or committee that appoints the committee); and in the case of a committee other than a subcommittee, must include at least 1 member of the local authority."
- [cl. 23(3), Schedule 7, LGA 2002]*
- The quorum at a meeting of any committee or subcommittee will be included in its terms of reference.
- 6.6 Meeting lapses if no quorum** If a meeting is short of a quorum at its commencement, or falls short of a quorum, the business is to stand suspended and, if no quorum is present within 15 minutes, the chairperson is to vacate the chair and the meeting shall lapse.
- 6.7 Lapsed business** The business remaining to be disposed of following the lapsing of a meeting is to stand adjourned until the next meeting unless an earlier meeting is fixed by the chairperson and notified by the chief executive.
- 6.8 Minutes to record failure of quorum** If a meeting lapses by reason of failure of a quorum, the names of the members then in attendance, and the fact of the lapse, are to be recorded in the minutes.

## **7. VOTING SYSTEMS FOR CERTAIN APPOINTMENTS**

### **7.1 Provisions for election of deputy mayor, chairpersons and deputy chairpersons of committees, and representatives of the local authority**

When electing a deputy mayor, a committee chairperson, a deputy chairperson or acting chairperson, the local authority or a committee 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; and
- (b) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (c) if no candidate is successful in the second round there is a third, and if necessary subsequent round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
- (d) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot."

#### **System B**

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]***

### **7.2 Exclusions to requirements for voting system**

Standing order 7.1 does not apply to:

- (a) the appointment by the mayor of a deputy mayor; or
- (b) ratification of a nominee by the mayor for deputy mayor; or
- (c) the appointment by the mayor of the chairperson of a committee established by the mayor;

8. COMMITTEES AND OTHER SUBORDINATE DECISION-MAKING BODIES

8.1 Appointment of committees, subcommittees, and other subordinate decision-making bodies

"The local authority may appoint 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 local authority."

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

8.2 Discharge or reconstitution of committees, subcommittees, and other subordinate decision-making bodies

"Unless expressly provided otherwise in an Act, –

- (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 the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body."

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

8.3 Committees and subordinate decision-making bodies subject to direction of local authority

"A committee 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 in relation to the committee or other body or the affairs of the committee or other body.

A subcommittee is subject in all things to the control of the committee that appointed it, and must carry out all general and special directions of the committee given in relation to the subcommittee or its affairs.

Nothing in this clause entitles a local authority or committee to rescind or amend a decision made under a delegation authorising the making of a decision by a committee, a subcommittee, or another subordinate decision-making body."

**[cl. 30(3), (4) & (6), Schedule 7, LGA 2002]**

8.4 Requirement to have terms of reference

Committee, subcommittees or other decision-making bodies must have, and operate within, a prescribed terms of reference.

- 
- 8.5 Appointment of chairperson of committees by local authority** The local authority may appoint the chairperson and (if desired) deputy chairperson of any committee:
- it appoints under standing order 8.1; or
  - established under standing order 3.4 where the mayor declines to appoint a chairperson.
- 8.6 Appointment of chairperson by committee** Any committee may appoint its own chairperson (or chairpersons) and deputy chairperson if one has not already been appointed under standing orders 3.3 or 8.5.
- 8.7 Appointment or discharge of committee members and subcommittee members** "A local authority may appoint or discharge any member of a committee. Unless directed otherwise by the local authority, a committee may appoint or discharge any member of a subcommittee appointed by the committee."
- [cl. 31(1) & (2), Schedule 7, LGA 2002]*
- 8.8 Proceedings not invalidated by vacancies or irregularities** "An act or proceeding of a local authority or committee, or of a person acting as a member of a local authority or committee, is not invalidated by -
- (a) a vacancy in the membership of the local authority or committee at the time of that act or proceeding, or
  - (b) the subsequent discovery of some defect in the election or appointment of the person acting as a member of the local authority or committee, or that that person was or is incapable of being a member."
- [cl. 29, Schedule 7, LGA 2002]*
- 8.9 Elected members on committees and subcommittees** "The members of a committee or subcommittee may, but need not be, elected members of the local authority, and a local authority or committee may appoint to a committee or subcommittee a person who is not a member of the local authority or committee if, in the opinion of the local authority, that person has the skills, attributes or knowledge that will assist the work of the committee or subcommittee."
- ... At least 1 member of a committee must be an elected member of the local authority; and an employee of a local authority acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee."
- [cl. 31(3) & (4), Schedule 7, LGA 2002]*

- 8.10 Local authority may replace members if committee not discharged** “If a local authority resolves that a committee, subcommittee, or other decision-making body is not to be discharged under clause 30(7) [of Schedule 7 of the Local Government Act 2002], the local authority may replace the members of that committee, subcommittee or other subordinate decision-making body after the next triennial general election of members.”
- [cl. 31(5), Schedule 7, LGA 2002]*
- 8.11 Minimum numbers on committees and subcommittees** “The minimum number of members is 3 for a committee, and is 2 for a subcommittee.”
- [cl. 31(6), Schedule 7, LGA 2002]*
- 8.12 Mayor an ex-officio member** The mayor is appointed an ex-officio member of every committee and subcommittee appointed by the Council other than a quasi-judicial committee (for example a hearings committee constituted under the Resource Management Act 1991).
- 9. JOINT COMMITTEES**
- 9.1 Appointment of joint committees** “A local authority may appoint ... a joint committee with another local authority or other public body.”
- “A local authority may not appoint a joint committee unless it has first reached agreement with every other local authority or public body that is to appoint members to that committee.”
- [cl. 30(1) & 30A, Schedule 7, LGA 2002]*
- 9.2 Status of joint committees** “A joint committee ... is deemed to be both a committee of the appointing local authority and a committee of the other local authority or public body that has appointed members to the committee.”
- [cl. 30A(5), Schedule 7, LGA 2002]*
- 9.3 Powers and responsibilities of joint committees** “[Part 1 of Schedule 7 of the Local Government Act 2002] applies to a joint committee except that –
- (a) the powers to discharge any individual member and appoint another in his or her stead must be exercised by the local authority or public body that made the appointment; and
  - (b) the quorum at a meeting standing order of the committee consists of
    - (i) half of the members of the number of members (including vacancies) is an even number; or
    - (ii) a majority of members if the number of members (including vacancies) is an odd number; and

- (c) the following matters may be varied by an agreement:
  - (i) the procedure by which the chairperson and deputy chairperson are to be appointed:
  - (ii) the procedure by which the chairperson or deputy chairperson may be removed from that office:
  - (iii) whether a quorum must include 1 or more members appointed by each party, or any party:
  - (iv) the extent to which the standing orders of any local authority or public body apply to meetings of the joint committee."

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

## **10. POWERS OF DELEGATION**

- 10.1 Limits on delegations**
- (1) "Unless expressly provided otherwise in [the Local Government Act 2002], or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its members and officers responsibilities, duties, or powers except –
    - (a) the power to make a rate; or
    - (b) the power to make a bylaw; or
    - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
    - (d) the power to adopt a long-term plan, annual plan, or annual report; or
    - (e) the power to appoint a chief executive; or
    - (f) the power to adopt policies required to be adopted and consulted on under [the Local Government Act 2002] in association with the long-term plan or developed for the purpose of the local governance statement.
  - (2) Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in ... [(a) – (f) above].
  - (3) A committee or other subordinate decision-making body, community board, or 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 local authority or by the committee or body or person that makes the original delegation.”

**10.2 Use of delegated powers**

***[cl. 32(1), (2) & (3), Schedule 7, LGA 2002]***

“A 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 or duties are delegated may, without confirmation by the local authority or 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(4) Schedule 7, LGA 2002]***

**10.3 Duty to consider delegations to community boards**

“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]***

**11. GENERAL PROVISIONS AS TO MEETINGS**

**11.1 Meetings to be held**

“A local authority must hold the meetings that are necessary for the good government of its region or district.”

***[cl. 19(1), Schedule 7, LGA 2002]***

**11.2 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]***

**11.3 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.

**11.4 Member attendance at committee**

If a member is not a member of a committee and attends a meeting of that committee, they may take part in any discussions but may not:

- vote on any matter;
- move or second a motion or amendment;
- move or second a procedural motion;
- challenge under standing orders a chairperson’s ruling.



**11.5 Calling, public notification and conduct of meetings**

"A meeting of a local authority must be called and conducted in accordance with [Schedule 7 of the Local Government Act 2002]; and Part VII of the Local Government Official Information and Meetings Act 1987; and the standing orders of the local authority."

***[cl. 19(3), Schedule 7, LGA 2002]***

**11.6 Meetings not invalid because notice not received**

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

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

A member of a local authority may waive any requirement regarding the giving of notice of a meeting to that member."

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

**11.7 Meeting duration**

A meeting cannot continue more than six hours from when it starts (including any adjournments) or after 10:30 pm, 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.

**11.8 Temporary adjournment of meeting**

The chairperson may, at any time, temporarily adjourn a meeting for either:

- up to one hour; or
- until a conflicting meeting has ended or adjourned.

**11.9 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 two 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 two working days before the meeting.

**11.10 Minutes of proceedings**

"A local authority must keep minutes of its proceedings.

Minutes of proceedings duly entered and authenticated as prescribed by the local authority are prima facie evidence of those proceedings."

**[cl. 28(1), (2), Schedule 7, LGA 2002]**

**12. NOTIFICATION OF MEETINGS**

**12.1 Notification of ordinary meetings to members**

"... the chief executive must give notice in writing to each member of the time and place of [a] meeting –

- (a) not less than 14 days before the meeting; or
- (b) if the local authority has adopted a schedule of meetings, not less than 14 days before the first meeting on the schedule."

**[cl. 19(5), Schedule 7, LGA 2002]**

**12.2 Schedule of meetings**

"If a local authority adopts a schedule of meetings, –

- (a) the schedule may cover any future period that the local authority considers appropriate and may be amended; and
- (b) notification of the schedule or any amendment to that schedule constitutes a notification of every meeting on the schedule or amendment."

