



Far North District Council



Te Kaunihera o Te Hiku o te Ika



Friday, 31 October 2025

Time: 11:30 AM
Location: Council Chamber
Memorial Avenue
Kaikohe

Membership:

Member Jessie McVeagh
Member Eddie Court
Member Doug Te Wake
Member Scarlet Mocaraka
Member Denis Orme
Member Kelly Van Gaalen

The Local Government Act 2002 states the role of a Community Board is to:-

- A. Represent, and act as an advocate for, the interests of its community.
- B. Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board.
- C. Maintain an overview of services provided by the territorial authority within the community.
- D. Prepare an annual submission to the territorial authority for expenditure within the community.
- E. Communicate with community organisations and special interest groups within the community.
- F. Undertake any other responsibilities that are delegated to it by the territorial authority

Council Delegations to Community Boards - January 2013

The "civic amenities" referred to in these delegations include the following Council activities:

- Amenity lighting
- Cemeteries
- Drainage (does not include reticulated storm water systems)
- Footpaths/cycle ways and walkways.
- Public toilets
- Reserves
- Halls
- Swimming pools
- Town litter
- Town beautification and maintenance
- Street furniture including public information signage.
- Street/public Art.
- Trees on Council land
- Off road public car parks.
- Lindvart Park – a Kaikohe-Hokianga Community Board civic amenity.

Exclusions: *From time to time Council may consider some activities and assets as having district wide significance and these will remain the responsibility of Council. These currently include: The roading network, Hundertwasser toilets, District Library Network, Baysport, the Kerikeri, Kaikohe & Kaitia Airports, Hokianga Vehicle Ferry, i-Site network, Far North Community Centre, Kerikeri Domain, Kawakawa Heated Swimming Pool, Kaikohe Cemetery, Kerikeri Sports Complex, The Centre at Kerikeri, the Bay of Islands/Hokianga Cycle Trail.*

Set local priorities for minor capital works in accordance with existing strategies,

1. Recommend local service levels and asset development priorities for civic amenities as part of the Annual Plan and Long Term Plan processes.
2. Reallocate capital budgets within the Annual Plan of up to 5% for any specific civic amenity, provided that the overall activity budgetary targets are met.
3. Make grants from the allocated Community Funds in accordance with policy 3209, and the SPARC/Sport Northland Rural Travel fund in accordance with the criteria set by the respective body, and, for the Bay of Islands-Whangaroa Community Board, the power to allocate the Hundertwasser Donations Account.
4. Provide comment to council staff on resource consent applications having significance within the Community, including the provision of land for reserves or other public purposes.
5. To hold, or participate in hearings, as the Council considers appropriate, in relation to submissions pertinent to their community made to plans and strategies including the Long Term Plan and Annual Plan, and if appropriate recommend decisions to the Council.

6. To hold hearings of submissions received as a result of Special Consultative Procedures carried out in respect of any matter other than an Annual or Long Term Plan, and make recommendations to the Council.
7. Where recommended by staff to appoint management committees for local reserves, cemeteries, halls, and community centers.
8. To allocate names for previously unnamed local roads, reserves and other community facilities, and recommend to Council name changes of previously named roads, reserves, and community facilities subject to consultation with the community.
9. To consider the provisions of new and reviewed reserve management plans for recommendation to the Council in accordance with the Reserves Act 1977, and hear or participate in the hearing of submissions thereto, as considered appropriate by the Council.
10. To provide recommendations to the Council in respect of applications for the use and/or lease of reserves not contemplated by an existing reserve management plan.
11. Prohibit the use of skateboards in specified locations within their communities, in accordance with Council's Skating Bylaw 1998.
12. Recommend new bylaws or amendments to existing bylaws.
13. Prepare and review management plans for local cemeteries within budget parameters and in a manner consistent with Council Policy.
14. Exercise the following powers in respect of the Council bylaws within their community:
 - a) Control of Use of Public Spaces – Dispensations on signs
 - b) Mobile Shops and Hawkers – Recommend places where mobile shops and/or hawkers should not be permitted.
 - c) Parking and Traffic Control – Recommend parking restrictions, and areas where complying camping vehicles may park, and consider and grant dispensations in accordance with clause 2007.2
 - d) Public Places Liquor Control – Recommend times and places where the possession or drinking of alcohol should be prohibited.
 - e) Speed Limits – Recommend places and speed limits which should be imposed.
15. To appoint Community Board members to speak on behalf of their community in respect of submissions or petitions.
16. Specific to the Bay of Islands-Whangaroa Community Board – consider any recommendations of the Paihia Heritage Working Group and make appropriate recommendations to Council on the development of a draft Plan Change and a Section 32 analysis on heritage provisions for Paihia.
17. To set schedule of meeting dates, times and venues, subject to the meetings not conflicting with meetings of the Council and satisfying the provisions of the Local Government Official Information and Meetings Act 1987.
18. To review all proposed public art projects on a project-by project basis to ensure they comply with policy #5105 Art in Public Places, including approval of the aesthetic appearance, maintenance programme, insurance and appropriate location, and to agree to their installation.
19. In respect of applications from food establishments for permission to establish tables and chairs on a public place, i.e. Alfresco dining in accordance with Policy 3116, to consider and decide on any application which does not meet all criteria of the policy, and any application which staff recommend to be declined.
20. Subject to a report from the appropriate managers and the appropriate budgetary provision, to make decisions in respect of civic amenities including the levels of service, and the provision or removal of an amenity not provided for elsewhere in these delegations.

Terms of Reference

In fulfilling its role and giving effect to its delegations, Community Boards are expected to:

1. Comment on adverse performance to the Chief Executive in respect of service delivery.
2. Assist their communities in the development of structure plans, emergency management community response plans, and community development plans.
3. Assist their communities to set priorities for Pride of Place programmes.
4. Have special regard for the views of Māori.
5. Have special regard for the views of special interest groups, e.g. disabled, youth, aged, etc.
6. Actively participate in community consultation and advocacy and keep Council informed on local issues.
7. Seek and report to Council community feedback on current issues by:
 - a) Holding a Community forum prior to Board meetings
 - b) Varying the venues of Board meetings to enable access by members of the community
8. Monitor and make recommendations to Council to improve effectiveness of policy.
9. Appoint a member to receive Annual Plan\Long Term Council Community Plan submissions pertinent to the Board area, attend hearings within the Board area, and attend Council deliberations prior to the Plan adoption.

Protocols

In supporting Community Boards to fulfil their role, the Council will:

1. Provide appropriate management support for the Boards.
2. Organise and host regular workshops with the Community Boards I to assess the 'State of the Wards & District' to establish spending priorities.
3. Prior to decision-making, seek and include 'Community Board views' in Council reports in relation to:
 - a) the disposal and purchase of land
 - b) proposals to acquire or dispose of reserves
 - c) representation reviews
 - d) development of new maritime facilities
 - e) community development plans and structure plans
 - f) removal and protection of trees
 - g) local economic development initiatives
 - h) changes to the Resource Management Plan
4. Organise and host quarterly meetings between Boards, the CEO and senior management staff.
5. Prepare an induction/familiarisation process targeting new members in particular early in the term.
6. Support Board members to arrange meetings with local agencies and service clubs to place more emphasis on partnerships and raising profile of the Boards as community leaders.
7. Permit Board chairperson (or nominated member) speaking rights at Council meetings.
8. Help Boards to implement local community projects.
9. Arrange for Infrastructure and Asset Management Staff to meet with the Community Boards in September each year to agree the capital works for the forthcoming year for input into the Annual or Long Term Plan.
10. Provide information.

