

# **AGENDA**

## **RĀRANGI TAKE**

### **Huihuinga O Te Poari O Te Oneroa-A-Tōhē**

**Te Oneroa-a-Tōhe Board**

**Friday 17 March 2023 at 9.30am**



## **Rārangi Take O Te Poari (Te Oneroa-a-Tōhe Board Agenda)**

Meeting to be held in the Banquet Room, Te Ahu Centre  
cnr State Highway 1 & Matthews Ave, Kaitaia  
on Friday 17 March 2023, commencing at 9.30am

**Recommendations contained in the agenda are NOT decisions of the meeting. Please refer to minutes for resolutions.**

### **NGĀ MANA WHAKAHAERE (MEMBERSHIP OF THE TE ONEROA-A-TŌHE BOARD) Chair (to be appointed)**

Far North District Council  
Members (x2)

Northland Regional Council  
Members (x2)

Te Rūnanga o Te Rarawa  
member (x1)

Te Manawa o Ngāti Kuri Trust  
member (x1)

Te Rūnanga Nui o Te Aupouri  
Trust member (x1)

Te Rūnanga o Ngāi Takoto  
member (x1)

#### *Secretarial Note:*

- *The retiring Chair to lead proceedings*
- *The Chair and Deputy Chair to be appointed at the next meeting at such time the composition of the Board has been fully confirmed*
- *An induction workshop to follow the meeting*

#### **KARAKIA/WHAKATAU**

#### **RĪMITI (Item)**

**Page**

#### **1.0 NGĀ MAHI WHAKAPAI/HOUSEKEEPING**

#### **2.0 NGĀ WHAKAPAHĀ/APOLOGIES**

#### **3.0 NGA WHAKAPUAKANGA/DECLARATIONS OF CONFLICTS OF INTEREST**

#### **4.0 FORMAL HANDOVER AND WELCOME TO THE NEW TE ONEROA-A-TŌHE BOARD**

A formal handover from the Chair and Board members who are retiring from their membership role to the incoming Board. An opportunity to reflect on the work undertaken and celebrate the successes from the previous triennium and acknowledge the opportunities going forward. All members will have time to introduce themselves and share their reflections and/or aspirations for the Board.

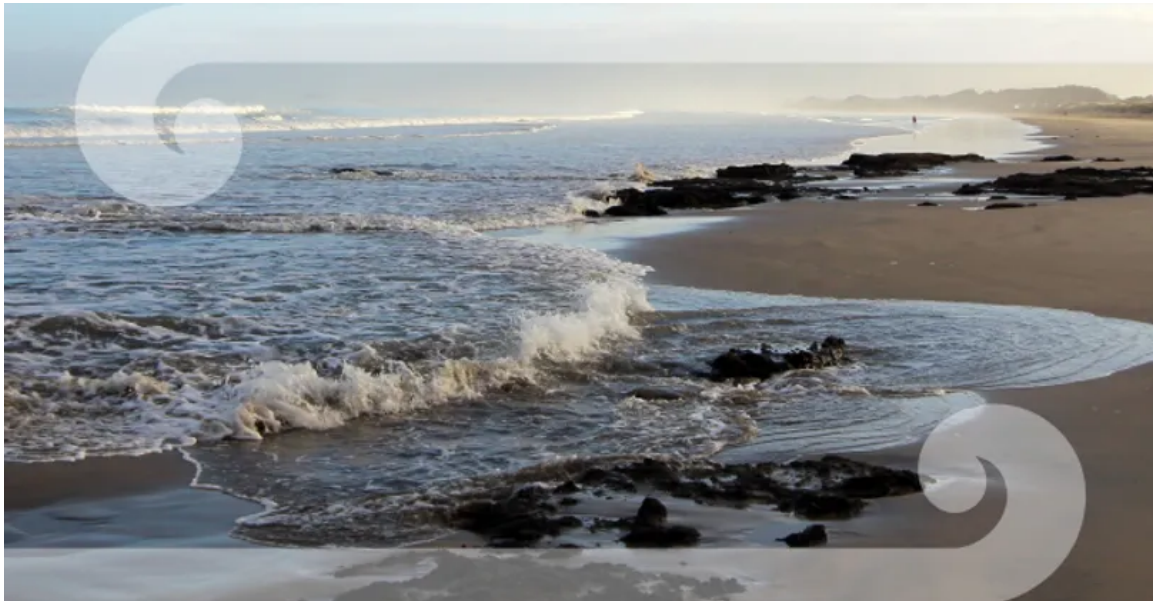
## **5.0 SUPPORTING INFORMATION**

<b>5.1</b>	Te Oneroa-a-Tohe Board - Terms of Reference	4
<b>5.2</b>	Te Oneroa-a-Tohe Board - Standing Orders	7

## **KARAKIA WHAKAMUTUNGA**

# Te Oneroa-a-Tōhe Board

## Terms of Reference



### Karakia | Opening Mihi

Hūtia te rito o te harakeke,  
Kei hea kē te kōmako e kō,  
Whakatairangitia, rere ki uta, rere ki tai,  
Ui mai koe ki ahau, e aha te mea nui o te Ao,  
Māku e kī atu,  
He tāngata, he tāngata, he tāngata.

### Tikanga | Purpose

#### E aha te tikanga o ēnā whakaaro

The Board is a co-governance partnership for the benefit of the community. Its purpose is to work collectively and collaboratively to provide governance and direction to protect and enhance environmental, economic, social, cultural and spiritual well-being within Te Oneroa-a-Tōhe management area now and in the future.

### Ngā Ohu | Parties

Ko te kai o te rangatira he kōrero

[About](#)

[Your Board](#)

[Beach Management Plan](#)

[Development Process](#)

[Contact](#)

Te Oneroa-a-Tōhe



[Huihuinga | Meetings](#)

#### - Far North District Council

As at the settlement date, in line with the collective redress for Ngāti Kuri, Te Aupouri, Ngāi Takoto and Te Rarawa, the Board consists of eight members appointed as follows:

- One member appointed by the trustees of Te Rūnanga o Te Rarawa
- One member appointed by the trustees of the Te Manawa o Ngāti Kuri Trust
- One member appointed by the trustees of Te Rūnanga Nui o Te Aupouri Trust
- One member appointed by the trustees of Te Rūnanga o Ngāi Takoto
- Two members appointed by the Northland Regional Council, being councillors holding office; and
- Two members appointed by the Far North District Council, being the Mayor and a councillor holding office.

This membership does not preclude the participation of Ngāti Kahu should they choose to join at the invitation of the Minister of Treaty Negotiations or when their Deed of Settlement becomes legislation.

Should Ngāti Kahu participate in the Board then 1 member will be appointed by the Te Hiku Community Board (who may not necessarily be a member of the Community Board).