**[cl. 19(6), Schedule 7, LGA 2002]**

**12.3 Cancellation of scheduled meetings**

If it is necessary to cancel a scheduled meeting, all reasonable effort shall be taken to notify elected members and the public as soon as practicable of the cancellation and of the reasons for the cancellation.

**12.4 Public notification of 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. Where any meeting is to be held on or after the 21st day of the month, such meetings may instead be publicly notified not more than 10 nor less than 5 working days before the day on which the meeting is to be held.

**[s. 46, LGOIMA 1987]**

**12.5 Extraordinary meetings may be called**

"An extraordinary meeting may be called by –

- (a) a resolution of the local authority; or
- (b) a requisition in writing delivered to the chief executive and signed by –
  - (i) the mayor [in relation to Council] or chairperson in relation to a committee or subcommittee]; or
  - (ii) not less than one-third of the total membership of the local authority (including vacancies)."

***[cl. 22(1), Schedule 7, LGA]***

**12.6 Notification of extraordinary meetings to members**

"Notice in writing of the time and place of the meeting called under [Standing Order 2.16.1] and of the general nature of business must be given by the chief executive to each member of the local authority at least 3 working days before the day appointed for the meeting; or if the meeting is called by a resolution, within such lesser period of notice that is specified in the resolution, being not less than 24 hours."

***[cl. 22(2), Schedule 7, LGA]***

**12.7 Public notification of extraordinary meetings**

"If an extraordinary or emergency meeting of a local authority is called and cannot be publicly notified in the manner required [by section 46 of the Local Government Official Information and Meetings Act 1987], the local authority must cause that meeting and the general nature of business to be transacted at that meeting—

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

***[s. 46(3), LGOIMA 1987]***

- 12.8 Public notification of resolution at 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.

For the purposes of this [standing order], resolution means the resolution on the matter or matters for which the extraordinary meeting was held.”

**[s. 51A, LGOIMA]**

- 12.9 Emergency meetings** “If the business to be dealt with requires a meeting to be held at a time earlier than is allowed by the notice requirements of clause 22(2)(a) and it is not practicable to call the meeting by resolution, an emergency meeting may be called by—
- (a) the mayor or chairperson; or
  - (b) if the mayor and chairperson are unavailable, the chief executive.”

**[cl. 22A (1), Schedule 7, LGA]**

- 12.10 Notification of emergency meetings** “Notice of the time and place of an emergency meeting and of the matters in respect of which the emergency meeting is being called must be given by the person calling the meeting or by another person on that person’s behalf, by whatever means is reasonable in the circumstances, to each member of the local authority and to the chief executive at least 24 hours before the time appointed for the meeting.”

**[cl. 22A (2), Schedule 7, LGA]**

- 12.11 Other requirements for notification of meetings** 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.

- 12.12 Public notice of meetings not notified** “Where a local authority becomes aware that any meeting of that local authority has not been publicly notified in accordance with [these standing orders], the local authority shall, as soon as practicable, give public notice that that meeting was not so notified, and shall, in that notice, state the general nature of the business transacted at that meeting; and give the reasons why that meeting was not so notified.”

**[s. 46(6), LGOIMA 1987]**

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- 12.13 Meetings not invalid because not publicly notified**      “No meeting of any local authority [is] invalid merely because that meeting was not publicly notified in accordance with [these standing orders].”  
*[s. 46(5), LGOIMA 1987]*

### **13. PUBLIC ACCESS TO MEETINGS, AGENDAS AND MINUTES**

- 13.1 Meetings normally to be open to the public**      “Except as otherwise provided by [Part VII of the Local Government Official Information and Meetings Act] every meeting of a local authority shall be open to the public... For the purposes of [Part VII of the Local Government Official Information and Meetings Act] bona fide members of the news media shall be deemed to be members of the public, and shall be entitled to attend any meeting or any part of a meeting for the purpose of reporting the proceedings for any news media.”  
*[s. 47 & 49(a), LGOIMA 1987]*
- 13.2 Information to be available to the public**      All information provided to members at local authority and committee meetings must be available to the public and news media unless any item included in the agenda refers to any matter reasonably expected to be discussed with the public excluded.  
*[s. 5 & 49, LGOIMA 1987]*

**13.3 Availability of  
agendas and reports**

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

- (a) shall be available for inspection at the public offices of the local authority (including service delivery centres) and the public libraries under the authority’s control; and
- (b) shall be accompanied by either –
  - (i) the associated reports; or
  - (ii) a notice specifying the places at which the associated reports may be inspected.

The associated reports shall be available for inspection at the public offices of the local authority.

Any member of the public may take notes from any agenda or report inspected by that member of the public. Every member of the public who inspects an agenda or report made available and who requests a copy of any part of any such agenda or report and tenders the prescribed amount (if any) shall be given such a copy as soon as practicable.

Where a meeting is an extraordinary meeting called pursuant to a resolution of the local authority, the agenda and any associated reports shall be made available as soon as is reasonable in the circumstances.”

**[s. 46A(1) – (6), LGOIMA 1987]**

**13.4 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]*

**13.5 Agenda to be made  
available to public  
who are at meetings**

Additional copies of the agenda and further particulars indicating the nature of the items to be discussed must be available at meetings in sufficient numbers to enable any spare copies to be provided for members of the public to take away with them on payment of the prescribed amount (if any).

*[s. 49, LGOIMA 1987]*

**13.6 List of committee  
members publicly  
available**

The members of each committee are to be named on the relevant agenda.

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- 13.7 Public entitled to inspect minutes** The public is entitled without charge to inspect, take notes from, or receive copies of, minutes of any meeting or part of any meeting from which the public was not excluded.
- [s. 51, LGOIMA 1987]*
- 13.8 Requests for minutes of meetings in closed session** The chief executive must consider any request for the minutes of a meeting or part thereof from which the public was excluded as a request for official information in terms of the Local Government Official Information and Meetings Act 1987.
- [s. 51, LGOIMA 1987]*
- 14. EXCLUSION OF THE PUBLIC**
- 14.1 Lawful reasons 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 grounds specified in section 48 of the Local Government Official Information and Meetings Act 1987.
- [s. 48, LGOIMA 1987]*
- (See Appendix 1)*
- 14.2 Form of resolutions to exclude the public** Any resolution to exclude the public must be in the form set out in Schedule 2A to the Local Government Official Information and Meetings Act 1987 and state the general subject of each matter to be considered while the public is excluded, the reason for passing that resolution in relation to that matter, and the grounds on which the resolution is based.
- (For an example resolution, refer to Appendix 2)*
- 14.3 Motion to exclude the public to be put with the public present** Every motion to exclude the public must be put at a time when the meeting is open to the public, and copies of the text of that motion must be available to any member of the public who is present. The resolution then forms part of the minutes of the local authority.
- [s. 48(4), LGOIMA 1987]*
- 14.4 Provision for persons to remain after the public excluded** A resolution in accordance with standing order 14.3 may provide for one or more specified persons to remain after the public has been excluded if those persons have, in the opinion of the local authority, knowledge that will assist the authority. Any such resolution is required to state the knowledge possessed by those persons, which will be of assistance in relation to the matter to be discussed and how it is relevant to the matter. No such resolution is necessary in respect of the attendance of the chief executive and relevant staff during a public excluded session.
- [s. 48(5) & (6), LGOIMA 1987]*

**14.5 Non-disclosure of information**

Subject to the provisions of the Local Government Official Information and Meetings Act 1987, no member or officer is permitted to disclose to any person, other than a member or officer:

- any information, evidence, documents or reports which have been or are to be presented to any meeting from which the public is properly excluded, or where it is proposed that the public be properly excluded;
- any discussions, deliberations or recommendations of any committee or subcommittee which are to be dealt with subsequently by the Council in public excluded session.

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.

**14.6 Release of public excluded information**

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 members of the meeting of the nature of the information released.



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**15. ATTENDANCE AT MEETINGS BY AUDIO OR AUDIOVISUAL LINK**

**15.1 Attendance by a member of local authority or of a committee via audio or audiovisual link**

"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 by means of audio link or audiovisual link if ... the presiding member at that meeting is satisfied that all conditions and requirements in the standing orders in relation to attendance at that meeting by means of audio link or audiovisual link are met."

*[cl. 25A(1) and 27(5)(a), Schedule 7, LGA 2002]*

Standing orders 15 does not apply to meetings in the nature of hearings (for instance, hearings under the Local Government Act 2002 or the Resource Management Act 1991

**15.2 Prior arrangements to enable a member of the local authority or of a committee to attend a meeting via audio or audiovisual link**

- (a) Where it is possible to do so, a member of the local authority or of any committee shall give the chairperson and the chief executive not less than two clear working days' written notice of the member's desire to attend a meeting of the local authority or of the committee by means of audio or audiovisual link for specified meetings.
- (b) Where, because of the member's illness or infirmity or some emergency, it is not possible for a member to give the chairperson and chief executive not less than two working days' written notice of the member's desire to attend a meeting of the local authority or of the committee by means of audio or audiovisual link the member may give less than two working days' written notice.
- (c) The chief executive shall take reasonable steps to seek to facilitate a member's desire to attend a meeting of the local authority or of the committee by means of audio or audiovisual link.
- (d) An act or proceeding of the local authority or committee is not invalidated if a member's request for attendance via audio or audiovisual link standing order is not accommodated or if there is any technological failure or defect in any audio or audiovisual link for a meeting.

*[cl. 25A(1) and 27(5), Schedule 7, LGA 2002]*

**15.3 Prior arrangements to enable a member of the public to attend a meeting via audio or audiovisual link**

- (a) A person other than a member of a local authority or committee shall give the chairperson and the chief executive not less than two clear working days' written notice of that person's desire to participate in a specified meeting of the local authority or of the committee by means of audio or audiovisual link.
- (b) The local authority shall take reasonable steps to seek to facilitate that person's desire to participate in a specified meeting of the local authority or of the committee by means of audio or audiovisual link.
- (c) When considering whether or not to grant such permission the presiding member may take into account factors such as:
  - (i) The likely length of the meeting and the possibility that having people participating by audio or audiovisual link may unreasonably increase the length of the meeting;
  - (ii) The potential behaviour of people participating by audio or audiovisual link;
  - (iii) The likely style, degree and extent of interaction between the different people participating by audio or audiovisual link; and
  - (iv) The potential that having people participating by audio or audiovisual link may have to distract those physically present at the meeting
- (d) An act or proceeding of the local authority or committee is not invalidated if that person's request for attendance via audio or audiovisual link is not accommodated or if there is any technological failure or defect in any audio or audiovisual link for a meeting.

