

Reserve And Halls Subcommittees

Reports to:

Community Committee

Meeting Frequency:

Annually and as required.

Purpose:

1. The purpose of Reserve and Hall Subcommittees is to manage the reserves and/or halls with the support of Council;
2. In making these delegations the Council recognises that it is responsible for the reserves and halls in the district under the Instrument of Delegation for Territorial Authorities dated 12 June 2013 and as the administering body (specific to each reserve) under S.40 Reserves Act 1977.

Council responsibilities:

1. The Community Committee will appoint members of the Subcommittees under Schedule 7 cl31(2) LGA 2002
2. In partnership with the Subcommittee and local community endeavour to develop Reserve Management Plans in accordance with s41 Reserves Act 1977, to provide clear guidelines for maintenance and development programmes in the best interests of the local community and District and within the provisions of the Reserves Act 1977.
3. If disputes arise concerning these terms of reference or any other matter concerning the Subcommittee, cooperatively work to find a resolution with all parties adhering to the Principles of Governance as set out in Section 3 of the Council's Code of Conduct;
4. If a dispute resolution cannot be reached, use an appropriate independent mediator to mediate between the parties or an arbitrator to help produce a resolution which is acceptable to both parties and does not in any way contradict the provisions and responsibilities of Council as set out in the LGA 2002 or the Reserves Act 1977;
5. To produce and distribute the Subcommittee Agenda for the formal annual/biennial subcommittee meeting, give public notice for the meeting and, if required, provide secretarial support at the meeting;

The Subcommittee:

6. Is to be formally appointed by the Community Committee under S30 (2), Schedule 7 LGA Act 2002, which also has the power:
 - under s30 (5b), Schedule 7 LGA2002 to discharge or reconstitute the subcommittee; and
 - under s31 (2) Schedule 7 LGA 2002 to appoint and discharge any member of the Subcommittee.
7. Will be discharged on the coming into office of the members of Council elected at the triennial general election of members unless Council resolves otherwise under S30 (7) Schedule 7 LGA2002.
8. Will have its members formally appointed by the Community Committee following the Local Government triennial election of members (unless the Council resolves otherwise) in the following way:
 - a. Prior to each Local Body election Council to call for expressions of interest from those living within the local area who have the skills, attributes or knowledge that will assist the work of the subcommittee and who have been nominated by at least two residents or ratepayers within the local area;
 - b. A Special Meeting will be called by the Subcommittee and attended by the nominees and public;
 - c. All those attending the Special Meeting can vote on each of the nominees with a majority of votes needed for a candidate's name to be forwarded to the Community Committee for formal appointments;
 - d. On the re-establishment of the subcommittee the Community Committee will formally appoint these individuals to the subcommittee for the period of the triennium.
 - e. If new members are required to be appointed during the triennium the same process above will also be followed
9. Is subject in all things to the control of the Community Committee (s30 (4) Schedule 7 LGA 2002) and must conduct all general and special directions of the Community Committee given in relation to the Subcommittee or its affairs; and
10. Is prohibited from appointing any subordinate body.

The role of reserve and halls subcommittees is to:

1. Manage the reserve and hall for the benefit of the local community and wider district in accordance with the Reserves Act 1977 and the Reserve Management Plan when it is completed and approved;
2. Develop, in partnership with Council, Reserve Management Plans where required and within Council's budgets as set out in Council's Annual Plan;
3. Make recommendations to council on property (including land, buildings, and permanent assets) acquisitions and disposals in relation to the reserve or hall.
4. Develop and approve an annual budget each financial year to achieve 4.1 above

Delegations

The delegations to the Subcommittee are as follows:

1. The maintenance and operation of the reserve
2. The negotiation of Licences to Occupy for the reserve provided such licence shall be temporary in nature (up to 3 years) and capable of being terminated on no more than one month's notice, and be in accordance with The Reserves Act 1977 Section 74 Licences to Occupy reserves temporarily
3. The letting of facilities
4. The setting of fees and charges for the reserve (Council to be advised of fees and charges for each following financial year by February of each year)
5. The raising and expenditure of finance (in accordance with the financial delegations below)
6. To enter contracts necessary for the efficient running and suitable use of the reserve in accordance with the financial delegations below;

Financial

Invoices

All invoices for goods and/or services cost no more than \$10,000 for budgeted items, and \$2,000 for non-budgeted items may be authorised for payment by the Treasurer and Secretary of the Subcommittee.

Approval of the payment of invoices over \$10,000 for budgeted items and \$2,000 for non-budgeted items must be authorised by a Council staff member with appropriate delegated authority.

Contracts

All contracts for goods and/or services costing no more than \$10,000 for budgeted items, and \$2,000 for non-budgeted items may be authorised by the Treasurer and Secretary of the Subcommittee.

