

Community Board Delegations

1 Introduction

Pursuant to clause 32 of Schedule 7 of the Local Government Act 2002 ('LGA'), Council delegates the responsibilities, duties and powers listed below to community boards to exercise within their communities.

Local Government Act 2002, section 53:

The community board shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the community board will operate within:

- *policies, plans, standards, or guidelines that have been established and approved by Council.*
- *the needs of the local communities; and*
- *the approved budgets for the activity.*

2 Definitions

This document refers to 'district-wide activities' and 'local activities'.

'District-wide' activities include:	'Local activities' include:
Those activities funded by all ratepayers across the district.	Those activities funded by rates targeted at a local community and to be spent in that community.
Three waters	Local halls and community centres
Roads, carparks and footpaths	Parks and reserves
Solid waste	Community board grants
Cemeteries	
Emergency management	
Public toilets	
Pensioner housing	

If there is disagreement, the decision as to whether an activity is a local activity or district-wide activity will be made by the chief executive.

3 Key Functions of Community Boards

- To promote the social, economic, environmental, and cultural well-being of local communities.
- To provide leadership to local communities.
- To be advocates and representatives for their local community and in so doing ensure that Council and other agencies have a clear understanding of local needs and aspirations.
- To be decision-makers on issues that are delegated to the board by Mackenzie District Council.

- To maintain an overview of the district-wide services Council delivers to its communities and assess the extent to which these services meet community needs.
- To recommend the setting of 'levels of service' and budgets for local activities.

4 Community Leadership

Community boards will:

- Communicate and develop a relationship with community organisations, local groups, and special interest groups within the local area.
- Identify key issues that will affect their community's future and work with council staff and other local representatives to address those issues.
- Promote a shared vision for the community and develop and promote ways to work with others to achieve positive outcomes.

5 Community Board Advocacy

Community Boards have authority to:

- Make submissions to other agencies on issues within its community board area.

Correspondence with central government, other local government agencies or official agencies will only take place through council staff and will be under the name of the community board and Mackenzie District Council. All community board submissions to other agencies must be agreed by a resolution passed by the majority of community board members. Any member who disagrees with the contents of the submission may ask to have this noted on the submission.

- Make submissions to Council on bylaws and recommend to Council the level of bylaw service and enforcement to be provided, having regard to the need to maintain consistency across the district for all council bylaws.
- Make a submission to Council's Draft Long-Term Plan/Annual Plan on the proposed levels of service, income, and expenditure within the community board area.
- Provide comment on relative priorities for the delivery of district-wide services within the community board area in the Long-Term Plan/Annual Plan.
- Make recommendations to Council on matters to be included in any submissions Council may make to external organisations', regional or national policy documents, or select committees.

Council will set the levels of service for district-wide activities. If a community board advocates for a higher level of service they will need to recommend this to Council and, if approved, it will need to be funded in an appropriate way (e.g., an increase in local rates, or user pays).

Community boards should not advocate for a higher level of service in their community alone to be funded from district-wide rates.

6 Service Delivery – Local Activities

For activities within the local activities category (see point 2 above), the community board shall have authority to:

- a) Recommend to Council the levels of service for local activities, having regard to the local rates impact.

- b) Recommend to Council the rates and/or user charges and fees to fund local activities.
- c) Approve project plans and business cases for local activities, except where the total value of the project exceeds \$100,000.
- f) Monitor the performance and delivery of local services.
- g) Facilitate the development of local management plans (for subsequent recommendation to Council), for reserves and other community facilities, **except** where doing so would have significance beyond the community board's area, or otherwise involves a matter of national importance (Section 6 Resource Management Act 1991); or would involve the loss of council reserve land by way of width reduction, easement, lease or otherwise.