*[cl. 25A(2), Schedule 7, LGA 2002]*

**15.4 Duties of the person presiding with regards to meeting attendance via audio or audiovisual link standing order**

“Person presiding must ... ensure that—

- (a) technology for the audio link or audiovisual link is available and is of suitable quality; and
- (b) the procedure for the use of that technology in all the circumstances of the particular meeting will ensure that—
  - [i] all those participating in the meeting can hear and be heard by each other; and
  - [ii] ...the attendance of a member by means of audio link or audiovisual link does not reduce the accountability or accessibility of that person in relation to the meeting; and
  - [iii] the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 are met.”
  - [iv] the requirements in these standing orders are met

The person presiding may direct that the audio or audiovisual link be terminated after taking into account relevant factors including:

- (a) That having people participating by audio or audiovisual link has unreasonably increased or may unreasonably increase the length of the meeting,
- (b) The behaviour of the people participating by audio or audiovisual link,
- (c) The style, degree and extent of inter-action between the different people participating by audio or audiovisual link, and
- (d) Any distraction to those physically present at the meeting caused as a result of having people participating by audio or audiovisual link.

***[cl. 25A(1) and (3), Schedule 7, LGA 2002]***

**15.5 Quorum when attending via audio or audiovisual link**

“A member of the local authority who is not physically present at the meeting is not to be counted as present for the purposes of clause 23 [of Schedule 7 of the Local Government Act 2002].”

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

Nevertheless, where a meeting has a quorum (determined by the number physically present), the members attending by audio or audiovisual link can vote on any matters raised at the meeting.

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- 15.6 Local authority not required to make technology for an audio or audiovisual link available**      “Nothing in this [standing order] requires [the] local authority to make technology for an audio or audiovisual link available.”  
*[cl. 25A(5), Schedule 7, LGA 2002]*
- 15.7 Giving or showing documents to a person appearing at a meeting by way of audio or audiovisual link**      “A document may be given or shown to, or by, a person appearing at a meeting by way of audio or audiovisual link—  
(a) by transmitting it electronically; or  
(b) by use of audiovisual link (if the person is appearing by audiovisual link); or  
(c) by any other manner that the person presiding thinks fit.”  
*[cl. 25A(6), Schedule 7, LGA 2002]*
- 15.8 Link failure**      Where an audio or audiovisual link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.
- 15.9 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.
- 15.10 Local authority not responsible for the failure of any audio or audiovisual link**      The local authority is not responsible for the consequences of any inadequacies or any failure of an audio or audiovisual link, but if any member ceases to be able to participate in a meeting by reason of any technological failure or defect in any audio or audiovisual link for the meeting that member shall be deemed to have ceased to be in attendance at the meeting.

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## **PART 3 MEETING PROCEDURES**

### **16. CONDUCT OF MEETINGS**

**16.1 Mode of address** The mayor shall be referred to in debate as either: 'Mayor [Name]' or 'Your Worship', and the chairperson of a committee or subcommittee as 'Chair'; or such other title as the mayor or chairperson may decide.

An elected member shall be referred to in debate as 'Councillor [Name]'.

**16.2 Chairperson to decide** The chairperson is to decide all questions:

- under these standing orders;
- where these standing orders make no provision or insufficient provision;
- all points of order;
- questions as to matters of meeting procedure.

Any ruling of the chairperson that a standing order deems to be final may not be challenged.

**16.3 Challenge of chairperson's ruling** Rulings not deemed 'final' in a standing order may be challenged by a member but such a challenge must be validated immediately by a vote of not less than 75% of the members present and voting unless specified otherwise in these standing orders.

*(See Appendices 3 and 4)*

**16.4 Chairperson rising** Whenever the chairperson rises or speaks 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.

**16.5 Members to speak in places and address the chair** Members granted the right to speak at meetings are to address the chairperson, and may not leave their place while speaking without the leave of the chairperson. Members may remain seated when speaking at committee meetings.

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- 16.6 Priority of speakers** When two or more members seek the right to speak, the chairperson is to name the member who has the right to speak first, provided that the following members shall have precedence, where in order, when they state their intention to:
- (a) raise a point of order (*see standing order 26.1*);
  - (b) move a procedural motion to terminate or adjourn the debate (*see standing order 25.4*);
  - (c) make a point of explanation or request an indulgence of the chairperson (*see standing order 20.12*); or
  - (d) request a time extension for the previous speaker (*see standing order 20.6*).
- 16.7 Tabling papers** Any member, or the chief executive or a person participating in public participation or making an oral submission may table papers about any matter on the agenda at any meeting.
- All tabled papers at public meetings shall be considered public documents. Where a meeting is in public excluded session, any table papers may not be disclosed.
- 16.8 Reporting of meetings** When a meeting of a local authority is open to the public the following provisions shall apply:
- (a) Members of the public including members of the news media are entitled to attend any meeting or any part of a meeting and to report on the proceedings.  
  
*[s. 49(a) LGOIMA 1987]*
  - (b) Any recording of meetings must be carried out in an unobtrusive manner, and must not be distracting to members.
  - (c) Any recording of meetings, whether by the local authority or the public, must be notified to the chairperson at the commencement of the meeting.
  - (d) Where circumstances require the chairperson may stop the recording for a period of time.

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**17. MAINTENANCE OF ORDER AT MEETINGS**

- 17.1 Order** The chairperson will establish order by calling “order” to draw attention to the call for order.
- The members will respond to a call for order by ceasing to speak and, if standing, resuming their seats immediately.
- 17.2 Speakers to be heard in silence** Where the chairperson is of the view that a debate may lead to disorder, the chairperson may direct that a speaker or speakers be heard in silence by members.
- 17.3 Disorderly members to withdraw** Members called to order by the chairperson are to resume their seats and/or stop speaking, as the case may be. Should any member refuse to obey, such member may be directed by the chairperson to withdraw from the meeting. Upon such direction, any such member is to withdraw and must not be permitted to return during the meeting, or any period of that meeting that the chairperson may determine.
- (See Appendices 3 and 7)*
- 17.4 Members not to be disrespectful** No member of the local authority at any meeting may be disrespectful in speech or use offensive or malicious language, including in reference to the local authority, any other member, or any officer or employee of the local authority. In addition, no member may impute improper motives or make offensive remarks about the private affairs of any other member of the local authority or its staff.
- 17.5 Retraction and apologies** The chairperson may call upon any member or speaker to withdraw any offensive or malicious expression and may require the member to apologise for the expression.
- 17.6 Withdrawal from meeting** 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.
- 17.7 Disorderly conduct** The chairperson may require any member whose conduct is disorderly or who is creating a disturbance to withdraw immediately from the meeting for a time specified by the chairperson.
- 17.8 Adjournment of meeting following disorder** Should the disorder continue, the chairperson has the right to adjourn the meeting for a time specified by him/her. At the end of that period the meeting shall resume and decide without debate the question as to whether the meeting shall proceed or be adjourned. The chairperson may also take such action in relation to disorder from other sources or in the event of an emergency. The chairperson’s ruling is final.
- 17.9 Nature of disorder may be recorded** If the chairperson makes a ruling on disorderly behaviour, the records of the meeting will state the name of the member, the directions of the chairperson and the reasons for the ruling made by the chairperson.

**17.10 Contempt to be recorded in minutes** 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 minutes of the meeting.

**17.11 Removal of members from meetings** "A constable, or an officer or employee of the local authority, may, at the request of the chairperson, remove or exclude a member from a meeting if that member is required to leave the meeting by a ruling made under the standing orders and that member –

- (a) refuses or fails to leave the meeting; or
- (b) having left the meeting, attempts to re-enter the meeting without the permission of the chairperson."

***[cl. 16(2), Schedule 7, LGA 2002]***

## **18. LEAVE OF ABSENCE AND APOLOGIES**

**18.1 Granting leave of absence** The local authority may grant leave of absence to a member from a meeting or other meetings of the local authority or its committees upon application by the member.

The member must apply to the mayor or the chief executive for the 'leave of absence' at least five working days prior to the first ordinary meeting of the Council they will miss. The first ordinary meeting of the Council following the application will grant or decline the leave of absence request.

**18.2 Apologies at meetings** 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.

**18.3 Recording of 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.

**18.4 Absence without leave** An extraordinary vacancy is created where any member "is absent without leave of the local authority from 4 consecutive meetings (other than extraordinary meetings) of the local authority."

***[cl. 5, Schedule 7, LGA 2002]***

**18.5 Members shall not leave the meeting** No member shall leave any meeting for any length of time without first advising the chairperson of their intention to do so. The period of the member's absence shall be recorded.



## **19. MEETING AGENDA**

### **19.1 Preparation of the agenda**

The chief executive is to prepare for each meeting an agenda listing and attaching information on the items of business to be brought before the meeting so far as is known.

At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the chairperson accords precedence to any business set down on the agenda.

If a member, or members, object to the re-ordering the matter shall be put to a vote and decided by a majority of members present and voting at the meeting.

### **19.2 Process for raising matters for decision**

In addition to items of business brought by the chief executive, the council, committee, subcommittee, subordinate decision-making body, or community board may resolve that a report be added to the agenda of a future meeting of that body. Such reports must fall within the scope of the delegations of that body. A process for raising matters for decision is described in Appendix 11.

The chief executive may delay commissioning any reports that involve significant cost or are beyond the scope of the decision-making body 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.

