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**REPORT 7**  
*(1215/52/IM)*

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## **REVIEW OF COMMUNITY BOARD DELEGATIONS**

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### **1. Purpose of Report**

In April 2004 the Democracy Subcommittee, in response to the Local Government Commission's Determination on Wellington City's representation review in 2003/04<sup>1</sup>, requested that a review be undertaken of functions delegated to the City's two Community Boards. This report presents information on the review and suggested new terms of reference for the two Community Boards.

### **2. Executive Summary**

The terms of reference for the Wellington City Council's Community Boards are in need of review. They differ from each other in language, style and authorities, making it difficult to clearly determine which Board may undertake what activity. They also do not reflect the fundamental changes to the role of Community Boards that has occurred since the enactment of the Local Government Act 2002 (LGA02). A review of the terms of reference is timely, is required by the Act, and recommended by the Local Government Commission.

### **3. Recommendations**

It is recommended that the Strategy and Policy Committee:

- 1. Receive the information.*
- 2. Recommend that Council agree to the revised terms of reference for the Tawa Community Board and the Makara/Ohariu Community Board (as set out in Appendix 3).*

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<sup>1</sup> The LGC's decision included encouragement to all territorial authorities that have community boards constituted within their areas to review the functions delegated to those community boards (this comment is contained at Clause 30, and is contained in most of the 23 determinations issued by the Commission).

## 4. Background

The Community Boards' Terms of Reference (TOR) date back to 1 November 1989, when they were first established as a result of the Local Government Reorganisation Scheme. They were last reviewed in 1997/98 in conjunction with the "Community Forum Project".

In the latter half of 1997 both the Tawa and Makara/Ohariu Community Boards considered reports from officers regarding the review of Boards, their delegations and the Community Forum Project itself. The reports included details of proposed roles, procedures and delegations for the Boards. Following on from those reports, a joint workshop was held in August 1997 to discuss the reports and the delegations issues that arose.

At their respective meetings of 18 September 1997 both Community Boards resolved "*that the proposed roles, procedures and delegations be recommended to the Communication and Consultation Committee*".

The Chair of the Tawa Community Board subsequently requested that the Communications and Consultation Committee leave the matter to lie on the table [with the agreement of the Chair of Makara/Ohariu].

In May 1998 the Makara/Ohariu Board advised the Communications and Consultation Committee that it accepted the recommendations and they were formally adopted as Makara/Ohariu's TOR by resolution of Council later that month.

It appears that only minor modifications have been made to the Tawa TOR since then. However, earlier this year, while considering the Board's role in resource consent hearing panels, both the Tawa and Makara/Ohariu Boards agreed to "*Note that the Terms of Reference/Delegations of Community Boards will be reviewed in 2005 as resolved by the Democracy Subcommittee in April 2004*".

A chart is attached at Appendix 1 showing a comparison of the terms of reference of the two Boards. The language and style of their respective TOR differ, making a comparison difficult.

In the years since the Tawa Board's TOR were formulated, there have been legislative, policy and operational changes that have affected the business of Council – most notably the LGA02, which fundamentally changed the way local authorities do business and interface with their communities, and the consequent review of Council's Committee structure in response to it.

The Makara/Ohariu Board's TOR has not been formally updated since the advent of the LGA02 either. Hence it is timely to conduct a review of both Boards' delegations.

## 5. Discussion

It is useful to the review exercise to consider the relevant sections of the LGA02 and the statements made by other agencies involved in local government, such as the Local Government Commission and Local Government New Zealand.

### 5.1 *The Local Government Act 2002 and community boards*

#### 5.1.1. Purpose and Role of community boards

Community boards have a role to play in achieving the objectives of local government. The **purpose** of local government (why it is here) is expressed in the LGA02 in Part 2 Section 10 as being:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.

The Act then clarifies in Section 11 that the **role** of a local authority (what it does) is to—

- (a) give effect, in relation to its district or region, to the purpose of local government stated in section 10; and
- (b) perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

The LGA02 also provides an updated section on the role of Community Boards, at Section 52. It states that the role of a community board (what it does) is to:

- (a) represent, and act as an advocate for, the interests of its community; and
- (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; and
- (c) maintain an overview of services provided by the territorial authority within the community; and
- (d) prepare an annual submission to the territorial authority for expenditure within the community; and
- (e) communicate with community organisations and special interest groups within the community; and
- (f) undertake any other responsibilities that are delegated to it by the territorial authority.

