

Inangahua Community Board

Reports to: Council

Meeting Frequency: Bi Monthly

Purpose:

1. The purpose of these delegations is to give effect to the local community empowerment model which is a partnership approach to the governance of the District that will primarily be delivered through the Inangahua community board.
2. The intent of these delegations is to delegate authority and, as far as possible, responsibility to the Inangahua community board to allow the community board to effectively govern and provide recommendations to the Buller District Council regarding local issues associated with their areas.
3. In making these delegations the Council recognises that it is ultimately responsible for the governance of the district and therefore retains the right to set minimum standards and to review community board recommendations associated with the exercise of these delegations.

In making these delegations the Council undertakes to:

1. Provide for and give consideration to community board input into significant governance decisions affecting the respective community board area.

The ICB is delegated the following Terms of Reference and powers:

Terms of Reference:

Community Board Status

A community board (Local Government Act 2002, s.51) is:

1. An unincorporated body; and
2. Not a local authority; and
3. Not a committee of the Council.

Role

The legislative role of community boards (*Local Government Act 2002, s.52*) is to:

1. Represent, and act as an advocate for, the interests of its community, and
2. Consider and report on all matters referred to it by Council, or any matter of interest or concern to the community board: and
3. Maintain an overview of services provided by the Council within the community: and
4. Prepare an annual submission to the Council for expenditure within the community: and
5. Communicate with community organisations and special interest groups within the community: and
6. Undertake any other responsibilities delegated to it by Council.

Delegations

In exercising the delegated powers, the community board will operate within:

1. Policies, plans, standards or guidelines that have been established and approved by Council:
2. The approved Council budgets for the activity

In addition to the community boards legislative role the community board is responsible for and accountable to the Council for:

1. Providing local leadership and developing relationships with Council, the community, and community organisations in developing local solutions within the Community board area.
2. Assisting the organisation with consultation with local residents, ratepayers, Iwi, community groups and other key stakeholders on local issues including input into the Long Term Plan and the Annual plan.
3. Making recommendations to Council on leases, licenses or concessions associated with all Council owned property included within the locally funded activities of the community board area, excluding Council administration land and buildings.
4. Making recommendations to council on property (including land & buildings) acquisitions and disposals in the local area.

Note:

None of the delegations may be sub delegated

1. Council retains decision making authority associated with new or existing maintenance contracts.

Additional financial delegations

Community Board has the authority to approve annual expenditure from a discretionary fund determined by Council on an annual basis, for local activities with the following parameters:

1. The decision meets relevant legislation and Council policy requirements including any controls on the use of funds from the respective account.
2. The decision is made after considering a report from staff or community members.
3. This expenditure may be operating or capital in nature, or a mixture of the two.
4. This expenditure cannot fund the “additional capacity” component of capital projects. It can only fund renewal or increased level of service components of capital projects

Power to delegate

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

Matters which are not delegated.

Council does not delegate:

1. The power to:
 - Make a rate or bylaw.
 - Borrow money, or purchase or dispose of assets.
 - Acquire, hold or dispose of property.
 - Appoint, suspend or remove staff.
 - Adopt a long term plan or annual plan or annual report.
 - Institute an action for the recovery of any amount.
 - Issue and police building consents, notices, authorisations, and requirements under any Acts, Statutes, Regulations, By –laws and the like.
 - Enter into contracts and agreements.
 - Incur expenditure in excess of the approved Community budget; or
2. The powers and duties conferred or imposed (on Council) by The Public Works Act 1981 or those powers listed in the Section34 (2) of The Resource Management Act 1991

Review of a Community Board decision

In recognition of Council’s ultimate responsibility for the governance of the District, that Council retains the right to review any decision of a community board where it believes:

1. The decision is not consistent with the Council’s vision, mission, values and goals.
2. Where it believes the community board decision has contravened any relevant legislation.
3. The powers and functions of community boards as defined in the Local Government Act 2002 have been exceeded.
4. The delegations of the community board have been exceeded.
5. The decision will unduly impact on the ability of the Council to provide a district wide level of service where it believes it is necessary to do so.
6. The decision is contrary to the Council’s Ten Year Plan, adopted council policy, plan or strategy or any other authority, license, consent or approval.

Decision review process

A decision to review and determine the associated course of action associated with a community board decision will be made jointly by the Mayor and Chief Executive. The relevant community board chairperson will be consulted in the process of the Council determining whether a community board decision will be reviewed. Generally the course of action will include one of the following:

1. Refer the decision back to the community board for reconsideration; or
2. Refer the decision to the Council, one of its committees or its delegated representative for determination.

Community Board to Council decision referral process

In exceptional circumstances, community boards may refer any decision to Council or its delegated committee for determination subject to that referral including the reasons the decision has been referred to the Council for determination.

Membership

The membership of the community board (Local Government Act 2002, s.50) consists of:

1. Members elected under the Local Electoral Act 2001; and
2. Members appointed in accordance with the Local Electoral Act 2001 by the Buller District Council.

Chairperson

The community board must have a chairperson (Local Government Act 2002, Schedule 7, Clause 37), who shall be elected at the first meeting of the community board in accordance with the Local Government Act 2002, Schedule 7, Clause 25 or in accordance with any subsequent amendment to this Act.

The chairperson is responsible for:

1. The efficient functioning of the community board.
2. Setting the agenda for community board meetings.
3. Ensuring that all members of the community board receive sufficient timely information to enable them to be effective community board members.
4. Attending Council meetings to represent the interests of the Community Board.
5. Being the link between the community board and Council staff.

Contacts with media and outside agencies

The Mayor acts as the official spokesperson for the Council with the media and may provide approval to elected members to act as an official spokesperson.

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

The Group Manager for the community board area, after consultation with the Community Board Chair, will manage the formal communications between the community board and its constituents, and for the community board in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff.

Frequency of meetings

The community board shall meet at least two monthly.

Conduct of affairs

The community board 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*, Councils Standing Orders and Code of Conduct.

Quorum

The quorum at a meeting of the community board shall consist of:

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

Remuneration

Elected members will be reimbursed in accordance with the current Local Government Elected Members' Determination.