

24. 10. 2007

**REPORT OF THE
LEGAL SERVICES MANAGER**

1. APPOINTMENT OF COUNCILLORS AS MEMBERS OF COMMUNITY BOARDS

General Manager responsible:	General Manager Regulation Democracy Services, DDI 941-8549
Officer responsible:	Legal Services Manager
Author:	Chris Gilbert Legal Services Manager

PURPOSE OF REPORT

1. The purpose of this report is to provide the general explanation of various statutes as required by the Local Government Act.

FINANCIAL IMPLICATIONS

2. Not applicable.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

3. Not applicable.

LEGAL CONSIDERATIONS

4. A Community Board may include members appointed by the Council. Those members must also be Councillors representing the ward in which the Community Board is situated. The number of Councillors must be fewer than half the total number of Community Board members.
5. If the Council wishes to appoint Councillors to be members of the Community Boards it is necessary for the Council to resolve to appoint each of the ward Councillors to each of the following Community Boards:

Fendalton/Waimairi Community Board
Burwood/Pegasus Community Board
Hagley/Ferrymead Community Board
Shirley/Papanui Community Board
Riccarton/Wigram Community Board
Spreydon/Heathcote Community Board

6. The two Banks Peninsula Community Boards, Akaroa/Wairewa Community Board and the Lyttelton/Mt Herbert Community Board each have a total of six members, comprising five elected board members and one appointed member being the Councillor representing the Banks Peninsula Ward.
7. It should be noted that Community Boards elect their own chairperson. If the Council wishes to appoint Councillors as members of the Community Boards then an appropriate resolution would be:

“That the Council appoint to the respective Community Boards the two Councillors from the wards which are situated in each of the Burwood/Pegasus, Hagley/Ferrymead, Fendalton/Waimairi, Riccarton/Wigram, Shirley/Papanui, Spreydon/Heathcote communities and the Councillor from the Banks Peninsula Ward to the Akaroa/Waiwera and Lyttelton/Mt Herbert Community Boards.”

Have you considered the legal implications of the issue under consideration?

8. Not applicable

1 Cont'd

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

9. Not applicable

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

10. Not applicable.

ALIGNMENT WITH STRATEGIES

11. Not applicable.

Do the recommendations align with the Council's strategies?

12. Not applicable.

CONSULTATION FULFILMENT

13. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Council appoint to the respective Community Boards the two Councillors from the wards which are situated in each of the Burwood/Pegasus, Hagley/Ferrymead, Fendalton/Waimairi, Riccarton/Wigram, Shirley/Papanui, Spreydon/Heathcote communities and the Councillor from the Banks Peninsula Ward to the Akaroa/Wairewa and Lyttelton/Mt Herbert Community Boards.

C W Gilbert
LEGAL SERVICES MANAGER