Members of the Board are appointed for a term of 3 years unless a member is discharged by their appointer or resigns earlier.

Members can be reappointed.

Resignation is by written notice to the relevant appointer. As a matter of courtesy, each appointer will inform the administering Council of discharges, resignations and appointments. This information will then be presented to the Board.

#### Ngā Mahinga o te Poari | Operations of the Board

**Anō te pai me te āhuareka, o ngā tēina ngā tuākana, e mahi tahi ana ki runga i te whakaaro kotahi**

The Board must operate in a manner that:

- is consistent with Te Tiriti; and
- is consistent with tikanga Māori; and
- acknowledges the authority and responsibilities of the Councils and of the Collective of Te Hiku Iwi respectively; and
- acknowledges the shared aspirations of the Collective of Te Hiku Iwi and the Councils, as reflected in the shared principles.

#### Ngā Tikanga | Shared Principles

**Whāia te iti Kahurangi, ki te tuohu koe, me he Maunga teitei**

The following shared principles will guide the Board as it pursues its purpose and provide the platform for honest and respectful engagement and a meaningful relationship.

- Whanaungatanga:** Actively working together using shared knowledge and expertise acknowledging that the parties "relationship" is evolving
- Whakatoputanga:** Working together collectively to enhance opportunities and realise our potential to develop partnerships based around mutual agreement, cooperation and trust.
- Rangatiratanga:** Co-operating in partnership with a spirit of good faith, integrity, honesty, transparency and accountability to build effective and courageous leadership that is innovative and visionary.
- Kaitiakitanga:** Taking responsibility for the environment to sustain our communities.
- Mana a ohu:** Recognise and respecting the autonomy of the parties and their individual mandates, roles and responsibilities.
- Mana Māori:** Enabling and supporting the use of te reo and tikanga Māori.
- Whiriwhiritanga:** Engaging early on issues of known interest to either of the parties

[About](#) [Your Board](#) [Beach Management Plan](#) [Development Process](#) [Contact](#)

Te Oneroa-a-Tōhe



Huihuinga | Meetings

## Te Mahi | Functions

### Maha rawa ngā mahi kua oti ia tātou ki a kua tātou e mahi tonu

1. The principal function of the Board is to achieve its purpose.
2. In seeking to achieve its purpose, the specific functions of the Board are to:
  - a) prepare and approve a beach management plan that identifies the vision, objectives, and desired outcomes for Te Oneroa-Ā-Tōhe management area (see Attachment 1)
  - b) engage with, seek the advice from and provide advice to Te Hiku o Te Ika Iwi, Councils and any relevant beach management agencies; and
  - c) monitor activities in, and the state of, Te Oneroa-Ā-Tōhe management area; and
  - d) monitor the extent to which the Board is achieving its purpose; and the implementation and effectiveness of the beach management plan; and
  - e) display leadership and undertake advocacy, including liaising with the community, in order to promote recognition of the unique significance of Te Oneroa-Ā-Tōhe me Te Ara Wairua, the spiritual pathway to Hawaiiki between the living and the dead; and
  - f) appoint commissioners to panels for the purpose of hearing and determining resource consent applications that cover (in whole or in part) Te Oneroa-Ā-Tōhe management area; and
  - g) engage and work collaboratively with the joint management bodies for the cultural redress properties referred to as Beach sites A, B, C, and D; and
  - h) take any other action that the Board considers is appropriate to achieving the purpose of the Board.
3. With the exception of the preparation of the beach management plan, the Board may determine in any particular circumstance, whether to perform the functions identified and how and to what extent to perform any of those functions.
4. A subcommittee of the Board must prepare and approve the part of the beach management plan that relates to Beach sites A, B, C, and D, illustrated in the management area attached (Attachment 1). The members of the subcommittee are the members of the Board appointed by the iwi appointers.  
The Board will also give consideration to common protocols for instating, using and communicating rāhui.

[Back](#)

[Home](#)

**FOR ALL GENERAL ENQUIRIES PLEASE EMAIL**

E: [info@teoneroa-a-tohe.nz](mailto:info@teoneroa-a-tohe.nz)

## Standing Orders



These Standing Orders were adopted by the Te Oneroa-a-Tōhē Board at a meeting held on 17 June 2016, and apply to all meetings of the Board.

1. Amendment Schedule:

Reference	Amendment	Date
Draft Version 2.0	Draft Standing orders developed to replace interim ones to reflect tikanga, simplicity and informality – for <del>adoption consideration 08/05/2016</del>	14/04/2016
Version 3.0	Standing orders developed to replace interim ones to reflect tikanga, simplicity and informality; adopted 17 June 2016	17/06/2016



## Contents

Amendment Schedule:	2
Introduction	5
1. Te Oneroa-a-Tōhē Board	5
1.1. Purpose of the Board	5
1.2. Administration	5
2. Tikanga / Principles	5
3. Interpretation	5
4. Standing orders	6
4.1. Adoption of standing orders	6
4.2. Altering standing orders	6
4.3. Suspension of standing orders	6
5. Holding and calling meetings of the Board	6
5.1. Requirement to hold meetings and meeting schedule	6
5.2. Notice to members	6
5.3. Unscheduled meetings	7
5.4. Meeting not invalid if public notice not given	7
5.5. Cancellation of scheduled meetings	7
5.6. Informal meetings	7
5.7. Agendas	7
5.8. Items not on the agenda	8
5.9. Board may request information or advice	8
5.10. Board members may propose items for discussion / decision (Notices of motions)	8
6. Attendance at, and commencement of, meetings	9
6.1. Attendance at meetings	9
6.2. Attendance by members of appointing authorities	9
6.3. Attendance by members of the public	9
6.4. Attendance by members of the media	9
6.5. Audio visual recording of a meeting by the media or members of the public	9
6.6. Chairperson of the Board to preside	10
6.7. Quorum	10
6.8. Quorum for the Board	10
6.9. Quorum for a subcommittee	10
6.10. When meeting lapses for want of a quorum	10
6.11. Lapses after meeting starts	10
6.12. Business from a lapsed meeting	10
6.13. Leave of absence	10

6.14. Apologies at meetings	10
6.15. Recording of apologies	10
7. During the meeting	11
7.1. Karakia Timatanga – opening prayer /Karakia whakamutunga – closing prayer	11
7.2. Formality of meetings and application of these standing orders	11
7.3. Chairperson to decide	11
7.4. Te Reo Māori	11
7.5. Misconduct of members during meeting	11
7.6. Rules of debate	12
7.7. Motions and amendments	12
7.8. Revocation or alteration of resolutions	13
7.9. Decision making and voting	14
7.10. Procedural motions to terminate or adjourn debate	15
7.11. Points of order	15
7.12. Minutes	15
8. Qualified Privilege	16
8.1. Defamatory matter in agendas and minutes	16
8.2. Oral statements at meetings	16
8.3. Qualified privilege additional to other provisions	16
9. Public participation	17
9.1. Public attendance at meetings	17
9.2. Notice to the public	17
9.3. Public notice of unscheduled meeting	17
9.4. Availability of agendas and reports	17
9.5. Exclusion of the public	17
9.6. Public Input	17
10. Board member conduct	19
10.1. Relationships	19
10.2. Media	19
10.3. Information	19
10.4. Board member not acting in the best interests of the Board	20
11. Members interests	21
12. Legislative provisions which do not apply to the conduct of meetings	22
Appendix A – Grounds for excluding the public	23
Appendix B - APPOINTMENT OF THE CHAIR AND DEPUTY CHAIR	25

#### APPENDIX A

## Introduction

This document sets out standing orders for the conduct of meetings of the Te Oneroa-a-Tōhē Board (the Board).