The main changes made by the Act in respect of community boards is the addition of a new role “(a) to represent and act as an advocate for the interests of the community” and a broadening of the overview role in (c) to include **all** services provided by Council in the Board’s area.

### **5.1.2. Powers of community boards**

The powers of community boards are set out in broad terms in Section 53 of the Act.

- (1) A community board has the powers that are—
  - (a) delegated to it by the relevant territorial authority in accordance with clause 32 of Schedule 7; or
  - (b) prescribed by the Order in Council constituting its community.

The LGA02 has also given local authorities wide powers to delegate matters to subordinate decision-making bodies such as committees, subcommittees and community boards. In particular, it places a legal requirement on Councils to consider what responsibilities should be delegated to boards. Clause 32(7) of the Seventh Schedule of the Act states that a council;

“... must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role”.

In the past it has often been the case that community boards are delegated the power to act in limited areas, mainly asset-focussed, such as dealing with potholes and reserves. The new Act requires a greater engagement with Council processes and also the community at large. The review gives the opportunity to re-focus and broaden the terms of reference to better express the boards’ two-way role.

### **5.2 *The Local Government Commission’s view on community boards***

In April 2004 the Local Government Commission issued 23 determinations on representation arrangements for local authorities, to apply to the 2004-2007 triennium. 18 of the 23 (including its review of Wellington City’s representation arrangements in 2004) have contained a strong message to each Council, reproduced below.

“The Commission encourages territorial authorities that have community boards constituted within their areas to review the functions delegated to community boards. To maximise the effectiveness of the contribution of community boards to local governance the Commission is of the view that territorial authorities should consider providing the boards with a comprehensive set of delegated functions.

The Commission considers that two current examples of effective community board delegations are:

- The delegations for the Otago Peninsula Community Board, as detailed in the Commission’s determination of 11 October 2001, and
- The delegations issued by the Thames-Coromandel District Council and Christchurch City Council for the community boards constituted in their districts.”

Taking on board the opinion of the Commission, there are several areas where the Wellington City community boards’ role can be strengthened, or at least more explicitly stated, to better fulfil their role. The revised terms of reference are intended to achieve this aim.

### **5.3 Local Government New Zealand's advice on the role of community board members**

Local Government New Zealand has issued a guide to what it sees as the role of a community board member. The guide is attached as Appendix 2. It is couched in the language of the LGA02 and is focussed on the advocacy, consultative and facilitative role that community boards play in the business of Council.

### **5.4 Specific changes to the Boards' terms of reference**

In addition to the necessary and desirable modernisation of the Boards' TOR, some changes from the current terms are required to comply with the law (as it has changed from the 1974 Local Government Act) and to reflect current practice.

#### **5.4.1. Bylaws**

The Boards' TORs state that they currently have the authority to approve changes to bylaws, e.g. traffic. This practice does not align with Council's own terms of reference (which are applied in areas the community boards do not cover) and, more particularly, is not in line with the LGA02.

Traffic resolutions are approved under Part 18 of the Wellington Consolidated Bylaw. Current Council delegations include that the following power is retained by Council:

- 2.1 make any resolution where in a bylaw the Council has reserved any matter to be regulated, controlled, or prohibited by the Council by resolution either generally, for any specified case, or in a particular case;

This is a reflection of the words of Section 151(2) of the LGA02, and it enables Council to provide for the kinds of things that may change from time to time – such as parking places, no stopping areas, etc – to be set out in a Schedule, and make minor additions and amendments to those Schedules in bylaws without having to go through the special consultative procedure the Act otherwise requires.

It requires only that a resolution of Council is made, but does not allow for Council to delegate that power. This is a change from the process that applied under the Local Government Act 1974, hence the specific statement retaining to Council the power to amend the bylaws. Hence, the Boards can no longer be delegated the authority, and the Boards' delegations should reflect this by being limited to recommendation only with respect to any bylaw amendments.

#### **5.4.2. Resource Management issues**

With respect to the Resource Management Act 1991 (and its amendments), the Boards appear to have significant delegations across a range of activities. However, in practice much (in fact all of the activities listed in Item 6 of the Tawa Community Board's TOR, also included by direct reference in the Makara/Ohariu Community Board's) have for some time been delegated to staff and are no longer a matter over which the Boards

have (or have been exercising) any authority. It is proposed that these be deleted from the Boards' TOR.

With respect to Hearings Panels, there is also reference in the Makara/Ohariu Community Board's TOR to it nominating two members to be included on the Panels which consider notified resource consent applications in the Makara/Ohariu area.

