

## Otago Civil Defence Emergency Management Group

Agenda for a meeting to be held at Queenstown Lakes District Council,  
10 Gorge Road, Queenstown on Tuesday 20 May 2014 commencing at 11.30 am

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### Membership

Cr Stephen Woodhead	Otago Regional Council
Mayor Bryan Cadogan	Clutha District Council
Mayor Tony Lepper	Central Otago District Council
Mayor Dave Cull	Dunedin City Council
Mayor Vanessa van Uden	Queenstown Lakes District Council
Mayor Gary Kircher	Waitaki District Council

### Apologies

### In attendance

### Election of Group Chair and Deputy Chair

### Confirmation of Agenda

### Minutes of Last Meeting

The minutes of the last Otago CDEM Group meetings held on 23 August 2013 (informal meeting) and 2 September 2013 (formal meeting), having been circulated, are presented for adoption.

**Page Nos.**

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### Matters Arising from Minutes

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#### 1. Confirm continued use of ORC Standing Orders

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ORC Standing Orders have been used to date by the Group for its meetings, with a change to Standing Order 4.4.1 to provide for agenda papers to be circulated not less than five working days before the meeting.

A copy of the Standing Orders is circulated with this agenda.

#### 2. Otago Civil Defence Emergency Management Group

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Attached is a background paper on the structure and purpose of CDEM in Otago.

**Page Nos.****3. Confirmation of District Controllers**

Districts to advise of their District Controller appointments.

**4. Proposed review of Otago's CDEM Structure**

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Terms of Reference for endorsement.

**5. Meeting Frequency****6. Next meeting**

## Otago Civil Defence Emergency Management Group

### Minutes of an informal meeting held at the Clutha District Council, Balclutha on Friday 23 August 2013 commencing at 2.40 pm

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#### Present:

Cr Stephen Woodhead  
Mayor Bryan Cadogan

Otago Regional Council  
Clutha District Council

#### In attendance:

Mr Charles Hakkaart  
Mr Peter Bodeker  
Mr Paul Orders  
Mr Phil Melhopt  
Mr Graeme Hall  
Mr John Lovell  
Mrs Janet Favel

Clutha District Council  
Otago Regional Council  
Dunedin City Council  
Central Otago District Council  
Group Emergency Management Co-ordinator  
MCDEM  
ORC, Minutes Secretary

#### Apologies:

Mayor Tony Lepper  
Cr Chris Staynes  
Cr Lyal Cocks  
Mayor Alex Familton  
The apologies were accepted.

Central Otago District Council  
Dunedin City Council  
Queenstown Lakes District Council  
Waitaki District Council

#### Lack of Quorum:

As there was not a quorum for the meeting, it was agreed that agenda items be discussed informally, and a further meeting be arranged to formalise decisions.

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#### 1. Otago CDEM Group Annual Report 2013/14 (Report Ref. A553532)

The report by Charles Hakkaart, Chair Co-ordinating Executive Group, summarised progress in meeting the goals of the Group for the 12 month period to July 2013. Mr Hakkaart commented favourably on the year's achievements, including completion of the Group Emergency Welfare Plan and Group Recovery Plan, and the establishment and progress of the Group committees. He noted the need to appoint Group Recovery and Welfare Managers.

Mr Lovell noted the 12 September workshop to consider actions from the Te Ripahapa exercise and the Christchurch earthquakes.

#### 2. Otago Group Emergency Welfare Plan (Report Ref. A552485)

The covering report by Mr Hakkaart summarised the development of the Plan, which was circulated separately with the agenda. He noted that the Plan had been approved by the CEG.

Mr Lovell commented that the Ministry was happy with the Plan. He noted that TAs should ensure that their Plans reflected the Group Plan.

**3. Te Ripahapa South Island Alpine Fault Earthquake CDEM Exercise Report** (Report Ref. A552460)

The Group Controller reported on the exercise, and Mr Hall noted the workshop arranged for 12 September to address issues which had arisen from the exercise. There was concern that the same problems seemed to recur. Feedback from the Fire Service was that the exercise was useful.

**4. Next meeting**

There was general agreement that the pattern of holding Group meetings on the same day as Mayoral Forum meetings worked well. Mr Hakkaart considered that Mayors, rather than Councillors, should be encouraged to be members of the Group. He also suggested that after the election, presentations should be made to TAs on CDEM systems and roles, and Group training needed to be scheduled.

It was suggested that the next meeting be held on 25/26 November, hosted by CODC:

- Monday 25 November – wilding pines study trip, Naseby
- Tuesday 26 November – Otago Mayoral Forum, Te Roopu Taiao, and CDEM Group meetings

[**Note:** Subsequent to this meeting, a date of Monday 25 November was agreed for the next Otago Mayoral Forum meeting.]

The meeting closed at 3.00 pm.

**Chairperson**

## Otago Civil Defence Emergency Management Group

### Minutes of a meeting held by teleconference and at the Otago Regional Council, Dunedin on Monday 2 September 2013 commencing at 2.00 pm

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#### Present

Cr Stephen Woodhead	Otago Regional Council
Mayor Tony Lepper (by phone)	Central Otago District Council
Cr Lyal Cocks (by phone)	Queenstown Lakes District Council
Mayor Alex FAMILTON (by phone)	Waitaki District Council

#### Apologies

Cr Chris Staynes	Dunedin City Council
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The apology was accepted on the motion of Cr Woodhead and Mayor FAMILTON.

#### In attendance

Mr Wayne Scott	Otago Regional Council
Mr Michael Ross (by phone)	Waitaki District Council
Mr Graeme Hall	Group Emergency Management Co-ordinator
Mr John Lovell (by phone)	MCDEM
Mrs Janet Favel	ORC, Minutes Secretary

#### Confirmation of agenda

There were no changes to the agenda.

#### Minutes of last meeting

The minutes of the last Otago CDEM Group meeting held on 16 November 2012, having been circulated, were adopted on the motion of Mayor Lepper and Mayor FAMILTON.

#### Matters arising from the minutes

There were no matters arising from the minutes.

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#### 1. Otago CDEM Group Annual Report (Report Ref. A553532)

In his report Mr Charles Hakkaart, Chair Co-ordinating Executive Group, highlighted the progress in meeting the four goals of the Otago CDEM Group for the 12 month period up to July 2013.

Mr Ross commented that the report showed full commitment to Civil Defence over the year by the Group, and he considered that the Group would have struggled to do more. He suggested that the Group should not commit to too much in its Plans, and should take account of Ministry work proposals and the Group's limited resources.

Mr Lovell noted that a lot of work had been put into the Te Ripahapa exercise, which had been very successful. He also noted that Group committees had been established at the beginning of the year and were working well.

Mayor FAMILTON commended the Community Response Plan established in Waitaki District, and noted that this approach was being used by Clutha District.

Mayor Lepper noted planned exercises: Tsunami Response in 2013/14, and Dam Failure scenario in 2015/16. He considered that there was a bigger threat from dam failure, and Mr Scott noted that the larger dams had their own response plans. Mayor Familton asked if these were available and referred to in local plans. Cr Woodhead noted that they should also be part of consents.

Mr Hall commented in relation to the proposed Tsunami exercise that Police and Fire Service wanted to co-ordinate a Tsunami plan across Otago and Southland. Cr Woodhead advised that ORC had done a lot of research and there was significant tsunami risk from the south.

Cr Woodhead moved, Cr Lepper seconded

*That the report be noted.*

**Motion carried**

**2. Otago Group Emergency Welfare Plan** (Report ref. A552485)

The report noted that the Draft Otago Group Emergency Welfare Plan had been completed by the Welfare Co-ordinating Group (WCG), formerly the Welfare Advisory Group. The full report was circulated separately with the agenda.

Cr Woodhead noted that local plans would need to be updated to reflect the Group plan, and the Group plan would need to reflect any changes to the National Plan. Mr Hall commented that it could be necessary to bring the Plan back to the committee if the national plan changed its requirements of groups.

Cr Cocks asked how the position of Group Welfare Manager would be resourced. Mr Hall explained that the job could range from having limited input into dealing with emergencies, through to full time employment. The CEG was to investigate options for the role and consider the level of resourcing required. Mr Scott noted the need to discuss with MSD as they were a party to delivery of such services and might well be able to assist local government.

Cr Cocks asked about the capacity of NZ Red Cross to provide support. Mr Hall advised that the relevant Plan section was written by Red Cross personnel. They had resources stationed in Dunedin and Queenstown, and their mandate was to respond quickly.

Cr Cocks queried the structure of local emergency welfare plans. Mr Hall explained that all plans needed to have a similar format and content to ensure everything was covered.

Mayor Familton moved, Cr Cocks seconded

1. *That the Draft Otago Group Emergency Welfare Plan be adopted.*
2. *That the Otago CDEM Group Committee note the requirements for a Group Welfare Manager, and that progress to resource this position would be addressed by CEG.*
3. *That Otago CDEM Group Committee note the requirement for Territorial Authorities to review their welfare arrangements to ensure consistency with this Plan.*

**Motion carried**

### 3. Te Ripahapa South Island Alpine Fault Earthquake CDEM Exercise Report (Report Ref. A552460)

The Group Controller reported from an Otago Group wide perspective on the Te Ripahapa South Island Exercise. Mr Scott commented that this was a preliminary report, and the Readiness Committee was to meet on 12 September for a full debrief and to draw up an improvement plan. There was concern that a number of the issues had been raised before but had not been corrected. He noted that a lot of work had been carried out by a lot of people for the exercise.

