

**Part 9**

# **Setting Community Boards in Context**

A report prepared for the Royal Commission on Auckland Governance

Mike Richardson

Salt & Light IHS Limited

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## 1. Preface

1.1 This paper has been prepared in response to a brief from the Royal Commission on Auckland Governance.

1.2 “The intention of this project is to describe the current community boards in Auckland region and how well they are working, and to evaluate the strengths and weaknesses of alternative models. Changes to the constitution of community boards and their defined communities might be considered, together with the possibility of legislative change to clarify the scope of powers to be delegated to community boards in Auckland. Practices in other regions might be compared, where these provide useful insights and alternative models. The project is also to consider alternative arrangements for community decision-making, representation and advocacy, which could deliver some or all of the outcomes of community boards.” (Extract from Terms of Reference)

1.3 I was asked to recommend models for community decision making, representation, and advocacy.

1.4 The report was commissioned near the end of July 2008 with a short time frame available. This time frame has meant that the methodology has been kept simple: eight days for planning, developing an outline, and desk-based research; three intensive days of discussions in Auckland and three days for synthesis and report writing. Time has not permitted me to confirm portions of the text with discussants and has limited the range of parties with whom discussions have been held.

1.5 I am most grateful to the many people in Auckland and other New Zealand councils and agencies that have provided assistance at short notice. Mistakes are mine; I trust they do not erode the overall directions of the argument. I apologise to those with whom I was unable to meet or otherwise make contact. (Appendix 1 provides a list of consultees and discussants.)

1.6 The report is in part based on desk research and discussions but as requested also reflects my experience. This has included 14 years working with community boards in Christchurch (10 as CEO); adviser to some 10 establishment committees setting up the then new councils in 1989 (including Waitakere City and Franklin District); and close involvement in the review process leading to the 2002 Act, as a nominee of the local government sector to the steering team of officials.

## 2. Executive summary

**Section 3** of the report addresses the nature and style of operation of community boards. Why do they vary so greatly? Why do views as to their effectiveness also vary greatly?

It takes a big picture approach, suggesting that the influence of competing paradigms as to the purpose of government and nature of democracy was influential in the establishment of community boards and has affected their development and the way they are perceived.

This tension is not resolved in the present legislation. It gives neither certainty as to whether community boards will be established (or disestablished) by a particular council nor any way of predicting how boards that have been established may function. From their inception it was possible to see the purpose of boards as either to support council in its decision making or to challenge and scrutinise its performance.

It is recommended that if there are to be community boards in the future local government structure of the Auckland region, then specific provisions be legislated for their existence and functioning.

**Section 4** establishes criteria against which we can evaluate the current operation of community boards and alternatives. It offers an initial review of the effectiveness of boards in terms of the four criteria proposed by the Royal Commission in its *Call for Submissions* document. Additional criteria are presented for the purposes of this paper. Including these leads to the following characteristics established for later use in evaluating alternative models:

- transparency
- accountability
- efficient resource use
- responsiveness
- subsidiarity
- contribution to building social capital
- civic leadership
- capacity.

**Section 5** considers some examples from elsewhere in New Zealand: Southland, Queenstown-Lakes, and Taupo Districts and Christchurch City. The following are the key learning points:

- Three of the four examples reviewed are communities that by virtue of geography have a distinct identity and community of interest. In the Christchurch example

deliberate strategies were pursued to build a sense of identity around the large urban boards.

- In all cases the boards have exercised significant delegated decision-making powers.
- In three of the cases the boards develop community plans based on an expectation that the council will adopt and set community rates to enable them to be implemented.
- A high level of support from council staff is important. In the example of large urban boards, community service centres with a range of staff increase the boards' capacity in terms of the range and depth of their involvement.
- There is a high level of acceptance of the board on the part of the parent council.

**Section 6** summarises the current pattern of community board operations in the Auckland region. It reflects documentation and discussions with elected councillors, community board chairs, and council staff. None of the boards is exercising significant delegations. Rather than decision making, from rural Franklin District to the Hobson Community Board (which includes the Auckland central business district), the primary role is seen as looking outwards to the community and seeking to make a difference on its behalf.

The extent to which boards feel they are effective in doing this depends very much on whether or not they are integrated into their council's decision-making and public engagement processes. On the one hand are the boards in the western city that are seen as a key component of the "Waitakere Way", which applies the principles of Agenda 21 to the processes of community engagement. On the other hand, boards in Auckland City feel marginalised and admit they seem to be adding only limited value. The variability in board operations and performance, identified earlier as stemming from the nature of the provisions relating to them in the Local Government Act 2002, is laid bare in these examples.