Kaikohe-Hokianga Community Board Meeting
will be held in the Council Chamber, Memorial Avenue, Kaikohe on:
Friday 31 October 2025 at 11:30 AM

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1 KARAKIA TĪMATANGA / OPENING PRAYER

2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Community Board and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Manager - Democracy Services (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

[Elected Member - Register of Interests](#)

3 TE WĀHANGA TŪMATANUI / PUBLIC FORUM

4 NGĀ TONO KŌRERO / DEPUTATION

No requests for deputations were received at the time of the Agenda going to print.

5 NGĀ KAIKŌRERO / SPEAKERS

6 NGĀ PŪRONGO / REPORTS

6.1 MAKING AND ATTESTING OF COMMUNITY BOARD DECLARATIONS

File Number: A5431749

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

To set out the process for making and attesting of Community Board declarations.

TŪTOHUNGA / RECOMMENDATION

There is no recommendation or decision required for this report.

The minutes will record and reflect the Declarations made by each Elected Member as witnessed by the Chief Executive's Appointed Officer (Te Pou Ārahi o Te Tumu Whakarae).

1) TĀHUHU KŌRERO / BACKGROUND

Under Clause 14(1) and (2) of Schedule 7 of the Local Government Act 2002, no person can act as a member of a local authority until they have made both a written and oral declaration. This declaration confirms their commitment to faithfully and impartially carry out their duties in accordance with the law. The specific wording of the declaration is set out in Clause 14(3).

Importantly, Section 54(2) of the same Act confirms that these requirements also apply to Community Board members, with necessary modifications. This means that newly elected Community Board members must complete the Declaration before they can officially participate in meetings or make decisions.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

The Chief Executive's appointed officer will witness the Declarations of the Kaikohe-Hokianga Community Board Members.

The declaration that each member is required to take is set out in Clause 14(3) Schedule 7 of the Act and reads:

Declaration by Member (English Version)

"I, (Members Name), declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of [region or district], the powers, authorities, and duties vested in, or imposed upon, me as [mayor or chairperson or member] of the [local authority] by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Dated at: 31 October 2025, in Chambers, Head Office - Kaikohe

Signature:

Signed in the presence of: (Appointed Officer)

OR

Ōati ā Mema (Te Reo Māori)

Ko au ko, _____, ka ōati ai ki runga i te pono me te tika ka mutu ki te taumata o tōku atamai me āku whakataunga. Ka mahi ai mō te painga o Te Hiku o te Ika, haere tonu ki ngā ihi me ngā herenga mahi, ka pā ki roto, ka uruhi ki runga i ahau hei mema o Te Poari o Te Hapori o Bay of Islands-Whangaroa, e ai ki te Ture Kāwanatanga ā-Rohe 2002. Te Ture Kāwanatanga ā-Rohe mō ngā Kōrero Whakamōhio me ngā Huihuinga Kōrero 1987, me tāpiri atu ki ērā atu o ngā Ture raini.

*He mea whakaū tēnei ki: 31 o Whiringa-ā-nuku, 2025, Chambers, Head Office - Kaikohe.
I hainatia i mua i te: (Pou Ārahi)*

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary provision required as a result of receiving this report.

ATTACHMENTS

Nil

6.2 ELECTION OF THE KAIKOHE-HOKIANGA COMMUNITY BOARD CHAIRPERSON

File Number: A5431753

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of the report is to explain the procedure for the election of the Chairperson of the Board and to elect a Chairperson.

TŪTOHUNGA / RECOMMENDATION

That the Kaikohe-Hokianga Community Board:

use System B as the preferred voting system to elect a Chairperson.

elect _____ as Chairperson for the triennium October 2025 to October 2028, in accordance with the Local Government Act 2002.

1) TĀHUHU KŌRERO / BACKGROUND

Section 54 (2) of the Local Government Act 2002 (LGA02) states that Part 1 of Schedule 7 (excluding clauses 15 and 33 to 36) applies to Community Boards.

Part 2 of Schedule 7 states that a community board must have a chairperson.

It is therefore necessary to appoint a Chairperson to the Kaikohe-Hokianga Community Board at the first meeting of the local authority under Clause 21(5)(e) of Schedule 7.

Until a Chairperson is elected, the meeting must be chaired by the Chief Executive or their nominee, as provided in Schedule 7, Clause 21.

Voting procedures are set out in Schedule 7, Clause 25.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The Local Government Act 2002, Section 54 (2), states that Schedule 7 (excluding clauses 15 and 33 to 36) applies to Community Boards.

A Chairperson of a Community Board shall be elected from among its members at its first meeting following the election of the Community Board.

When electing a Chairperson the community board must resolve to use one of the following two voting systems as set out in LGA02, Schedule 7, Clause 25(3).

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 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

System B – (recommended)

- a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
- b) has the following characteristics:
 - i. there is only one round of voting; and
 - ii. if 2 or more candidates tie for the most votes, the tie is resolved by lot.

Reason for the recommendation

It is common practice for Councils and Community Boards to choose System B due to its simplicity and efficiency. This recommendation is not mandated by law but is a valid and practical option.

The Kaikohe-Hokianga Community Board Standing Orders outline System B (*section 2.6.2. pages: 11–12*) as the default voting method consistent with Council Standing Orders. However, the Community Board could resolve to use to use System A if preferred.

System A is conducted by ballot during the meeting with the support of staff. The Boards Standing Orders also include clarifications for System A (e.g., tie-breaking procedures, expressions of interest, speaking time), which are helpful if the Board opts for that system.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary requirements as a result of receiving this report.

ATTACHMENTS

Nil

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Not applicable.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Not applicable.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a Community Board report.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Not applicable.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or budgetary provision required as a result of this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

6.3 ELECTION OF THE KAIKOHE-HOKIANGA COMMUNITY BOARD DEPUTY CHAIRPERSON

File Number: A5431755

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of the report is to explain the procedure for the election of the Deputy Chairperson for the Kaikohe-Hokianga Community Board.

TŪTOHUNGA / RECOMMENDATION

That the Kaikohe-Hokianga Community Board:

use System B as the preferred voting system to elect a Deputy Chairperson.

elect _____ as Deputy Chairperson for the triennium October 2025 to October 2028, in accordance with the Local Government Act 2002.

1) TĀHUHU KŌRERO / BACKGROUND

Clause 17 of Schedule 7, LGA 2002 states: “A local authority *may* elect a Deputy Chairperson.”

This means the election of a Deputy Chairperson is optional, not mandatory. The word “may” gives the Community Board the discretion to decide whether or not to appoint one.

In the Kaikohe-Hokianga Community Board Standing Orders (Section 2.2.2(e)), it says:

“The business that must be conducted at the first meeting includes...

(e) the election of the Deputy Chairperson in accordance with clause 17 of Schedule 7 of the Local Government Act.”

This reflects that while the Chairperson must be elected, the Deputy Chairperson may be elected, but it is customary and expected to do so at the first meeting.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Under Section 54(2) of the Local Government Act 2002, Schedule 7 (*excluding clauses 15 and 33 - 36*) applies to Community Boards. This includes Clause 17, which states that a Community Board may elect a Deputy Chairperson, meaning the appointment is optional, not mandatory.

If the Board chooses to appoint a Deputy Chairperson, it must resolve to use one of the two voting systems outlined in Clause 25(3) of Schedule 7:

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 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

System B – (recommended)

- a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
- b) has the following characteristics:
 - i. there is only one round of voting; and
 - ii. if 2 or more candidates tie for the most votes, the tie is resolved by lot.

Reason for the recommendation

It is common practice for Councils and Community Boards to use System B due to its simplicity and efficiency. While not mandated by law, it is a practical and widely adopted approach.

The Kaikohe-Hokianga Community Board Standing Orders (Section 2.6.2, pages 11–12) confirm System B as the default voting method, consistent with Council Standing Orders. However, the Board may resolve to use System A if preferred.