Mayor Familton asked if those who had the power to make declaration were aware of the who, what, when of declarations. There was good discussion of experiences with the May exercise of declarations.

Cr Woodhead suggested training after the election for the Group to understand exercise/ event procedure.

Cr Woodhead moved, Cr Lepper seconded

*That the report be noted.*

#### **Motion carried**

### 4. Next meeting

It was noted that the next Mayoral Forum meeting was to be held on 25/26 November.

[**Note:** Subsequent to this meeting, a date of Monday 25 November was agreed for the next Otago Mayoral Forum meeting.]

It was noted that Mayors/Chair needed to represent their Council on the Group, to ensure attendance at Group meetings. It was also suggested that the Group meet earlier on the Mayoral Forum meeting day.

The meeting closed at 2.35 pm.

#### **Chairperson**



# Standing orders

**Applying to all meetings of the council, its committees and sub-committees.**

Adopted by Council on 11 December 2013.



Otago  
Regional  
Council

Agenda CDEMG meeting 20 May 2014

[www.orc.govt.nz](http://www.orc.govt.nz)





**OTAGO REGIONAL  
COUNCIL**

**STANDING ORDERS**

**Adopted by Council 11 December 2013**

These Standing Orders apply to all Meetings of the Council, its Committees and Subcommittees.

Ref. A581297

This is a true and correct copy of the Otago Regional Council Standing Orders which were approved by the resolution of the Otago Regional Council on 11 December 2013 and are deemed to be operative from that date.



The Common Seal of the Otago Regional Council was hereto affixed pursuant to the resolution of the Council in the presence of:

A handwritten signature in cursive script, appearing to read "St Woodhead".

Chairperson

A handwritten signature in cursive script, appearing to read "A. W. Booth".

Chief Executive

11/12/13

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## 1. INTERPRETATION

### 1.1 Definitions

In these Standing Orders, unless inconsistent with the context:

**Act** means the Local Government Act 2002.

**Chairperson** means the Chairperson of the Council and where appropriate also includes any person acting as the chairperson of any committee or subcommittee of the Council or workshop meeting or meeting solely for information and discussion.

**Chief Executive** means Chief Executive of the Council as appointed under section 42 of the Local Government Act 2002, and includes for the purposes of these Standing Orders, any other officer authorised by the Council.

**Committee** includes, in relation to the Council:

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

**Council** means the Otago Regional Council being a local authority as defined in S. 5 of the Local Government Act 2002.

**Councillor** means a person elected to the Otago Regional Council but does not include non-Councillor appointees to any committee or workshop meeting, or meeting solely for information and discussion

**Extraordinary Meeting** means a meeting not scheduled as an ordinary meeting and called by resolution of the Council or by requisition in accordance with Standing Order 4.7

**Meeting** means any first, ordinary, or extraordinary meeting of the Council; and any meeting of any committee, or standing committee, or special committee, or subcommittee of the Council, or workshop meeting or of a committee, a meeting solely for information and discussion.

**Member** means any person elected or appointed to the Council or to any committee or subcommittee of the Council and includes the Chairperson of the Council or the Chairperson of any committee or subcommittee of the Council.

**Minutes** means any minutes or other record of the proceedings of any meeting of the Council and its committees and subcommittees.

**Ordinary meeting** means any meeting previously scheduled by the Council for which there is a requirement that it be publicly notified.

Public excluded information includes:

- (a) Information which:
  - (i) is currently before a public excluded session; or
  - (ii) is proposed to be considered at a public excluded session; or
  - (iii) has previously been considered at a public excluded session

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

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

**Publicly notified** means notified by notice contained in some newspaper circulating in the region of the Council.

**Working day** means any day of the week other than -

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's Birthday, Waitangi Day; and Anniversary 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.



**Writing** includes print, typewriting or handwriting, and includes photocopies or copies of documents sent by facsimile, or electronically.

## **2. GENERAL**

### **2.1 Application of Standing Orders**

2.1.1 (i) These Standing Orders shall, so far as applicable, extend to the proceedings of all Council meetings and of all committees and subcommittees of the Council including public excluded sessions except as provided for in clause 2.1.1(ii) below

(ii) Standing Orders with the exception of Standing Order Section 4.9 will not apply to meetings of committees, subcommittees or Council, when convened as a workshop meeting, or a meeting solely for information and discussion at which no resolutions or decisions are made.

#### **2.1.2 Working Parties**

It is recommended that these Standing Orders be utilised by working parties established by Council or Committees.

#### **2.1.3 Application to Committees**

Members of Committees shall not be governed by these Standing Orders as far as they relate to the following:

(i) The limitation of the number of times a member may speak on any issue; (refer Standing Order 13.6) except where the Chairperson rules that the member is repetitious.

(ii) The procedure relating to questions. (Standing Order 6.12).

### **2.2 Chairperson's Ruling Final**

2.2.1 The Chairperson shall decide all questions where these Standing Orders make no provision, or insufficient provision.

2.2.2 In regard to 2.2.1 the Chairperson's ruling shall be final and not open to debate.

### **2.3 Suspension of Standing Orders**

2.3.1 The Council 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 shall be stated in the resolution of suspension.

2.3.2 Any motion to suspend any Standing Order shall state the specific order or orders which it is proposed to be suspended.

2.3.3 Unless otherwise provided for, the suspension of Standing Orders shall lapse at the conclusion of the meeting at which the suspension resolution is made.

#### **2.4 Alteration of Standing Orders**

After the first adoption of these Standing Orders of the Council their amendment or the adoption of Standing Orders in substitution therefor shall require, in every case, a vote of not less than 75% of the members present.

#### **2.5 Smoke Free**

All meetings of the Council, its Committees and Subcommittees shall be smoke free.

#### **2.6 Time Limit at Meetings**

2.6.1 Unless pursuant to a specific resolution of the Council in that regard, no meeting shall sit for more than eight hours, nor beyond 10.30 p.m. Any business on the order paper not dealt with shall be listed for attention as adjourned business at the next ordinary meeting.

#### **2.7 Rights of Councillors at Committees**

All Councillors shall have the right to speak at any meeting of any Committee and to participate in debate in accordance with these Standing Orders, but only members of a Committee may vote.

#### **2.8 Cellular Telephones**

All cellular telephones must be either switched off or switched to silent mode at all meetings of Council, Council committees, subcommittees, workshop meetings and meetings held for information and discussion. Cellular telephones are not to be used during meetings for sending or receiving calls.

#### **2.9 Electronic Tablet Devices**

Members may use electronic tablet devices to access agendas and reports. Where tablets are used during the meeting, they are to be used solely for the purpose of the meeting.

#### **2.10 Meeting Commencement**

2.10.1 Meetings not commenced within 30 minutes of the appointed time shall lapse.

2.10.2 The business of the meeting shall stand adjourned until the next ordinary meeting unless an earlier meeting is notified by the Chief Executive.

#### **2.11 Recording of Meetings**

Radio NZ and Channel 39 may record Council and Committee meetings.

It is expected that the Chairperson of the meeting will be advised of the intention to record meetings.

Other media may be authorised to record meetings at the discretion of the meeting chairperson.

### **3. COMMITTEES**

#### **3.1 Appointment of Committees and Subcommittees**

- 3.1.1 The Council may appoint the committees, subcommittees and other subordinate decision-making bodies that it considers appropriate.
- 3.1.2 A committee may appoint the subcommittees that it considers appropriate, unless prohibited from doing so by the Council.
- 3.1.3 Every committee, subcommittee or other subordinate decision-making body shall be subject in all things to the direction of the Council or Committee which established them.
- 3.1.4 The Council or Committee as the case may be, may at any time discharge or reconstitute any committee, subcommittee or other subordinate decision-making body.
- 3.1.5 Any committee, subcommittee or other subordinate decision-making body established for a particular purpose shall be automatically discharged when the purpose has been completed.

#### **3.2 Powers of Delegation and Sub-delegation**

- 3.2.1 Except as otherwise provided in the Act or any other Act, the Council may delegate to any committee or any other subordinate decision-making body, or member, or officer, any of its functions, duties or powers.
- 3.2.2 Every committee or other subordinate decision making body, or member or officer, to which any powers or duties are delegated may, without confirmation by the Council, exercise or perform the same in like manner and with the same effect as the Council could have exercised or performed those powers or duties.
- 3.2.3 Any committee or other subordinate decision making body, or member or officer, may, with the consent of the Council, sub-delegate any of the responsibilities, duties or powers delegated to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the Council or by the committee or body or person that makes the delegation.
- 3.2.4 The Council may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing and administration related to bylaws and other regulatory matters.