The issue of Board involvement in RMA matters has been the subject of advice to the Boards. The position is now clear that Boards may, for example, be included on a Hearings Panel, but may not make a submission on a resource consent or district plan change and sit on a Panel considering that matter. On the basis of that advice, both Boards have confirmed that they wish to be included as being available to sit on Hearings Panels, hearing matters within the boundaries of their Board areas. This is reflected in the proposed TOR.

#### **5.4.3. Making Submissions**

It has become accepted that the Boards have authority to make submissions on various issues such as notified resource consents and district plan changes, even though such authority does not appear in the current terms of reference. Making submissions to various organisations (including Council) is a manifestation of the community board role of advocate for its community, and accords with its role as prescribed in the Act.

Authority has been added for, and limited to, making a submission to Council or other organisation on matters that have a local effect. In matters such as resource consents or district plan changes where further involvement may follow as a result of having made a submission, Boards will have to come to Council for approval and (if necessary) funding for that further involvement.

#### **5.4.4. Consultation with Community Boards**

The proposed terms of reference/delegations have been discussed with the two Community Boards, and approved for referral to Strategy and Policy Committee and then Council.

Bearing these changes in mind, proposed terms of reference for the two Boards is attached as Appendix 3.

## **6. Conclusion**

The terms of reference of the Community Boards have been in need of bringing into line with current operational practice and new legislation. The proposed new terms of reference, which will apply to both Boards, have been written in the language and around the roles described in the new Local Government Act 2002. They are intended to reflect the role of the Boards in assisting Council to meet its statutory purpose in enabling democratic local decision-making.

Contact Officer: *Michael Webster, City Secretary*

## Supporting Information

### 1) Strategic Fit / Strategic Outcome

*This project supports objective 9.2 City decision-making:  
People are encouraged to participate in the decision making of the city.*

### 2) LTCCP/Annual Plan reference and long term financial impact

*Relates to C534: Committee and Council process*

### 3) Treaty of Waitangi considerations

*There are no Treaty of Waitangi implications*

### 4) Decision-Making

*This is not a significant decision*

### 5) Consultation

#### a) General Consultation

#### b) Consultation with Maori

*Not required*

### 6) Legal Implications

*The advice contained in this report has been discussed with the Council's legal advisors*

### 7) Consistency with existing policy

*This report is consistent with existing Wellington City Council policy*

**CURRENT TERMS OF REFERENCE (FOR COMPARISON)**

<b>TAWA</b>	<b>MAKARA/OHARIU</b>
<p><b>1. <u>Budgetary Input and Control</u></b></p> <ul style="list-style-type: none"> <li>(a) The preparation of an annual submission and recommendations to the Council's budgetary process in respect of expenditure within the area of the Tawa Ward.</li> <li>(b) Ranking of priorities for funds for special works which do not form part of the Operations and Maintenance budget.</li> <li>(c) Input into the half-yearly review of the Transit New Zealand budget.</li> <li>(d) The control of local community funds held for specific purposes within the ward.</li> <li>(e) Overseeing the expenditure of funds and receipt of income to ensure that budget targets are met.</li> <li>(f) Authorising expenditure within the annual budget once approved.</li> <li>(g) Delegated powers to review and revise any fees and charges relating to its budget (such as entrance fees to the swimming pool, for example) giving regard to the annual business plan and budget within policy guidelines.</li> </ul>	<p><b>3. Annual Plan:</b></p> <p><b>Role:</b> To be pro-active in the community and actively seek out the aspirations of the local community and its local organisations and reflect these in the Community Board's input into the Annual Plan.</p> <p><b>Procedure:</b> The Makara/Ohariu Community Board will provide input into the 'proactive' phase of the Annual Planning cycle by recommending service level changes and/or new initiatives. The ideas will be analysed and the Board given feedback on how their ideas fare. The Community Board will provide input into the 'reactive' phase of the Annual Planning cycle by preparing an annual submission to the Draft Annual Plan on expenditure within the community and by ranking the 'new initiatives' presented in the Draft Annual Plan.</p> <p><b>Delegation:</b> Advisory.</p>
<p><b>2. <u>Traffic Management</u></b></p> <ul style="list-style-type: none"> <li>(a) Authorisation of the installation or removal of "Stop" and "Give Way" signs.</li> <li>(b) Authorisation of the construction or removal of traffic islands, speed control humps, pedestrian crossings.</li> <li>(c) The imposition, amendment or removal of speed restrictions.</li> </ul>	<p><b>12. Traffic Management:</b></p> <p><b>Role:</b> The Makara/Ohariu Community Board members will utilise their local knowledge to consider and make decisions on traffic management issues.</p> <p><b>Procedure:</b></p> <ul style="list-style-type: none"> <li>(a) The Makara/Ohariu Community Board will monitor traffic management in Makara/Ohariu and discuss traffic issues with officers.</li> <li>(b) The Makara/Ohariu Community Board will appoint one member (and one back-up member) with whom officers will consult on erecting non-regulatory traffic signs.</li> </ul>