**Section 7** draws from what has been concluded earlier. It draws out seven elements that if altered or clarified (mostly involving legislation) would result in consistently effective community board performance. The seven elements are as follows:

1. If we are to have community boards we must be **clear as to their status**.
2. If we are to have community boards we must be **clear as to their role and relationship with the council**.
3. If we are to have community boards we must be **clear as to their decision-making functions**.
4. If we are to have community boards we must consider **enabling them to raise revenue from rates and charges**.
5. If we are to have community boards we must **ensure they have adequate capacity in terms of administrative and professional support**.

6. If we are to have community boards they must have **stable boundaries that reflect community of interest**.
7. If we have community boards they will be effective only if they **operate with integrity and build and maintain trust**.

**Section 8** considers community engagement in the absence of community boards. It considers arrangements in Rodney District and parts of Franklin District and then looks further afield.

It concludes that community boards are not necessary for community engagement; many councils do not have them. In their absence more place-based organisations of other sorts are likely to come into being. Also, in their absence councils will develop models to engage at community level on an ongoing basis; in a sense they will reinvent boards by doing so, area committees being an example of this.

If community engagement is seen as the primary function of community boards then there are undoubtedly alternative models that can be put in place. If civic leadership at the local level and grassroots decision making are seen as significant functions for community boards then the array of alternatives dissipates; but toothless boards are hard to justify.

**Section 9** gets to the nub of the questions I have been asked to address. Four models are evaluated: community boards as they are currently operating in urban Auckland; a future without community boards; and two forms of an enhanced community board model. Of the latter two versions, one has all seven elements listed above; the other lacks the element relating to an ability to raise revenue. After this evaluation the following is concluded:

- 1 There will be expectations following from the work of the Royal Commission that Auckland local government will function more effectively. Although the current community board model has some merits it is too patchy and too limited in its effectiveness to be a part of the future to which citizens aspire. It should not be taken forward.
- 2 If there were to be no community boards then a wide spectrum of voluntary bodies, informal mechanisms, and innovative styles of engagement might well result. This seems at first sight attractive and to have merit, but there are very significant risks and implications. The quality of the resulting informal machinery would tend to be a function of the capacity (social capital) of individual communities, and so less advantaged communities would tend to be further marginalised. Significant resources, both elected and professional, would be diverted from a focus on strategic issues to invest time in community engagement; there is the risk of spreading the cream too thinly. I am tempted to suggest that this approach would have greater merit than the current board operations but neither model is satisfactory.

I recommend that the Royal Commission adopt an enhanced community board model as outlined in this report. I am attracted to the “enhanced plus revenue raising” model. However, a decision between that and the more limited enhanced model should rest on decisions as to the wider structural arrangements. Before choosing between these I would

also wish to see some detailing as to how they would operate and a dialogue with a range of stakeholders in Auckland. In either case I would recommend that the approach developed by Queenstown-Lakes District with the Wanaka Community Board be used as a starting point. While the latter is based on a philosophy of partnership, with the council treating the board as a partner in the governance of the district, I recommend an approach that would see a partnership in the governance of the city (district) and of the city council.

**Section 10** turns to the district council areas within the region, in particular the Hauraki Gulf islands. Franklin District, much of Rodney District, and Waiheke Island have characteristics similar to the rest of New Zealand rather than the Auckland urban area. Great Barrier Island is different not only by way of character but also on account of distance. The following recommendations are made:

Franklin District's partial community board model is working to the general satisfaction of the parties involved. I recommend it be excluded from any changes made to Auckland local government with regard to community boards.

Rodney District's structure, running as it does without community boards, appears effective in that regard. I see no good reason for imposing change at the current time on a matter that sits with the discretion of the council. The future may be different, however, as the extent of growth anticipated for Rodney District is significantly greater than is the case in Franklin District. If the Royal Commission adopts the recommendations in this report, then I would further recommend that an evaluation be undertaken as to whether the scale of growth anticipated is such as to give parts of Rodney District the character of the Auckland urban area. If so, then the supplementary question would be whether there should be boundary adjustments to place the future urban areas of a larger scale within Auckland urban authority/authorities and whether this would leave a viable, largely rural, Rodney District.

Great Barrier Island: I recommend that an enhanced community board, as outlined in this report, be maintained on the island.