### **3.3 Membership of Committees and Subcommittees**

- 3.3.1 The Council may at any time, and from time to time, appoint or discharge any member of a committee, other subordinate decision-making body or subcommittee.
- 3.3.2 Unless directed otherwise by the Council, a committee may at any time, and from time to time, appoint or discharge any member of a subcommittee appointed by the committee.
- 3.3.3 Every committee, subcommittee or other subordinate decision-making body is, unless the Council resolves otherwise, deemed to be discharged on the coming into office of the members of the Council elected at or following, the triennial general election of members next after the appointment of the committee, subcommittee or other subordinate decision-making body.
- 3.3.4 The Council or committee may appoint to any committee or subcommittee, as the case may be, any person who is not a member of the Council, or committee, if, in the opinion of the Council, that person has knowledge that will assist the work of the committee or subcommittee.
- 3.3.5 Notwithstanding sub-section (4) of this section, an employee of the Council acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee.
- 3.3.6 At least one member of every committee, other than a subcommittee, shall be an elected member of the Council.
- 3.3.7 The minimum number of members of a committee shall be three, and the minimum number of members of a subcommittee shall be two.

## **4. MEETINGS**

### **4.1 Notice - General**

The Chief Executive must give notice in writing to each member of the time and place of an ordinary meeting already scheduled and any extraordinary meetings, and the members shall attend such meetings without further notice. The fact that the meeting has been publicly notified shall not be deemed to be notice to members.

### **4.2 Notices - Delivery**

All notices required by these Standing Orders will be deemed to have been delivered:

- (a) When delivered to the member personally;
- (b) When left by messenger at an address nominated by the member;
- (c) When sent by facsimile to an electronic address nominated by the member;
- (d) When emailed to an electronic address nominated by the member;
- (e) On the second working day after it was posted to an address nominated by the member.

### **4.3 Meetings Not Invalid because Notice Not Received**

4.3.1 No ordinary meeting, or extraordinary meeting of the Council shall be invalid because notice of that meeting was not received, or was not received in due time, by any member 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.

4.3.2 Any member may waive any requirement regarding the giving of notice of a meeting to that member.

### **4.4 Meeting Papers**

4.4.1 In the case of ordinary meetings, an order paper detailing the business to be brought before that meeting, as far as is known, together with relevant agenda papers, shall be sent to every member not less than two clear days before the day appointed for the meeting.

- 4.4.2 At the meeting the business shall be dealt with in the order in which it appears on the Order Paper, unless the meeting resolves otherwise.

#### **4.5 Telephone or Video Conference Meetings**

- 4.5.1 Ordinary, or extraordinary meetings of the Council or of any Committee may be held by telephone or video conference where, in the opinion of the Chairperson for the meeting and the Chief Executive, it is reasonable to do so.
- 4.5.2 Where a telephone or video conference meeting is called, the reason for it being a held by one or other method shall, where practicable, be included in the meeting notice.
- 4.5.3 The nominated place of a telephone or video conference meeting shall be the Council's Dunedin Council Chambers, unless otherwise stated through public notice.
- 4.5.4 Voting at a telephone or video conference meeting shall be in accordance with Standing Order 16.6.

#### **4.6 Ordinary Meetings**

- 4.6.1 The Council and its Committees shall hold ordinary meetings at such times and at such places as may from time to time be appointed.
- 4.6.2 The Chief Executive shall give notice in writing to each of the members of the time and place of the meeting:
- (a) Not less than 14 days before the meeting; or
  - (b) Where the Council has adopted a schedule of ordinary meetings, not less than 14 days before the first meeting on the schedule.
- 4.6.3 Where the Council adopts a schedule of ordinary meetings:
- (a) The schedule may cover any future period as the Council considers appropriate and may be amended from time to time; and
  - (b) Notification of the schedule or any amendment shall constitute notification of every meeting on the schedule or amendment.



## 4.7 Extraordinary Meetings

### 4.7.1 Calling of extraordinary meetings

If a resolution or requisition specifies the time and place at which the meeting is to be held and the general nature of the business to be brought before the meeting, a 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 chairperson; or
  - (ii) not less than one-third of the total membership of the Council (including vacancies).

### 4.7.2 Calling of extraordinary meetings at earlier time

If the business to be dealt with requires a meeting to be held at a time earlier than is allowed by the notice requirements specified in Standing Order 4.7.3, a meeting may be called by the Chairperson or, if the Chairperson is unavailable, the Chief Executive.

### 4.7.3 Notification of extraordinary meetings to members

Notice in writing of the time and place of the meeting called under Standing Order 4.7.1 and of the general nature of business, must be given by the Chief Executive to each member of the Council at least 3 working days before the day appointed for the meeting, 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.

### 4.7.4 Notification of extraordinary meetings held at earlier time

Notice of the time and place of a meeting called under Standing Order 4.7.2 and of the matters in respect of which the 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.

### 4.7.5 Public notice of resolutions of extraordinary meetings

Where any resolution is passed at an extraordinary meeting of a local authority, the local authority must publicly notify the resolution as soon as practicable, unless the resolution was passed at a meeting, or part of a meeting, from which the public was excluded.

**4.8 Joint Meetings**

- 4.8.1 Where any item of business is to be considered by more than one Committee, and where the membership of those committees is not common, the Committees may sit jointly.
- 4.8.2 Where Committees sit jointly the meeting shall appoint a Chairperson.
- 4.8.2 The joint meeting of Committees shall close when the item or items of joint interest have been dealt with.

**4.9 Workshop Meetings**

- 4.9.1 Workshop meetings, or meetings solely for information and discussion, and at which no resolutions or decisions are made, may be held subject to the prior approval of the Council Chairperson or the Chief Executive.
- 4.9.2 The Chief Executive shall give notice in writing of the time and place of any workshop meeting, stating the matters to be dealt with and declaring that no resolutions or decisions are to be made.
- 4.9.3 A quorum of any workshop meeting or meeting solely for information and discussion shall be the normal quorum of that Committee, Subcommittee or Council.
- 4.9.4 Adjournment of a workshop meeting or a meeting solely for information and discussion for want of a quorum shall be in accordance with Standing Orders.
- 4.9.5 The Chair of the Committee, Subcommittee or Council when holding a workshop meeting, or meeting solely for information and discussion, shall preside in accordance with Standing Order 5.2.
- 4.9.6 A record of every workshop meeting, or meeting solely for information and discussion, shall be made.
- 4.9.7 The record of any workshop meeting, or meeting solely for information or discussion, shall be authenticated by the Chairperson of that meeting.

## 5. CHAIRPERSON

### 5.1 Election of Chairperson and Deputy Chairperson, Committee Chairs/Deputies and Council Representatives

5.1.1 At the first meeting of the Council called under Clause 21.1 of Schedule 7 of the Act following a triennial general election, a Chairperson shall be elected in accordance with one of the voting systems prescribed by the Act. (Refer 5.1.4).

5.1.2 At the initial meeting or at any ordinary meeting of the Council held thereafter, the Council shall elect a Deputy Chairperson in accordance with one of the voting systems prescribed by the Act.

5.1.3 At any ordinary meeting held after the initial meeting, the Council shall elect Committee Chairs, Deputy Chairs and representatives of the Council in accordance with one of the voting systems prescribed by the Act.

#### 5.1.4 Voting System

A person shall be elected or appointed by the following system of voting (System A):

System A –

- “(a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
- “(b) has the following characteristics:
  - “(i) there is a first round of voting for all candidates; and
  - “(ii) 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
  - “(iii) 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
  - “(iv) in any round of voting, if two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

## **5.2 Chairperson shall preside**

- 5.2.1 The Chairperson of the Council shall preside at each meeting of the Council at which he or she is present, unless the Chairperson vacates the chair for a particular meeting.
- 5.2.2 The Chairperson of any committee shall preside at each meeting of that committee at which he or she is present, unless the Chairperson vacates the chair for a particular meeting.
- 5.2.3 The Council may appoint a member of a committee to be the Chairperson of that committee. That power may be exercised by the committee where the Council on the appointment of the committee, does not appoint a Chairperson. The Council or committee may appoint a Deputy Chairperson to act in the absence of the Chairperson.

## **5.3 Where Chairperson Absent**

If the Chairperson of the Council or of any committee, as the case may be, is absent from any meeting, the Deputy Chairperson of the Council, or where applicable the Deputy Chairperson of a Committee, shall preside. If no Deputy Chairperson has been appointed or if the Chairperson and Deputy Chairperson are both absent, the members of the Council or, as the case may be, of the committee present, shall elect one of their number to preside at that meeting. That person may exercise at that meeting all the responsibilities, duties and powers of the Deputy Chairperson.

## **5.4 Deputy Council Chairperson**

The Deputy Council Chairperson must perform all the responsibilities and duties and may exercise all the powers of the Chairperson in the following circumstances:

- (a) With the consent of the Chairperson, during the temporary absence of the Chairperson;
- (b) At any time when the Chairperson is prevented by illness or other cause from performing the responsibilities, duties or powers of office;
- (c) When the office of Chairperson is vacant.

## **6. ORDER OF BUSINESS**

### **6.1 Order of Business**

6.1.1 The following order of business shall normally apply at ordinary meetings but the Council may vary it as it sees fit.

- (a) Apologies
- (b) Confirmation of agenda
- (c) Public forum
- (d) Reception of petitions
- (e) Confirmation of the minutes of the last preceding meeting
- (f) Matters arising from the minutes
- (g) Reception of deputations by appointment
- (h) Adjourned business
- (i) Reports from the Chairperson
- (j) Reports of officers
- (k) Notices of motion
- (l) Reports of committees
- (m) Documents for seal
- (n) Extraordinary or urgent business raised under confirmation of Agenda
- (o) Questions
- (p) Business to be considered with the public excluded

6.1.2 Notwithstanding anything to the contrary contained in these Standing Orders, the Chief Executive, in preparing an agenda, and the Council or Committee in considering the business before it, may give priority to matters known to be of special interest to members of the public in attendance, or to matters requiring the attendance of staff, or any other person or group, at the meeting.