<ul style="list-style-type: none"> <li>(d) The determination of any categories of roadmarkings not otherwise sub-delegated to any other committee (e.g. an officers' committee)</li> <li>(e) To take initiatives in traffic planning for the Tawa Ward area including consultation with appropriate agencies and Wellington City Council officers in respect of the possible re-routing of State Highway One (Transmission Gully) with the ward.</li> <li>(f) Determination of parking restrictions and erection of parking signs.</li> <li>(g) Siting and approval of taxi-stands, bus stops and bicycle stands.</li> <li>(h) Public notification, hearing of objections to and determining applications for the temporary closure of streets, under the Transport (Vehicular Traffic Road Closure) Regulations 1965 or under Section 342 and Clause 11(e) of the Tenth Schedule to the Local Government Act 1974.</li> <li>(i) Authorisation of the upgrading and installation of streetlighting</li> </ul>	<p><b>Delegations:</b> The Makara/Ohariu Community Board has the delegated authority to:</p> <ul style="list-style-type: none"> <li>(a) authorise the installation or removal of "Stop" and "Give Way" signs;</li> <li>(b) authorise the construction or removal of traffic islands, speed control humps, pedestrian crossings;</li> <li>(c) recommend the imposition, amendment or removal of speed restrictions;</li> <li>(d) determine any categories of roadmarkings not otherwise sub-delegated to officers;</li> <li>(e) determine parking restrictions and erection of parking signs;</li> <li>(f) approve the siting of taxi-stands, bus stops and bicycle stands;</li> <li>(g) hear objections to and determine applications for the temporary closure of streets, under the Transport (Vehicular Traffic Road Closure) Regulations 1965 or under Section 342 and Clause 11(e) of the Tenth Schedule to the Local Government Act 1974;</li> <li>(h) authorise the upgrading and installation of streetlighting.</li> <li>(i) approve street rallies, marches and parades, street stalls and collections/appeals within the area of the Makara/Ohariu area.</li> </ul>
<p><b>3. <u>Transport Shelters</u></b></p> <p>The erection of transport shelters on the footpath of any road in terms of Section 339 of the Local Government Act 1974 and the hearing and determination of any objections thereto.</p>	<p><b>13. Transport Shelters:</b></p> <p><b>Role:</b> The Makara/Ohariu Community Board members will utilise their local knowledge to consider and make decisions on transport shelter issues.</p> <p><b>Procedure:</b> The Makara/Ohariu Community Board will discuss any transport shelter issues with officers.</p> <p><b>Delegations:</b> The Makara/Ohariu Community Board has the delegated authority to approve the erection of transport shelters on the footpath of any road in terms of Section 339 of the Local Government Act 1974 and to hear and determine any objections.</p>

<p>4. <b><u>Parks and Reserves</u></b></p> <ul style="list-style-type: none"> <li>(a) The administration, management and control of parks and reserves within the area of the Tawa Community Board.</li> <li>(b) The preparation and periodic review of management plans for reserves within the area of the community board in terms of Section 41 of the Reserves Act.</li> <li>(c) The determination of applications for remissions of or concessions on charges for the use of the Tawa Pool, Social Centre, parks and reserves, in accordance with Council policy.</li> <li>(d) The letting of catering rights in parks and reserves.</li> <li>(e) The appointment of honorary wardens and rangers.</li> <li>(f) The promotion and use of community facilities.</li> <li>(g) The planning, development and approval of community recreational programmes and the promotion of recreation opportunities.</li> </ul>	<p>15. <b>Asset Management:</b></p> <p><b>Role:</b> To assist Council in making decisions on Council assets in the Makara/Ohariu Community Board area.</p> <p><b>Procedure:</b> The Makara/Ohariu Community Board will be consulted on the preparation and review of all Asset Management Plans which are to be applied to assets within the Makara/Ohariu Community Board area.</p> <p><b>Delegation:</b> Advisory.</p>
<p>5. <b><u>Arts and Crafts</u></b></p> <p>The promotion of arts and crafts in the area of the community board.</p>	
	<p>17. <b>Community Grants:</b></p> <p><b>Role:</b> To adjudicate on the application for Makara/Ohariu Community Hall grants.</p> <p><b>Procedure:</b> The Makara/Ohariu Community Board will adjudicate on applications for local Community/Hall grants to the amount of \$1000.</p> <p><b>Delegation:</b> The Makara/Ohariu Community Board has the delegated authority to adjudicate on applications for Makara/Ohariu Community/Hall grants.</p>

