

7. COMMUNITY BOARD DELEGATIONS AND TERMS OF REFERENCE



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| General Manager responsible: | General Manager Regulations and Democracy, DDI: 941-8549 |
| Officer responsible: | Secretariat Manager |
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PURPOSE OF REPORT

1. The purpose of this report is to submit the following to the Council for consideration:
 - (a) Proposed amendments to the terms of reference for the Council's Community Boards, which reflect both the 2004 changes to the Council's governance structure and the Local Government Act 2002, and
 - (b) The outcomes of a review of the current Community Board delegations.

EXECUTIVE SUMMARY

2. The current Community Board delegations were adopted by the Council in December 2004.
3. A Community Board Governance Working Party was established last year to consider whether the delegations should be amended. Its recommendations have been considered by each of the eight Community Boards, including the two Peninsula Community Boards after inclusion of the Peninsula with Christchurch City, in March 2006.
4. No changes to the Community Board delegations are recommended by the Working Party; it is proposed that the current delegations approved by the Council in December 2004 remain in place.
5. The opportunity has been taken to also review the Community Boards terms of reference, to reflect both the 2004 changes to the Council's governance structure, and the Local Government Act 2002. Minor amendments to reflect those changes are proposed (**Attachment 1**).
6. It is recommended by staff that reference to the Boards having input into asset management plans be deleted, as such plans are technical operational documents and do not need to have elected member input.

FINANCIAL AND LEGAL CONSIDERATIONS

7. There are no direct financial or legal considerations to implementing the recommendations.

STAFF RECOMMENDATION

It is recommended that:

1. There be no change to the delegations established in December 2004.
2. The Council approve the amended terms of reference for Community Boards (**Attachment 1**).

BACKGROUND ON COMMUNITY BOARD DELEGATIONS AND TERMS OF REFERENCE

8. The current Community Board delegations were adopted by the Council in December 2004, at which time the Council also resolved to review those delegations by 30 June 2005. Since that time, a Community Board Governance Working Party, comprising the Deputy Mayor Carole Evans, Phil Clearwater and Yvonne Palmer was set up to look at the Community Board delegations. That Working Party also took the opportunity to consider whether the Community Board terms of reference should be updated to reflect recent legislative and governance changes.
9. The Working Party submitted its report to the Community Board Chairs and Staff Forum at the end of 2005, where it was agreed that the changes should be discussed by each Community Board before they were considered by the Council.

DISCUSSION

10. The Community Board Governance Working Party considered a range of issues.

Community Board Terms of Reference

It was agreed that the terms of reference should be amended to reflect the changes in the Council's new governance structure, and the Local Government Act 2002.

Community Board Delegations

Potential changes to Community Board delegations that were considered by the Working Party were:

- (a) Involvement in Council housing

The issue of Community Board involvement in Council housing was considered. Staff advised that as a social landlord there is more to the Council's role than simply allocating housing. In many cases there is a need to ensure appropriate support networks are in place for applicants/tenants, and this involves communicating and working closely with other providers and support agencies that are not necessarily based in a particular Council ward. Management of council housing on a metropolitan basis also ensures that networks can be developed and maintained in a consistent manner, and ensure issues such as tenant compatibility are assessed and managed appropriately.

The Council's housing Policy states *"that the Housing Manager report six monthly to Community Boards on development and policies pertaining to the Boards' areas"*. A formal reporting structure has been put in place to ensure that this occurs.

- (b) Input to Activity Management Plans and the LTCCP process

At the time the Governance Working Party met, there had been suggestions from some Community Board members that there should be Board input to these plans, and to the capital programme prioritisation that was underway at that time.

Staff reported back to the Governance Working Party that from a governance perspective, these issues have city-wide implications. It was not possible, nor appropriate, for Community Boards to have had specific input to the round of comparative evaluations that Councillors were involved in, as that was a prioritisation process requiring Councillors to consider issues and trade-offs from a city-wide perspective. The process of public consultation is the time for individual community Boards to have input and advocate for their community's interests.

- (c) Utilising Auckland City Council model as a pilot scheme.

Auckland's model of allowing for one community board member to be the main point of contact and provide feedback to the rest of the board members was discussed. The Christchurch City Council provides local liaison officers or advisers to the community boards (for example transport liaison officers, community development advisers, community recreation advisers, community engagement advisers, parks and waterways area advocates) which ensures that all community board members have access to the same level of information in a timely manner.

11. The views of the Community Boards on the Working Party's report can be summarised as follows:

- (a) Hagley/Ferrymead Community Board

The Board had no specific comments to make.

- (b) Burwood/Pegasus Community Board

The Board had no specific comments on the delegations, but in relation to the terms of reference is seeking:

- (i) a new term of reference: *"Encourage the community to be actively involved in the consultation processes of Council"*.
- (ii) an amendment to the current term of reference (3) so that it reads: *"The right and duty of active liaison with residents/business/special interest groups in the community"*.

Staff Comment - It is considered that these two items are appropriate to be added to the terms of reference.

- (c) Spreydon/Heathcote Community Board

The Board had no specific comments to make.

- (d) Riccarton/Wigram Community Board

The Board has suggested that there be greater clarification throughout the delegations that they apply to Community Boards.

Staff Comment - The delegation that can be exercised by Community Boards have their own section in the delegation register.

- (e) Fendalton/Waimairi Community Board

Under the *"Definition of Terms"* outlined in the introduction to the delegations, the Board requested clarity on the following statement: *"(also have to report capital works in the categories... and the balance)"*

Staff Comment - These were included in the Register in error and can be deleted.

Paragraph 6 *"then"* to be deleted.

Under the *"Financial"* heading of the delegations, the Board notes that other funding decisions that can be taken by the Board should be specified.

Staff Comment - The only delegation Boards have with funding is with discretionary expenditure, and this is referred to in the Register.

Under the *"Roads"* heading of the delegations, Item 6 should also include bus stops.

Staff Comment - Decisions as to the location of bus stops are currently made by Community Boards.

(f) Shirley/Papanui Community Board

The Board decided to forward any submissions to the Community Board Governance Working Party for consideration. It was noted that the Chairperson is a member of the Working Party.

(g) Akaroa/Wairewa Community Board

The Board agreed that some matters which were unique to the Banks Peninsula ward should be noted under the terms of reference and delegations. Those items included wastewater and water issues because of the smaller more localised plants on Banks Peninsula that were fundamentally different to the metropolitan plants that serviced the metropolitan area. In addition it was felt that issues relating to harbour structures should be referred to the Banks Peninsula Community Boards as they were considered to be local issues rather than metropolitan ones.

The Board asked that the definition of "city" be clarified so as to ensure that it applied to the whole Christchurch City Council area.

Staff Comment - The reference to wastewater/water issues is not supported. While there are localised plants on the Peninsula these are operated by the Council in the same way as separate sewage treatment plants both at Belfast and Templeton.

The reference to harbour structures is supported as these are particular to the Peninsula and these two Boards are involved in liaison with issues groups for Lyttelton and Akaroa Harbours. Additional wording is included with the terms of reference.

(h) Lyttelton/Mt Herbert Community Board

The Board had no specific comments to make.

September 2006 Council Resolution

12. For completeness the Council is reminded that since the Working Party concluded its meetings the Council has resolved on 7 September 2006 *"that staff be requested to report back to the Council on the respective responsibilities of the Council and Community Boards, and on the decision making processes applicable in each case"*.
13. The staff report responding to the foregoing resolution will be submitted to the Council in the next few months.