



MANAGEMENT COMMITTEES: TRIENNIAL ELECTION RULES

The Council governance structure includes a number of management committees which have the responsibility for managing a local facility (reserve or hall/community centre) on behalf of a specific community and the Council. There are also township or community committees that advocate for their local communities to the council on a variety of issues. Each type of committee is formed by an election process on a three yearly or triennial basis.

Triennial elections for your committee are required to be held following the Local Body Elections.

Committees are asked to schedule their election meetings from the November following the Selwyn District Council triennial elections to allow the elected member (councillor or community board member) assigned to their committee to attend. You will be notified in late October/early November of the name and contact details of this individual.

To assist with the smooth running of your election and to ensure that all legal requirements are met, here are rules for your election meeting to follow.

Where should your committee hold its triennial election?

- 1) The triennial meeting must be held in a public place, publicly advertised at least two weeks before the date. All meetings should be advertised in Council Call (a free service), contact the council secretary on 03 347 2800 or 03 318 8338, fax to 03 347 2799 or e-mail meeting.changes@selwyn.govt.nz. You should also advertise in any other publication or place your committee decide is appropriate to ensure your advertising reaches as many in your community as possible. Accounts for advertising can be sent to Selwyn District Council for payment from the appropriate township/committee discretionary fund or general expenses account relevant to your committee.

You will need an independent Chairperson to run the election meeting

- 2) An independent Chairperson is required to run the election process. This can be the retiring chairperson if they are not standing for re-election, or you may wish to ask your appointed elected member.

Calling of nominations for the committee

- 3) The committee must have no more than thirteen persons and not less than five in total. Before nominations are called, the number of committee members to be elected must be agreed by those present at the public meeting. All committee members have equal voting rights at committee meetings.
- 4) The Selwyn District Councillor or Community Board member appointed to your committee is a member of the committee. They have the same voting rights as any other member of your committee. This appointment must be included in the total maximum number for the committee as above in clause 3.
- 5) Any individual who is included on the Selwyn District Council Final Electoral Roll for a Triennial Election or is a ratepayer or is a resident of the District can be nominated for election to a committee. (NOTE: Individuals who are added to the roll subsequent to the roll being compiled and prior to any committee election being held also become eligible for election. Two obvious examples of being added to the roll after it is compiled are individuals who turn 18 after the final roll is compiled or individuals who move into the District after the roll is compiled).
- 6) All nominations must be moved and seconded by individuals who are either ratepayers or residents within the reserve or community centre rating area for the reserve or community centre committee. A nomination for a community/township committee follows the same nomination rules using either the local reserve/community centre rating area.
- 7) Individuals who have forwarded an apology are eligible for nomination.
- 8) A community centre or reserve committee may decide to appoint a number of its members from users of the local facility. A community/township committee may wish to appoint a number of its members from special interest groups. The number of these appointed members must be decided prior to nominations being called as per clause 3 above. Only one member can be appointed per special interest or user group under this clause. The appointed members must total less than half of the total agreed members of the committee.
- 9) A member of a committee who is appointed under clause 8 above does not need to be included on the Selwyn District Council Final Electoral Roll ie they can live outside the District.

Can an employee of the council stand for election for a committee?

- 10) Employees of the Selwyn District Council are eligible to be elected to committees. They must disclose their working relationship for the council if a committee discussion or decision is likely to impact on their direct working relationship eg a council resource consent planner is a member of a community committee and that committee wishes to discuss a resource consent decision. The staff member should take no part in any committee discussion or decision although commenting on process to assist the committee is acceptable.
- 11) Direct employees of a committee eg caretakers/committee minute secretaries are also eligible to be members of a committee.
- 12) Under no circumstances are the direct employees to take part in any discussion that the committee has regarding the employee's remuneration, employment conditions or performance. When such discussion occurs, the employee is to leave the room where the meeting is being held with the minutes of the meeting recording the time the employee left the meeting and returned. The meeting minutes on employee issues must be undertaken in a public excluded environment to protect the confidential nature of the employee/employer relationship.
- 13) Direct employees of a committee can be placed in a difficult situation where their employment and committee obligations could clash from time to time. If an employee does not appropriately separate themselves from committee discussions at the correct time, then the employee/employer relationship may be strained and effect the ongoing employment relationship.
- 14) If the Chief Executive of the Council (or their appointee) on enquiry with the committee and the employee, form the view that the employee/employer relationship is suffering and has the potential to reflect badly on the council, then the Chief Executive (or their appointee) is delegated under these rules, the authority to apply this behaviour to council's code of conduct and act accordingly upon any breaches.
- 15) Although such a rule may seem unduly harsh, the council believes that the separation of an employee's duties and committee discussion/duties when there is a direct employment relationship is challenging. The preference is for no individual to be a committee member and an employee as this would avoid the potential for actual or perceived conflict in the workplace and the community.
- 16) The council acknowledges that most individuals can very ably undertake the employee/committee member joint role. Accordingly the council must reserve the right to make the decision that best protects its reputation as an elected body but also it's obligations to be a good employer and maintain individuals' basic human rights.
- 17) It is important to note that the Chief Executive (or their appointee) cannot make a decision as to whether the individual should be removed as a committee member as the only people who can make that decision ultimately are the electors or users who appointed the individual as a committee member.