<p>6. <u>Resource Consent Applications</u></p> <ul style="list-style-type: none"> <li>(a) Authority to determine any notified or non-notified application for resource consent (i.e. non-complying, controlled or discretionary activities), including the imposition of conditions.</li> <li>(b) Authority to determine any application for consent in respect of Sections 10 (existing uses), 125 (lapsing of consents), 126 (cancellation of consent condition), 127 (change or cancellation of consent condition), 128-133 (review of consent conditions) of the Resource Management Act.</li> <li>(c) Authority to make recommendations on a requirement for a designation or a heritage order.</li> <li>(d) Authority to waive or extend time limits, etc.</li> <li>(e) Authority to order the protection of sensitive information.</li> <li>(f) Authority to determine any objections to certain decisions and requirements.</li> <li>(g) Authority to make requests for changes to outline plans submitted pursuant to S125 of the Town &amp; Country Planning Act 1977.</li> <li>(h) Authority to require the payment of additional charges or to remit the whole or any part of any charge.</li> <li>(i) Authority to determine that any application must be notified.</li> </ul>	<p>The delegated authorities in respect of resource consent applications which impact solely on the Board's area. This authority has been given to a <b>combined</b> Committee of Council and Makara/Ohariu Board members. The specific delegated authorities are the same as those detailed in Section 6 of the Tawa Community Board schedule of delegations. See Tawa's No.6</p> <p>7. <b>Resource consent applications in the Makara/Ohariu area:</b></p> <p><b>Role:</b> Makara/Ohariu Community Board members will utilise their local knowledge to provide input into the hearings process.</p> <p><b>Procedure:</b></p> <ul style="list-style-type: none"> <li>(a) The Makara/Ohariu Community Board will appoint one member (and one back-up member) with whom officers will consult as to whether resource consent applications for non-complying activities should be notified or not. Officers will also consult the appointed member on resource consent 'extension of time' applications. Although Council officers will consult the appointed member on determining whether an application should be notified or not, and on 'extension of time' applications, the final decision will be made by the officer.</li> <li>(b) The Makara/Ohariu Community Board will nominate two members (and one back-up member if one of the two is not available) who will be included on the hearings committee which considers notified resource consent applications in the Makara/Ohariu area.</li> <li>(c) The Community Board will receive a monthly list of all non-notified resource consent applications that have been approved for the Makara/Ohariu area.</li> </ul> <p><b>Delegations:</b> Makara/Ohariu Community Board members nominated to be on the hearings committee have the delegated authority necessary to consider the application and, in conjunction with the other members of the hearings committee, come to a decision.</p>
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	<p><b>14. Variations or Changes to the District Plan:</b></p> <p><b>Role:</b> To participate in the consultation procedures of District Plan Changes or Variations that impact on the Makara/Ohariu Community Board area.</p> <p><b>Procedure:</b> If a proposed variation or change will impact on the Makara/Ohariu Community Board area then the Community Board will be notified and consulted at the appropriate stage.</p> <p><b>Delegation:</b> Advisory.</p>
<p>7. <u>Buildings</u></p> <p>(a) The granting of any dispensations from the bylaws in relation to building permits.</p> <p>(b) The classification and erection of temporary buildings and the determination of conditions of control over such temporary buildings.</p> <p>(c) Approval of signs and hoardings on buildings and in public places.</p>	
<p>8. Approvals for street rallies, marches and parades, street stalls and street collections/appeals within the area of the community.</p>	<p>See Makara/Ohariu No. 12 "Traffic Management"</p>
<p>9. <u>Overview of Services</u></p> <p>To monitor and keep the Council informed as to community aspirations and the level of satisfaction with the services provided, e.g. streetworks, local traffic engineering, refuse collection, housing, local parks, community and recreation activities, and regulatory activities.</p>	<p><b>5. Council Services:</b></p> <p><b>Role:</b> To monitor and keep the Council informed of community aspirations and the level of satisfaction with services provided.</p> <p><b>Procedure:</b></p> <p>(a) The Makara/Ohariu Community Board will give feedback on Council services to Council officers.</p> <p>(b) The Makara/Ohariu Community Board will receive regular information on Council services in the Makara/Ohariu Community Board area, including advice on any proposed or upcoming service level changes.</p> <p><b>Delegation:</b> Advisory.</p>
<p>10. <u>Liaison with Porirua City Council</u></p> <p>To act as the main liaison point between the Wellington City Council and the Porirua City Council.</p>	
<p>11. <u>Urban Transport</u></p> <p>To have an input into the formulation by Council of its Urban Transport Plan.</p>	