System A is conducted by ballot during the meeting with staff support. The Standing Orders also include clarifications for System A (e.g., tie-breaking procedures, expressions of interest, speaking time), which are helpful if the Board opts for that system.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary requirements as a result of receiving this report.

ATTACHMENTS

Nil

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Not applicable.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Not applicable.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a Community Board report.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Not applicable.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or budgetary provision required as a result of this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

6.4 EXPLANATION OF LAWS AFFECTING ELECTED MEMBERS

File Number: A5431372

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

This report provides a brief summary of each of the key pieces of legislation, helping elected members understand their legal responsibilities and the standards expected of them in public office.

TŪTOHUNGA / RECOMMENDATION

That Kaikohe-Hokianga Community Board note the report “Explanation of Laws Affecting Elected Members”, and the advice provided by Special Counsel Linda O’Reilly, at the Governance Essentials Workshop held 23 October 2025.

1) TĀHUHU KŌRERO / BACKGROUND

At the first meeting following a triennial local election, elected members are required to receive a general explanation of key legislation that applies to their role. This requirement is set out in Clause 21(5)(c) of Schedule 7 of the Local Government Act 2002, which states that the Chief Executive must provide or arrange an overview of relevant laws. These include the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members’ Interests) Act 1968, sections 99, 105, and 105A of the Crimes Act 1961, the Secret Commissions Act 1910, and the Securities Act 1978. On 23 October 2025 elected members attended a Governance Essentials Workshop facilitated by Linda O’Reilly, Special Counsel at Tompkins Wake. In addition, elected members are also invited to a Joint Legislative Regional Briefing on Tuesday 4 November at the Northland Regional Council, facilitated by Simpson Grierson.

Lastly, Council’s in-house legal team are able to answer any questions elected members may have in relation to any relevant laws that affect them.

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

There are a number of core legal requirements that elected members should be aware of when making decisions. These include the:

- Local Government Act 2002
- Local Government Official Information and Meetings Act 1987
- Local Authorities (Members’ Interests) Act 1968
- Health and Safety at Work Act 2015
- Crimes Act 1961 – sections 99, 105 and 105A
- Secret Commissions Act 1910
- Financial Markets Conduct Act 2013

Local Government Act 2002 (LGA02)

This Act defines the purpose of local government, including democratic decision-making and promoting the social, economic, environmental, and cultural well-being of communities, now and in the future. Under this Act local authorities have the power of general competence, which is tempered by formal planning and reporting requirements built into the Act. It sets principles for transparency, accountability, Māori participation, and prudent stewardship. Councils must follow formal decision-

making processes, especially for significant matters. Some regulatory powers are also provided, including the power to make bylaws.

Councillors are required to comply with Council's Code of Conduct, which sets expectations for behaviour, decision-making, and relationships, and promotes trust, respect, and accountability. The current Code of Conduct was adopted by Council in October 2022. However, the Government plans a review of the relevant provisions of the Act, and a new national standard Code is under development.

Local Government Official Information and Meetings Act 1987 (LGOIMA)

The Act promotes openness and public participation. Parts 1 and 2 govern access to Council (official) information and Part 7 deals with meeting procedures.

Official information, which is widely defined under the Act, should be publicly available unless valid reasons exist to withhold it. This includes information that you hold as elected members in your capacity as such – including emails, notes, text messages, voicemails, regardless of whether on your personal or Council-owned devices. If it is information that relates to your capacity as an elected member it can be 'called in' and provided to the Ombudsman in the context of a complaint from a member of the public who is seeking that information. All information 'held' by Council is subject to the Act.

Certain types of information can be withheld, e.g., where required to protect the privacy of natural persons, or commercially sensitive. But these provisions are strictly interpreted by the Ombudsman in the event of a complaint.

Meetings of Council and its committees must be publicly notified and open unless exclusion is justified. In 2024 the Ombudsman and the Auditor-General have expressed the view that non-official meetings such as workshops should also routinely be notified and open to the public unless good reason for confidentiality can be established.

Local Authority (Members' Interests) Act 1968

This Act is intended to prevent conflicts of interest. There are two main rules:

1. Members must not enter contracts with the Council that total over \$25,000 in any one financial year without Auditor-General approval. Note this applies to contracts involving a member's spouse, companies in which you or your spouse own more than 10% of the issued capital or in which either is the managing director or general manager.

Council may make an application to the Auditor-General for prior approval of any such contract in special cases.

2. Members must not vote or participate in decisions where they have a pecuniary (financial) interest unless that interest is held in common with the public. Note that a pecuniary interest exists where the matter would, if dealt with in a particular way, give rise to an expectation of a gain or loss of money.

As above, the rule extends to spouses and related companies.

A member must declare any pecuniary interest to the meeting and abstain. That declaration and abstention will be recorded in the minutes of the meeting.

A member can apply to the Auditor-General for a declaration that the rule shall not apply to a matter to be considered by Council on the grounds that it would impede the transaction of Council business, or that it would be in the interests of the community that the prohibition should not apply.

A breach of these rules carries automatic disqualification from office.

You should also be aware that participating in a decision where you have a non-pecuniary interest such as bias or pre-determination may not put you at risk but may put the decision at risk of an application for judicial review before the High Court.

Crimes Act 1961 – Sections 99, 105, and 105A

These provisions prohibit bribery and misuse of official information.

A bribe is money, valuable consideration, office, employment, or any benefit direct or indirect.

Members, who are defined as officials of Council, must not accept, obtain, agree or offer to accept, or attempt to obtain a bribe.

Members must not corruptly use or disclose Council information for pecuniary gain or advantage for yourself or any other person.

Both are offences carrying a penalty of up to 7 years imprisonment and disqualification from office.

Secret Commissions Act 1910

Prohibits using office for improper gain.

Offences include:

- accepting inducements for influencing decisions;
- failing to disclose any pecuniary interest in a contract made on behalf of Council, including family interests;
- falsifying an invoice or receipt to Council or failing to disclose any commission, discount, rebate etc. given or allowed;
- receiving a secret reward for procuring a contract.

Convictions may result in imprisonment for up to 7 years and disqualification from office.

Financial Markets Conduct Act 2013

Applies when Council offers financial products, e.g., debt or equity securities. Members are treated like company directors and may be personally liable for misleading disclosures. It is most likely to affect a Council should it choose to go directly to the market with an offer of its own debt securities, such as bonds. Accuracy and transparency are essential as substantial financial penalties can apply.

Protected Disclosures (Protection of Whistleblowers) Act 2022

The Act protects those who report serious wrongdoing. Members are shielded from retaliation and entitled to confidentiality. Council has procedures to support disclosures.

Health and Safety at Work Act 2015 (HSWA)

Members are deemed 'Officers' and must exercise due diligence in ensuring workplace safety. This includes staying informed, monitoring compliance, and ensuring safe systems are in place. Council has a Due Diligence programme to support this. Elected members have a measure of protection for failure to exercise due diligence under the Act but retain an oversight role.

Last words

In closing, this advice is procedural but essential. You have a fuller outline of these matters by way of a handout attached to this report (see **attachments**). Please take time to read them carefully. If you have any questions, I encourage you to speak with the Mayor, or the Chief Executive.

TAKE TŪTOHUNGA / REASON FOR THE RECOMMENDATION

This report is for information purposes only.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary provision needed as a result of this report and presentation.

ĀPITIHINGA / ATTACHMENTS

- 1. Laws Affecting Elected Members - Councillor Briefing Initial Meeting Order Paper - 29 October 2025**

Hōtaka Take Ōkawa / Compliance Schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Not applicable.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Not applicable.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a Community Board report.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	Not applicable.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or budgetary provision required as a result of this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

Laws Affecting Members – Attachment for Agenda First Meeting

1. The purpose of this brief is to provide a general explanation of some of the laws that regulate the conduct of elected members. An explanation of key legislative obligations that apply to elected members will be provided at the first meeting of Council and further explanations of relevant legislation will be given in the coming weeks.