### **19.3 Distribution of agenda**

In the case of each meeting to which standing order 11.1 applies, an agenda detailing the business to be brought before that meeting together with relevant attachments must be sent to every member not less than two clear working days before the day appointed for the meeting (in the case of extraordinary meetings standing order 13.4 applies).

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

### **19.4 Status of agenda**

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

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- 19.5 Agenda listing for meetings of the Council**
- The agenda listing for a meeting of the Council should allow for the following:
- Karakia
  - Apologies;
  - Confirmation of minutes;
  - Public participation;
  - Announcements by the mayor
  - Petitions
  - Conflict of interest declarations
  - General business
  - Reports from committees – decisions requiring Council approval
  - Reports from committees – decisions for Council to note
  - Questions
  - Public excluded reports – general business
  - Public excluded reports from committees - decisions requiring Council approval.
- 19.6 Public excluded business**
- The chief executive must place on a public excluded agenda any matters for which he/she considers the local authority or committee of the local authority is likely in his/her opinion to wish to exclude the public in terms of the Local Government Official Information and Meetings Act 1987, provided that an indication of the subject matter likely to be considered within the public excluded is placed on the agenda available to the public.
- 19.7 Major items not on the agenda**
- “An item that is not on the agenda for a meeting may be dealt with at the meeting if –
- (a) the meeting, by resolution so decides; and
  - (b) the presiding member explains at the meeting at a time when it is open to the public, –
    - (i) the reason why the item is not on the agenda; and
    - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting.”
- [s. 46A(7), LGOIMA 1987]***
- 19.8 Minor items 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 1987]***

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## **20. RULES OF DEBATE**

- 20.1 Reserving speech** A member may second a motion or amendment and may speak to it immediately after the mover or may reserve the right to speak later in the debate.
- A seconder of a motion has priority over any members (other than the mover of the motion) on the speaking list for the motion or amendment they have seconded.
- 20.2 Irrelevant matter and needless repetition** In speaking to any motion or amendment, members are to confine their remarks strictly to such motion or amendment, and shall not introduce irrelevant matters or indulge in needless repetition. In this matter, the chairperson's ruling is final and is not open to challenge.
- 20.3 Limitation on 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 no such speaker is forthcoming and after the mover has had the right of reply, the motion must be put. Members speaking must, if so called upon by the chairperson, announce whether they are speaking in support of, or against the motion or amendment being debated.
- 20.4 Taking down words** When any member objects to words used and desires his/her objection to be recorded in the minutes, the chairperson may order the objection to be recorded, provided such objection be made at the time the words were used and not after any other members have spoken.
- 20.5 Reading of speeches** Members shall not read their speeches, except with the permission of the chairperson, but may refresh their memory by reference to notes.
- 20.6 Time limits on speakers** The following time limits will apply during debate in a Council meeting:
- members may speak for up to three minutes during debate (this includes the mover of a motion when introducing that motion). This time may be extended by another minute if there is no dissent from the meeting;
  - the mover of a motion when exercising their right of reply, may speak for up to three minutes. This time may be extended by up to a maximum of ten minutes at the chairperson's discretion;
  - the member presenting a report of a committee may speak for no more than three minutes when introducing that report. This time may be extended by up to a maximum ten minutes at the chairperson's discretion;
  - The mayor may speak at any time for up to ten minutes.
- There is no time limit on speaking during debate in committee and subcommittee meetings.

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- 20.7 Member speaking more than once** At a meeting of the Council, a member may not speak more than once to a motion or amendment, except when exercising right of reply. This order does not apply to meetings of committees or subcommittees.
- 20.8 Right of reply** The mover of an original motion or an amendment has a right of reply. After the mover has completed such reply, or has intimated the wish to forego this right, the chairperson will put the motion to the meeting.
- 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.
- The mover of a foreshadowed amendment may reply at the conclusion of the debate on the amendment if the foreshadowed amendment has been debated.
- Movers in reply are not to introduce any new matter nor summarise the debate. Movers in reply must confine themselves strictly to addressing questions or issues raised by previous speakers.
- 20.9 Speaking only on relevant matters** Members may speak to any matter before the meeting or upon a motion or amendment to be proposed by themselves, or upon a point of order arising out of debate, but not otherwise.
- 20.10 No speaking after reply or putting the motion** 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.
- 20.11 Personal explanation** With the permission of the chairperson, members may make a personal explanation concerning any matters involving that member, but such matters may not be debated.
- The name of the member and matter on which they have addressed the meeting are to be recorded in the minutes.
- 20.12 Explanation of previous speech** With the permission of the chairperson, explanation of some material part of a previous speech in the same debate may be given by a member who has already spoken, but new matter may not be introduced.
- 20.13 Subsequent comments on resolutions** Any reference by a member to a previous debate or resolution of the Council shall be brief and relevant to the motion under discussion.
- 20.14 Community Board to speak at debate** When a motion under debate relates to a matter that a community board considers being of particular interest to the residents within its community, the chairperson of the community board may speak in the debate but not vote on or move amendments to the motion. Such participation is subject to these standing orders.

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## **21. MOTIONS AND AMENDMENTS**

- 21.1 Proposing motions** Any member present may move a motion or amendment (see standing order 22. General procedures for speaking and moving motions). If the mover of an agenda item wishes to amend the motion, they must state at the time of moving the motion that it is being moved “pro-forma”, and following the seconding of the motion, immediately propose an amendment to the motion.
- 21.2 Requirement for a seconder** All motions and amendments moved (including procedural motions and notices of motion but excluding points of order) must be seconded. Any motion proposed but not seconded will lapse, will not be debated and will not be entered in the record.
- Secunder of an item moved pro-forma cannot second the amendment that immediately follows that motion.
- 21.3 Clarification of motions or amendments** Notwithstanding standing order 21.2, if the mover of a motion or amendment agrees, the chairperson may move an amendment to clarify the intent of a motion or amendment without the requirement of a seconder.
- The chairperson may move such a motion whether or not the chairperson has already spoken to the motion or amendment.
- 21.4 Withdrawal of motions and amendments** Once motions or amendments have been seconded and put to the meeting by the chairperson, they cannot be withdrawn without the leave of the meeting. A motion to which an amendment has been moved and seconded, cannot be withdrawn until the amendment is withdrawn or lost.
- 21.5 Substituted motion** Where a motion is subject to an amendment, the meeting may substitute the motion with the amendment, provided the mover and seconder of the original motion agree to its withdrawal. In such circumstances, members who have spoken to the original motion may speak again to the substituted motion.
- 21.6 Motions in writing** The chairperson may require movers of motions or amendments to provide them in writing and provide their name.
- 21.7 Motions expressed in parts** The chairperson or any member may require a motion expressed in parts to be decided part by part.

**21.8 Proposing amendments**

Subject to the option selected under standing order 22, and except for reports from statutory hearing committees, any member present may move an amendment to a motion that has been moved and seconded. Only one amendment may be discussed a time.

The mover or seconder of a motion for the adoption of the report of a committee or subcommittee may, with the leave of the meeting, only propose a minor amendment for the purpose of clarifying the intent of the report to ensure appropriate process is followed.

**21.9 Amendment to statutory hearing reports**

When the Council is considering a recommendation resulting from a statutory hearing process, no amendment may be moved other than:

- (a) by the chairperson of the committee making the report, or the commissioner, or a member authorised by the chairperson or commissioner to clarify or correct an error or omission in the report; or
- (b) by the chairperson of the committee making the report or a member authorised by the chairperson on behalf of the committee unanimously.

**21.10 Amendments not accepted**

A proposed amendment in any meeting will not be accepted if it:

- (a) is not directly relevant to the original motion; or
- (b) is in conflict with any amendment that has been carried; or
- (c) is in similar terms to an amendment that has been lost; or
- (d) would negate a motion carried at a committee meeting under its delegated authority; or
- (e) is in conflict with a substantive motion referred at that meeting to the Council under 21.15 and 21.16; or
- (f) amounts to a direct negative of the substantive motion.

The chairperson's ruling may be challenged and requires a vote of not less than 75% of the members present and voting to be overturned.

**21.11 Foreshadowing amendments**

A member may indicate, while an amendment is under debate, that they intend to move a subsequent amendment once the amendment under debate has been resolved.

Members foreshadowing subsequent amendments for later in the debate should notify the chairperson of their intention and the nature of those amendments.

Members foreshadowing an amendment may indicate whether or not they have a seconder. Members speaking in debate following the foreshadowed amendment may indicate their support for or opposition to the foreshadowed amendment where it relates to the amendment currently under debate.

Once the initial amendment under discussion has been resolved, the chairperson may invite a member with a foreshadowed amendment to move the amendment

**21.12 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.

**21.13 Carried amendments**

Where an amendment is carried, the motion as amended becomes the substantive motion, and 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.

**21.14 Lost motion**

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

**21.15 Referral of motion**

A committee need not refer to the Council any motion that is within its delegated authority as per its terms of reference.

A committee may however, by majority decision, refer any motion to the Council.

*(See standing order 25.2)*

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- 21.16 Referral of motion lost** Notwithstanding standing order 21.15, where a substantive motion has been lost at a committee the motion may be referred to the Council if at least three members make a formal request to the chairperson, immediately after the motion is lost and prior to the commencement of discussion on the next item on the agenda. Where a committee consists of all the members of Council, the motion may be referred to Council if at least six members make a formal request to the chairperson, immediately after the motion is lost and prior to the commencement of discussion on the next item on the agenda.
- At a Council meeting the chairperson of the relevant committee shall move the lost motion (with or without changes) and explain the nature of the matter. The chairperson of the relevant committee has the discretion to vote for or against the motion.
- 21.17 Movers and seconders to be present** Movers and seconders of motions and amendments must be present for the duration of the discussion, and the vote, on that motion.
- If the mover or seconder is not present, the chairperson must either temporarily adjourn the meeting until the member's return or call for another member to replace the absent member. If no member replaces the absent member, the motion or amendment will lapse. Lapsing of an amendment will not cause the debate on the original motion to cease. The reason for the motion lapsing will be recorded in the minutes.
- 21.18 No speakers after reply or question has been put** Members may not speak on any motion once the mover has commenced replying or where the chairperson has commenced putting the question.
- 21.19 Flow chart of motions and amendments** A flow chart illustrating the process regarding motions and amendments is attached as Appendix 5.