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	<p><b>8. Rooding:</b></p> <p><b>Role:</b> The Makara/Ohariu Community Board will monitor and have an overview of roading in the Makara/Ohariu area and utilise their local knowledge to assist officers in determining local road work priorities.</p> <p><b>Procedure:</b></p> <ul style="list-style-type: none"> <li>(a) The Makara/Ohariu Community Board will receive quarterly roading reports major capital expenditure (CAPEX) work to be carried out, on work carried out and any roading issues in the Makara/Ohariu area.</li> <li>(b) The Makara/Ohariu Community Board will provide input into the 'proactive' phase of the Annual Planning cycle by recommending service level changes and/or new initiatives. The ideas will be analysed and the Board given feedback on how their ideas fare.</li> <li>(c) Community Board members should raise routine roading maintenance matters by reporting them using the Council 'Service Line'. For non-routine maintenance issues the Community Board should discuss them with officers or raise them through the Annual Plan process.</li> </ul> <p><b>Delegation:</b> Advisory.</p>
	<p><b>16. Road reserve encroachment applications in the Makara/Ohariu area:</b></p> <p><b>Role:</b> Makara/Ohariu Community Board members will utilise their local knowledge to assist Council officers in determining road reserve encroachment applications in the Makara/Ohariu Community Board area.</p> <p><b>Procedure:</b> The Makara/Ohariu Community Board will appoint one member (and one back-up member) with whom officers will consult on road reserve encroachment applications in the Makara/Ohariu Community Board area. The final decision will be made by the Council officer.</p> <p><b>Delegation:</b> Advisory.</p>
<p>12. <u>By-law Dispensations</u></p> <p>Those which have only local significance be delegated to the Board.</p>	

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<p>13. <u>Civil Defence</u></p> <p>To have an input into the Tawa section of the Wellington City Civil Defence Plan.</p>	<p><b>9. Emergency Management:</b></p> <p><b>Role:</b> To advise Council on the different emergency management needs of the Makara/Ohariu rural area and to appoint members to fulfil the role of Community Emergency Centre co-ordinators for the Makara and Ohariu areas.</p> <p><b>Procedure:</b> (a) The Makara/Ohariu Community Board will advise Council on emergency matters in the Makara/Ohariu rural area. (b) The Makara/Ohariu Community Board will appoint two co-ordinators, one for the Makara area and one for the Ohariu Valley area, who will carry out the listed tasks and actions of Community Emergency Centre co-ordinators.</p> <p><b>Delegation:</b> None.</p>
	<p><b>10. Fire bans/Permits/Fire Plan:</b></p> <p><b>Role:</b> Makara/Ohariu Community Board members will utilise their local knowledge to assist Council officers in determining whether to impose or lift a rural fire ban. The Makara/Ohariu Community Board will be consulted during the preparation of the Annual/Biannual Rural Fire Plan and its comments taken into account before approval and adoption by Council.</p> <p><b>Procedure:</b> (a) The Makara/Ohariu Community Board will appoint one member (and one back up member) with whom officers will consult on imposing or lifting rural fire bans. Although a Council officer will consult the appointed member on imposing a fire ban the final decision will be made by the officer. (b) The Rural Fire Officer will attend as required, Makara/Ohariu Community Board meetings to update the Community Board on rural fire issues.</p> <p><b>Delegation:</b> Advisory.</p>
	<p><b>11. Liquor licence applications:</b></p> <p><b>Role:</b> Makara/Ohariu Community Board members will utilise their local knowledge to provide input into the liquor license decision process.</p> <p><b>Procedure:</b> The Makara/Ohariu Community Board will appoint one member with whom officers can consult on liquor licence applications in</p>