### 1. Te Oneroa-a-Tōhē Board

The Board is a co-governance partnership (and a permanent joint committee of the Northland Regional and Far North District councils).

The functions of the Board can be found in its Terms of Reference and the Te Hiku Settlement Legislation.

#### 1.1 Purpose of the Board

The Board's purpose is to provide governance and direction to all those who have a role in, or responsibility for, the Te Oneroa-a-Tohe management area, in order to protect and enhance environmental, economic, social, cultural, and spiritual well-being within that area for the benefit of present and future generations.

#### 1.2 Administration

The Councils will provide administrative (and technical) support to the Board.

### 2. Tikanga / Principles

The Board has agreed the following shared principles:

- **Whanaungatanga:** Actively working together using shared knowledge and expertise acknowledging that the parties "relationship" is evolving
- **Whakatoputanga:** Working together collectively to enhance opportunities and realise our potential to develop partnerships based around mutual agreement, cooperation and trust.
- **Rangatiratanga:** Co-operating in partnership with a spirit of good faith, integrity, honesty, transparency and accountability to build effective and

courageous leadership that is innovative and visionary.

- **Kaitiakitanga:** Taking responsibility for the environment to sustain our communities.
- **Mana a ohu:** Recognise and respecting the autonomy of the parties and their individual mandates, roles and responsibilities.
- **Mana Māori:** Enabling and supporting the use of te reo and tikanga Māori.
- **Whiriwhiritanga:** Engaging early on issues of known interest to either of the parties
- **Hangai angamua:** Sustainable development that incorporates the above principle and is based on the guiding 'tikanga', 'titiro ki nga wa o mua'.
- **Ngakau pono:** Demonstrate high levels of integrity based on contribution tika, pono, aroha in association with the principles conveyed including the principles of confidentiality and reciprocity.

These principles apply to the meetings and conduct of the Board and its members.

### 3. Interpretation

In these standing orders, unless inconsistent with the context:

**Chairperson** means the chairperson of the Board (as appointed under Schedule 2 of the Te Hiku Settlement Legislation) or any person presiding at any meeting of the Board.

**Chief executive officer** means the chief executive officer of the local authority that is responsible for providing administrative services to the Board, and includes for the purposes of these standing orders, any other officer authorised by that local authority.

**Council** means either the Northland Regional Council or the Far North District Council, as the case may require.

**Councils** means both the Northland Regional Council or the Far North District Council.

**Member** means any person appointed to the Board or subcommittee of the Board.

**The Te Hiku Settlement Legislation** means the Ngāti Kuri Claims Settlement Act 2015, Ngāi Takoto Claims Settlement Act 2015, Te Aupouri Claims Settlement Act 2015 and Te Rarawa Claims Settlement Act 2015.

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

- Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, and Labour Day, and
- a day in the period commencing with the 25th day of December in any year and ending with the 15th day of January in the following year
- the day observed as Northland Anniversary Day.

## 4. Standing Orders

### 4.1 Adoption of standing orders

The Board must adopt a set of standing orders for the operation of the Board.

The first standing orders of the Board were adopted at its inaugural meeting on an interim basis.

The standing orders adopted by the Board must not contravene:

- the Te Hiku Settlement Legislation
- tikanga Māori; or
- subject to (a) other enactments (including the Local Government Act 2002, Local Government Official Information and Meetings Act 1987).

The Board and its members may regulate their own procedures (subject to complying with the above).

### 4.2 Altering standing orders

The Board may amend these standing orders at any time.

The exception to this is that a standing order that is a requirement of the Te Hiku Settlement Legislation cannot be amended.

An amendment or the adoption of a new set of standing orders always requires a vote of not less than 70% of the members present.

In line with the Te Hiku Settlement Legislation before making a change the Board will seek to achieve consensus on the change.

### 4.3 Suspension of standing orders

The Board may temporarily suspend standing orders during a meeting by a vote of 70% (or more) of the members present and voting.

The resolution to suspend standing orders must state the reason for the suspension.

A standing order which is a requirement of the Te Hiku Settlement Legislation cannot be suspended (e.g. voting or quorum).

## 5. Holding and calling meetings of the Board

### 1.1. Requirement to hold meetings and meeting schedule

The Board is required to adopt a schedule of meetings that will allow it to achieve its purpose and carry out its functions. The schedule may cover any period the Board considers appropriate.

Meetings of the Board will be held at the time and place fixed by the Board.

The Board must review the schedule of meetings regularly.

The schedule may be amended.

### 1.2. Notice to members

The Chairperson will give notice in writing of meetings (date, venue and start time) to members of the Board as follows:

(a) not less than 14 days before the meeting; or

(b) if the Board has adopted a schedule of meetings, not less than 14 days before the first meeting on the schedule.

Notification of the schedule or any amendment to that schedule is notification of every meeting on the schedule or amendment.

If a member does not receive notice (at all or in good time) the meeting is not invalid (unless the member did not attend and the person giving notice is proved to have acted in bad faith or without reasonable care).

### 1.3. Unscheduled meetings

Unscheduled (extraordinary) meetings may be called:

- (a) by resolution of the Board; or
- (b) a request in writing delivered to the chief executive officer and signed by -
  - (i) the chairperson; or
  - (ii) not less than one-third of the total membership of the Board (including vacancies).

Requests / resolutions must specify the time and place for holding the meeting and the general nature of the business for the meeting.

The Chairperson will discuss with the chief executive officer administrative arrangements.

### 1.4. Meeting not invalid if public notice not given

No meeting of the Board is invalid merely because that meeting was not publicly notified in accordance with these Standing Orders (or LGOIMA).

Once the Board is aware that notice has not been properly given, as in [SOXX] the Board will give public notice following the meeting that:

- (a) The meeting occurred
- (b) The general nature of the meeting's business; and
- (c) The reasons for incorrect notification.