Background

2. Clause 21(5)(c) of Schedule 7 to the Local Government Act 2002 requires that, at the first meeting of the Council following a triennial general election, the chief executive must give or arrange for a general explanation of certain laws affecting members, including:
 - Local Government Official Information and Meetings Act 1987;
 - Local Authorities (Members' Interests) Act 1968;
 - sections 99, 105 and 105A of the Crimes Act 1961;
 - Secret Commissions Act 1910; and
 - Financial Markets Conduct Act 2013.
3. The Local Government Act 2002 and Local Government Official Information and Meetings Act 1987 deal with the role and function of the Council and councillors, as well as the conduct of meetings.
4. Councillors must be aware of certain legal provisions within the following Acts;
 - Secret Commissions Act 1910
 - Crimes Act 1961
 - Local Authorities (Members' Interests) Act 1968;

Contravention of the provisions in the three Acts above are offences that may result in financial penalties, imprisonment, and the loss of office.

Official Information and Meetings

Official information

5. The Local Government Official Information and Meetings Act 1987 governs the custody and release of official information. The fundamental principle in the Act is that information held by the Council is publicly available, unless one or more specified withholding grounds apply.

Conduct of meetings

6. The Act also deals with local authority meetings, in Part 7.

7. The Act states the grounds upon which the public may be excluded from meetings (s 48). That may generally only occur when good reason to withhold information exists, and there is a statutory definition of that concept in section 7 of the Act. The public may also be excluded where the subject matter of discussion is one in respect of which a right of appeal exists to any Court or Tribunal against the decision made by the Council.
8. To exclude the public, the Council must first make a resolution stating the subject of each matter to be considered while the public is excluded, and the reasons for the exclusion.
9. A Chairpersons may require a member or members of the public to leave a meeting if their behaviour is likely to prejudice the orderly conduct of the meeting (section 50). Under standing orders Councillors may also be asked to leave by the Chairperson if their conduct prevents the orderly conduct of the meeting.
10. If a meeting is open to the public, and an agenda is supplied to a member of the public or the minutes of a meeting are produced for inspection by any member of the public after the conclusion of the meeting, any defamatory matter which is published in this way is to be treated as privileged, unless the publication was predominantly motivated by ill will (s 52). Oral statements made at meetings of the Council are also privileged, unless the statement is proved to be predominantly motivated by ill will (s 53). Ordinarily, a statement that is "privileged" cannot support a cause of action for defamation (even though that statement might by untrue or misleading).
11. Items which are not on an agenda for a meeting may nevertheless be dealt with if the meeting resolves to do so and the chairperson explains in open meeting why the item is not on the agenda and why consideration of it cannot be delayed to a subsequent meeting (s 46A(7)). (If the item is a minor matter relating to the general business of the Council then it may be discussed without the meeting having resolved to do so, so long as the chair explains at the beginning of the meeting, and when it is open to the public, that the item will be discussed; but in that case no resolution, decision or recommendation may be made except to refer the item to a subsequent meeting for further discussion (s 46A(7A)).)

Members' Interests

12. The Local Authorities (Members' Interests) Act 1968 is one of the most important statutes governing the conduct of Councillors. It has two main aspects.
 1. The prohibition of certain contracts between local authorities and their members.
 2. The prevention of voting on or discussing questions in which a member has a pecuniary interest.

Disqualifying contracts

13. The Act provides that no-one may be elected or appointed or be a member of a local authority or of any committee of it, if the total payments to be made by the Council in respect of contracts made by it with that person exceeds \$25,000 in any year. The Act covers contracts made by the Council directly with the person concerned, and contracts made by the Council in

which the Councillor is concerned or interested. Special provisions deal with companies in which a member or his or her spouse is interested either as a shareholder, or as a member of the company, or by virtue of certain management positions. There are several exceptions to this rule but, in case of any doubt, Councillors should refer to the Chief Executive so that proper advice is obtained.

14. The penalty for breach of these provisions (contained in s 3 of the Act) is immediate loss of office as well as the possibility of a fine being imposed (ss 4 and 5).

Pecuniary interest

15. Section 6 of the Act provides that a member of a local authority or of a committee of it shall not vote on or take part in the discussion of any matter before the governing body of that local authority or before that committee in which he or she has, directly or indirectly, any pecuniary interest, other than an interest in common with the public. Once again, there are special provisions dealing with a pecuniary interest in the context of the interests of the member or his or her spouse in a company. The Office of the Auditor-General is empowered to declare that the rule will not apply with respect to any specified matter or specified class of matter on particular occasions. In doing so it must act in the interests of the electors or inhabitants of the district.
16. The penalty for discussing or voting when there is a pecuniary interest is, once again, loss of office, but only upon conviction of an offence (s 7). Related to these statutory provisions is the common law principle of natural justice, which includes obligations to listen to both sides and not to be a judge in one's own cause.

Crimes of Bribery and Corruption - Crimes Act 1961

17. Councillors are within the definition of an "official" in s 99 of the Crimes Act. Section 105 of that Act provides that every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for himself or any other person in respect of any act done or omitted, or to be done or omitted, by him or her in an official capacity.
18. Putting this simply, it is an offence against this section to seek or obtain a reward for performing one's official duties as a councillor.
19. Section 105A further states that it is an offence, carrying a term of imprisonment of up to 7 years, for an official to use any information acquired by him or her in an official capacity to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or herself, or any other person.

Secret Commissions

20. The Secret Commissions Act 1910 deems every councillor to be an agent of the Council (s 16(1)(b)). It creates offences in relation to accepting inducements or rewards for doing or

forbearing to do something in relation to the Council's affairs or showing or having shown favour or disfavour to any person in relation to the Council's affairs or business (s 4(1)). It is an offence, similarly, to divert, obstruct, or interfere with the proper course of the affairs or business of the Council, or to fail to use due diligence in the prosecution of its affairs or business, with intent to obtain any gift or other consideration from any person interested in the affairs or business of the Council (s 4(2)).

21. Section 5 makes it an offence for a member not to disclose to the Council his or her pecuniary interest in a contract when making a contract on behalf of the Council.
22. Section 9 of the Act makes it an offence to aid or abet, or to be in any way directly or indirectly concerned in, or privy to, the commission of any offence against the Act.
23. Conviction of an offence under the Act carries with it the possibility of imprisonment for up to 7 years. Such a conviction would also have the consequence of loss of office, in terms of clause 1 of Schedule 7 to the Local Government Act 2002.

Financial Markets Conduct

24. Under the Financial Markets Conduct Act 2013, elected members are in a similar position to company directors if the Council were to issue financial products, such as equity or debt securities, under its borrowing powers. Elected members may therefore be personally liable if product disclosure statements to investors contain untrue information and may be liable for civil action or criminal prosecution if the requirements of the Act, such as keeping an audited register of financial products issued, are not met.

Conclusion

25. This is a brief introduction to the laws affecting elected members. Councillors seeking further information should contact the Chief Executive.

6.5 NOTING OF THE KAIKOHE-HOKIANGA COMMUNITY BOARD STANDING ORDERS

File Number: A5431745

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

The purpose of the report is to present Members with the Community Board's current Standing Orders.

TŪTOHUNGA / RECOMMENDATION

That the Kaikohe-Hokianga Community Board note the Kaikohe-Hokianga Community Board Standing Orders.

1) TĀHUHU KŌRERO / BACKGROUND

Standing Orders are the formal rules that guide how meetings are run, including meetings of the Council, its committees, subcommittees, and Community Boards. These rules cover how decisions are made, how members participate in debate, and how the public can engage. They help ensure that meetings are fair, transparent, and legally compliant.