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	<p>the Community Board's area. Although a Council officer will consult the appointed member on liquor license applications within the Community Board's area the final decision will be made by the officer.</p> <p><b>Delegation:</b> Advisory.</p>
	<p><b>1. Rural matters:</b></p> <p><b>Role:</b> To advise Council on all rural issues.</p> <p><b>Procedure:</b> (a) Council will consult the Makara/Ohariu Community Board on all issues that impact on the Makara/Ohariu rural area and allow sufficient time for the Community Board's comments to be considered before a decision is made. This includes: rural rates, management plans, sewage and stormwater disposal, the use of Council property and heritage issues.</p> <p>(b) The Council will also involve the Makara/Ohariu Community Board in any dealings with the Wellington Regional Council that impacts on the Makara/Ohariu area.</p> <p><b>Delegations:</b> Advisory.</p>
	<p><b>2. Strategic Plan:</b></p> <p><b>Role:</b> To be pro-active in the community and actively seek out the aspirations and needs of the local community and its local organisations and reflect these in the Community Board's input into the Strategic Plan.</p> <p><b>Procedure:</b> The Makara/Ohariu Community Board will be invited to take part in all stages of Strategic Planning, including the review of Wellington City Council's Strategic Plan.</p> <p><b>Delegation:</b> Advisory.</p>
	<p><b>4. Policy Monitoring and Development:</b></p> <p><b>Role:</b> To assist Wellington City Council in monitoring and developing policy that impacts on the Makara/Ohariu community and to act as Council's main advisory body on rural issues.</p> <p><b>Procedure:</b> (a) The Makara/Ohariu Community Board will assist Council in monitoring existing policies by monitoring the effectiveness of the policy, the outputs and outcomes, and by commenting on whether the policy needs to change to meet changing conditions or needs in the</p>

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	<p>community. The Community Board can also assist Council by identifying any 'policy gaps' that might exist.</p> <p>(b) The Makara/Ohariu Community Board will submit ideas for possible policy development projects to Council's 'Policy Development Process'. These ideas will be analysed to determine fit with Council's goals and objectives and the Community Board will be given feedback on how their ideas fare.</p> <p>(c) All policy project briefs will identify the role that Council's Community Boards will play in developing the policy (there may be no role for the Community Board). If the policy impacts on Makara/Ohariu a then the Community Board will be identified as a 'key stakeholder' at this stage.</p> <p><b>Delegations:</b> Advisory.</p>
	<p><b>6. Council, Committee and Sub-Committee Meetings:</b></p> <p><b>Role:</b> To represent the interests of the Makara/Ohariu community at Council, Committee or Sub-Committee meetings when a motion under debate is of special significance to a Community Board's area and has a commensurately greater impact on that area than in other areas of the city.</p> <p><b>Procedure:</b> The Makara/Ohariu Community Board will appoint members to speak at Council, Committee and Sub-Committee meetings.</p> <p><b>Delegations:</b> Advisory.</p>

### ROLE OF COMMUNITY BOARD MEMBER – FROM LGNZ

#### Representative Role

##### Advocacy

- To promote residents' issues and initiatives to the community board and the council.
- To be an advocate for local issues and initiatives on behalf of residents, to the city or district council, or to central government.
- To monitor the range and level of council services provided within the community board's jurisdiction, and to advocate changes as necessary.
- To respond to resident and community issues and submissions, and to act as leaders in the community where problems may arise and where issues or initiatives need to be promoted.
- To engage in community development activities in conjunction with council officers. (Board members frequently assist with the initiation and facilitation of community development initiatives and may liaise with council officers who are responsible for taking action and reporting back.)

##### Public Face and Consultation

- To represent the community to central government agencies and wider community forums.
- To liaise with, and to communicate with, community groups regarding local issues and initiatives, and the processes, services and decisions of the community board and the council.
- To clarify and promote the role of the community board in the ward and wider communities.

#### Governance Role

##### Relationships and Facilitation

- To work in cooperation with the council. Community boards are part of the local authority and must work within the framework of the powers and functions set out in statute and delegated by the council.
- To act as an interface between the council and the community. Board members should listen to the diversity of viewpoints and concerns in their community, represent and communicate these to the council, and work towards a common understanding.
- To attend meetings of the community board and any other bodies the member has been asked to serve on.