6.1.3 The order papers and agenda detailing business to be considered by a meeting may be embargoed until such time as may be stated in the order paper but only as may be permitted by the Local Government Official Information and Meetings Act.

### **6.2 Confirmation of Minutes of the Last Preceding Meeting**

No discussion shall arise on the substance of the minutes during confirmation consideration except as to their correctness.

### **6.3 Confirmation of Agenda**

- 6.3.1 On the calling by the Chairperson for the confirmation of the agenda, members may
- request rearrangement of the order of business
  - give notification to the Chairperson of any extraordinary or urgent business (refer 6.10).

6.3.2 The Chairperson's decision on the order of business is final.

### **6.4 Matters Arising from the Minutes**

Where any matter arising from the minutes is not dealt with elsewhere in the agenda, such matter may be raised under this item.

### **6.5 Chairperson's Report**

The Chairperson shall, by report, have the right to direct the attention of the Council to any matter or subject within the role or functions, or of concern or interest to, the Council or Committee.

### **6.6 Deputations**

Refer to Standing Order 11.

### **6.7 Petitions**

Refer to Standing Order 12.

### **6.8 Adjourned Business**

Any matter adjourned by a previous meeting, or precluded from consideration due to the termination of a meeting through time (see Standing Order 2.6).

### **6.9 Notices of Motion**

Refer to Standing Order 18.

### **6.10 Extraordinary or Urgent Business**

6.10.1 Any matter not included on the order paper may be dealt with at the meeting if:

- (i) The Council or Committee by resolution so decides; and
- (ii) The Chairperson explains at the meeting at a time when it is open to the public:
  - (a) The reason why the item is not on the agenda; and

- (b) The reason why the discussion of the item cannot be delayed until a subsequent meeting

6.10.2 Any member wishing to raise such a matter should do so when the Chairperson calls for the confirmation of the agenda.

6.10.3 Any such matter approved for discussion shall be taken as directed by the Chairperson.

### **6.11 Minor Matters**

6.11.1 Where an item is not on an agenda for a meeting, that item may be discussed at the meeting if:

- (a) the item is a minor matter relating to the general business of the Council or Committee and
- (b) 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 the meeting.

However, no resolution, decision or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Council or Committee for further discussion.

### **6.12 Questions**

6.12.1 Any Councillor may at any ordinary meeting of the Council at the appointed time, put a question to the Chairperson, or through the Chairperson of the Council to the Chairperson of any standing or special committee, or to any officer of the Council, concerning any matter relevant to the role or functions of the Council on any matter that does not appear on the order paper, nor arises from any committee report or recommendation submitted to that meeting.

6.12.2 Before putting a question, a Councillor shall, in the first instance, endeavour to obtain the relevant information from the appropriate Council officer or the Chairperson of the committee concerned. In the event of the information sought not being forthcoming, or the member not being satisfied with the answer, the member then has the right to raise the matter by way of a question at an ordinary meeting of the Council, provided that the Chairperson may refer a question to an appropriate committee.

6.12.3 Questions shall be in writing and handed to the Chairperson and the Chief Executive prior to the commencement of the meeting at which they are to be asked.

6.12.4 If an answer to the question cannot be given at that meeting it shall, at the discretion of the Chairperson, be answered in one of the following ways:

- (a) be placed on the agenda of the next meeting of the Council or Committee; or
- (b) be included within a report to that meeting; or
- (c) by memorandum circulated to all members.

6.12.5 Questions and answers shall be submitted as briefly and concisely as possible. No discussion shall be allowed upon any question, or upon the answer.

6.12.6 The procedure for questions does not apply to meetings of Committees and Subcommittees (refer Standing Order 2.1.3).

### **6.13 Questions to Officers During Debate**

In the course of any debate at any Council meeting, any member may, at the Chairperson's discretion, ask any question of the relevant officer on any matter under debate. Such questions shall be directed through the Chairperson.



## 7. QUORUM

### 7.1 Quorum

- 7.1.1 A meeting is duly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote.
- 7.1.2 Business may not be transacted at any meeting unless a quorum of members is present during the whole time at which the business is transacted.
- 7.1.3 The quorum at any meeting of the Council, shall consist of half the members (including vacancies) if the number is even, and a majority if the number is odd.
- 7.1.4 The quorum at any meeting of a Committee or Subcommittee shall consist of:
- (i) half the members (including vacancies) if the number of members is even, and a majority if the number is odd; and
  - (ii) shall not be less than two members; and
  - (iii) except in the case of a subcommittee, shall include at least one Councillor.

### 7.2 Failure of a Quorum

- 7.2.1 If a quorum is not present within thirty minutes of the time appointed for any meeting, the meeting shall lapse.
- 7.2.2 If after business has commenced, a quorum is lost, the business will be suspended and the Chairperson will take all reasonable steps to restore a quorum. If a quorum is not then restored within ten minutes, the meeting will lapse and the outstanding business will be adjourned to a time, date and place to be fixed either by the Chairperson or by the Chief Executive. Notice of the resumption of any adjourned meeting shall be given by the Chief Executive to each member.
- 7.2.3 The business remaining to be disposed of following the lapsing of a meeting shall stand adjourned until the next ordinary meeting unless an earlier meeting is fixed by the Chairperson and notified by the Chief Executive.
- 7.2.4 If a meeting lapses for want of a quorum, the names of the members then in attendance, and the fact of the adjournment shall be recorded in the minute book by the Chief Executive.

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

### 8.1 Leave of Absence and Apologies

8.1.1 The Council may grant leave of absence to a member from a meeting or meetings of the Council or its committees upon application by the member.

8.1.2 If a member has not obtained leave of absence, an apology may be tendered on behalf of the member by another member, or by the Chief Executive and the apology may be accepted or declined by the Council. Acceptance of the apology shall be deemed to be the grant of leave of absence for that meeting.

8.1.3 The Chairperson of each meeting shall invite apologies in accordance with the order paper and these and subsequent apologies during the meeting shall be recorded in the minutes, including whether they were accepted or declined.

**9. MINUTES OF PROCEEDINGS****9.1 Minutes of Proceedings**

9.1 The Chief Executive shall arrange for the keeping of the minutes and their safe custody. The minutes shall record the names of members attending each meeting, the names of those voting in each division called, and every resolution, order, or other proceeding of the meeting. The arrival and departure times of any members not present at the beginning or end of the meeting, or during the course of the meeting, shall also be recorded.

**9.2 Approval of Minutes**

9.2.1 The minutes and proceedings of every meeting shall be circulated to members and considered at the next meeting succeeding, and if approved by that meeting or when amended as directed by that meeting, shall be signed by the Chairperson of such succeeding meeting.

9.2.2 No discussion shall arise on the substance of the minutes at the succeeding meeting, during confirmation consideration, except as to their correctness.

**9.3 Minute Books**

9.3.1 The minute books of the Council and Committees shall be kept by the Chief Executive.

9.3.2 The Chairperson and the Chief Executive shall confirm the correctness of the minutes of the last meeting of the Council prior to each triennial election of members.

9.3.3 The correctness of the minutes of the final meeting for the triennium of Committees and Subcommittees shall be confirmed by the Chairperson of the Committee or Subcommittee, and a senior staff member.

## **10. PUBLIC FORUMS**

10.1 A public forum may be held by the Council or any Committee at any meeting.

10.2 The public forum provides the opportunity for members of the public to address the Council or Committee on any matter.

10.3 The following guidelines are noted:

- (a) a total time limit of 30 minutes should be observed;
- (b) where practicable, those wishing to participate in a public forum should advise the Chief Executive of their wish to participate, and the subject matter, by noon of the working day prior to the meeting;
- (c) any one speaker should limit his or her address to five minutes;
- (d) any questions put by members to the forum should be brief and to the point.

**11. DEPUTATIONS**

- 11.1 Deputations may be received by the Council or any of its committees provided an application for admission setting out the subject has been lodged with the Chief Executive at least ten clear days before the date of the meeting concerned and has been approved by the Chairperson.
- 11.2 The Chairperson may accept an application for admission received less than ten days before the date of the meeting if it is practicable to do so.
- 11.3 The Chief Executive, in consultation with the Chairperson, may decline to accept any application for a deputation. The Chief Executive will report any such instance to the next meeting of the Council or Committee.
- 11.4 Notwithstanding the above, where in the opinion of the Chairperson the matter which is the subject of a deputation is one of urgency or major public interest, the Chairperson may determine that the deputation be received by the Council.
- 11.5 Except with the leave of the Council (or a committee), not more than two members of a deputation may address the meeting. After a deputation is received, members may put to the deputation questions pertinent to the subject, but no member shall express an opinion upon or discuss the subject, nor move any motion until the deputation has completed its submissions and has answered questions raised by members.
- 11.6 The Chairperson may terminate a deputation in progress which is disrespectful or offensive, or where the Chairperson has good reason to believe that statements have been made with malice.
- 11.7 Unless the meeting determines otherwise in any particular case, a limit of five minutes shall be placed on a speaker making a presentation, or five minutes each if there are two members of the deputation addressing the meeting.