Co-option of committee members

- 18) If the number of committee members elected at the triennial election is less than the number recommended under clause 3 above, then these positions remain vacant and can be filled by co-option. Decisions on how to co-opt should be made at future committee meetings. The processes of co-opting should be discussed with your appointed elected member.

Who can vote at a meeting?

- 19) Any individual who is included on the Selwyn District Council Final Electoral Roll for a Triennial Election or is a ratepayer and/or resides within the reserve or community centre rating area for the reserve, community centre or community/township committee is eligible to vote in a committee election. (Individuals who are added to the roll subsequent to the roll being compiled and prior to any committee election being held also become eligible for election. Two obvious examples are individuals who turn 18 after the final roll is compiled or individuals who move into the District after the roll is compiled).
- 20) Voting for committee members can be done by the chairperson calling for a simple show of hands or by secret ballot. A show of hands is a simple and effective means of electing a committee.

Voting by Secret Ballot is consistent with the way individuals vote for Mayor, Councillors or Community Board members at the triennial elections. If voting by a secret ballot process, the counting of votes, needs to be coordinated by the meeting Chairperson in a manner that does not identify the voter.

What if a committee member resigns from the committee or moves from the community?

- 21) From time to time, committee members will not be able to complete their three year terms for a variety of reasons. In such situations, the following options should be considered by the committee and implemented as deemed appropriate:
- If the committee member is a user group representative then under rule 8 the user group should be asked to make an appointment.
 - If the committee member was elected at the triennial election and there were members of the community not elected, then the Chairman of the committee should approach those unsuccessful ratepayers/residents to see if they are interested in being elected. If votes were counted or a record of a show of hands was maintained in the meeting minutes, then the highest polling unelected ratepayer/resident should be offered the committee member role.
 - If neither of the above points achieves a member being appointed, then a co-option process can be used. This process seeking registrations of interest for the role should be widely advertised, including a notice in Council Call.

What else should you do at the triennial meeting?

- 22) It is recommended that you use this public meeting as part of your regular reporting to your community. The outgoing Chairperson should present a report of activities and achievements over the past three years.
- 23) The triennial election meeting is an opportune time to ask your community for suggestions for projects for future years and to confirm with them the recommended project priorities for the next few years. Please note that projects scheduled for the next three years in your annual budget can only be changed if there are extraordinary circumstances.

What does your committee need to do after the triennial election meeting?

- 24) The date for the first committee meeting should be set by consensus and all meetings advertised in Council Call.
- 25) At the first meeting, a Chairperson and Secretary should be elected. The Secretary can be appointed and paid for the work done if the secretary and committee agree. This payment would be from funds budgeted by your committee. Please contact the Payroll Officer, ph 03 347 2717 or 03 318 8338, e-mail payroll@selwyn.govt.nz to discuss such payments.
- 26) Once your committee members have been determined please the Community Services Administration Officer, ph 03 347 2752 or 03 318 338, e-mail committees.secretary@selwyn.govt.nz to advise the following information, for each committee member:
 - Full Name
 - Mail Address
 - Telephone Number, and
 - E-mail contact
 - Role or position held and whether they are a ratepayer or user representative.

The Council is always looking to streamline our delivery methods and will be disseminating information via e-mail wherever possible.

Committee induction and training

- 27) The council has a process by which training and support for management committees is coordinated by the council's community services team. This training and support is a combination of staff and external experts as time and funding allows. A programme of training will be issued shortly after the triennial election while a variety of council policies/procedures/guides are available to assist committees in undertaking their duties.

We need your committee meeting minutes please

- 28) Council committees are required to forward a copy of all meeting minutes to the Council for record keeping. Under Council's Standing Orders, (see note below) it is a requirement that the Council hold minutes of meetings from all its committees. Please ensure you comply with this request by posting, or faxing to 03 347 2800 or 03 347 2799, or via e-mail to admin@selwyn.govt.nz

How long is a committee member elected for?