### 1.5. Cancellation of scheduled meetings

A scheduled meeting may be cancelled by the Chairperson in discussion with the chief executive officer (for administrative arrangements).

If it is necessary to cancel a scheduled meeting, all reasonable effort shall be taken to

notify members and the public as soon as practicable of the cancellation and of the reasons for the cancellation.

### 1.6. Informal meetings

An informal meeting includes a workshop, wananga, briefing, site visit or similar meeting.

At an informal meeting, no decisions (resolutions) are made and the meeting does need to be publically notified.

The date, time and place of an informal meeting may be set:

- (i) By resolution of the Board at a meeting; or
- (ii) With the approval of the chairperson.

Notice of an informal meeting will be sent to members by electronic means at least 5 days prior to the meeting.

Approval of the Chairperson is needed to cancel a workshop.

### 1.7. Agendas

The chief executive officer will prepare an agenda for each meeting listing and attaching known information on the items of business for the meeting.

The chief executive officer may consult with the Chairperson (and a representative of the Iwi appointers) on the items of business.

At the meeting the business will be dealt with in the order it appears on the agenda unless the meeting or the chairperson accords precedence to any business set down on the agenda.

Items of business will be by way of report from: the officers of the Councils; the officers of the iwi governance entities; a subcommittee of the Board; and or the Chairperson.

The agenda, reports and relevant attachments must be sent to every member not less than **two** clear working days before the day appointed for the meeting, other than when the meeting is an extraordinary meeting.

Material relating to meetings (including advice of meetings, agenda and order papers) or

other business may be distributed to members by electronic means if the member has previously agreed to that method of delivery.

#### 1.8. Items not on the agenda

Urgent item

An item that is not on the agenda for a meeting may be dealt with at the meeting if—

- (a) the Board by resolution so decides; and
- (b) the Chairperson explains at the meeting at a time when it is open to the public,—
  - (i) the reason why the item is not on the agenda; and
  - (ii) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

Urgent matters not been placed on the agenda, may be brought before the meeting as extraordinary business by:

- Report of the Chief Executive
- Report of the Chair.
- 

Minor matter not on agenda

Minor matters that relate to the business of the Board may be discussed at a meeting if the Chairperson (or presiding member) explains at the beginning of the public part of the meeting that the item will be discussed.

No recommendation or decision, except potentially to refer that item to a subsequent meeting of the Board for further discussion, can be made.

Whether a minor matter not on the agenda is discussed is at the discretion of the Chairperson.

#### 1.9. Board may request information or advice

The Board may make a reasonable request in writing to a beach management agency (Environmental Protection Authority and the Ministry of Business, Innovation, and Employment) for the provision of:

- (a) information or advice to the Board on matters relevant to the Board's functions; and
- (b) a representative of the agency to attend a meeting of the Board.

The Board must:

(a) give notice to a beach management agency not less than 10 working days before the meeting; and

(b) provide an agenda for the meeting with the request.

The Board may request any other person or entity to:

- (a) provide specified information to the Board
- (b) attend a meeting of the Board.

#### 1.10. Board members may propose items for discussion / decision (Notices of motions)

If a member wishes an item of business to come to a future meeting of the Board they will normally request a report in a meeting of the Board and the Board will decide (by resolution) to request the report.

If a member wishes an urgent item of business to come to the next meeting of the Board for discussion by the Board, they will

- write down the proposal (or decision) they wish the Board to consider and the date of the meeting at which the item is to be considered
- sign the proposal and gain a signature from a seconder.
- 

Where the proposal is put forward by a Member appointed by a Council the seconder must be a Member appointed by an iwi, and vice versa.

(This recognises the partnership approach taken by the Board and ensures that there is some support for the proposal before the meeting devotes time to it.)

The written notice (called a notice of motion) must be delivered to the Chief Executive at least **five** clear working days (not including the day of notice or the day of the meeting) before such meeting.

(Where possible members will give greater than the minimum notice required.)

The Chairperson may direct the Chief Executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the Board or the relevant sub-committee; or
- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the Chief Executive may make; or
- (d) Is concerned with matters which are already the subject of reports, or recommendations to the meeting concerned.

Reasons for refusing should be provided to the proposer.

A notice of motion may only be altered by the mover with the consent of the meeting.

Notices of motion not moved on being called for by the chairperson, shall lapse.

Any notice of motion referring to any matter ordinarily dealt with by a subcommittee of the Board may be referred to that subcommittee by the Chief Executive.

When a motion has been considered and rejected by the Board or subcommittee, no similar notice of motion may be accepted within the next 6 months unless signed by 70% of all members, including vacancies.

(This recognises the need to use Board time effectively.)

There are additional requirements for a notice of motion, that revokes or alters a previous decision of the Board or one of its subcommittees, in Standing Order 7.8.

## 2. Attendance at, and commencement of, meetings

### 2.1. Attendance at meetings

A member has a right to attend any meeting, unless lawfully excluded.

The Board may invite to meetings any advisers it considers necessary to facilitate the meeting's business.

### 2.2. Attendance by members of appointing authorities

Members of the appointing authorities are entitled to attend but not participate in discussion or voting, at all meetings of the Board, apart from any part of a meeting deemed confidential by the Board unless permitted to remain by resolution of the Board.

### 2.3. Attendance by members of the public

Refer Standing Order X.

### 2.4. Attendance by members of the media

Bona fide members of the news media shall be deemed to be members of the public, and shall be entitled to attend any meeting or any part of a meeting for the purpose of reporting the proceedings for any news media.

### 2.5. Audio visual recording of a meeting by the media or members of the public

The recording of a meeting by audio-visual means requires the approval of the chairperson and the meeting must be advised.

The chairperson has discretion to limit the audio visual recording of any meeting by requiring:

- (i) that any recording is neither distracting nor obtrusive
- (ii) that any recording is not to take place when specified items of business are discussed to avoid recording being distracting to members
- (iii) that any visual recording is to either be of the member speaking at the time,

presentations being made to the meeting, or of the whole meeting.

#### 2.6. Chairperson of the Board to preside

The chairperson of the Board must preside at each meeting of the Board at which they are present unless the chairperson vacates the chair for a particular meeting. If the chairperson of the Board vacates the chair for a meeting, the deputy chairperson of the Board must preside.

#### 2.7. Quorum

A meeting is properly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote.

To conduct business at a meeting a quorum must be present for the whole time the business is being considered.

#### 2.8. Board quorum numbers

The quorum for a meeting of the Board is not fewer than 5 members, comprising:

- at least 2 members appointed by the iwi appointers; and
- at least 2 members appointed by the Councils (and Te Hiku Community Board if applicable); and
- the chairperson or deputy chairperson.
- 

A member who is interested in a matter relating to the Board cannot be part of a quorum for that part of a meeting during which a discussion or decision on the matter occurs.