Standing Orders also help councils meet their obligations under two key laws:

- The Local Government Act 2002, which requires councils to adopt Standing Orders (Schedule 7, Clause 27), and
- The Local Government Official Information and Meetings Act 1987 (LGOIMA), which sets out rules for public access to meetings and information.

Historically, councils used a version of Standing Orders developed by Standards New Zealand. However, in 2016, there was a shift across the sector to adopt a new template developed by Local Government New Zealand (LGNZ). This change was prompted by updates to the Local Government Act and a desire for clearer, more user-friendly meeting procedures.

Since then, LGNZ has taken responsibility for updating the Standing Orders template every three years, with legal input from Simpson Grierson. The most recent version was released in late 2024, and includes templates tailored for city and district councils, regional councils, and community boards.

The Kaikohe-Hokianga Community Boards current Standing Orders were first adopted on 15 November 2013 and retained by the Board for the 2016/19, 2019/22 and 2022/25 trienniums and have been amended several times:

Reference	Amendment	Date
2.6 – Voting Systems for Certain Appointments	<ul style="list-style-type: none">• Council resolved to use 'System A' for voting to make the appointment of Chairperson or Deputy Chairperson	15 November 2013
3.10 – Notices of Motion	<ul style="list-style-type: none">• To be delivered, via email, to the Secretary / Admin and Chairperson five (5) clear working days before the meeting.	5 April 2017
3.17 Minutes of Proceedings	<ul style="list-style-type: none">• Minutes are to be taken electronically.• Delivered to the Chair at the end of the meeting.• Delivered to the Chair within 3 days for comment and correction.• Delivered to Members within 5 days and placed online	3 May 2017

2.6.2 C - Voting Systems for Certain Appointments	<p>The following clarifications are added to these Standing Orders;</p> <ul style="list-style-type: none"> (i) no formal nomination procedure is required for candidates for Chair - an Expression of Interest is sufficient, (ii) candidates may speak for 3 minutes in support of their candidacy prior to the election process, (iii) where 2 or more candidates tie for the highest number of votes, subject to (v), further rounds of voting are undertaken until the tie is broken, (iv) the meeting may be adjourned, and/or further discussion may be undertaken between votes, (v) where three or more candidates are tied for the highest number of votes, the meeting may remove a candidate by majority vote before the next round of voting (vi) where 2 candidates continue to tie for the highest number of votes and three tie breaking votes have been taken, the meeting may decide to audition the candidates by alternating the Chair between the remaining items on the agenda and continue voting later in the meeting, (vii) the order of the chairing of items in (vi) should be agreed by the candidates or, in the absence of agreement, by lot. (viii) these directions are subject to the Act which requires that a Chair be elected at the first meeting. (ix) the Deputy Chair should not be elected before the Chair 	14 September 2022
2.1.3 Unanimous Consent	<p>In order to promote an efficient meeting, these standing orders may be varied by the Chair by unanimous consent. That is, if no objections are received, or points of order made, the Chair may assume that unanimous consent has been given for the change in a single instance. Such a variation, by itself, is not a reason to invalidate any meeting decision. For example, if the members appear interested in a speaker whose speech is exceeding a time limit, the Chair may allow them to continue without seeking the explicit consent of the meeting. An alternative is to seek a suspension of the standing orders which require a 75% vote. <i>Another example is the requirement for a mover and seconder. If a motion is uncontroversial, the chair may assume the wording and progress to a discussion and vote, or in some cases simply to a vote. A decision to adopt the minutes as a true and correct record of a previous meeting is an example of this.</i></p> <p><i>The chair may choose to highlight the use of unanimous consent by using the words 'if there is no objection ...'</i></p> <p>A single member objecting violates unanimous consent which then requires the following of the Standing Orders as written.</p> <p>Unanimous consent does not permit the violation of any rule encoded outside the Standing Orders, such as legislation”.</p>	14 September 2022

2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Looking ahead, the Local Government (System Improvements) Amendment Bill proposes a return to a standardised set of Standing Orders, to be issued by Standards New Zealand. A draft of the new standard was released for consultation in October 2025, with the final version expected by April 2026. This change aims to improve consistency, transparency, and governance across all councils and community boards in Aotearoa New Zealand.

Until then, it is recommended that the Community Board continues to operate under its current Standing Orders. On 23 October 2025, as part of the post-election onboarding programme, the Democracy Services team facilitated a mock debate as a brief demonstration of Standing Orders in action. The aim was to help elected members adopt a positive outlook and approach to understanding and implementing Standing Orders in meetings.

Reason for the recommendation

To note the current Standing Orders for the Kaikohe-Hokianga Community Board.

3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary provision required in the receiving of this report.

ATTACHMENTS

- 1. Kaikohe-Hokianga Community Board Standing Orders**

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Not applicable.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Not applicable.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a community board report.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Not applicable
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or budgetary provision as a result of this report
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.



KAIKOHE-HOKIANGA
COMMUNITY BOARD

Standing Orders

1. The following Standing Orders were adopted by resolution of the Kaikohe Hokianga Community Board passed on 15 November 2013.

2. Amendment Schedule:

Reference	Amendment	Date
2.6 – Voting Systems for Certain Appointments	<ul style="list-style-type: none"> Council resolved to use 'System A' for voting to make the appointment of Chairperson or Deputy Chairperson 	15 November 2013
3.10 – Notices of Motion	<ul style="list-style-type: none"> To be delivered, via email, to the Secretary / Admin and Chairperson five (5) clear working days before the meeting. 	5 April 2017
3.17 Minutes of Proceedings	<ul style="list-style-type: none"> Minutes are to be taken electronically. Delivered to the Chair at the end of the meeting. Delivered to the Chair within 3 days for comment and correction. Delivered to Members within 5 days and placed online 	3 May 2017
2.6.2 C - Voting Systems for Certain Appointments	<p>The following clarifications are added to these Standing Orders;</p> <ul style="list-style-type: none"> (i) no formal nomination procedure is required for candidates for Chair - an Expression of Interest is sufficient, (ii) candidates may speak for 3 minutes in support of their candidacy prior to the election process, (iii) where 2 or more candidates tie for the highest number of votes, subject to (v), further rounds of voting are undertaken until the tie is broken, (iv) the meeting may be adjourned, and/or further discussion may be undertaken between votes, (v) where three or more candidates are tied for the highest number of votes, the meeting may remove a candidate by majority vote before the next round of voting (vi) where 2 candidates continue to tie for the highest number of votes and three tie breaking votes have been taken, the meeting may decide to audition the candidates by alternating the Chair between the remaining items on the agenda and continue voting later in the meeting, (vii) the order of the chairing of items in (vi) should be agreed by the candidates or, in the absence of agreement, by lot. (viii) these directions are subject to the Act which requires that a Chair be elected at the first meeting. (ix) the Deputy Chair should not be elected before the Chair 	14 September 2022
2.1.3 Unanimous Consent	<p>In order to promote an efficient meeting, these standing orders may be varied by the Chair by unanimous consent. That is, if no objections are received, or points of order made, the Chair may assume that unanimous consent has been given for the change in a single instance. Such a variation, by itself, is not a reason to invalidate any meeting decision. For example, if the members appear interested in a speaker whose speech is exceeding a time limit, the Chair may allow them to continue without seeking the explicit consent of the meeting. An alternative is to seek a suspension of the standing orders which require a 75% vote. <i>Another example is the requirement for a mover and seconder. If a motion is uncontroversial, the chair may assume the wording and progress to a discussion and vote, or in some cases simply to a vote. A decision to adopt the minutes as a true and correct record of a previous meeting is an example of this.</i></p> <p><i>The chair may choose to highlight the use of unanimous consent by using the words 'if there is no objection ...'</i></p> <p>A single member objecting violates unanimous consent which then requires the following of the Standing Orders as written. Unanimous consent does not permit the violation of any rule encoded outside the Standing Orders, such as legislation".</p>	14 September 2022

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1 GENERAL

1.1 Scope and General

This document sets out Standing Orders for the conduct of proceedings at meetings of territorial authorities, regional councils, and community boards in the form of model orders for adoption with or without amendment. It incorporates new provisions in the Local Government Act 2002 as they affect the provisions of the model Standing Orders.