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## **22. GENERAL PROCEDURES FOR MOTIONS AND AMENDMENTS**

### **22.1 Options for speaking, moving or seconding motions and amendments**

The standing orders provide 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:

- (a) all its meetings in the triennium;
- (b) the meeting of the day; or
- (c) any specified items on the agenda.

### **22.2 Option A**

The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).

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

The mover or seconder of an amendment whether it is carried or lost cannot move or second a subsequent amendment.

Members can speak to any amendment and, provided they have not spoken to the motion or moved or seconded an amendment, they can move or second further amendments.

The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

### **22.3 Option B**

The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).

Any member, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.

The mover or seconder of an amendment that is carried can move or second a subsequent amendment. A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.

Members can speak to any amendment.

The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

### **22.4 Option C**

The mover and seconder of a motion can move or second an amendment.

Any member, 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.

## **23. NOTICE OF MOTION**

### **23.1 Notice of motion to be in writing**

A member wishing to have a matter considered should submit a notice of motion to the Council, relevant committee or subcommittee. The item should be submitted in writing to the chief executive four weeks prior to the specified meeting and be signed by at least one third of the members of the local authority.

Notice of motion can be sent via email and include the scanned electronic signature of the mover.

The chief executive shall arrange for a report on the item as appropriate.

**23.2 Item to be placed on agenda**

Items submitted by members will be placed on the agenda of the specified meeting, unless:

- (a) the chairperson refuses to accept the item raised for the reasons set out in standing order 24.3; or
- (b) the chairperson of the relevant committee or subcommittee decides to place the item on the agenda of the next meeting (the chairperson will only be able to defer the item once); or
- (c) the chief executive, in consultation with the relevant chairperson, decides to place the item on the agenda of a different committee or subcommittee, if in the chief executive's opinion the item would be more appropriately dealt with by another committee or subcommittee.

**23.3 Grounds for refusing notice of motion**

The chairperson may refuse to accept any item raised which:

- (d) is disrespectful or which contains offensive language or statements made with malice; or
- (e) is not related to the role or functions of the local authority; or
- (f) 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 may make; or
- (g) is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- (h) is concerned with matters where decision-making authority has been delegated to a subordinate body or a local or community board.
- (i) is, in the opinion of the chairperson, to the same effect as a previous resolution of the Council, committee or subcommittee.
- (j) Fails to include sufficient information as to satisfy the decision-making provisions of the s.77-82 of Local Government Act 2002

Reasons for refusing the notice of motion should be provided to the proposer, and the ruling of the chairperson is final.

Where the refusal is due to clause (e), the notice of motion may be referred to the appropriate committee or board.

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- 23.4 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.
- 23.5 Alteration of notice of motion** A notice of motion may be altered only by the mover with the agreement of a majority of those present at the meeting. Once moved and seconded, no amendments may be made to a notice of motion.
- 23.6 When notices of motion lapse** Notices of motion that are not moved on being called for by the chairperson shall lapse.
- 23.7 Referral of notices of motion to committees** Any notice of motion referring to any matter ordinarily dealt with by a committee of the local authority may be referred to that committee by the chief executive. Where such notices are so referred, the mover of the motion, if not a member of that committee, must have the right to move that motion and have a right of reply, as if a committee member.
- 23.8 Repeat notices of motion** When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion, in the opinion of the chairperson, may be accepted within the next six months, unless signed by a majority of all members, including vacancies. The chairperson's ruling is final.

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.

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## **24. REVOCATION OR ALTERATION OF RESOLUTIONS**

### **24.1 Revocation or alteration of resolutions**

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

Such notice is to be given to the chief executive at least seven clear working days before the meeting at which it is proposed to consider such a motion, and is to be signed by not less than one third of the members of the local authority, including vacancies.

The chief executive must then give members at least five clear working days' notice in writing of the intended motion and of the meeting at which it is proposed to move such.

### **24.2 Restrictions on actions on the affected resolution**

Where a notice of motion has been given in terms of standing order 24.1, no action which is irreversible may be taken under the resolution which is proposed for revocation or alteration until the proposed notice of motion has been dealt with by the local authority, provided that if, in the opinion of the chairperson:

- (a) the practical effect of the delay would be equivalent to a revocation of the resolution, or if;
- (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

then, in either case, action may be taken as though no such notice of the chief executive has been given or signed.

- 24.3 Revocation or alternation to be made by the body responsible for the resolution** 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.
- 24.4 Revocation or alteration of 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% of the members present and voting must agree to the revocation or alteration.
- 24.5 Revocation or alternation of resolution via report by chief executive** A local authority meeting may, on a recommendation contained in a report by the chief executive, or the report of any committee, revoke or alter all or part of resolutions previously passed at meetings. At least two clear working days' notice of any meeting to consider such a proposal must be given to members, accompanied by details of the proposal to be considered.

## **25. PROCEDURAL MOTIONS**

- 25.1 Procedural motions during debate** Procedural motions may only be moved once an item has been moved and seconded and debate on an item on the agenda has commenced.
- 25.2 Procedural motions to close or adjourn debate** Any member who has not spoken on the matter under debate, may move any one of the following procedural motions to terminate or adjourn debate, but not so as to interrupt a member speaking:
- (a) that the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place); or
  - (b) that the item of business being discussed be adjourned to a specified time and place and not be further discussed at the meeting; or
  - (c) that the motion under debate be now put (a "closure motion"); or
  - (d) that the item of business being discussed be laid on the table, and not be further discussed at that meeting; or
  - (e) that the item of business being discussed be referred (or referred back) to the relevant committee of the local authority; or
  - (f) that a motion under debate at committee be referred to the next ordinary meeting of the Council.

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- 25.3 Voting on procedural motions** All procedural motions will be determined by a majority of those members present and voting, except the procedural motion to put the motion (closure motion) which will be carried only by a vote of not less than 75% of the members present and voting.
- If the motion is lost no member may move a further procedural motion to close or adjourn the debate until three members have spoken.
- 25.4 Procedural motions to be taken immediately** Procedural motions to terminate or adjourn debate take precedence over other business, except points of order and right of reply. If the procedural motion is seconded, the chairperson must put it to the vote immediately without discussion or debate.
- 25.5 Closure motion on amendments** When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the motion.
- 25.6 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.
- 25.7 Right of replay following closure** If a closure motion is carried, the mover of the motion then under debate is entitled to the right of reply, and the motion or amendment under debate is then to be put.
- 25.8 Debate on items previously adjourned** The debate on adjourned items of business is to be resumed with the mover of such adjournment being entitled to speak first in the debate.
- 25.9 Adjourned items taken first** Adjourned items of business are to be taken first at the subsequent meeting in the class of business to which they belong.
- 25.10 Other business not superseded** The carrying of any motion to adjourn a meeting shall not supersede other business before the meeting remaining to be disposed of, and such other business is to be considered at the next meeting.
- 25.11 Referral or referred back to committee** Business referred, or referred back, to a specified committee is to be considered at the next meeting of that committee, unless the meeting resolves otherwise.
- 25.12 Table of procedural motions** A table of procedural motions is included in these standing orders as Appendix 6.

## **26. POINTS OF ORDER**

### **26.1 Members rising to points of order**

Any member may rise to speak to a point of order upon any breach of these standing orders and that member shall have precedence to be heard. When a point of order is raised, the member who was previously speaking must stop speaking and sit down (if standing).

For clarification, no seconder is required for points of order.

### **26.2 Specificity of point of order**

The member shall refer to the specific standing order when raising a point of order. This does not require the quoting of the standing order number. The member raising the point of order shall simply and precisely state the subject matter of the point of order.

### **26.3 Points of order during division**

No point of order may be raised during a vote except by the permission of the chairperson.

### **26.4 Multiple points of order**

A second point of order may not be raised until the first has been resolved.

### **26.5 Types of points of order**

Points of order can only be used only in the following circumstances:

- (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) to request the recording of words, such as a request that the minutes record words that have been the subject of an objection;
- (g) to prevent a motion or amendment relating to substantially the same issue considered by Council or committee within the previous 6 months unless the motion is raised through standing orders 23 or 24.

### **26.6 Contradictions**

Rising to express a difference of opinion or to contradict a statement of a previous speaker does not constitute a point of order.

### **26.7 Decision of chairperson final**

The chairperson may decide on any point of order immediately after it has been raised by any member, or may first hear further comment before deciding. The ruling of the chairperson upon any point of order is not open to any discussion and is final.



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## **27. VOTING**

- 27.1 Decisions to be decided by majority votes** “[Unless the Local Government Act 2002 provides otherwise], the acts of a local authority must be done, and the questions before the local authority must be decided, at a meeting by –
- (a) vote; and
  - (b) the majority of members that are present and voting.”
- [cl. 24(1), Schedule 7, LGA 2002]*
- 27.2 Casting voting** “For the purposes of [standing order 27.1], the mayor or chairperson or other person presiding at the meeting:
- (a) has a deliberative vote; and”
  - (b) in the case of an equality of votes, has a casting vote.
- [cl. 24(2), Schedule 7, LGA 2002]*
- 27.3 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]*
- 27.4 Members must vote** Every member present when a motion is put must vote (i.e. no abstention allowed) unless they are prevented from doing so by a conflict of interest (either pecuniary or non-pecuniary).
- 27.5 Members may have their votes recorded** Any member’s vote must be recorded in the minutes if so requested by that member.
- 27.6 Method of voting** The method of voting shall be as follows:
- (a) The chairperson in putting the motion shall call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the chairperson, shall be conclusive unless such announcement is questioned immediately by any member, in which event the chairperson shall call a division.
  - (b) The chairperson or any member may call for a division instead of or after receiving opinion on the voices and taking a show of hands.
  - (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 shall be notified to the chairperson who shall declare the result.
  - (d) At a meeting of the Council, all voting shall be by division.