#### 2.9. Quorum for a subcommittee

The Board may set quorums for its subcommittees by resolution or in the subcommittee's terms of reference. If not set then the quorum will be two.

#### 2.10. When meeting lapses for want of a quorum

A meeting lapses if a quorum is not present within 30 minutes of the advertised start time.

The Chairperson may extend this timeframe where a member is known to be travelling to

the meeting but is delayed due to extraordinary circumstances.

Where a meeting lapses because there is no quorum this will be recorded in the minutes along with the names of the members who attended.

#### 2.11. Lapses after meeting starts

If, after a meeting has commenced, member(s) leave and there is no longer a quorum, the business shall be suspended. If no quorum is present within 15 minutes thereafter the chairperson shall vacate the chair and the remainder of the meeting shall lapse.

#### 2.12. Business from a lapsed meeting

Where a meeting lapses, the remaining business will be adjourned to be the first items on the agenda for the next ordinary meeting unless an earlier meeting is fixed by the chairperson and notified by the Chief Executive.

#### 2.13. Leave of absence

The Board may grant leave of absence to a member from a meeting or meetings of its subcommittees.

Members must apply for a leave of absence.

#### 2.14. Apologies at meetings

If a member has not obtained leave of absence, an apology may be tendered on behalf of the member and the apology may be accepted or declined by the Board or the relevant subcommittee.

Acceptance of the apology shall be deemed to be a granting of leave of absence for that meeting.

#### 2.15. Recording of apologies

The chairperson of each meeting must invite apologies at the beginning of each meeting, including apologies for lateness and early departure, and these and subsequent apologies during the meeting shall be recorded in the minutes, including whether they were accepted or declined, and the time of arrival and departure of all members.



### 3. During the meeting

#### 3.1. Karakia Timatanga – opening prayer /Karakia whakamutunga – closing prayer

The Board will open meetings with karakia timatanga and mihi whakatau and close with karakia whakamutunga.

#### 3.2. Formality of meetings and application of these standing orders

Meetings will be informal and the following standing orders will not apply:

- (i) rules of debate (SO 7.6)
- (ii) rules applying to motions and amendments (SO 7.7).

The rules in SO 7.6 and SO 7.7 may be applied by the chairperson if the chairperson thinks they will assist the meeting.

#### 3.3. Chairperson to decide

The chairperson is to decide all questions where these standing orders make no provision or insufficient provision, and all points of order.

Priority of speakers

The Chairperson will name the member who has the right to speak first when two or more members indicate they wish to speak. Priority will be given to members who indicate they will:

- (a) Raise a point of order
- (b) Move a motion to terminate or adjourn the debate
- (c) Make a point of explanation or request an indulgence of the chairperson.

#### 3.4. Te Reo Māori

A member may address the chairperson in Te Reo Māori.

The member will then translate or ask the Chairperson to translate.

#### 3.5. Misconduct of members during meeting

Disorderly members to withdraw

Members called to order by the chairperson are to resume their seats and/or stop speaking, as the case may be. Should any member refuse to obey, such member may be directed by the chairperson to withdraw from the meeting. The member will withdraw and not return during the meeting (or any period of that meeting that the chairperson determines).

Members not to be disrespectful

Members will not be disrespectful in speech or use offensive or malicious language, including in reference to the Board, any other member, or any officer. In addition no member may impute improper motives or make offensive remarks about the private affairs of any other member.

Retraction of, or apology for, offensive or malicious language

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

Withdrawal from meeting

Any member who refuses to withdraw the expression or apologise if required by the chairperson, can be directed to withdraw from the meeting for a time specified by the chairperson.

Disorder in meeting

The chairperson may require any member whose conduct is disorderly or who is creating a disturbance to withdraw immediately from the meeting for a time specified by the chairperson.

Adjournment of meeting following disorder

Should the disorder continue the chairperson has the right to adjourn the meeting for a time specified by the chairperson. At the end of that period the meeting shall resume and decide without debate the question as to whether the meeting shall proceed or be adjourned. The chairperson may also take such action for disorder from other sources or in the event of an emergency.

Contempt to be recorded in minutes

Where the meeting resolves to find the member in contempt that resolution must be recorded in the minutes.

### 3.6. Rules of debate

Given the Board's desire to operate informally and in accordance with tikanga, this standing order will not normally apply to the meetings of the Board. This means that members will usually be able to speak more than once on an item. The Chairperson may choose to apply this standing order at any time.

#### Time limits on speakers

The following time limits apply to members speaking at meetings, unless extended by consensus or a vote of 70% of the members present:

- (a) Movers of motions when speaking to the motion, ten minutes;
- (b) Movers of motions when exercising their right of reply, five minutes;
- (c) Other members, not more than five minutes.

#### Right of reply

The mover of an original motion has a right of reply. It can be used only once and cannot introduce new matters.

It can be used at the end of the debate on an original motion or at the end of the debate on a proposed amendment.

The original mover may reserve their right of reply and speak once to an original motion and once to each amendment without losing that right of reply.

The mover of an amendment does not have a right of reply.

#### Reserving speech

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

#### Speaking to the subject matter

In speaking to any motion or amendment members will not introduce irrelevant matters or indulge in needless repetition.

The chairperson's ruling is final and not open to challenge.

#### Limitation on speakers

If three speakers have spoken consecutively in support of, or against a motion, the chairperson may call for a speaker to the contrary. If no such speaker is forthcoming, the mover has the right of reply. Then the motion must be put.

Members speaking must, if asked by the Chairperson, announce whether they are speaking in support of or against the motion.

#### Reading of speeches

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

#### Questions to staff / officers

During a debate members can ask staff/officers questions about the matters being discussed. Questions must be asked through the chairperson. The chairperson can decide how the question should be dealt with.

#### Restating / clarification of motion

Members may request the chairperson to restate the motion for their information or to clarify the motion at any time during the debate, but not so as to interrupt. They can also ask where they are up to in the debate.

#### Members may provide (personal) explanations

A member may (in addition to their opportunity to speak) provide a personal explanation or explain a previous comment or comments made with the permission of the chairperson. This is not however an opportunity to introduce new matters.

### 3.7. Motions and amendments

This standing order may be used at the discretion of the Chairperson.

#### Requirement for a seconder

All motions and amendments moved in debate (including notices of motion) must be seconded. The chairperson will then state the matter raised and propose it for discussion.

If there is no seconder the motion / amendment it fails and is not entered in the minutes.

#### Withdrawal of motions and amendments

Once motions or amendments have been seconded and put to the meeting by the chairperson they cannot be withdrawn without the consent of 70% of the members present and voting.