This Standard is presented in three parts. Part 1 is the general introduction. Part 2 covers constitutional and legislative matters, and Part 3 relates to meeting procedures.

Part 3 involves some repetition of Part 2, to ease use and to ensure each part can stand alone without the need for undue cross referencing.

1.2 Interpretation

The terms “normative” and “informative” have been used in these Standing Orders to define the application of the Appendix to which they apply. A “normative” appendix is an integral part of a Standard, whereas an “informative” appendix is only for information and guidance. Informative provisions do not form part of the mandatory requirements of the Standard.

In this Standard the word “shall” identifies a mandatory requirement for compliance with the Standard. The word “should” refers to practices which are advised or recommended.

Where direct quotations from the legislation are cited in these Standing Orders, they are shown in italics with quotation marks.

1.3 Definitions

In these Standing Orders, unless inconsistent with the context:

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

Chairperson means the mayor of a territorial authority or Chairperson of a regional council or community board including any person acting as the mayor of territorial authority or Chairperson of the regional council or community board, and any person presiding at any meeting of a Committee or subcommittee of a regional council, territorial authority, or community board.

Chief Executive means the Chief Executive of a local authority appointed under section 42 of the Local Government Act 2002, irrespective of their designation, and includes for the purposes of these Standing Orders, any other officer authorised by the local authority.

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

Committee includes, in relation to a local authority:

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

Deputation means a request from any person or interest group in the community to make a presentation to the local authority or any Committee.

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

Local authority means the local authority and/or the community boards covered by these Standing Orders, being a local authority or a community board as defined in section 5 of the Local Government Act 2002.

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

Meeting means any first, or extraordinary meeting of a local authority; and any meeting of any Committee, standing Committee, joint Committee, special Committee or subcommittee of the local authority. At any meeting of a local authority, or of any Committee or subcommittee of a local authority, at which no resolutions or decisions are made, the provisions of these Standing Orders regarding public access and notification need not apply.

Member means any person elected or appointed to the local authority or to any Committee or subcommittee of the local authority and includes the mayor of a territorial authority and the Chairperson of a regional council or community board, or of any Committee or subcommittee of a regional council, territorial authority or community board.

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

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

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

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

Quorum means the minimum number of members needing to be present to constitute a valid meeting.

Working day means any day of the week other than:

- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, and Labour Day, Matariki Day and the 28th October known for the signing of Te Wakaputanga.
- (b) 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.

2 CONSTITUTIONAL AND LEGISLATIVE MATTERS

2.1 INTRODUCTION

2.1.1 Requirement for adoption of Standing Orders

"A local authority must adopt a set of Standing Orders for the conduct of its meetings and those of its Committees. The Standing Orders of a local authority must not contravene [any provisions of the Local Government Act 2002], the Local Government Official Information and Meetings Act 1987, or any other Act."

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

2.1.2 Alteration of Standing Orders

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

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

2.1.3 Unanimous Consent

In order to promote an efficient meeting, these standing orders may be varied by the chair by unanimous consent. That is, if no objections are received, or points of order made, the chair may assume that unanimous consent has been given for the change in a single instance. Such a variation, by itself, is not a reason to invalidate any meeting decision.

For example, if the members appear interested in a speaker whose speech is exceeding a time limit, the chair may allow them to continue without seeking the explicit consent of the meeting. An alternative is to seek a suspension of the standing orders which require a 75% vote.

Another example is the requirement for a mover and seconder. If a motion is uncontroversial, the chair may assume the wording and progress to a discussion and vote, or in some cases simply to a vote. A decision to adopt the minutes as a true and correct record of a previous meeting is an example of this.

The chair may choose to highlight the use of unanimous consent by using the words 'if there is no objection ...'

A single member objecting violates unanimous consent which then requires the following of the standing orders as written.

Unanimous consent does not permit the violation of any rule encoded outside the Standing Orders, such as legislation". *Carried unanimously by resolution 14 September 2022*

2.1.4 Temporary suspension of Standing Orders

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

[cl. 27(4), Schedule 7, LGA] (See Standing Order 3.2.1)

2.1.5 All members to abide by Standing Orders

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

[cl. 16(1), Schedule 7, LGA] (See Standing Order 3.1.1)

2.2 FIRST MEETING OF THE LOCAL AUTHORITY FOLLOWING ELECTION

2.2.1 Meeting called by Chief Executive

"The first meeting of a local authority following a triennial general election of members must be called by the Chief Executive as soon as practicable after the results of the election are known. The Chief Executive must give the persons elected to a local authority not less than 7 days' notice of the meeting. [However] if an emergency exists, the Chief Executive may give notice of the meeting as soon as practicable. The Chief Executive (or, in the absence of the chief executive, a nominee of that officer) must chair the meeting until the Chairperson has made and attested the declaration required under clause 14 [of schedule 7 of the Local Government Act]."

[cl. 21(1) – (4), Schedule 7, LGA]

2.2.2 Business to be conducted

"The business that must be conducted at the meeting must include –

- (a) the making and attesting of the declarations required of the mayor (if any) and members under clause 14 [of Schedule 7 of the Local Government Act]; and
- (b) the election of the Chairperson (if any) and the making and attesting of the declaration required of the Chairperson under clause 14 [of Schedule 7 of the Local Government Act]; and
- (c) a general explanation given or arranged by the chief executive, of –
 - (i) the Local Government Official Information and Meetings Act 1987; and
 - (ii) other laws affecting members including - the appropriate provisions of the Local Authorities (Members' Interests) Act 1968; sections 99,105 and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910 and the Securities Act 1978; and
- (d) the fixing of the date and time of the first ordinary meeting of a local authority, or the

adoption of a schedule of ordinary meetings; and

- (e) the election of the Deputy Chairperson in accordance with clause 17 [of Schedule 7 of the Local Government Act].”

[cl. 21(5), Schedule 7, LGA]

2.2.3 Members to give notice of addresses

Every member of the Council must give to the Chief Executive a residential or business address together with, if desired, a facsimile or other address within the district or region of the local authority to which notices and material relating to meetings and Council business may be sent or delivered.

2.3 CHAIRPERSON OF MEETINGS

2.3.1 Mayor or Chairperson of a local authority to preside

“The mayor or Chairperson of the local authority must preside at each meeting of the local authority at which he or she is present unless the mayor or Chairperson vacates the chair for a particular meeting... If the mayor or Chairperson of a local authority... is absent from a meeting, the Deputy mayor or Deputy Chairperson (if any) of the local authority must preside... If a Deputy mayor or Deputy Chairperson has not been appointed, or if the Deputy mayor or Deputy Chairperson is also absent, the members of the local authority... that are present must elect 1 of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties and powers of the mayor or Chairperson.”

[cl. 26(1), (5) & (6), schedule 7, LGA]

2.3.2 Chairperson of Committee to preside

“The Chairperson of a Committee must preside at each meeting of the Committee at which he or she is present unless the Chairperson vacates the chair for a particular meeting... If the...Chairperson of a Committee is absent from a meeting, the Deputy...Chairperson (if any) of the Committee must preside... If a Deputy Chairperson has not been appointed, or if ...the Deputy Chairperson is also absent, the members of the Committee that are present must elect 1 of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the Chairperson.”