7 Service Delivery – District Wide Activities

For activities within the district-wide activities category (see point 2 above), the community board shall have authority to:

- a) Recommend to Council the levels of service for district-wide activities.
- b) Provide comment on relative priorities for the delivery of district-wide services within the community board area in the Long-Term Plan/Annual Plan.
- c) Recommend to Council priorities for maintenance or replacement of district-wide assets, noting that these priorities will be considered next to others across the district and subject to funding availability.

8 Financial Delegations

Community boards will be responsible for two local activity budgets – the township projects budget and a grants budget.

In accordance with the provisions of LGA section 39(2) of Schedule 7 the board may not incur expenditure in excess of the approved budgets.

Community boards are not delegated to set rates but may recommend to Council an increase or decrease in these budgets, recognising that this decision will impact local rates. The final decision sits with Council.

- The township projects budget shall be spent on community board projects within the board boundary.
- The grants budget shall be spent on grants to not-for-profit organisations, or individuals, for projects or services that have a positive impact on the community. Community boards can set or change a limit on the amount they will pay per grant.

All community board spending from these two budgets must be formalised by a resolution passed at a community board meeting with majority agreement.

Community boards can accept donations of a local asset e.g. a gas barbeque, park bench, etc with a value of less than \$20,000, with ownership of that asset passing to council.

Community boards can recommend to Council the fees and charges that fund local activities.

9 Other Delegations to Community Boards

Naming reserves, structures and commemorative places

Community boards have the authority to decide upon requests from the community regarding names of reserves, the placement of structures and commemorative places.

Naming Roads

Community boards can recommend to Council the name of a road or right-of-way.

Road Closures

Community boards can assist the chief executive by providing comment (through the board chairperson) to consider and determine temporary road closure applications where there are objections to the proposed road closure.

Environmental management and spatial planning

Community boards can provide comment on behalf of the relevant community/communities on resource consent applications referred to the community board for comment.

Community boards can recommend to Council the level of bylaw service and enforcement to be provided within the community, having regard to the need to maintain consistency across the district.

Community boards can provide advice to Council on any matter of interest or concern to the community board in relation to the sale of alcohol.

Community boards can provide input into regulatory activities, not otherwise specified above, where the process allows.

Community boards can recommend to Council the initiating of an appeal or reference to the environment court on decisions in respect to resource consent applications on which the board has made submissions.

Emergency Management

Community boards can provide input to support the development of community planning for a civil defense emergency.

Community boards can work with Council's emergency operations staff during and after an emergency event, to support community response efforts.

Contact with Media

The community board chairperson is the authorised spokesperson for the board in all matters where the board has authority or a particular interest.

Board members, including the chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the board's delegations.

10 Limits to Delegations

Community boards have no financial or decision-making delegations other than those specifically delegated by Council.

The community board shall only spend funding on purposes for which that funding was originally raised, and in accordance with the budgets approved by Council.

Matters which are not Delegated

Mackenzie District Council has not delegated to community boards the power to:

- make a rate or bylaw.
- acquire, hold or dispose of property.
- direct, appoint, suspend or remove staff.
- engage or enter into contracts and agreements and financial commitments.
- institute an action for recovery of any amount.
- issue and police building consents, notices, authorisations and requirements under acts, statutes, regulations, bylaws and the like;

- institute legal proceedings other than the delegation to recommend to Council the initiating of an appeal or reference to the environment court on decisions in respect to resource consent applications on which the community board has made submissions.

11 Legislative Basis

- Resolution made by Council through the representation arrangements as per the Local Electoral Act 2001.
- Role, status and membership as per subpart 2 of Part 4 of the Local Government Act 2002 (LGA).
- Community boards delegated powers by Council as per schedule 7, clause 32, LGA.
- Appointment of councillors to community boards as per section 50, LGA

Membership

Community boards have four members elected by the local authority triennial elections, plus one member appointed by Council.

Quorum

The quorum shall be three members.

Chair

The chairperson and deputy chairperson are elected by the community board.

Meetings

Every second month. Six or seven meetings a year.
