

Report 12.80  
Date 13 March 2012  
File E/04/01/01

Committee Council  
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## Review of Standing Orders

### 1. Purpose

To adopt a new set of Standing Orders.

### 2. The decision-making process and significance

The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002.

#### 2.1 Significance of the decision

Officers have considered the significance of the matter, taking into account the Council's significance policy and decision-making guidelines. Due to the procedural nature of this decision officers recommend that the matter be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

### 3. Background

The rules of conduct that govern meetings of the Council and its committees are contained in the Greater Wellington Regional Council Standing Orders 2007 (Standing Orders 2007).

Standing Orders are made up of a mix of legislative requirements relating to meetings that must be followed and meeting procedures that the Council has elected to adopt. There is scope to amend, remove or add to the individual Standing Orders that the Council has elected to adopt.

In accordance with clause 27, Schedule 7 of the Local Government Act 2002, the Council may amend Standing Orders or adopt a new set of Standing Orders by a vote of not less than 75 percent of the members present.

## 4. Comment

Democratic Services has recently reviewed the Standing Orders 2007. The last major review of the rules of procedure that govern meetings took place in 2005. The 2005 Standing Orders were amended in 2007 to reflect legislative changes and new committee arrangements.

A workshop was held with Councillors on Wednesday, 15 February 2012 to discuss potential amendments to the Standing Orders 2007.

### 4.1 Approach to review

While undertaking its review Democratic Services applied the following principles:

- Standing Orders should be in a logical format, making them easily accessible for interpretation.
- Standing Orders should not be contained in appendices; appendices should provide explanatory information and/or examples.
- Individual Standing Orders should not be duplicated throughout the document; these references should be removed and replaced with commentary referring to the individual Standing Order reference.
- Terms should be consistently applied; for example the term “Council” should refer to the governing body and not the organisation of Greater Wellington.
- Commentary should be included to provide help with interpretation and/or reference to associated individual Standing Orders.

### 4.2 Proposed Standing Orders

A copy of the proposed Standing Orders that Democratic Services has produced following its review is attached as **Attachment 1** to this report.

The proposed Standing Orders reflect the principles set out at section 4.1 of this report. In addition, the proposed Standing Orders differ in the following ways to the current Standing Orders 2007:

- Current Standing Orders provide that the Chairperson may be appointed an ex-officio member of any committee other than a quasi judicial committee. Officers are proposing to remove this clause as it is considered to be unnecessary. Removal of this Standing Order will not preclude the Council or a committee appointing an ex-officio member to a subordinate decision-making body. Removal of this Standing Order will also address the confusion that has existed surrounding the status of ex-officio members at meetings.
- Current Standing Orders do not refer to non-pecuniary conflicts of interest. Officers recommend inserting references which set out that members are required to declare such an interest to the meeting if a non-pecuniary conflict of interest arises; the proposed Standing Orders further state that when such a conflict arises a member must abstain from discussing or voting on the matter. These insertions reflect common law rules relating

to non-pecuniary conflicts of interest and guidance from the Controller and Auditor-General. [Proposed Standing Orders 3.2.18 and 3.2.19 refer.]

- Current Standing Orders refer to a member's absence without leave from Council meetings and members. The Standing Order relating to elected members has been clarified so that it solely refers to absence from Council (and not committee) meetings. For appointed members we propose a Standing Order that would result in an appointed member's appointment concluding if they are absent, without an accepted apology or leave of absence, for three consecutive meetings. [Proposed Standing Orders 3.4.4 and 3.4.5 refer.]
- Current Standing Orders provide for the Chairperson to include on the agenda a Chairperson's recommendation regarding any item brought before the meeting. Officers propose that this reference be removed as it does not reflect current practice. There are other existing mechanisms, for example, a report from the Chairperson or the Chairperson moving an amendment, that effectively achieve the same thing. Officers do not consider that Chairperson recommendations need to be an option for future practice.
- Current Standing Orders are silent in relation to the process for authenticating minutes of a committee meeting when that committee will not be meeting again. Officers have inserted a clause in the proposed Standing Orders [proposed Standing Order 3.15.2] to clarify that the minutes from a meeting (when a committee will not be meeting again) are to be presented to the committee or subcommittee's parent body for authentication.
- Current Standing Orders relating to Public Participation, Petitions and Presentations have been reviewed and the following amendments are proposed:
  - Officers recommend the removal of the 15 minute time limit being set aside for public participation at the commencement of Council and committee meetings. It is recommended that the proposed Standing Orders do not limit the time set aside for public participation.
  - In addition officers recommend that there should be no provision for public participation at the inaugural meeting of the Council at the start of each triennium or where the purpose of the meeting is to hear submissions from the public.
  - Current Standing Orders set out that public participation is to relate to matters on the agenda. Officers recommend that the proposed Standing Orders prohibit the use of certain items on meeting agendas as avenues for public participation, namely: minutes being presented to a meeting for authentication; reports (for information only) on business conducted at concluded committee meetings; reports that set out recommendations arising from a hearing process.
  - Officers recommend that the proposed Standing Orders include clauses which set out that members of the public wishing to make an electronic presentation notify officers of their intention and send

- officers an electronic copy of their presentation at least a day prior to the meeting – this is to facilitate the efficient conduct of meetings.
- Officers recommend that the current reference to the word limit for petitions (50 words or less) be amended to allow for petitions to be up to 150 words or less (not including signatories).

It is recommended that the Council adopt the draft 2012 Standing Orders as the Council's Standing Orders, subject to any necessary amendments. Any resolution to amend Standing Orders or adopt new Standing Orders must be by a vote of not less than 75 percent of members present.

## **5. Communication**

If approved, a copy of the Greater Wellington Regional Council Standing Orders 2012 will be provided to Councillors, made available to officers via the intranet and published on Greater Wellington's website.

Officers will also prepare a brochure for the public providing information on speaking at Council and committee meetings.

## **6. Recommendations**

*That the Council:*

1. ***Receives*** the report.
2. ***Notes*** the content of the report.
3. ***Notes*** that, pursuant to clause 27, Schedule 7 of the Local Government Act 2002, it may amend Standing Orders or adopt a new set of Standing Orders by a vote of not less than 75 percent of the members present.
4. ***Approves*** the Greater Wellington Regional Council Standing Orders 2012 as set out at Attachment 1 to this report, to come into force on 1 May 2012.
5. ***Revokes*** the Greater Wellington Regional Council Standing Orders 2007.

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**Attachment 1:** Draft Greater Wellington Regional Council Standing Orders 2012