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

2.4 QUORUM AT MEETINGS

2.4.1 Requirement for a quorum

“A meeting is duly constituted if a quorum is **present** whether or not all of the members are voting or entitled to vote.”

[cl. 23(1), Schedule 7, LGA]

2.4.2 Quorum to be present throughout meeting

“Business may not be transacted at any meeting unless at least a quorum of members is **present** during the whole of the time at which the business is transacted.”

[cl. 23(2), Schedule 7, LGA]

2.4.3 Definition of quorum for local authority or joint Committee meetings

“The quorum at any meeting of –

- (a) a local authority or joint Committee consists of –
 - (i) half of the members if the number of members (including vacancies is even); or
 - (ii) a majority of members if the number of members (including vacancies) is odd.”

[cl. 23(3), Schedule 7, LGA]

2.4.4 Definition of quorum for Committee meetings

“The quorum at a meeting of –

- (b) [...(b) a Committee –
 - (i) is not fewer than two members of the Committee (as determined by the local authority or Committee that appoints the Committee); and
 - (ii) in the case of a Committee other than a subcommittee, must include at least 1 member of a local authority.”

[cl.23(3), Schedule 7, LGA] (see Standing Order 3.4)

2.5 VOTING AT MEETINGS

2.5.1 Acts and decisions of the local authority by majority vote at meetings

- (1) “The acts of a local authority must be done, and the questions before the local authority must be decided, at a meeting by –

- (a) vote; and
- (b) the majority of members that are present and voting.”

Casting Vote

- (2) “For the purposes of [2.5.1(1)], the Mayor or Chairperson or other person presiding at the meeting:

- (a) has a deliberative vote; and
- (b) In the case of an equality of votes, does not have a casting vote (and therefore the act or question is defeated, and the status quo is preserved).”(see appendix H p52) (Council resolution 05.11.2007)

Open voting

- (3) “An act or question coming before the local authority must be done or decided by open voting.”

Mandatory requirements (1) and (2) apply unless the Local Government Act 2002 provides otherwise. *[cl.24, Schedule 7, LGA]*

2.6 VOTING SYSTEMS FOR CERTAIN APPOINTMENTS

2.6.1 The Mayor has the power to appoint the;

- a) Deputy Mayor; and

- b) Chairperson of each Committee of the local authority and, for that purpose, the Mayor:
 - (1) may make the appointment before the other members of the Committee are determined; and
 - (2) may appoint himself or herself.
- (a) If the Mayor declines to exercise the power to appoint the Deputy Mayor, the local authority (or a Committee, if so directed by the local authority) must elect one of the members of the local authority to be Deputy Mayor.
- (b) If the Mayor declines to exercise the power to appoint any Chairperson of a Committee, the local authority (or a Committee, if so, directed by the local authority) must elect that Chairperson.

Apart from appointments by the Mayor, in the case of elections or appointments to positions, the local authority (or a Committee, if so, directed by the local authority) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:

2.6.2 Provisions for election or appointment of Deputy mayor, Chairpersons and Deputy Chairpersons of local authorities and Committees, and representatives of the local authority

“[This Standing Order applies to]–

- (a) The election or appointment of the Chairperson and Deputy Chairperson of a regional council; and
- (b) the election or appointment of the Deputy mayor; and
- (c) the election or appointment of the Chairperson and Deputy Chairperson of a Committee; and
- (d) the election or appointment of a representative of a local authority.

If this [Standing Order] applies, a local authority or a Committee (if a local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:

- (a) [System A]; or
- (b) [System B]; (Council resolution 05 November 2007 to use system B)

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 a 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.

(c) *The following clarifications are added to these Standing Orders;*

- (i) *no formal nomination procedure is required for candidates for Chair - an Expression of Interest is sufficient,*
- (ii) *candidates may speak for 3 minutes in support of their candidacy prior to the election process,*
- (iii) *where 2 or more candidates tie for the highest number of votes, subject to (v), further rounds of voting are undertaken until the tie is broken,*
- (iv) *the meeting may be adjourned, and/or further discussion may be undertaken between votes,*
- (v) *where three or more candidates are tied for the highest number of votes, the meeting may remove a candidate by majority vote before the next round of voting*
- (vi) *where 2 candidates continue to tie for the highest number of votes and three tie breaking votes have been taken, the meeting may decide to audition the candidates by alternating the Chair between the remaining items on the agenda and continue voting later in the meeting,*
- (vii) *the order of the chairing of items in (vi) should be agreed by the candidates or, in the absence of agreement, by lot.*
- (viii) *these directions are subject to the Act which requires that a Chair be elected at the first meeting.*
- (ix) *the Deputy Chair should not be elected before the Chair*

(Amended by Community Board resolution 14.09.2022)

System B

- (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
- (b) has the following characteristics:
 - (i) there is only one round of voting; and
 - (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.”

[cl.25, Schedule 7, LGA]

2.7 APPOINTMENT OF COMMITTEES AND OTHER SUBORDINATE DECISION-MAKING BODIES

2.7.1 Appointment of Committees, subcommittees and other subordinate decision-making bodies

“A local authority may appoint – the Committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate and... a Committee may appoint the subcommittees that it considers appropriate unless it is prohibited from doing so by the local

authority.”

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

2.7.2 Discharge or reconstitution of Committees, subcommittees and other subordinate decision-making bodies

“Unless expressly provided otherwise in an Act, -

- (a) a local authority may discharge or reconstitute a Committee or subcommittee or other subordinate decision-making body; and
- (b) a Committee may discharge or reconstitute a subcommittee.

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

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

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

“A Committee or other subordinate decision-making body is subject in all things to the control of the local authority and must carry out all general and special directions of the local authority given in relation to the Committee or other body or the affairs of the Committee or other body. A subcommittee is subject in all things to the control of the Committee that appointed it, and must carry out all general and special directions of the Committee given in relation to the subcommittee or its affairs... Nothing in this [standing order] entitles a local authority or Committee to rescind or amend a decision made under a delegation authorising the making of a decision by a Committee, subcommittee, or another subordinate decision-making body.”

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

2.8 JOINT COMMITTEES

2.8.1 Appointment of joint Committees

“A local authority may appoint... a joint Committee with another local authority or other public body.”

[cl.30(1), Schedule 7, LGA]

2.8.2 Status of joint Committees

“A joint Committee... is deemed to be both a Committee of the local authority and a Committee of the other local authority or public body.”

[cl.30(8) Schedule 7, LGA]

2.8.3 Powers and responsibilities of joint Committees

Part 1 of Schedule 7 of the Local Government Act applies to a joint Committee except that –

- (a) the powers to discharge any individual member and appoint another in his or her stead

must be exercised by the local authority or public body that made the appointment; and

(b) the meeting quorum is as outlined in 2.4.3; and

(c) The Committee may appoint and remove its own Chairperson or Deputy Chairperson
[cl.30(9) Schedule 7, LGA]

2.8.4 Application to a public body that is not a local authority

For the purposes of a public body that is not a local authority, Standing Orders 2.8.2 and 2.8.3 apply to the extent that they are not inconsistent with the law applicable to Committees of the public body.

[cl.30(10), Schedule 7 LGA]

2.9 MEMBERSHIP OF COMMITTEES AND SUBCOMMITTEES

2.9.1 Appointment or discharge of Committee members and subcommittee members

“A local authority may appoint or discharge any member of a Committee. Unless directed otherwise by the local authority, a Committee may appoint or discharge any member of a subcommittee appointed by the Committee.”

[cl.31(1) & (2) Schedule 7, LGA]

2.9.2 Elected members on Committees and subcommittees

“The members of a Committee or subcommittee may, but need not be, elected members of the local authority, and a local authority or Committee may appoint to a Committee or subcommittee a person who is not a member of the local authority or Committee if, in the opinion of the local authority, that person has the skills, attributes or knowledge that will assist the work of the Committee or subcommittee... at least 1 member of a Committee must be an elected member of the local authority; and an employee of a local authority acting in the course of his or her employment may not act as a member of any Committee unless that Committee is a subcommittee.”