A motion to which an amendment has been moved and seconded cannot be withdrawn until the amendment is withdrawn or lost.

#### Motions in writing

The chairperson may require movers of motions or amendments to provide them in writing signed by the mover.

#### Motions expressed in parts

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

#### Substituted motion

A motion that is subject to an amendment can be withdrawn and replaced by the amendment provided the mover and seconder agree to the withdrawal.

All members may speak to the substituted motion.

#### Amendments

An amendment may be moved or seconded by any member who has not spoken to the original or substituted motion.

All members may speak to the amendment.

Amendments must be relevant to the motion under discussion; not be similar to an amendment that has already been lost and can not be a direct negative to the motion (i.e. if carried, would have the opposite effect of the motion).

#### Further amendments

Each amendment must be dealt with before a new one can be proposed.

#### Where amendment lost

Where an amendment is lost, the meeting will resume the debate on the original (or substituted) motion.

#### Where amendment carried

Where an amendment is carried, the amendment becomes the substantive motion

Members who have not spoken to the original motion may speak to the substantive motion. Further amendments may be moved (and seconded).

No speakers after reply or motion has been put

Members may not speak to any motion once the mover has started replying to the motion or where the chairperson has started putting the motion.

### 3.8. Revocation or alteration of resolutions

#### By notice of motion

A member may give the chief executive notice of motion for the revocation or alteration of all or part of a previous resolution of the Board or a committee. Notice must be in writing and signed by the mover.

The notice will set out:

(i) The resolution or part thereof which it is proposed to revoke or alter;

(ii) The meeting date when it was passed;

(iii) The motion if any that is intended to be moved in substitution thereof;

(iv) Sufficient information to ensure that the decision making requirements of the Te Hiku Settlement Legislation and the Local Government Act 2002 will be met (e.g. functions and powers of the Board, purpose and content of the beach management plan, identification of options, advantages and disadvantages of options, benefits and costs, significance, etc).

Where the mover of the notice cannot provide the information described above then the notice of motion should provide that the proposal is referred to the Chief Executive for consideration and report.

#### Notice to the Chief Executive - timeframe

A member must give to the Chief Executive at least **five** clear working days before the meeting at which it is proposed to consider such a motion.

#### Signatures

The notice is to be signed by not less than 50% of the members of the Board or the

subcommittee that made the previous resolution, including vacancies.

#### Notice to members

Once the motion is received, the Chief Executive must then give members notice in writing of the intended motion at least **two** clear working days notice of the meeting at which it will be considered.

#### Restriction on action to be taken on previous resolution

Where a member has given notice of motion to revoke or alter a previous resolution, no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with.

The above applies unless in the opinion of the Chairperson

(a) The practical effect of the delay would be the same as if the resolution had been revoked

(b) By reason of repetitive notices the effect of the notice is an attempt by a minority to frustrate the will of the Board or the committee that made the previous resolution.

In either of these situations action may be taken under the resolution as though no notice of motion had been given to the Chief Executive.

#### Revocation or alteration of resolution at same meeting

If, during the course of a meeting, fresh facts or information are received concerning a matter already resolved at the meeting, the previous resolution may be revoked or altered by the consent of 75% of the members present and voting.

#### Revocation or alteration by recommendation in report

The Board or its committees may revoke or alter any previous resolution on a recommendation in a report by the chairperson or Chief Executive.

The Chief Executive must give at least two clear working days notice of any meeting to consider such a proposal, along with details of the proposal to be considered.

### 3.9. Decision making and voting

All decisions of the Board must be made by voting at a meeting.

The Board must seek to obtain a consensus among its members.

If, in the opinion of the chairperson consensus is not practicable after a reasonable discussion, a decision may be made by a minimum of 70% of those members present and voting.

Chairperson / Deputy Chairperson does not have casting vote

The chairperson and deputy chairperson may vote but do not have casting votes.

#### Members may abstain

Any member may abstain from voting.

Any member may abstain from voting and only when a division has been called for may, on request, have their abstention recorded in the minutes.

#### Members may have their votes recorded

Any members vote or abstention must be recorded in the minutes if so requested by that member.

#### Method of voting

The method of voting is as follows:

(a) The chairperson in putting the motion can call for Members to state their opinion or take a show of hands. The result will be announced by the chairperson and is conclusive unless the announcement is questioned immediately by a member, when the chairperson shall call for a division.

(b) The chairperson or any member may call for a division instead of or after receiving spoken opinion and taking a show of hands.

#### Division

When a division is called, the Chief Executive or his nominee shall take down the names of the members voting for and against the motion and abstentions and is to hand the list to the chairperson to declare the result. The result of the division shall be entered into the minutes (including the members' names and the way they voted).

#### Second division

The chairperson may call a second division where there is confusion or error in the original division.

### 3.10. Procedural motions to terminate or adjourn debate

Procedural motions deal with the way the business is carried out.

Members may move procedural motions to terminate or adjourn debate

If at least three speakers have spoken during the debate, any member who has not spoken on the matter under debate may move any one of the following procedural motions to terminate or adjourn debate but not so as to interrupt a member speaking:

- (a) That the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place)
- (b) That the motion under debate should now be put (a 'closure motion')
- (c) That the item being discussed should be adjourned to a specified time and place or not be further discussed at the meeting
- (d) that the meeting move directly to the next item replacing the item under discussion
- (e) That the item of business being discussed be referred (or referred back) to the/a relevant subcommittee of the Board.

Procedural motions have priority

A procedural motion to close or adjourn a debate will take precedence over other business, other than points of order.

If the procedural motion is seconded, the Chairperson must put it to the vote immediately, without discussion or debate.

Voting on procedural motions to terminate or adjourn debate

All procedural motions to terminate or adjourn debate must be determined by 70% of those members present and voting.

If lost, a further procedural motion to terminate or adjourn debate may not be moved by any member within the next 15 minutes.

Closure motion to be put if no further speaker

Despite the above, a closure motion can be put if there is no further speaker in the debate.

Adjourned items

When debate resumes on adjourned items all members are entitled to speak.

If a meeting has been adjourned, the remaining business will be considered at the next meeting.

### 3.11. Points of order

Any member may raise a point of order when they believe these standing orders have been breached.

When a point of order is raised, the member who was previously speaking will stop speaking (and sit down if standing).

Subjects for points of order

A member raising a point of order must state the subject of the point of order.

Points of order may be raised for:

- (a) Disorder
- (b) Use of disrespectful offensive or malicious language
- (c) Irrelevance - Discussion of a matter not before the meeting
- (d) Misrepresentation of any statement made by a member or by an officer
- (e) The breach of any standing order
- (f) A request that words objected to be recorded in the minutes.