**27.7 Division** When a division is called, the chief executive shall take down the names of the members voting for and against the motion and is to hand the list to the chairperson to declare the result. The result of the division shall be entered into the minutes.

**27.8 Second division** The chairperson may call a second division where there is confusion or error in the original division, unless the same can be otherwise corrected.

## **28. CONFLICTS OF INTEREST**

**28.1 Financial conflicts of interest** 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 Local Authorities (Members' Interests) Act 1968 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, Local Authorities (Members' Interests) Act 1968]*

**28.2 Non-financial conflicts of interest** 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.

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**29. QUALIFIED PRIVILEGE**

**29.1 Qualified privilege relating to agenda and minutes**

Where a meeting of any local authority is open to the public during the proceedings or any part thereof, and a member of the public is supplied with a copy of the agenda for the meeting or any part of the minutes of that meeting are provided, the publication of any defamatory matter included in the agenda or in the minutes is privileged unless the publication is proved to have been made with ill will or taking improper advantage of the publication.

*[s. 52, LGOIMA 1987]*

**29.2 Qualified privilege relating to oral statements**

Any oral statement made at any meeting of a local authority in accordance with the rules that have been adopted by that local authority for the guidance and order of its proceedings, is privileged, unless the statement is proved to have been made with ill will or taking improper advantage of the publication.

*[s. 53, LGOIMA 1987]*

**29.3 Qualified privilege additional to any other provisions**

The privilege conferred by standing order 29.2 is in addition to, and not in substitution for, or derogation of any other privilege, whether absolute or qualified, that applies, by virtue of any other enactment or rule of law, to the proceedings of any local authority.

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**30. MINUTES OF PROCEEDINGS**

**30.1 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 or electronic copy, authorised by a chairperson's manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised, the minutes are the prima facie evidence of the proceedings they relate to.

*[cl. 28, Schedule 7, LGA 2002]*

**30.2 Matters recorded in minutes**

The chief executive must keep the minutes of meetings. The minutes must record:

- The date, time and venue of the meeting;
- The names of those members present;
- The names of those members attending the meeting by means of an audio or audiovisual link;
- Identification of the chairperson;
- Apologies tendered and accepted;
- Arrival and departure times of members;
- Any failure of a quorum;
- A list of speakers in the public participation section of the meeting and the topics they cover;
- A list of items considered; resolutions and amendments pertaining to those items including clarity where the resolutions differ from the report recommendations;
- The names of all movers and seconders
- Any objections to words used;
- All divisions taken and, if taken, a record of each member's vote;
- The names of any members requesting the recording of their abstentions or votes ;
- Any personal explanation made by a member;
- Declarations of conflicts of interest and their nature;
- Contempt, censure and removal of any members;
- Resolutions to exclude members of the public;
- The names of people permitted to stay in the public excluded part of the meeting; and
- The time that the meeting concludes or adjourns.

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- 30.3 Minutes of business in public excluded** The record of the business taken in the public excluded session shall be kept separately.
- 30.4 Authentication of minutes** Minutes of a meeting shall be entered and authenticated at a succeeding meeting of the local authority or committee. The relevant chair shall sign the record, including any agreed amendments, when approved by the meeting.
- 30.5 No discussion on minutes** No discussion may arise on the substance of minutes except as to their correctness.
- 30.6 Minutes of last meeting before election** The chairperson of the relevant meeting of a committee or the Council and the chief executive shall authenticate the minutes of the last meeting of a local authority prior to the next election of members.
- 30.7 Minute books** The minute books of the local authority must be kept by the chief executive and be open to inspection in accordance with the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.

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.

*[s.51, LGOIMA 1987]*

## **31. PUBLIC PARTICIPATION**

- 31.1 No public participation at certain meetings** There shall be no public participation at the first meeting of the Council following its election.
- 31.2 Public participation requirements and limits** A maximum of 60 minutes will be set aside for public participation at the commencement of any public meeting of the Council or committee, provided a written notice has been given to the chief executive by 12:00 noon of the working day prior to the meeting concerned.
- The public participation procedure does not apply in respect of any hearing, including the hearing of submissions where the local authority, committee or subcommittee sits in a quasi-judicial capacity.

**31.3 Grounds for refusing requests for Public participation or for termination of address**

The chairperson has the discretion to refuse requests for public participation or to terminate a presentation at any time where:

- (a) The speaker is repeating views presented by an earlier speaker at the same meeting ;
- (b) The speaker is being repetitious, disrespectful or offensive ;
- (c) where the person or group of people with a specific purpose or common view an interest group or organisation has been heard on the same item at a subcommittee or committee prior to it being referred to a committee or the Council for consideration or decision;
- (d) the public participation relates to a matter that is subject to legal proceedings or a statutory hearing process, including the hearings of submissions where the local authority or committee sits in as a quasi-judicial capacity;
- (e) the item does not fall within the scope of the agenda for a Council meeting;
- (f) the meetings are scheduled for the purpose of oral hearings only.

If public participation is declined under (e), the chairperson must refer the public participant to the relevant committee.

If the chairperson is on a leave of absence or has tendered an apology in advance of the meeting, or has declared a conflict of interest on the item of business, the authority under this standing order may be exercised by:

- (a) the deputy chairperson or acting chairperson (if such an appointment has been made); or
- (b) the chief executive.

**31.4 Grounds for removing the public**

"The person presiding at any meeting of any local authority may, if that person believes, on reasonable grounds, that the behaviour of any member of the public attending that meeting is likely to prejudice or to continue to prejudice the orderly conduct of that meeting if that member of the public is permitted to remain in that meeting, require that member of the public to leave the meeting.

If any member of the public who is required to leave a meeting of a local authority—

- (a) refuses or fails to leave the meeting; or
- (b) having left the meeting, attempts to re-enter the meeting without the permission of the person presiding at the meeting,—

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

***[s.50, LGOIMA 1987]***

**31.5 Public participation not allowed for certain business**

Public participation will not be permitted in relation to the following agenda items for a meeting:

- (a) minutes being presented to a meeting for authentication; or
- (b) reports that set out recommendations arising from a statutory hearing process.

**31.6 Urgency or major public interest**

Notwithstanding standing order 31.1 or 31.3, where in the opinion of the chairperson the matter which is the subject of application to address a meeting is one of urgency or major public interest, the chairperson may determine that the public participation be received.

**31.7 Questions during public participation**

After public participation from a speaker is received, members may put to the speaker any question pertinent to the subject heard, but no member may express an opinion upon, or discuss the subject, until the speaker has completed making their address and answering questions.

**31.8 Time limit on public participation**

A limit of five minutes is placed on any individual speaker addressing a meeting. An interest group or organisation is allowed up to ten minutes in total for all speakers. The allocated time includes questions from the members.

The chairperson has the discretion to:

- (a) extend the time limit for individual speakers
- (b) Reduce the time limit for interest groups and organisations if doing so would allow a bigger number of public participants within the 60 minutes limit

**31.9 No resolutions on matters raised at public participation**

Following the public participation no debate or decisions will be made at the meeting on issues raised during public participation unless directly related to items already on the agenda.

**32. PETITIONS**

**32.1 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).

Petitions must not be disrespectful, self-promotional, use offensive language or include malicious statements (see standing order 29). 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 be translated and reprinted, if necessary.

Any person may present a petition on behalf of the petitioners. The presenter is allowed five minutes (which includes questions from members) to speak as to the contents of their petition. The time limit may be extended at the discretion of the chairperson.

**32.2 Presenting petitions**

A petition must be received by the chief executive at least ten working days before the date of the meeting at which it is to be presented.

The chairperson of the meeting has the discretion to decline petitions if they fall outside the jurisdiction of Council.

The chief executive may arrange for a preliminary response to the matters set out in the petition, as appropriate. If such a response is given, then it will be included in the agenda.

Once the petition has been presented, the meeting shall decide what further action is to be taken on the issues set out in the petition, if any.

At any time during the presentation, if the chairperson has reason to believe that the petitioner is disrespectful or offensive, or has made statements with malice, the chairperson shall terminate the presentation.



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### **33. QUESTIONS**

#### **33.1 Questions regarding items on an agenda**

Officers may, at the request of the chairperson, present an item on the agenda of any committee. Any member may ask any question of the relevant officer on any matter relating to the item being presented.

In the course of any debate at any local authority meeting, any member may, at the chairperson's discretion, ask any question of the relevant officer on any matter under debate. Such questions are to be directed through the chairperson.

#### **33.2 Questions on other matters**

Members may raise a question on any matter relevant to the functions of the Council that does not appear on the agenda or arise from any report submitted to the Council for that meeting.

Before putting a question the member shall, in the first instance, endeavour to obtain the relevant information from the appropriate officer or the chairperson of the relevant committee.

All questions must be received by the mayor and chief executive no later than 24 hours prior to the start of a meeting.

Both questions and answers shall be concise. If possible, an answer to the question shall be given by the relevant officer orally at that meeting. Both the question and the answer will be noted in the records. There shall be no discussion to follow the answer.

If an answer to the question cannot be given at that meeting, the question shall be noted in the records and both the question and the answer shall be circulated to all members and attached to the minutes.

The mayor may rule a question out of order if it is considered to:

- have no relation to Council affairs,
- be frivolous, vexatious, or offensive, or
- be a statement not requiring an answer.

*(See standing order 19.5)*

**34. INFORMATION TO MEMBERS**

**34.1 Information to members**

Information required by members for the conduct of Council (or closely related business) shall be supplied to them by the chief executive.

Copies of such information shall also be supplied by the chief executive to the chairperson of the committee or subcommittee concerned and to the mayor.

No information so obtained by any member shall be used for any purpose other than for the proper discharge of that member's functions and responsibilities.

No such information shall be used in discussion at any meeting unless the source of such information is disclosed by the member using it.

## **APPENDIX 1: GROUNDS TO EXCLUDE THE PUBLIC FROM MEETINGS**

(Normative)

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:

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where such disclosure would be likely:

- (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
- (b) to endanger the safety of any person.