**12. PETITIONS**

- 12.1 Every petition to be presented to the Council or to any of its committees must comprise less than 500 words and not be disrespectful, nor use offensive language or make statements made with malice.
- 12.2 Members of the Council who present a petition on behalf of petitioners, shall confine themselves to the reading of the petition and the statement of the parties from which it comes, and the number of signatures attached to it.
- 12.3 Where a petition is presented by a petitioner, unless the Council determines otherwise, a limit of five minutes shall be placed on any address to the Council by that person. If the Chairperson has good reason to believe that the petitioner is disrespectful or offensive, or has made statements with malice, the Chairperson may terminate the presentation.

### **13. RULES OF DEBATE**

#### **13.1 Mode of Address**

13.1.1 The person in the chair shall be addressed as "Mr Chairman" or "Madam Chair" as appropriate or by such other terminology as the person in the Chair directs. Any other elected member shall be addressed as Councillor.

13.1.2 Any other member shall be addressed as Mr, Mrs, Miss or Ms or any other title such as Dr or Sir.

#### **13.2. Speaking to Motions**

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

13.2.2 In speaking to any motion or amendment, members shall confine their remarks strictly to such motion or amendment; and shall not introduce irrelevant matter or indulge in tedious repetition. In this matter, the Chairperson's ruling shall be final and not open to challenge.

13.2.3 If three speakers have spoken consecutively in support of, or in opposition to, any motion the Chairperson may call for a speaker to the contrary. If no such speaker is forthcoming the motion may be put. Members speaking shall, if called upon by the Chairperson to do so, announce whether they are speaking in support of or against the motion or amendment.

#### **13.3 Objection to Words Used**

When any member objects to words used and desires them to be recorded in the minutes, the Chairperson may so order them to be recorded, provided such objection be made at the time the words were used and not after any other members have spoken.

#### **13.4 Members not to read Speeches**

Members shall not read their speeches, except with the permission of the Chairperson, but may refresh their memory by reference to notes.

#### **13.5 Time Limits**

13.5.1 The following time limits shall apply to members speaking at Council meetings, unless extended by a majority vote of members present:

(a) Movers of motions when speaking to the motion, ten minutes;

(b) Movers of motions, when exercising their right of reply, five minutes;

- (c) Other members, not more than five minutes.

13.5.2 Where an extension of time is considered by the meeting, a new time limit shall be stated in the resolution.

### 13.6. **Speaking More Than Once**

A member may not speak more than once to a motion, unless with the consent of the majority of the members present or in reply under Standing Order 13.8 or in explanation under Standing Order 13.10. (This restriction does not apply to meetings of Committees or Sub-committees. Refer Standing Order 2.1.3.)

### 13.7. **Restating the Motion**

Members may request the Chairperson to restate the motion for their information at any time during the debate, but not so as to interrupt.

### 13.8 **Right of Reply**

13.8.1 The mover of an original motion shall have the right of reply. After the mover has commenced such reply, or has intimated the wish to forego this right, or having spoken to an amendment to the motion and the Chairperson has intimated the intention to put the motion, no other member of the Council shall speak on the motion. Movers in reply shall not introduce any new matter and shall confine themselves strictly to answering previous speakers.

13.8.2 The right of reply shall be governed as follows:

- (a) Where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion;
- (b) If there is an amendment, the mover of the original motion may make such reply at the conclusion of the debate on such amendment, and this reply shall exhaust the right thereto as mover of the original motion; provided that the mover may reserve such right of reply. The mover may, however, take part in the discussion upon subsequent amendments.

### 13.9 **When Members May Speak**

Any member may speak to any matter before the meeting or upon a motion or amendment to be proposed, or upon a point of order arising out of debate, but not otherwise.



## 13.10 **Explanations Permitted**

13.10.1 Notwithstanding Standing Order 13.6 members may make a personal explanation with the permission of the Chairperson, but such matters may not be debated.

13.10.2 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 no new matter may be introduced.

**14. CONDUCT OF MEETINGS**

- 14.1 Members shall, in their actions at meetings, observe the Code of Conduct adopted by the Council.
- 14.2 The Chairperson shall decide all points of order and any member who refuses to obey any orders or ruling of the Chairperson may be held guilty of contempt.
- 14.3 Whenever the Chairperson interjects during a debate any member then speaking, or offering to speak, and all other members, shall be silent so that the Chairperson may be heard without interruption.
- 14.4 Members wishing to speak shall so indicate and address the Chairperson, and shall not leave their place while speaking without the leave of the Chairperson.
- 14.5 When two or more members indicate their wish to speak the Chairperson shall call the speaker who has the right, in the Chairperson's opinion, 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, including any request to obtain a time extension for the previous speaker;
  - (b) Move a motion to terminate or adjourn the debate; or
  - (c) Make a point of explanation or request an indulgence of the Chairperson.
- 14.6 Members called to order by the Chairperson shall stop speaking. 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 shall withdraw and shall not be permitted to return during the meeting or any period thereof of that meeting that the Chairperson may determine.
- 14.7
- 14.7.1 No member of the Council shall at any meeting, be disrespectful in speech or use offensive or malicious language, in reference to anybody or person including:
- (i) the Council, or
  - (ii) any other member, or

(iii) any officer or employee of the Council

- 14.7.2 In addition, no member shall impute improper motives, or make offensive remarks upon the private affairs of any other person, member of the Council, or any member of its staff.
- 14.8 Any member having used offensive or malicious language at a meeting who does not retract or apologise, by resolution of the meeting, may be held guilty of contempt.
- 14.9 Any member making a disturbance or creating disorder whilst any other member is speaking or at any other time during a meeting and who refuses, when called upon by the Chairperson to desist, may thereupon by resolution of the meeting be held guilty of contempt.
- 14.10 Should there be continuing disorder, the Chairperson shall have the right to suspend the meeting for fifteen minutes. 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.
- 14.11 Every member held guilty of contempt by reason of any Standing Order or breach thereof shall be censured by the Chairperson who may also order them to leave the meeting. Every such contempt, censure, and removal shall be recorded in the minutes.
- 14.12 No person may use, or be associated with the use of, a recording device to record the proceedings of any meeting without the knowledge of the meeting and the consent of the Chairperson.

**15. POINTS OF ORDER**

- 15.1 Any member may interject to speak to a point of order upon any breach of these Standing Orders and the member previously speaking shall thereupon stop speaking.
- 15.2 The member raising the point of order shall state without explanation precisely the subject matter of the point of order.
- 15.3 No point of order shall be raised during a division except by permission of the Chairperson.
- 15.4 The following shall be recognised as matters for points of order:
- (a) Discussion of a question not before the Council, or
  - (b) Use of offensive or malicious language, or
  - (c) The breach of any Standing Order, or
  - (d) Misrepresentation of any statement made by a member or by an officer or employee of the Council, or
  - (e) Request that words objected to be recorded in the minutes.
- 15.5 Expressing a difference of opinion or contradicting a statement of a speaker shall not be construed as raising a point of order.
- 15.6 The Chairperson may decide on any point of order immediately after it has been raised by any member, or may first hear further argument thereon before deciding. The ruling of the Chairperson upon any point of order shall not be open to any discussion and shall be final.

## 16. VOTING

- 16.1 Every member present when a motion is put will vote or record an abstention unless precluded by law or these Standing Orders from doing so.
- 16.1.1 The acts of the Council must be done and the questions before the Council must be decided by open voting and the majority of members that are present and voting.
- 16.1.2 The Chairperson has a deliberative vote and, in the case of an equality of votes, does **not** have a casting vote. To avoid doubt, in the case of an equality vote, the question is defeated and the status quo preserved.
- 16.2 An individual's vote for, against, or abstaining from a motion shall not be recorded unless the vote is taken by division.
- 16.3 The method of voting at meetings of the Council and its Committees, (apart from telephone meetings and video conferences) 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, 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;
- 16.4 When a division is called for, the Chief Executive shall arrange for the names of the members voting "aye" and "no" respectively, to be taken down and shall hand the list to the Chairperson who shall declare the result.
- 16.5 In case of confusion or error in taking the division, unless the same can be corrected, a second division shall be taken.
- 16.6 The method of voting for telephone meetings and video conferences shall be as follows:
- (a) The Chairperson in putting the motion shall call the names of participating members in alphabetical order, and the members shall vote 'aye' or 'no'.
- (b) The Chief Executive shall arrange for the recording of the vote and shall notify the Chairperson who shall declare the result.

- 16.7 If in the opinion of the Chairperson there has been confusion or an error in the taking of any vote or division, unless the same can be corrected that vote shall be abandoned and a new vote taken.

**17. PROCEDURAL MOTIONS TO TERMINATE OR ADJOURN DEBATE**

- 17.1 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 an alternative time and place is stated; or
  - (b) That the item of business being discussed be adjourned to a time and place to be stated; or
  - (c) That the motion under debate be now put (a "closure motion"); or
  - (d) That the meeting move directly to the next business, superseding the item under discussion; or
  - (e) That the item of business being discussed lie on the table and not be discussed further at that meeting; or
  - (f) That the item of business being discussed be referred (or referred back) to the relevant committee of the Council.
- 17.2 Procedural motions to terminate or adjourn debate shall take precedence over other business (other than points of order), and shall, if seconded, be put to the vote immediately without discussion or debate.
- 17.3 All procedural motions to terminate or adjourn debate shall be determined by a majority of those members present. If lost, a further procedural motion to terminate or adjourn debate may not be moved by any member within a quarter of an hour thereafter.
- 17.4 Notwithstanding Standing Order 17.3 a closure motion shall be put if there is no further speaker in the debate.
- 17.5 When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the motion.
- 17.6 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 shall then be put.