Decision of chairperson on point of order is final

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

If a ruling is questioned, the chairperson may seek advice, but their decision is final.

### 3.12. Minutes

Minutes to be kept

Minutes are the official record of the meeting. The Board and its subcommittees must keep

and approve the minutes of their respective meetings.

Matters to be recorded in minutes

The minutes must record

- the date, time and venue of the meeting
- the names of those members present
- the chairperson
- apologies tendered and accepted
- arrival and departure times of members
- any failure of a quorum
- a list of presenting speakers and the topics they covered
- a list of items considered
- resolutions and amendments
- any objections to words used
- all divisions taken
- names of any members requesting the recording of their abstentions or votes
- declarations of pecuniary or conflicts of interest
- contempt, censure and removal of any members
- resolutions to exclude members of the public
- the time that the meeting concludes or adjourns.
- 

No discussion on minutes

At a subsequent meeting only the correctness of the minutes can be discussed.

## 4. Qualified Privilege

### 4.1. Defamatory matter in agendas and minutes

Where a meeting of the Board is open to the public and a member of the public is supplied with a copy of the agenda or minutes of a meeting the publication of any defamatory matter included in the agenda or in the minutes is privileged unless the publication is proved to have been made with ill will or taking improper advantage of the publication.

(LGOIMA Section 52)

### 4.2. Oral statements at meetings

Any oral statement made at any meeting of a Board in accordance with the adopted standing orders is privileged, unless the statement is proved to have been made with ill will or taking improper advantage of the occasion.

### 4.3. Qualified privilege additional to other provisions

The privilege referred to above is in addition to any other privilege, whether absolute or qualified, that applies because of any other enactment or rule of law.

(LGOIMA Section 53)

## 5. Public participation

### 5.1. Public attendance at meetings

Meetings will normally be open to the public.

### 5.2. Notice to the public

All meetings scheduled for the following month will be publicly notified not more than 14 days and not less than 5 days before the end of every month, including the dates, times and places for the meetings.

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

### 5.3. Public notice of unscheduled meeting

If the meeting can be publically notified as provided for in these standing orders it will be.

If not, it will be publically notified as soon as is reasonable before the meeting date or where that is not possible the Board will give public notice following the meeting that:

- (a) The meeting occurred
- (b) The general nature of the meeting's business; and
- (c) The reasons for incorrect notification.

•

The Board will publically notify the resolutions passed at the unscheduled meeting; unless -

- (a) The resolution was passed in a part of the meeting where the public was excluded
- (b) the meeting was publically notified at least five working days before it was held.

### 5.4. Availability of agendas and reports

All information provided to meetings will be available to the public and news media unless an item included in the agenda refers to a matter reasonably expected to be discussed with the public excluded.

The public may view the above information during normal office hours, at least two working days before every meeting, at the public offices and services delivery centres of

the Far North District Council and the public libraries under the council's control. If the meeting is an extraordinary meeting the information will be made available as soon as is reasonable.

Every member of the public who inspects the information made available and who requests a copy of any part of it and pays the prescribed amount (if any) will be given the copy as soon as practicable.

### 5.5. Exclusion of the public

The Board may resolve to exclude the public from a meeting (or part of a meeting).

The grounds for exclusion are those specified in section 48 of LGOIMA. The summary of these grounds are contained in Appendix A. Most are unlikely to apply to a meeting of the Board.

Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be made available to any member of the public who is present.

If the motion is passed the resolution to exclude the public must be in the form set out in Schedule 2A of LGOIMA and state:

- (a) the general subject of each matter to be excluded
- (b) the reason for the passing of the resolution for that matter and
- (c) the grounds for the resolution.

•

Specified people may remain

The resolution to exclude the public may provide for specified people to remain if they will assist the meeting achieve its purpose. The resolution must state the knowledge held by the specified person(s) that is relevant to the matter being discussed and how it will assist.

### 5.6. Public Input

Speaking time

Members of the public may be permitted to address the Board on matters that are relevant to its responsibilities.

If the subject matter does not relate to a matter already on the agenda, the speaker may be invited to address the Board once it has attended to its business.

Alternatively the Chairperson may include on the agenda a Public Input / Forum item at the beginning of the meeting.

A speaker may speak for five minutes, which may be extended by resolution of the meeting.

Subjects of public input

Public Input is not to be used to speak to a matter:

- (i) that has already been considered and determined
- (ii) is repetitive or offensive
- (iii) for which there is a separate process for consideration
- (iv) which is not relevant to the responsibilities of the Board.

Application to speak

Those wishing to speak must communicate their request to the meeting secretary no later than **two** working days prior to their meeting. The request to speak must include the subject matter.

Discretion of chairperson

The chairperson may decline a request to speak for reasons that include, but are not limited to, the reason that the request does not meet the requirements of these standing orders or that the business of the meeting is such that it is necessary in the opinion of the chair to reduce or remove the speaking time for members of the public.

The chairperson has discretion to waive a specific requirement of these standing orders if, in the opinion of the chairperson, there are exceptional circumstances that warrant such a waiver.

The chairperson may accept an application to speak which is made less than two working days prior or during the period set aside for Public Input at the meeting, if, in the opinion of the chairperson, the matter is urgent and of major public interest.

Maintenance of order

The chairperson has the right to prohibit a member of the public from speaking if the speaker is offensive, being repetitious or vexatious or is otherwise in breach of these standing orders.

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

If any member of the public who is required to leave a meeting of the Board

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

they may be removed or excluded from the meeting.

Questions of speakers during public input

With the permission of the chairperson, members may ask questions of speakers.

Questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.



## 6. Board member conduct

Board members will act in a manner that achieves the purpose of the Board and observe tikanga (as described in Standing Order 2).

Board members must comply with the standing orders of the Board. They apply to all meetings, even when the public are excluded / not present.

### 6.1. Relationships

#### Chairperson

Members will acknowledge the role of the chairperson as the presiding member at meetings and as the spokesperson for the Board.

#### All members

Members will conduct their dealings with each other in ways that:

- maintain public confidence in the office to which they have been appointed;
- are open and honest;
- focus on issues rather than personalities.
- 

Employees of iwi governance entities and Councils

Members will:

- recognise that employees of iwi governance entities, the Councils or any other organisation providing advice or services to the Board, are subject to employment relationships and may only be hired, dismissed, instructed or censured by their respective employer
- not do anything which compromises, or could be seen as compromising, the impartiality of an employee
- avoid publicly criticising any employee in any way
- raise concerns about an employee only through the employee's employer.

### 6.2. Media

#### Spokesperson

The Chairperson is the first point of contact for the official view of the Board on any issue.

Where the Chairperson is absent, any matters will be referred to the Deputy Chairperson

No other member may comment on behalf of the Board without having first obtained the approval of the Chairperson.