That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

- (a) protect the privacy of natural persons, including that of deceased natural persons; or
- (b) protect information where the making available of the information:
  - (i) would disclose a trade secret; or
  - (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
- (c) in the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of wāhi tapu; or
- (d) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information:
  - (i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
  - (ii) would be likely otherwise to damage the public interest; or
- (e) avoid prejudice to measures protecting the health or safety of members of the public; or
- (f) avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
- (g) maintain the effective conduct of public affairs through the protection of members, officers or employees of any local authority from improper pressure or harassment; or
- (h) maintain legal professional privilege; or
- (i) enable the local authority holding the information to carry out, without prejudice or

disadvantage, commercial activities; or

- (j) enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (k) prevent the disclosure or use of official information for improper gain or improper advantage.

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

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.

That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to the local authority by an Ombudsman under section 30(1) or section 38(3) of the Local Government Official Information and Meetings Act 1987 (in the case of a local authority named or specified in the First Schedule to this Act).

That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in:

- (a) any proceedings before a local authority where:
  - (i) a right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings; or
  - (ii) the local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
- (b) any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.

**APPENDIX 2: SAMPLE RESOLUTION TO EXCLUDE THE PUBLIC**

(Informative)

Section 48, Local Government Official Information and Meetings Act 1987.

"I move that the public be excluded from the following parts of the proceedings of this meeting."

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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
1 <i>Name of report</i>	Good reason to withhold exists under Section 7.	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)
2	Good reason to withhold exists under Section 7.	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)
3	Good reason to withhold exists under Section 7.	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)

4	<p><i>Hearings Committee</i></p> <p>To enable the Committee to consider the application and submissions.</p> <p style="text-align: center;">OR</p> <p>To enable the Committee to consider the objection to fees and charges.</p> <p style="text-align: center;">OR</p> <p>To enable the Committee to.</p>	<p>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 :</p> <p>i) a right of appeal lies to any Court or tribunal against the final decision of the Council/Committee in those proceedings; or</p> <p>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.</p> <p>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).</p>
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This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item No	Interest
	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))
	Maintain legal professional privilege (Schedule 7(2)(g))
	Prevent the disclosure or use of official information for improper gain or improper advantage (Schedule 7(2)(j))

Item No	Interest
	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))
	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))
	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))
	Avoid prejudice to measures protecting the health or safety of members of the public (Schedule 7(2)(d))
	Avoid prejudice to measures that prevent or mitigate material loss to members of the public (Schedule 7(2)(e))
	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)).
	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (Schedule 7(2)(h))

**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.**

**NOTE –**

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):**  
**(a) shall be available to any member of the public who is present; and**  
**(b) shall form part of the minutes of the local authority.”**

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## **APPENDIX 3: POWERS OF A CHAIRPERSON**

(Normative)

This Appendix is intended to separately set out the chairperson's powers which are contained in various parts of standing orders.

The provisions in the standing orders shall be authoritative. The relevant standing orders are referred to in brackets.

### **CHAIRPERSON TO DECIDE**

#### **Chairperson to decide**

The chairperson is to decide all questions under these standing orders, including where these standing orders make no provision or insufficient provision. No ruling of the chairperson is open to debate.

*(See standing order 16.2)*

#### **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.

*(See standing order 16.2)*

#### **Challenge of Chairpersons ruling**

Any ruling of the chairperson that a standing order deems final may not be challenged. A member may challenge a ruling of the chairperson not deemed final, but such a challenge must be validated immediately by a vote of not less than 75% of the members present and voting unless specified otherwise.

*(See standing order 16.3)*

#### **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 vote except by permission of the chairperson.

*(See standing orders 26.3 and 26.7)*

## **AGENDA**

#### **Order of items on agenda**

At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the chairperson accords precedence to any business set down on the agenda. If a member, or members, object to the re-ordering the matter shall be put to a vote and decided by a majority of members present and voting at the meeting.

*(See standing order 19.1)*

#### **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.

*(See standing orders 19.7 and 19.8)*

## **VOTING**

### **Chairperson's voting**

The chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote.

*(See standing order 27.2)*

### **Clarification of motions and amendments**

With the agreement of the mover of a motion, the chairperson may move an amendment without requirement for a seconder to clarify the intent of the motion.

*(See standing order 21.3)*

## **DEBATE**

### **Order**

The chairperson will establish order by calling "order" to draw attention to the call for order.

*(See standing order 17.1)*

### **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.

*(See standing order 16.4)*

### **Members may leave places**

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

*(See standing order 16.5)*

### **Priority of speakers**

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

*(See standing order 16.6)*

### **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.

*(See standing order 20.2)*

**Limitation on 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. Members speaking must, if so called upon by the chairperson, announce whether they are speaking in support of, or against the motion or amendment being debated.

*(See standing order 20.3)*

**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.

*(See standing order 20.4)*

**Reading of speeches**

The chairperson may permit members who request permission to do so, to read their speeches.

*(See standing order 20.5)*

**Time limits on speakers**

The chairperson may decide any extension of the time limits on speakers specified in standing orders

*(See standing order 20.6)*

**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.

*(See standing orders 20.11 and 20.12)*

**MOTIONS AND AMENDMENTS****Motion in writing**

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

*(See standing order 21.6)*

**Motion in parts**

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

*(See standing order 21.7)*

**Amendments not accepted**

The chairperson may not accept an amendment to a motion if it is not directly relevant to the original motion; or is in conflict with any amendment that has been carried; or is

in similar terms to an amendment that has been lost; or would, if carried, negate a motion carried at a committee meeting under its delegated authority; or is in conflict with a substantive motion referred at that meeting to the Council under standing order 21.15 or 21.16; or amounts to a direct negative of the substantive motion.  
(See standing order 21.10)

#### **Notice of motion**

The chairperson may refuse to accept any notice of motion which is disrespectful, not related to the functions of the local authority or is concerned with matters where decision-making authority has been delegated to a subordinate body of the local authority. Reasons for refusing a notice of motion should be provided to the proposer.  
(See standing orders 23.3)

#### **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, until the proposed notice of motion has been dealt with by the local authority, 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 local authority, action may be taken as though no such notice had been given.  
(See standing order 24.2)

#### **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 a majority of the members of the local authority, including vacancies.  
(See standing order 24.8)

#### **Acceptance of closure motion**

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.  
(See standing order 25.6)

### **CALLING OR ADJOURNING A MEETING**

#### **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 extraordinary meeting to be held at a specified time and place, in order to conduct specified business;

(See standing orders 6.7 and 12.5)

### **Temporary adjournment**

The chairperson may, at any time, temporarily adjourn a meeting for up to one hour or until a conflicting meeting has ended or adjourned.

*(See standing order 11.8)*

## **AUTHENTICATING MINUTES**

### **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.

*(See standing orders 30.1, 30.4 and 30.6)*

## **PUBLIC PARTICIPATION AND PETITIONS**

### **Public participation**

The chairperson must approve requests to address a meeting. The chairperson may refuse requests for public participation that are considered repetitious or offensive or where the request is from a person or group that has addressed a committee or subcommittee on the same subject prior to it being referred to the Council for a decision or where the matter is subject to a statutory hearing process currently before the Council.

*(See standing order 31.3)*

### **Notice period**

The chairperson may determine public participation is received where insufficient notice is given if the matter is sufficiently urgent or of major public interest.

*(See standing order 31.5)*

### **Extension of time for public participation**

The chairperson may extend the total time for public participation at the commencement of any meeting and may extend the time limit for speaking for an individual or group of speakers.

*(See standing orders 31.2 and 31.8)*

### **Questions of speakers**

The chairperson may permit members to ask questions of speakers under public participation for the purpose of obtaining information or clarification on matters raised by the speaker.

*(See standing order 31.7)*

### **Termination of address**

The chairperson may terminate an address in progress by a speaker as part of public participation or when presenting a petition which is disrespectful or offensive or where the chairperson has reason to believe that statements have been made with malice.

*(See standing order 31.3 and 32.5)*

## **DISORDERLY BEHAVIOUR**

### **Speakers to be heard in silence**

Where the chairperson is of the view that a debate may lead to disorder, the chairperson may direct that a speaker or speakers be heard in silence by members.

*(See standing order 17.2.)*

### **Withdrawal of offensive or malicious expressions**

(a) The chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

*(See standing order 17.5)*

(b) 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.

*(See standing order 17.6)*

### **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;

*(See standing orders 17.3, 17.6 and 31.4)*

(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.

*(See standing orders 17.10)*

### **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.

*(See standing orders 17.11 and 31.4)*

### **Adjournment of meeting following disorder**

The chairperson may adjourn a meeting for a specified time following disorder.

*(See standing order 17.8)*

**APPENDIX 4: CHAIRPERSON'S RULINGS**

(Normative)

Standing Order 16.2 provides for the chairperson to make rulings. Any ruling of the chairperson is deemed final unless deemed otherwise in these standing orders. Standing order 16.3 provides for challenge of the chairperson's rulings that are not deemed final.