- 17.7 The debate on adjourned items of business shall be resumed with the mover of such adjournment being entitled to speak first in the debate. Members who have already spoken in the debate may not speak again.
- 17.8 Adjourned items of business shall be taken first at the subsequent meeting in the class of business to which they belong.
- 17.9 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 shall be considered at the next meeting.
- 17.10 Business referred, or referred back, to a specified committee shall be considered at the next ordinary meeting of that committee.



**18. NOTICES OF MOTION**

- 18.1 Notices of motion shall be in writing signed by the proposer stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive at least ten clear days before such meeting (see Standing Order 20).
- 18.2 The Chairperson may direct the Chief Executive to refuse to accept any notice of motion which:
- (a) is disrespectful or which contains offensive language or statements made with malice; or
  - (b) is not, in subject, within the scope of the role or functions of the Council; or
  - (c) contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the Chief Executive may make; or
  - (d) Is frivolous or vexatious.
- 18.3 No notice of motion included in any order paper may proceed in the absence of the proposer, unless moved by another member authorised in writing by the proposer to do so.
- 18.4 A notice of motion may only be altered by the proposer with the consent of the meeting.
- 18.5 Notices of motion not moved on being called by the Chairperson shall lapse.
- 18.6 Any notice of motion referring to any matter ordinarily dealt with by a committee of the Council may be referred by the Chief Executive to that committee.
- 18.7 Repeat Notices of Motion
- 18.7.1 When a motion which is the subject of a notice of motion has been considered and rejected by the Council, no similar notice of motion which, in the opinion of the Chairperson, is substantially the same in purport and effect shall be accepted within the next six months unless signed by not less than one third of the members of the Council (including vacancies).
  - 18.7.2 If such a repeat notice of motion as provided for in Standing Order 18.7.1 is also rejected by the Council, any further notice prior to the expiration of the original period of six months shall need to be signed by a majority of the members of the Council (including vacancies).

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

**19. MOTIONS AND AMENDMENTS**

- 19.1 All types of motions and amendments moved in debate (including notices of motion) must be seconded, and thereupon the Chairperson shall state the matter raised and propose it for discussion.
- 19.2 Once motions or amendments have been seconded and proposed by the Chairperson from the chair for discussion they cannot be withdrawn without the consent of a majority of the members present and voting. A motion to which an amendment has been moved and seconded cannot be withdrawn until the amendment is first withdrawn, carried, or defeated.
- 19.3 The meeting may allow a motion which is subject to an amendment to be withdrawn and replaced by the said amendment as the substituted motion, provided a majority of the members present vote for the withdrawal of the original motion. In such a case, members who have spoken to the original motion may speak again to the substituted motion.
- 19.4 The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.
- 19.5 The Chairperson of the meeting may require a complicated motion (whether an original motion, a substituted motion, or amendment thereto) to be divided.
- 19.6 When a motion has been seconded and proposed by the Chairperson for discussion, an amendment may be moved and seconded by any members who have not yet spoken to the motion (whether an original motion or substituted motion). The mover or seconder of a motion for the adoption of the report of a committee who wishes to amend any item in the report may also propose or second an amendment.
- 19.7 Amendments which are proposed but not seconded shall lapse and shall not be entered in the minutes.
- 19.8 No further amendment shall be allowed until the first amendment is disposed of, although members may give notice to the chair of their intention to move further amendments and the tenor of their content.
- 19.9 Where an amendment is lost, another may be moved and seconded by any members who have not spoken to the motion (whether an original motion or substituted motion). Movers and seconders of previous amendments which were lost shall be regarded as having spoken

to the motion only and shall be entitled to speak to the new amendment, but shall not be entitled to move or second the new amendment.

- 19.10 Where an amendment is carried, the motion as amended becomes the substantive motion, and any member, other than previous movers or seconders in the debate, may then propose a further amendment.
- 19.11 Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.
- 19.12 No amendment which amounts to a direct negative shall be allowed which, if carried, would have the same effect as negating the motion.
- 19.13 The procedure in Standing Orders 19.9 and 19.10 shall be continued until a final resolution is adopted, subject to the rule that amendments may be moved and seconded only by members who have not spoken to the motion, or who have not moved or seconded previous amendments. Such members may, however, speak to amendments moved and seconded by other members.

**20. ALTERATION AND REVOCATION**

- 20.1 All or part of a resolution agreed at a meeting of the Council may be revoked or altered as follows:
- 20.1.1 Notice of motion for the revocation or alteration of all or part of a previous resolution shall be given to the Chief Executive by the member intending to move such a motion. Such notice shall set out:
- (i) the resolution or part thereof which it is proposed to revoke;
  - (ii) the meeting date when it was passed;
  - (iii) and the motion, if any, that it is intended to move in substitution therefore;
- 20.1.2 Such notice shall be given to the Chief Executive at least ten clear days before the meeting at which it is proposed to consider such motion and shall be signed by not less than one third of the members of the Council (including vacancies);
- 20.1.3 At least two clear days notice in writing shall then be given by the Chief Executive to the members of the intended motion and of the meeting at which it is proposed to move such motion.
- 20.2 Where a notice of motion has been given in terms of Standing Order 18 no action which is irreversible shall be taken by any person under the resolution proposed to be revoked or altered until the proposed notice of motion has been dealt with by the Council. If in the opinion of the Chairperson, however, the practical effect of the delay so occasioned would be equivalent to a revocation of the resolution, or if, by reason of repetitive notices the effect of the notice is, in the opinion of the Chairperson, an attempt by a minority to frustrate the will of the Council then, in either case, action may be taken as though no such notice to the Chief Executive had been given or signed.
- 20.3 If, during the course of a meeting of the Council, fresh facts or information are received concerning a matter already resolved at that meeting, then such previous resolution may be revoked or altered by the consent of three-quarters of the members present.
- 20.4 Any Council meeting may, on a recommendation contained in a report by the Chairperson or Chief Executive, or in the report of any committee, revoke or alter all or part of any resolution previously passed by the Council or committee thereof, provided that

notification of such recommendation shall have been given in writing to the Chairperson and members at least two clear days before the meeting at which such recommendation is to be considered.

- 20.5 The Chairperson, immediately prior to any division being taken, may request the Chief Executive to restate the motion upon which the division is to be taken. Once the Chairperson has put the motion, no member may speak to that motion after it has been put and voted upon.
- 20.6 In speaking in any debate no member shall cast reflection on any resolution of the Council except by a notice of motion to amend or revoke the same.

**21. PECUNIARY INTEREST**

- 21.1 No members may vote or take part in the discussion of any matter at any meeting where they, directly or indirectly, have any pecuniary interest as defined in law, other than an interest in common with the public.
- 21.2 Every member present when any matter is raised in which they have a pecuniary interest, whether directly or indirectly, apart from any interest in common with the public, is under a duty to declare fully any such interest to the meeting. This disclosure and the subsequent abstention of such members from both the discussion and voting on the item shall be recorded in the minutes.
- 21.3 Members who have declared a pecuniary interest in matters to be discussed under Standing Order 21.2 should consider leaving the meeting room for the full duration of discussion on such matters.

**22. PUBLIC ACCESS**

- 22.1 All meetings of the Council and its committees shall be open to the public except where otherwise provided by Part 7 of the Local Government Official Information and Meetings Act 1987.
- 22.2 All information provided to members at Council and committee meetings shall be available to the public unless a specific provision of the Local Government Official Information and Meetings Act 1987 applies.
- 22.3 The public shall be entitled without charge to copies of the order paper and agenda (including copies of supporting documents which form part of and are circulated with the agenda) to be considered at that part of the meeting which is open to them. The part of the order paper which relates to the resolution or motion to exclude the public shall also be available to the public. The necessary quantity of copies shall be made available.
- 22.4 The public shall be 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.
- 22.5 Where a member of the public makes a request for the minutes of a meeting or part thereof from which the public was excluded, that request shall be considered by the Chief Executive as a request for official information in terms of the Local Government Official Information and Meetings Act 1987.



## **23. INFORMATION**

### **23.1 Access for Members**

- 23.1.1 Information required by members for the conduct of the Council's business shall be supplied to them by the Chief Executive and when such information is supplied in writing, a copy shall also be supplied to the Chairperson of the appropriate committee and to the Chairperson of the Council.
- 23.1.2 If the document or information required affects the confidential business of the Council, or will incur undue expenditure of time in its preparation, the Chief Executive shall refer the matter to the Chairperson of the Council who will decide the extent to which such information may be given.
- 23.1.3 Nothing in Standing Order 23.1.2 shall prevent any Chairperson of a Committee from obtaining any required information from the Director who would normally report to that Committee.
- 23.1.4 Information obtained under Standing Orders 23.1.2 or 23.1.3 may be used in discussion or debate at any meeting of the Council only if the source of the information is disclosed to the meeting at the outset.
- 23.1.5 No information so obtained by any member shall be used for purposes other than the proper discharge of that member's functions as a member of the Council or of any Committee thereof.
- 23.1.6 Nothing in Standing Orders 23.1.1 to 23.1.5 shall prevent a member from seeking access to information under the provisions of the Local Government Official Information and Meetings Act 1987.