- 29) Committee members are elected for the full triennium ie three year period. A committee member may resign from the committee during this period. There maybe some circumstances where an individual is disqualified from being a member. Individuals cannot be summarily dismissed by the committee itself.

Council and community board meetings operates under Standing Orders which states that if an elected member is absent from four continuous meetings without an apology they can be considered Absent Without Leave. If your committee faces a similar situation, the Chairman may decide to seek advice from Council officers on the best course of action in the circumstances concerned.

Do you have any questions?

- 30) If you have any further questions about holding an election, please contact the Douglas Marshall who is the Council's Corporate Services Manager and Electoral Officer on 03 347 2800 or 03 318 8338

Note on Standing Orders and other matters

- (i) **Standing Orders** - are the rules and procedures that the Council adopts every three years that determines how meetings will be run. Most committees never need to refer to Standing Orders as they keep their meetings simple with straightforward resolutions and in most situations, passing resolutions by majority or consensus decision making.

From time to time, committees have more difficult/controversial decisions to make. In these situations, the rules of meeting procedure need to be correctly followed. In such situations your elected member, who has a copy of Standing Orders will be able to assist. Alternatively, council staff can provide advice.

- (ii) **Public Excluded meeting sessions** - under standing orders, all decisions made by a committee must be made in a public, or open, session of a committee meeting. In some circumstances, a committee meeting can consider, or make decisions in a session where the public are excluded. Your committee's elected member will be able to assist you in deciding if the subject to be discussed fits the rules for the meeting moving into a public excluded session. If decisions are made in public excluded sessions, the committee at some appropriate point in time pass a resolution to have the decision available to the public. When this time occurs will depend on a case by case basis.

Revised rules adopted at the council meeting 11 September 2013



Selwyn District Council

Guidance Notes for Triennial Election Rules

The following guidance notes have been issued to assist committees with interpreting the council's management committee election rules. (last issued 10 November 2010)

What is a management committee?	<p>A management committee is defined as being either a:</p> <ul style="list-style-type: none"> • Community Centre/Hall Committee • Reserve Committee • Township/Community/Advisory Committee <p>Residents associations are not a management committee of the Selwyn District Council as they are a separate legal entity in their own right. They will have their own rules for electing their committee but such entities are more than welcome to use these rules for their elections if they so wish.</p>
Who can stand for election?	<p>Council has made this a very wide definition. If you are on the Selwyn District Council electoral roll or a ratepayer or a resident in the District, then you can stand for nomination. For example you may live in Christchurch but own land (and thus a ratepayer) in the District, then you can stand for nomination.</p>
Who can move or second nominations?	<p>This rule has the greatest restriction in that the Council allows anyone to stand for nomination but only those in the rating area can move or second the nomination. In other words, the locals you wish to represent will decide if you are appropriate to be nominated.</p>
Who can vote?	<p>This is also a wide definition but only those in the rating area you are to represent can vote for you but they can be an elector, ratepayer or resident. For example if you are not an elector in the District or own land in the rating area but you rent a property in the rating area, you can vote. The individual voting must be 18 on the day of the election. This requirement is consistent with the voting age for Central and Local Government elections.</p>
What if a property is owned by a trust?	<p>In such situations, the Trustees of the Trust need to nominate one of the Trustees to be the ratepayer for election purposes. This is consistent with the requirements of the Local Electoral Act 2001 for non-resident ratepayer voting (non-resident ratepayers are those that do not live in a district but own property in Selwyn District). The non resident ratepayer rule allows ratepayers such as companies or trusts to vote in a local authority election.</p>

Who is a resident?	<p>A resident is an individual whose normal place of residence is Selwyn District.</p> <p>The best example is an individual who rents property (being a dwelling) in the District but they may for a number of reasons not be registered on the Selwyn election roll.</p> <p>Normal place of residency would be an individual who resides in the District for at least 50% of the year (being that for at least 183 days of the previous 365 days the individual slept in the dwelling)</p> <p>If an individual only resides in the District at the weekend, e.g. their dwelling is a bach or Fishermans Hut, this would not be seen as satisfactory to indicate that the individual is a resident although the individual could of course be a ratepayer and therefore gets a vote.</p>
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If you have any questions, regarding the election rules or guidance notes, please contact the writer be either:

- the normal council phone numbers of 347 2800 or Darfield toll free 318 8338
- my direct dial number of 03 347 2701
- cell phone 0274 584 157
- email douglas.marshall@selwyn.govt.nz



Douglas Marshall
MANAGER CORPORATE SERVICES

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