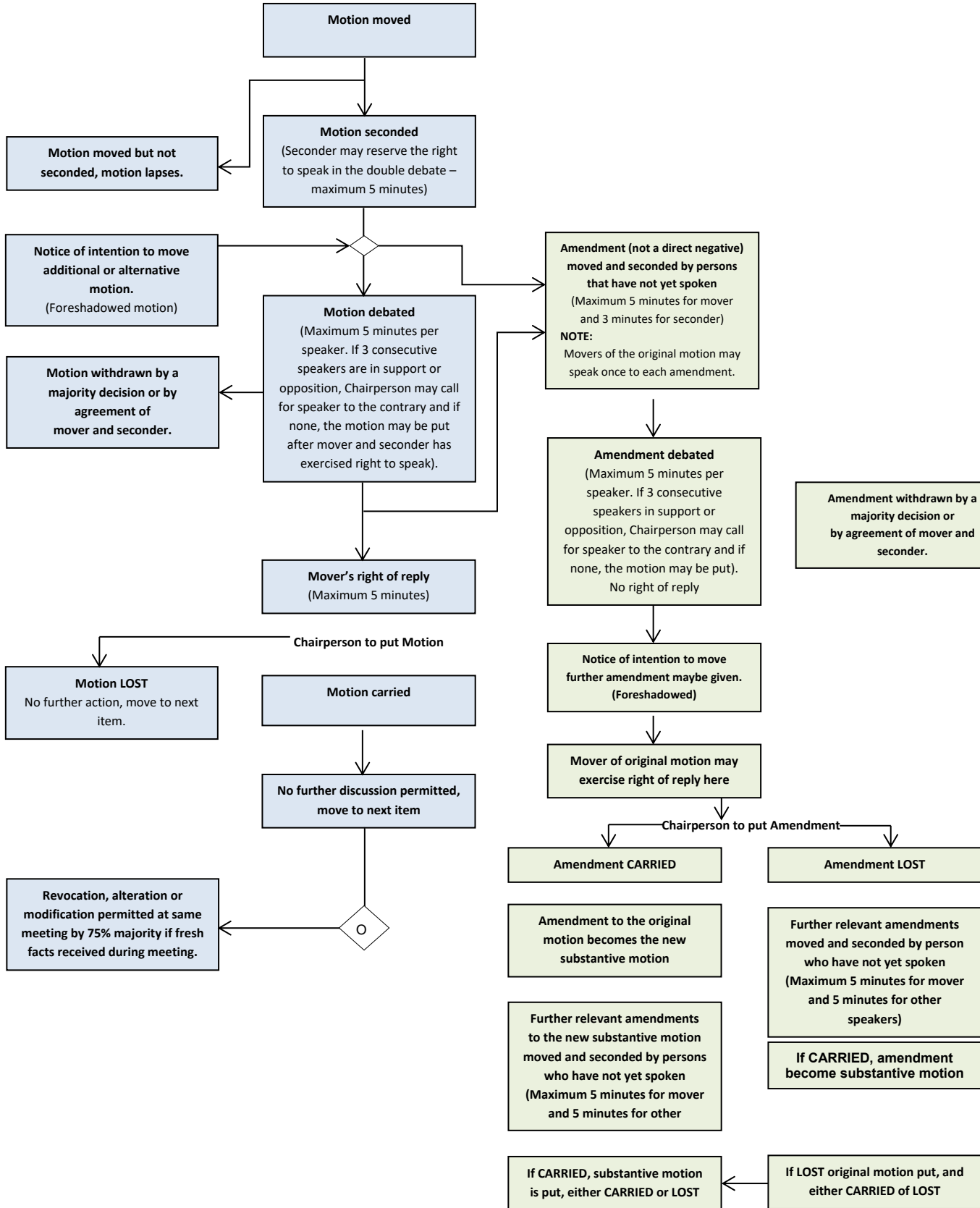
<b>Standing Order – Ruling provisions</b>	<b>Status of ruling</b>
17.3 Disorderly members to withdraw	Open to challenge by a vote of not less than 75% of the members present and voting
17.5 Retraction and apologies	Open to challenge by a vote of not less than 75% of the members present and voting
17.6 Withdrawal from meeting	Open to challenge by a vote of not less than 75% of the members present and voting
17.8 Adjournment of meeting following disorder	Final
11.8 Temporary adjournment of meeting	Open to challenge by a vote of not less than 75% of the members present and voting
19.1 Re-ordering of agenda items	Open to challenge by a simple majority vote of the members present and voting
20.2 Irrelevant matter and needless repetition	Final
20.6 Time limits on speakers	Open to challenge by a vote of not less than 75% of the members present and voting
20.11 Personal explanation	Open to challenge by a vote of not less than 75% of the members present and voting
20.12 Explanation of previous speech	Open to challenge by a vote of not less than 75% of the members present and voting
21.6 Motions in writing	Open to challenge by a vote of not less than 75% of the members present and voting
21.7 Motions expressed in parts to be decided in parts	Open to challenge by a vote of not less than 75% of the members present and voting
21.10 Amendments not accepted	Open to challenge by a vote of not less than 75% of the members present and voting
23.3 Grounds for refusing notice of motion in notice of motion	Final
24.8 No repeats where notice of motion adopted	Final
25.3 Voting on procedural motions	Open to challenge by a vote of not less than 75% of the members present and voting
26.7 Points of Order	Final
13.2 Removal of member of public	Open to challenge by a vote of not less than

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<b>Standing Order – Ruling provisions</b>	<b>Status of ruling</b>
	75% of the members present and voting
31.3 Termination of address if disrespectful	Open to challenge by a vote of not less than 75% of the members present and voting

**APPENDIX 5: MOTIONS AND AMENDMENTS**

(Normative)





**APPENDIX 6: TABLE OF PROCEDURAL MOTIONS**

(Normative)

*(See standing orders 25.1 to 25.12 and 26.1 to 26.7)*

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

Motion	Has the Chair discretion to refuse this motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(c) "That the motion under debate be now put (closure motion)."	No	Yes	No	No	No	No	No	Yes – 15 minutes.	If carried, only the amendment is put.	If carried, only the procedural motion is put.	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put.
(d) "That the meeting move directly to the next business, superseding the item under discussion."	No	Yes	No	No	No	No	No	Yes – 15 minutes.	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	

Motion	Has the Chair discretion to refuse this motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(e) "That the item of business being discussed does lie on the table and not be farther discussed at this meeting."	No	Yes	No	No	No	No	No	Yes – 15 minutes.	If carried, the original motion and amendment are adjourned.	Motion not in order.	
(f) "That the item of business being discussed be referred to the relevant committee."	No	Yes	No	As to committee, time for reporting back etc. only.	No	No	No	Yes – 15 minutes.	If carried, the original motion and all amendments are referred to the committee.	If carried, the procedural motion is deemed disposed of.	
(g) "Points of order."	No – but may rule against.	No	Yes – at discretion of Chairperson	No	No	Yes	Yes	No	Point of order takes precedence.	Point of order takes precedence.	See standing orders 26.1 to 26.7

**APPENDIX 7: PROCESS FOR REMOVING A MEMBER FROM A MEETING**

(Normative)

<p>The chairperson will establish order by calling "order" to draw attention to the call for order.</p> <p>The members will respond to a call for order by ceasing to speak and, if standing, resuming their seats immediately. <i>(Standing order 17.1)</i></p> <p style="text-align: center;">↓</p> <p>Should any member refuse to obey a call to order, such member may be directed by the chairperson to withdraw from the meeting for a period determined by the chairperson. <i>(Standing order 17.3)</i></p> <p style="text-align: center;">↓</p> <p>The chairperson may require any member whose conduct is disorderly or who is creating a disturbance to withdraw immediately from the meeting for a time specified by the chairperson. <i>(Standing order 17.7)</i></p> <p style="text-align: center;">↓</p>	<p>No member of the local authority at any meeting may be disrespectful in speech or use offensive or malicious language.</p> <p>No member may impute improper motives or make offensive remarks about the private affairs of any other member of the local authority or its staff. <i>(Standing order 17.4)</i></p> <p style="text-align: center;">↓</p> <p>The chairperson may call upon any member or speaker to withdraw any offensive or malicious expression and may require the member to apologise for the expression. <i>(Standing order 17.5)</i></p> <p style="text-align: center;">↓</p> <p>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. <i>(Standing order 17.6)</i></p> <p style="text-align: center;">↓</p>
<p><b>The chairperson will say:</b></p> <p><i>"Councillor [name], you have been warned about your (describe behaviour). You are refusing to comply with my direction and therefore refusing to comply with standing orders. You are required by the Local Government Act 2002 to abide by standing orders. I now under standing order (specify SO 17.3, 17.5 or 17.7) require you to withdraw from the meeting until (specify time)."</i></p> <p style="text-align: center;">↓</p>	
<p>The chairperson's ruling may be challenged by a member and such a challenge must be immediately validated by a vote of not less than 75% of the members present and voting. Any member who refuses to obey any validated order or ruling of the chairperson shall be guilty of contempt. <i>(Standing order 17.10)</i></p> <p style="text-align: center;">↓</p> <p>If the chairperson makes a ruling on disorderly behaviour, the records of the meeting will state the name of the member, the directions of the chairperson and the reasons for the ruling made by the chairperson. <i>(Standing order 17.9 and 17.10)</i></p> <p style="text-align: center;">↓</p> <p>Should the disorder continue, the chairperson has the right to adjourn the meeting for a time specified by the chairperson. At the end of that period the meeting shall resume and decide without debate the question as to whether the meeting shall proceed or be adjourned. The chairperson may also take such action in relation to disorder from other sources or in the event of an emergency. The chairperson's ruling is final. <i>(Standing order 17.8, 17.11)</i></p>	

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**APPENDIX 8: MAYOR'S POWERS TO APPOINT UNDER S.41A LGA 2002**

(Normative)

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 or 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.

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**APPENDIX 9: PROCESS FOR REMOVING A CHAIRPERSON OR DEPUTY  
MAYOR FROM OFFICE**

(Normative)

1. A territorial authority may, at a meeting, remove its chairperson, deputy chairperson, or deputy mayor from office, and subsequently elect a new chairperson, deputy chairperson or deputy mayor at that meeting.
2. Such meeting may be called by:
  - (a) a resolution of the territorial authority; or
  - (b) a requisition in writing signed by the majority of the total membership of the territorial authority (excluding vacancies).
3. 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.
4. A resolution may not be made and a requisition may not be delivered less than 21 days before the day of the meeting as specified in the resolution or requisition.
5. 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 of the meeting as specified in the resolution or requisition for the meeting.
6. 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 10: WORKSHOPS**

(Informative)

### **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.

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**APPENDIX 11: PROCESS FOR RAISING MATTERS FOR A DECISION**

(Normative)

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

- report of chief executive
- report of a committee
- report of a community and/or local board
- Council or committee resolution
- 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

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.



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**APPENDIX 12: GUIDELINES FOR BROADCASTING MEETINGS**

(Informative)

The provisions are intended as a good practice guide to local authorities that are broadcasting 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.