### **23.2 Obligation to Provide Members with Information**

- 23.2.1 Public excluded information required by members in the performance of their particular duties as members shall be supplied to them by the Chief Executive. Where the Chief Executive is uncertain that public excluded information should be supplied in any particular case, the matter shall be referred to the Chairperson for direction.
- 23.2.2 No information obtained by any member, including information obtained pursuant to Standing Order 23.2.1 shall be used for any purpose other than for the proper discharge of duties as a member.

23.2.3 Where the Chairperson of the Council has reasonable grounds for believing that public excluded information provided to any member has been misused, the Chairperson may report this and any proposed action to the Council.

23.2.4 The requirements of Standing Order 23.2.1 are in addition to the rights of members to make separate and individual requests for information in terms of the Local Government Official Information and Meetings Act 1987. Such requests for information may include requests for information that had previously been supplied to that member as public excluded information, to be released as publicly available information. Where such information is made available to that member as publicly available information, the member has the right to use such information in the same way as if that member were a member of the public.

### **23.3 Use of Public Excluded Information**

Subject to the provisions of the Local Government Official Information and Meetings Act 1987, no member, officer or other person shall disclose to any person other than another member or officer, any information which has been presented to, or is to be presented to any meeting from which the public is properly excluded, or where it is proposed that the public be properly excluded, nor shall any discussion, deliberations or decisions be divulged following any such meeting except by way of an authorised release of information by the Chairperson of the Council or otherwise than in accordance with any media policy in force in the Council from time to time.

### **23.4 Disclosure of Information**

23.4.1 No information shall be made public by a member or officer without authority.

23.4.2 Authority to release documents or information shall arise where:

- (a) the release of the information or document is required by law;
- (b) the information or document has already been made public;
- (c) the information is released with the specific or general authority of the Council or a relevant Committee.

23.4.3 The following persons are authorised to make statements on behalf of the Council, consistent with the policies of the Council:

- (a) The Chairperson of the Council;
- (b) Chairpersons of Committees with respect to matters within the Committee's jurisdiction;
- (c) The Chief Executive and officers authorised by the Chief Executive;
- (d) Directors with respect to matters within the Director's jurisdiction.

## **24. USE OF COMMON SEAL**

- 24.1 The Chief Executive shall hold the common seal of the Council and shall be responsible for its use.
  
- 24.2 Except when used pursuant to the terms of a delegation from the Council, the seal shall not be affixed to any document unless by resolution of the Council. The Chief Executive may with the consent of the Chairperson, affix the seal in an urgent case, in which case such action shall be reported to the Council.
  
- 24.3 Every sealing shall be made and done by the Chief Executive or such other officers or Councillors as may be authorised from time to time.

**25. EXCLUSION OF THE PUBLIC****25.1 Reasons to Exclude Public**

- 25.1.1 The Council may by resolution exclude the public, including news media, from the whole or 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. (See Schedule A).
- 25.1.2 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 and the reason for passing that resolution in relation to that matter and the grounds on which the resolution is based.
- 25.1.3 Every resolution or motion to exclude the public shall be put at a time when the meeting is open to the public, and 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 Council.
- 25.1.4 A resolution made in accordance with Standing Order 25.1.3 may provide for one or more specified persons to remain after the public has been excluded, if in the opinion of the Council, these persons have knowledge that will assist the meeting. Any such resolution is required to state the knowledge possessed by these persons which will be of assistance to the matter to be discussed, and how it is relevant to that matter. No such resolution is necessary in respect of the attendance of the Chief Executive and relevant staff during a public excluded session.

The foregoing Standing Orders were made by the Otago Regional Council by Resolution at a meeting held on 11 December 2013 and all previous Standing Orders are hereby revoked.

## SCHEDULE A

**Local Government Official Information and Meetings Act**

## "Section 48 (1)

Subject to subsection (3) of this section, 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:

- "(a) 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 for which good reason for withholding would exist, -
  - "(i) Where the local authority is named or specified in the First Schedule to this Act, under section 6 or section 7 (except section 7 (2) (f) (i) of this Act):
  - "(ii) Where the local authority is named or specified in the Second Schedule to this Act, under section 6 or section 7 or section 9 (except section 9 (2) (g) (i) of the Official Information Act 1982):
- "(b) 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 -
  - "(i) Be contrary to the provisions of a specified enactment; or
  - "(ii) Constitute contempt of Court or of the House of Representatives:
- "(c) That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that local authority by an Ombudsman under section 30 (1) or section 38 (3) of this Act (in the case of a local authority named or specified in the First Schedule to this Act ) or under section 30 (1) or section 35 (2) of the Official Information Act 1982 (in the case of a local authority named or specified in the Second Schedule to this Act);
- "(d) 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 any proceedings to which this paragraph applies.

- "(2) Paragraph (d) of subsection (1) of this section applies to -
- "(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) Repealed
- "(c) Any proceedings of a local authority in relation to any application or objection under the marine Farming Act 1971.
- "(3) Every resolution excluding the public from any meeting shall be in the form set out in Schedule 2A to this Act and shall state -
- "(a) The general subject of each matter to be considered while the public is excluded; and
- "(b) The reason for the passing of that resolution to that matter, including, where that resolution is passed in reliance on subsection (1) (a) of this section, the particular interest or interests protected by section 6 or section 7 of this Act, or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings in public; and
- "(c) The grounds on which that resolution is based (being one or more of the grounds set out in subsection (1) of this section).
- "(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.



- "(5) A resolution pursuant to subsection (1) of this section, may also provide for one or more specified persons to remain after the public has been excluded if that person, or persons, has or have, in the opinion of the local authority, knowledge that will assist the authority.
- "(6) Where a local authority resolves that one or more persons may remain after the public has been excluded, the resolution must state the knowledge possessed by that person or those persons which will be of assistance in relation to the matter to be discussed and how it is relevant to that matter."

**Grounds to exclude the public in terms of Sections 6 and 7 of the Local Government Official Information and Meetings Act 1987 referred to under Section 48(a)(i)**

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:

6. (a) 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
- 7 That the public conduct of the whole or 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
- (ba) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Maori, or to avoid the disclosure of the location of waahi tapu.

- (c) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment where the making available of the information
  - (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
- (d) avoid prejudice to measures protecting the health or safety of members of the public; or
- (e) avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
- (f) protect members or officers or employees of any local authority or any persons to whom section 2(5) of the Local Government Official Information and Meetings Act 1987 applies, from improper pressure or harassment; or
- (g) maintain legal professional privilege; or
- (h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or
- (i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (j) prevent the disclosure or use of official information for improper gain or improper advantage.

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## Report

To: Otago Civil Defence Emergency Management Group  
From: Peter Bodeker, CE, ORC  
Date: 13 May 2014  
Subject: **Otago Civil Defence Emergency Management Group**

### Précis

This paper provides the structure of the Otago Regional civil Defence Emergency Management Group, as expressed in the Group Plan, and attaches the key legislative requirements of the Group.

### Structure of the Otago Civil Defence Emergency Management Group (CDEMG)

The Otago Civil Defence Emergency Management group is a mandatory standing committee under the Act<sup>1</sup> (S12) and is made up of political representatives from each of the six local authorities in Otago.

Representation on the Civil Defence Emergency Management Group Committee is:

- Central Otago District Council
- Clutha District Council
- Dunedin City Council
- Otago Regional Council
- Queenstown Lakes District Council
- Waitaki District Council

The committee is the decision making body that has overall responsibility for the provision of civil defence emergency management within the Otago Civil Defence Emergency Management Group area.

Although the Waitaki District falls within the boundaries of both Otago and Canterbury regions, the Waitaki District Council chose under the requirements of section 14(2) of the Act to become a member of the Otago Civil Defence Emergency Management Group for civil defence emergency management purposes.

The Otago Group Emergency Management Office is coordinated by the Otago Regional Council with all member authorities contributing expertise. The Emergency Management Office is responsible for coordinating and facilitating the day-to-day planning and project work on behalf of the Civil Defence Emergency Management Group and the Coordinating Executive Group.

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<sup>1</sup> The Act is the Civil Defence Emergency Management Act 2002. Refer attachment 1

The functions of the Emergency Management Office include:

- advice and technical support to the Coordinating Executive Group and Civil Defence Emergency Management Group;
- project co-ordination and management, including ongoing development, implementation, monitoring and review of the Group Plan;
- external liaison with the Civil Defence Emergency Management sector including other groups and the Ministry of Civil Defence and Emergency Management;
- coordination of monitoring and evaluation of activities;
- preparation of an annual report of Group activities, budget and performance, in conjunction with the Coordinating Executive Group, to the Group;
- receipt and promulgation to members of all correspondence and information.

### **Purpose of a Civil Defence Emergency Management Group Plan**

The (Civil Defence Emergency Management Group) Plan is one of the key tools to ensure emergency management occurs in an integrated and coordinated manner. Its purpose is to enable the effective and efficient management of all hazards within the Group area.

This Civil Defence Emergency Management Group Plan's focus is to follow Comprehensive Emergency Management principles. To achieve this, an integrated multi-agency approach has been applied involving Regional and Local Authorities and the Emergency Services in order to provide a readiness and response capability in a multi-agency environment.