[cl.31(3) & (4) Schedule 7, LGA]

2.9.3 Local authority may replace members if Committee not discharged

“If a local authority resolves that a Committee, subcommittee, or other decision-making body is not to be discharged under clause 30(7) [of Schedule 7 of the Local Government Act], the local authority may replace the members of that Committee, subcommittee or other subordinate decision-making body after the next triennial general election of members.”

[cl.31(5), Schedule 7, LGA]

2.9.4 Minimum numbers on Committees and subcommittees

“The minimum number of members is 3 for a Committee and is 2 for a subcommittee.”

[cl.31(6) Schedule 7, LGA]

2.9.5 Mayor or Chairperson of local authority as an ex-officio member

The mayor or Chairperson of the local authority may be appointed an ex-officio member of any Committee other than a community board or quasi-judicial Committee.

2.10 POWERS OF DELEGATION

2.10.1 Delegations to Committees, subcommittees, subordinate decision-making bodies, community boards, members and officers

- (1) “Unless expressly provided otherwise in [the Local Government Act 2002], or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority’s business, a local authority may delegate to a Committee or other subordinate decision-making body, community board or member or officer of the local authority any of its responsibilities, duties, or powers except –
- (a) the power to make a rate; or
 - (b) the power to make a bylaw; or
 - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term council community plan; or
 - (d) the power to adopt a long-term council community plan, annual plan or annual report; or
 - (e) the power to appoint a chief executive; or
 - (f) the power to adopt policies required to be adopted and consulted on under [the Local Government Act 2002] in association with the long-term council community plan or developed for the purpose of the local governance statement; or
- (2) Nothing in this clause restricts the power of a local authority to delegate to a Committee or other subordinate decision-making body, community board or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the Committee or body or person) of any power or duty specified in...[(a) – (f) above].
- (3) A Committee or other subordinate decision-making body, community board or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the Committee or body or person that makes the original delegation ***provided that where an officer has delegated a responsibility to another officer, the latter officer shall not have the power to further delegate the authority***.”

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

Note: In 2.10.1(3) above the amendment adding the words in bold italics were resolved by Council on 05.11.2007.

2.10.2 Use of delegated powers

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

[cl.32(4), Schedule 7, LGA]

2.10.3 Delegations related to bylaws and other regulatory matters

“A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.”

[cl.32(5), Schedule 7, LGA]

2.11 PROCEEDINGS NOT INVALIDATED BY VACANCIES OR IRREGULARITIES

2.11.1 Proceedings not invalidated by vacancies or irregularities

“An act or proceeding of a local authority or Committee, or of a person acting as a member of a local authority or Committee, is not invalidated by a vacancy in the membership of the local authority or Committee at the time of that act or proceeding, or the subsequent discovery of some defect in the election or appointment of the person acting as a member of the local authority or Committee, or that that person was or is incapable of being a member.”

[cl.29, Schedule 7, LGA]

2.12 GENERAL PROVISIONS AS TO MEETINGS

2.12.1 Meetings to be held

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

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

2.12.2 Right to attend meetings

“A member of a local authority, or of a Committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or Committee.”

[cl.19(2), Schedule 7, LGA]

2.12.3 Calling, public notification and conduct of meetings

“A meeting of a local authority must be called and conducted in accordance with [Schedule 7 of the Local Government Act]; and Part VII of the Local Government Official Information and Meetings Act 1987; and the Standing Orders of the local authority.”

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

2.12.4 Agenda to be sent to members

In the case of each meeting to which Standing Order 2.12.1 applies, an agenda detailing the business to be brought before that meeting together with relevant attachments must be sent to every member not less than two clear working days before the day appointed for the meeting (in the case of extraordinary meetings cl.2.14.2 applies).

2.12.5 Meetings not invalid because notice not received

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

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

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

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

2.12.6 Minutes of proceedings

“A local authority must keep minutes of its proceedings. Minutes of proceedings duly entered and authenticated as prescribed by the local authority are prima facie evidence of those proceedings.”

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

2.13 NOTIFICATION OF ORDINARY MEETINGS TO MEMBERS

2.13.1 Period for notice in writing

“The Chief Executive must give notice in writing to each member of the time and place of [a] meeting –

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

[cl.19(5)(a), (b), Schedule 7, LGA]

2.13.2 Schedule of meetings

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

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

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

2.13.3 Cancellation of scheduled meetings

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

2.14 EXTRAORDINARY MEETINGS

2.14.1 Extraordinary meetings may be called

“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 mayor or Chairperson; or*
 - (ii) not less than one-third of the total membership of the local authority (including vacancies).”**

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

6.6 KAIKOHE-HOKIANGA COMMUNITY BOARD SCHEDULE OF MEETINGS FOR 2025

File Number: A5431741

Author: Marlema Baker, Democracy Advisor

Authoriser: Aisha Huriwai, Manager - Democracy Services

TAKE PŪRONGO / PURPOSE OF THE REPORT

For the Kaikohe-Hokianga Community Board to note the date and time of the remaining meetings in 2025.

TŪTOHUNGA / RECOMMENDATION

**That Kaikohe-Hokianga Community Board;
receive the report “Kaikohe-Hokianga Community Board Schedule of Meetings for 2025”
and:**

hold the remaining meetings for 2025 on:

- i. Friday 28 November 2025 from 10:00 am, in Council Chambers**
- ii. Friday 19 December 2025 from 10:00 am, in Council Chambers**

adopt Wednesdays at 10am in Council Chambers as their meeting day and time for 2026.

TĀHUHU KŌRERO / BACKGROUND

The Local Government Act 2002 was introduced to modernise and clarify the roles, responsibilities, and powers of local authorities in New Zealand. It emphasizes democratic decision-making, community engagement, and transparency.

Under Schedule 7, Clause 21(5) of the Local Government Act 2002, the business to be conducted at the inaugural meeting of a local authority must include the fixing of the date and time of the first meeting of the local authority or the adoption of a schedule of meetings. This is a legal requirement that ensures the council formally sets its meeting calendar at the outset of its term.

For example, during the 2022–2025 triennium, the Board met on *Fridays* at 10:00am, and during the 2019–2022 triennium, the Board met on *Wednesdays* at 10:00am. Also, for general information, in 2022–2025 the Te Hiku Community Board met on *Tuesdays* at 10:00am, and the Bay of Islands-Whangaroa Community Board met on *Thursdays* at 10:00am.

MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

To ensure a balanced distribution of meeting days across the district and to support operational efficiency, staff recommend that the Kaikohe-Hokianga Community Board:

- a) receive the report “Kaikohe-Hokianga Community Board Schedule of Meetings for 2025” and:
- b) hold the remaining meetings for 2025 on:
 - i. Friday 28 November 2025 from 10:00 am, in Council Chambers
 - ii. Friday 19 December 2025 from 10:00 am, in Council Chambers
- c) adopt Wednesdays at 10am in Council Chambers as their meeting day and time for 2026.

The Schedule of 2026 Formal Meetings will be tabled at the December meeting has once Council has confirmed it.

PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary requirements in the receiving of this report

ĀPITIHINGA / ATTACHMENTS

Nil

Hōtaka Take Ōkawa / Compliance Schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

He Take Ōkawa / Compliance Requirement	Aromatawai Kaimahi / Staff Assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This report is of low significance
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Not applicable
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	Not applicable
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water. State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	Not applicable
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications as a result of this report
Chief Financial Officer review.	This report has not been reviewed by Chief Financial Officer

7 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

8 TE KAPINGA HUI / MEETING CLOSE