Approval of contracts over \$10,000 for budgeted items and \$2,000 for non-budgeted items must be authorised by a Council staff member with appropriate delegated authority

Exercise of delegations

In exercising the delegated powers, the Subcommittee will operate within:

1. Policies, plans, standards, or guidelines that have been established and approved by Council;
2. The annual budget as approved by Council.
3. All general and special directions of the Community Committee and Council given in relation to the Subcommittee.

Power to delegate

The Subcommittee may not delegate any of their responsibilities, duties or powers to a committee, subcommittee, or person.

Cessation of subcommittee

The Subcommittee may be terminated by resolution of the Community Committee or Council;

If the Subcommittee is terminated, any money raised by the Subcommittee must, in the first instance, be allocated to the reserve associated with the terminated Subcommittee

Matters which are not delegated by council:

1. The power to:
 - Make a rate or bylaw;
 - Borrow money, or purchase or dispose of assets;
 - Acquire, hold, or dispose of property or assets;
 - Appoint, suspend, or remove staff;
 - Institute an action for the recovery of any amount; or
 - Issue and police building consents, notices, authorisations, and requirements under any Acts, Statutes, Regulations, By-laws and the like

2. The powers and duties conferred or imposed on Council by The Public Works Act 1981 or those powers listed in the Section 34 (2) of The Resource Management Act 1991

Membership

The membership of the Subcommittee consists of:

- One elected member (elected under the Local Electoral Act 2001); and
- Appointed members – up to 10,

Officers of the subcommittee

The Subcommittee must have a chairperson, secretary, and treasurer and up to seven committee members who shall be appointed by Council (as outlined above)

- The Chair's main duty is to guide the meeting so that fair and satisfactory decisions are reached on the various items on the agenda.
- The Secretary shall summon the meetings, co-ordinate the agenda for meetings and workshops, keep a true record of the proceedings and distribute these to members and the Community Committee as soon as practicable – noting that council staff will manage the annual meeting.
- The Treasurer is responsible for oversight of payments made, and deposits to, the subcommittee's nominated bank account; and preparing income and expenditure accounts with a balance sheet at the end of the financial year to be audited by Council. The annual balance date for all financial reports will be June 30th.

Financial accountability

The Subcommittee shall:

- a. Develop and approve an annual budget each financial year
- b. Provide its Annual budget by the dates specified by Council's Community Committee for approval;
- c. Present to the Council any other report it is requested to provide.
- d. Keep clear and accurate accounts and records of all transactions and make them available to the Council on request.
- e. Provide its Annual Report and Annual Accounts to the Council's Group Manager Corporate Services, by the date specified by Council for review on the understanding this review will form part of the information Council will present during its overall annual Audit.

Members of the Subcommittee shall not be personally liable for any act done or omitted to be done in good faith in the course of operations of the Subcommittee or for any debt or other liability lawfully incurred by the Subcommittee.

Contact with media

Chairperson may speak on behalf of the subcommittee provided that:

- a. media comments must not state or imply that they represent the views of the Council;
- b. where the chair is making a statement that is contrary to a Council decision or Council policy, the member must not state or imply that his or her statements represent a majority view;
- c. media comments must observe the other requirements of the Code (of Conduct), e.g. not disclose confidential information; compromise the impartiality or integrity of staff; or avoids aggressive, offensive or abusive comments which reflects adversely on the member or the Council; and
- d. media comments must not be misleading and should be accurate within the bounds of reasonableness.

All Subcommittee Members are free to express a personal view in the media, at any time, provided a) to d) above are observed.

Frequency of meetings

1. The Subcommittee shall hold at least one formal meeting per year.
2. This formal meeting will be administered by Council Staff and follow all requirements for council meetings including agenda compilation (with Chair), advertising, distribution of agenda, secretarial and officer support at meetings if required and preparation and distribution of minutes;
3. For the avoidance of doubt, this clause does not prevent the Subcommittee holding informal meetings, workshops or working bees outside of the formal meeting schedule

Conduct of affairs

The Subcommittee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local

Authorities (Members' Interests) Act 1968, and Council's Standing Orders and Code of Conduct.

Quorum

The quorum at a meeting of the Subcommittee shall consist of:

- Half of the members if the number of members (including vacancies) is even; or
- A majority of members if the number of members (including vacancies) is odd.

Remuneration

No honorarium or meeting allowance will be payable to Subcommittee members unless first agreed by formal resolution of the Community Committee.

Other delegations and responsibilities

These general provisions and delegations can be superseded by specific Reserve Management Plans and Reserve and Hall Subcommittee Terms of Reference and Delegations in consultation with the subcommittee and as resolved by the Community Committee.