##### Decision Making

- To contribute to the development of community board policies, to set and monitor key performance indicators.
- To ensure the integrity of the community board and its decisions, and represent these to the community and particular groups in a way that promotes the board rather than the individual.
- To scrutinize council policies and services within the community board area and, to advise the council on ways of enhancing effectiveness.
- To ensure that decisions are made on the basis of sound information and rationale, and that they reflect the interests of the communities represented by the Board.
- To ensure that the structures and systems used by the board (i.e. agenda) support and encourage effective democratic decision-making.

##### Information Gathering

- To actively seek good quality information and keep well informed of community priorities, broader issues and local initiatives.
- To attend specifically to information directed to board members, such as emails, submissions, deputations, and financial reports.

##### Accountability

- To sit on hearing panels and engage in decision-making processes with no bias, acting at all times with integrity and professionalism.
- To act in accordance with democratic accountability to all residents within the area.
- To act in accordance with the community board or council's code of conduct.
- To prepare for and attend all community board meetings

**Tawa Community Board  
Makara/Ohariu Community Board**

**Voting Membership:**

The Board will have six elected members (not including Councillor appointments if any).

**External Membership (non-voting):**

Nil.

**Quorum:**

2

**Chair:**

The Chair will be elected by the Board's members and remunerated at a level determined by the Remuneration Authority.

**Frequency of Meetings:**

The Community Board will meet on a monthly basis, or as required.

**Parent Body:**

The Community Board reports to Council.

**General Purpose:**

To assist Council in fulfilling the purpose of local government as expressed in Part 2, Section 10 of the Local Government Act 2002, being:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.

**Objective:**

To achieve the role of a Community Board under Section 52 of the Local Government Act 2002; that is:

- (a) Represent and act as an advocate for the interests of its community; and
- (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; and
- (c) Maintain an overview of services provided by the territorial authority within the community; and
- (d) Prepare an annual submission to the territorial authority for expenditure within the community; and

- (e) Communicate with community organisations and special interest groups within the community; and
- (f) Undertake any other responsibilities that are delegated to it by the territorial authority.

### **Terms of Reference:**

The Community Board shall:

- facilitate the Council's consultation with local residents and community groups on local issues and local aspects of citywide issues including input into the Long Term Council Community Plan, Annual Plan, and policies that impact on the Board's area; and
- engage with council officers on local issues and levels of service, including infrastructural, recreational, community services and parks and gardens matters.

Council shall consult with the Board on issues that impact on the Board's area and allow sufficient time for the Board's comments to be considered before a decision is made.

The Community Board will have responsibility and authority to:

- 1.0 Make submissions (as a Community Board) to any organisation (including submissions on resource consents notified by the Greater Wellington Regional Council and Wellington City Council) relating to matters of interest to the Board in respect of the Board's area (a copy of any such submission is to be given to the Council's Chief Executive).
- 1.1 Represent the interests of the community at Council, Committee or Subcommittee meetings when a motion under debate relates to a matter that the Board considers to be of particular interest to the residents within its community.
- 1.2 Determine expenditure of funds allocated by Council to the Board for specific purposes.
- 1.3 Consider matters referred to it by officers, the Council, its committees or subcommittees, including reports relating to the provision of council services within the Board's area, and make submissions or recommendations in response to those matters as appropriate. This will include:
  - monitoring and keeping the Council informed of community aspirations and the level of satisfaction with services provided
  - providing input to the Council's Long Term Council Community Plan and Annual Plan
  - providing input to proposed District Plan changes
  - providing input to strategies, policies and plans that impact on the Board's area
  - providing input to bylaw changes that impact on the Board's area.

- 1.4 Provide input (whether from the full Board, a subcommittee of the Board, or a nominated board member/s) to officers on the following matters:
- local road work priorities
  - traffic management issues (such as traffic calming measures, pedestrian crossing, street lighting, etc)
  - street facilities management (such as taxi-stands, bus stops, bicycle stands, etc)
  - liquor licence applications
  - application of the Resource Management Act (including notification decisions) within the Board's area
  - the emergency management needs of the area, including the appointment of emergency centre coordinators.

The final decision on matters set out in 1.4 will be made by council officers acting under their delegated authority.

### ***Resource Management Hearings***

The Community Board will have up to two suitably-trained members available for selection to sit on hearings panels on resource management issues in the Board's area. Such selection will be in accordance with the "Guidelines for Appointment of Hearings Panels" approved by Council on 30 March 2005 (and as may be amended from time to time). No Board member shall be eligible for selection if the Board has made a submission on the matter to be decided.

### ***Delegated Authority***

The Tawa and Makara/Ohariu Community Boards will have delegated authority to carry out activities within their terms of reference.