The ultimate aim is to make the communities within the Group boundaries more resilient and enabled to respond to and recover rapidly from emergencies. This plan provides for:

- identification and analysis of relevant hazards and risks, agreed actions and
- allocation of responsibility for tasks within the Group;
- strengthening relationships between emergency management agencies;
- delivery of effective emergency management through risk reduction, readiness,
- response and recovery.

### **Principles used in developing the Otago Civil Defence Emergency Management Group Plan**

The Otago Civil Defence Emergency Management Group Plan has been developed based on the following principles:

- provision of a minimum structure with maximum devolvement to constituent Local Authorities;
- retention of the best aspects of previous civil defence emergency management in Otago;
- issues to be managed at the lowest level commensurate with risks and resources;
- retention of local control and accountability for service delivery;
- methods that are practical, direct and avoid duplication of effort;
- the priority during an emergency will be to prevent or minimise loss of life and injury to the public;
- during an emergency, property issues will be dealt with in so far as they affect the life, safety and wellbeing of people in the community;

- co-ordinated and integrated operational planning is the basis of ensuring capability to respond to and manage emergencies as they arise;
- regional arrangements will support and enhance local emergency management capabilities;
- standard Co-ordinated Incident Management System (CIMS) will be used by all emergency services and response agencies during an incident to the greatest extent possible.

**Recommendation**

That this report be noted

**Peter Bodeker**  
**Chief Executive**  
**Otago Regional Council**

## **Statutory requirements: Civil Defence Emergency Management Act 2002**

The following clauses from the Act are the key ones concerning the establishment and functions of regional civil defence emergency management groups.

### **12 Local authorities to establish Civil Defence Emergency Management Groups**

- (1) *Within 6 months after the date of the commencement of this Act,—*  
(a) *every regional council and every territorial authority within that region must unite to establish a Civil Defence Emergency Management Group for the purposes of this Act as a joint standing committee under [clause 30(1)(b) of Schedule 7 of the Local Government Act 2002]:*

### **13 Membership of Civil Defence Emergency Management Groups**

- (1) *Every local authority must be a member of a Civil Defence Emergency Management Group.*
- (4) *Each local authority that is a member of a Group with other local authorities must be represented on the Group by 1, and only 1, person, being the [mayor or] chairperson of that local authority or an elected person from that local authority who has delegated authority to act for the [mayor or] chairperson.*

### **14 Membership rules for territorial authorities**

- (1) *A territorial authority whose district is completely within the area of a regional council must be a member of the Civil Defence Emergency Management Group of which the regional council is a member.*
- (2) *Each territorial authority whose district is in the area of 2 or more regional councils must, after consulting with the relevant regional councils, join any 1, but only 1, of the Groups of which the relevant regional councils are members.*
- (3) *A territorial authority's decision to join a particular Group under subsection (2) is irrevocable, and must be made within 2 months of the establishment of the particular Group.*

### **15 Appointment of chairperson**

- (1) *Each Civil Defence Emergency Management Group may appoint 1 of the representatives of its members to act as chairperson.*
- (2) *The appointed chairperson may hold office for the period agreed by the Group at the time of the appointment.*
- (3) *Despite subsection (2), the term of office of an appointed chairperson ends if that person ceases to be a representative of a member of the Group.*

### **16 Powers and obligations of members of Civil Defence Emergency Management Groups**

*Each member of a Civil Defence Emergency Management Group—*

- (a) *may acquire, hold, and dispose of real or personal property for the use of the Group; and*
- (b) *may remunerate its representative for the cost of that person's participation in the Group; and*
- (c) *must provide to the Group the information or reports that may be required by the Group; and*
- (d) *must pay the costs of administrative and related services in accordance with section 24; and*
- (e) *must pay the costs, or a share of the costs, of any civil defence emergency management activity that the member has agreed to pay; and*
- (f) *may carry out any other functions or duties conferred on a member of a Group under this Act.*

### **17 Functions of Civil Defence Emergency Management Groups**

(1) *The functions of a Civil Defence Emergency Management Group, and of each member, are to—*

- (a) *in relation to relevant hazards and risks,—*
  - (i) *identify, assess, and manage those hazards and risks:*
  - (ii) *consult and communicate about risks:*
  - (iii) *identify and implement cost-effective risk reduction:*
- (b) *take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or to otherwise make available suitably trained and competent personnel, including volunteers, and an appropriate organisational structure for those personnel, for effective civil defence emergency management in its area:*
- (c) *take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or otherwise to make available material, services, information, and any other resources for effective civil defence emergency management in its area:*
- (d) *respond to and manage the adverse effects of emergencies in its area:*
- (e) *carry out recovery activities:*
- (f) *when requested, assist other Groups in the implementation of civil defence emergency management in their areas (having regard to the competing civil defence emergency management demands within the Group's own area and any other requests for assistance from other Groups):*
- (g) *within its area, promote and raise public awareness of, and compliance with, this Act and legislative provisions relevant to the purpose of this Act:*
- (h) *monitor and report on compliance within its area with this Act and legislative provisions relevant to the purpose of this Act:*
- (i) *develop, approve, implement, and monitor a civil defence emergency management group plan and regularly review the plan:*
- (j) *participate in the development of the national civil defence emergency management strategy and the national civil defence emergency management plan:*

(k) *promote civil defence emergency management in its area that is consistent with the purpose of this Act.*

(2) *A Group also has any other functions that are conferred or imposed by or under this Act or any other enactment.*

### **18 General powers of Civil Defence Emergency Management Groups**

(1) *A Civil Defence Emergency Management Group has all the powers that are reasonably necessary or expedient to enable it to perform its functions, including the power to delegate any of its functions to members, the Group Controller, or other persons.*

### **20 Appointment and functions of Civil Defence Emergency Management Co-ordinating Executive Groups**

(1) *A Civil Defence Emergency Management Group must establish and maintain a Civil Defence Emergency Management Co-ordinating Executive Group consisting of—*

(a) *the chief executive officer of each member local authority or a person acting on the chief executive officer's behalf; and*

(b) *a senior [Police employee] who is assigned for the purpose by the Commissioner of Police; and*

(c) *a senior member of the Fire Service who is assigned for the purpose by the National Commander; and*

(d) *the chief executive officer of the hospital and health services operating in the area or a person acting on the chief executive officer's behalf; and*

(e) *any other persons that may be co-opted by the Civil Defence Emergency Management Group.*

(2) *Each Executive Group is responsible to the Civil Defence Emergency Management Group for—*

(a) *providing advice to the Civil Defence Emergency Management Group and any subgroups or subcommittees of the Group:*

(b) *implementing, as appropriate, the decisions of the Civil Defence Emergency Management Group:*

(c) *overseeing the implementation, development, maintenance, monitoring, and evaluation of the civil defence emergency management group plan.*

### **23 Establishment of administering authorities**

(1) *The administering authority for each Civil Defence Emergency Management Group is a regional council or unitary authority that is a member of the Group.*



**24 Functions and costs of administering authorities and chief executives of administering authorities**

(1) An administering authority established under section 23 and, as appropriate, the chief executive of that authority are responsible for the provision of administrative and related services that may from time to time be required by the relevant Civil Defence Emergency Management Group.

(2) The administrative and related services referred to in subsection (1) include services required for the purposes of the [Local Government Act 2002], this Act, or any other Act, regulation, or bylaw that applies to the conduct of a joint standing committee under [clause 30(1)(b) of Schedule 7 of the Local Government Act 2002].

(3) The cost of the administrative and related services must be agreed from time to time by each Group.

(4) Unless the members of a Group agree otherwise, the costs agreed under subsection (3) must be divided equally among the members and each member must pay 1 share of the cost.

**25 Appointment of persons who may declare state of local emergency**

(1) A Civil Defence Emergency Management Group must appoint at least 1 person as a person authorised to declare a state of local emergency for its area.

(2) The person or persons appointed under subsection (1) must be chosen from the representatives of the members of the Group.

(3) If a Group appoints more than 1 person under this section, it must state in the instrument of appointment—

(a) whether the appointee has equal status to make a declaration or whether the appointee is authorised only to act in the absence of other named persons:

(b) any other conditions or limitations.

(4) If no appointed person is or is likely to be able to exercise his or her functions, duties, and powers under this Act, a representative of any member of the Group may exercise the power to declare a state of local emergency.

(5) Despite subsections (1) to (4), the Mayor of a territorial authority, or an elected member of the territorial authority designated to act on behalf of the Mayor if the Mayor is absent, may declare a state of local emergency that covers the district of that territorial authority.

## Terms of Reference to recommend options for providing Civil Defence services in Otago

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### Background

The Regional Council and Territorial Authority CEOs from Otago wish to review the way civil defence is delivered in the Otago region.

We currently use the conventional model and have a series of regional offices with an Otago Group office. Other regions have taken a more rationalised approach, combining group and regional activities under one management system.

The Otago CEO group is seeking a report which:

- (1) Outlines options for delivering a civil defence response and ensures an appropriate level of readiness is maintained in the Otago region.
- (2) Considers how civil defence activity in the Otago region could partner with neighbouring regions, particularly Southland, but also Canterbury.
- (3) The MCDEM position or preference on regional civil defence organisation.
- (4) A proposed structure and budget to achieve the various options being proposed.

The project will report to the Otago CEO Forum and be funded by ORC.

Peter Bodeker  
**Chief Executive**