#### Personal views

Members are free to express a personal view in the media, at any time. When doing so, they should observe the following:

- media comments must not state or imply that they represent the views of the Board
- where a member is making a statement that is contrary to a Board decision, the member must not state or imply that their statements represent a majority view
- comments to the media must not disclose confidential information, or compromise the impartiality or integrity of staff.

### 6.3. Information

#### Information that is public

The Authority is subject to the Local Government Official Information and Meetings Act 1987 and all official information held by the Authority is deemed to be publicly available and, when requested, can only be withheld on grounds contained in that Act.

This includes information held by individual members.

#### Confidential information

In the course of their duties members will receive information that they need to treat as confidential. Confidential information is normally deemed to be such because its public release will cause some harm, either to the Board or to other parties.

Members must ensure the confidentiality of such information.

If it is necessary for members to share confidential information with their appointing bodies, they must do so in ways that maintain public confidentiality.

#### Ethics

The Board seeks to promote the highest standards of ethical conduct amongst its members. Accordingly, members will:

- claim only for legitimate expenses
- not influence, or attempt to influence, any officer or employee to take actions that may benefit the member, or the member's family or business interests;
- not use the resources of the Board for personal business;
- not solicit, demand, or request any gift, reward or benefit by virtue of the member's position.

#### 6.4. Board member not acting in the best interests of the Board

If the Board considers that a member of the Board has acted or is acting in a manner that is not in the best interests of the Board, the Board may determine, by a minimum majority of 70% of its members present and voting at a meeting, to give written notice of the matter to the appointer of the member concerned.

A notice must:

- (a) set out the basis for the Board's decision to give notice; and
  - (b) be copied and delivered to the Board member concerned on the same working day that it is given to the appointer concerned.
- (3) The appointer concerned may give written notice to the Board seeking clarification of any matters relating to the Board's notice.
- (4) The Board must provide clarification on the matters requested

## 7. Members interests

### Conflict of interest disclosure rules

In this standing order “matter” means:

- (a) the Board’s performance of its functions or exercise of its powers
- (b) an arrangement, agreement, or a contract made or entered into, or proposed to be entered into, by the Board.

Each member of the Board must disclose any actual or potential interest in a matter to the Board.

A member of the Board has an actual or a potential interest in a matter if that member:

- (a) may derive a financial benefit from the matter; or
- (b) is the spouse, civil union partner, de facto partner, child, or parent of a person who may derive a financial benefit from the matter; or
- (c) may have a financial interest in a person to whom the matter relates; or
- (d) is a partner, director, officer, board member, or trustee of a person who may have a financial interest in a person to whom the matter relates; or
- (e) is otherwise directly or indirectly materially interested in the matter.

The affiliation of a member to an iwi or a hapū with customary interests in the Te Oneroa-a-Tohe management area is not an interest that must be disclosed.

A member of the Board is not precluded by the Local Authorities (Members’ Interests) Act 1968 from discussing or voting on a matter merely because—

- (a) the member is affiliated to an iwi or a hapū that has customary interests in or over the Te Oneroa-a-Tohe management area; or
- (b) the economic, social, cultural, and spiritual values of an iwi or a hapū and its relationship with the Board are advanced by, or reflected in:
  - (i) the subject matter under consideration; or
  - (ii) any decision by, or recommendation of, the Board; or

(iii) the participation of the member in the matter under consideration.

A member does not have an interest in a matter if that interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member in carrying out responsibilities as a member of the Board.

### Financial interests - consequences

Every member present at a meeting must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.

No member may vote on, or take part in a discussion about, any matter in which they have a direct or indirect financial interest.

Where practical, members with a financial interest will leave the meeting for the duration of the discussion.

The minutes must record any declaration of financial interests, and the member’s abstention from discussions and voting on the matter.

### Non-financial interests – consequences

Where a member declares a non-financial interest in any matter, such as a perception of bias, it is the member’s responsibility to decide whether or not the matter is of such significance it constitutes a conflict. If the member considers that there is a conflict they shall not take part in the discussions or vote on that matter.

The member will leave the table when the matter is considered.

The minutes must record the declaration and member’s subsequent abstention from discussion and voting.

The member may seek guidance from the chairperson on the significance of the conflict and the appropriate course of action.

#### 8. Legislative provisions which do not apply to the conduct of meetings

Clauses 23(3)(b) - quorum for a committee, 24 - voting, 26(3) and (4) - appointment of the Chairperson and Deputy Chairperson, 27 - standing orders, 30(2), (3), (5), and (7) - power to appoint sub-committees unless prohibited by the local authority, control by local authority and discharge provisions, and 31(2) and (6) – for joint committees of Schedule 7 of the Local Government Act 2002 do not apply to the Board.

## Appendix A – Grounds for excluding the public

The Board may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

A1 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where such disclosure would be likely:

(a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or

(b) To endanger the safety of any person.

A2 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

(a) Protect the privacy of natural persons, including that of deceased natural persons; or

(b) Protect information where the making available of the information:

(i) Would disclose a trade secret; or

(ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or

(c) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of wāhi tapu; or

(d) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information:

(i) Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public

interest that such information should continue to be supplied or

(ii) Would be likely otherwise to damage the public interest; or

(e) Avoid prejudice to measures protecting the health or safety of members of the public; or

(f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or

(g) Maintain the effective conduct of public affairs through the protection of members, officers or employees ... from improper pressure or harassment; or

(h) Maintain legal professional privilege; or

(i) Enable the Board ... to carry out, without prejudice or disadvantage, commercial activities; or

(j) Enable the Board ... to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or

(k) Prevent the disclosure or use of official information for improper gain or improper advantage.

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

A3 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:

(a) Be contrary to the provisions of a specified enactment; or

(b) Constitute contempt of Court or of the House of Representatives.

A4 That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to the Board by an Ombudsman under section 30(1) or section 38(3) of the Local

Government Official Information and Meetings  
Act 1987 ...

A5 That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Board to deliberate in private on its decision or recommendation in:

(a) Any proceedings before the Board where:

(i) A right of appeal lies to any Court or Tribunal against the final decision of the Board in those proceedings; or

(ii) The Board is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and

(b) Any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.

## Appendix B - APPOINTMENT OF THE CHAIR AND DEPUTY CHAIR

Iwi members will appoint a member of the Board as Chairperson.

This decision will be by simple majority of those iwi members present and voting at the meeting.

The Board must, by simple majority of those members present and voting, appoint a member of the Board to be the deputy chairperson of the Board.

The chairperson may be reappointed as chairperson, or removed from that office, by simple majority of the iwi members of the Board present and voting.

The deputy chairperson may be reappointed as deputy chairperson, or removed from that office, by simple majority of all members of the Board present and voting.