Waiheke Island: I recommend that an enhanced community board, as outlined in this report, be maintained to serve Waiheke and neighbouring islands.

**Section 11** addresses the question of "optimum size" for community boards. Understandably, the question of optimum size for units of local government is often asked, but I am not aware of it ever being satisfactorily answered. The section reviews the opinions expressed by community boards in their submissions and recommends a process for addressing this question.

The identification of possible boundaries for community boards can be done only with reference to the actual geography of the Auckland area. An appropriate process would be to first identify communities of interest in a strict sense and then to consider how these might be grouped together to form community board areas. In doing this it should be seen that a range of board sizes is appropriate, provided communities of interest are kept intact at the more local level.

## Part 9. Setting Community Boards in Context

From my experience I would use the population level of 60,000 as a flag; above this level a presumption could be adopted that the board's area was in danger of becoming too large and so the burden of proof would be to justify the size of the proposed board. Given the realities of Auckland's population I would set a second flag at 40,000; below this figure the burden of proof would be to justify that the size of the proposed board could not be increased by adding an adjacent community or communities of interest. Boundaries should be determined with an eye to likely future growth of population.

The principle of combining communities of interest to form community boards means that it is likely to be useful to consider subdividing the community boards into wards for electoral purposes. Given the nature of local communities of interest, the tolerance of  $\pm 10\%$  in setting wards could be usefully increased to provide greater flexibility for wards to reflect communities of interest and to remain stable with population change.

**Section 12** is an addendum to the report. Whether there should be a "super city" or whether regional and city councils should be retained is not part of my brief but I have been requested to make comment on the issue from the perspective of the potential role of community boards in relation to the model.

If the Royal Commission were to adopt the recommendation for enhanced community boards, then from the perspective of this report my view is that retaining city councils (although not necessarily four) is preferable. There are two reasons for this.

First, even with the model of enhanced community boards with revenue powers there are still a handful of significant functions that if placed at regional level would "clutter up" that authority and risk diverting its focus. Yet these functions, in my view, would be either beyond the capacity of a "community council" or inappropriate to its scale of activity. These include

- preparation and administration of district plans under the Resource Management Act
- building control and bylaws
- emergency management
- management of significant growth (greenfield) and redevelopment (brownfield), including preparation of structure plans
- non-local reserves and facilities, including libraries ("non-local" assets meaning those that have a significant catchment beyond the community council area)
- "local" (i.e. "non-regional") economic development
- possibly the management of the highway network that is neither local nor regional.

Secondly, a key role for city councils would be to support and provide capacity to community boards. With a three-tier model, enhanced community boards would be part of the city council governance structure. The city council would employ a professional

staff and provide professional and administrative capacity to community boards via a partnership agreement. City councils would manage long-term council community plan and annual plan processes and collect rates. With a two-tier model a significant tension would arise: increasing the capacity of community councils suggests their size be increased while, as discussed above, maintaining their intimate relationship with the community provides an opposite dynamic.

**Section 13** lists the 10 questions posed in the brief and cross-references them to the report as a whole.

### 3. Community boards are a uniquely flexible vehicle

*This section of the report addresses the nature and style of operation of community boards. Why do they vary so greatly? Why do views as to their effectiveness also vary greatly?*

*It takes a big picture approach, suggesting that the influence of competing paradigms as to the purpose of government and nature of democracy was influential in the establishment of community boards and has affected their development and the way they are perceived.*

*This tension is not resolved in the present legislation. It gives neither certainty as to whether community boards will be established (or disestablished) by a particular council nor any way of predicting how boards that have been established may function. From their inception it was possible to see the purpose of boards as either to support council in its decision-making or to challenge and scrutinise its performance.*

*It is recommended that if there are to be community boards in the future local government structure of the Auckland region, then specific provisions be legislated for their existence and functioning.*

**3.1** The provisions in successive Local Government Acts that have enabled the establishment of community boards are unusual. Within legislation that is generally prescriptive in nature, requiring councils throughout the country to operate in similar fashion, the community board provisions are perhaps uniquely flexible.

**3.2** They are flexible in two main senses. First, with regard to whether a council establishes community boards and, secondly, with regard to the way in which those that are established operate and the functions that they undertake.

**3.3** Of the 73 city and district councils throughout New Zealand 46 have community boards at the present time; that is, 27 councils have chosen not to establish boards. Of the 46 authorities with boards, 13 have boards established throughout their area while a majority have only partial coverage. As many as 14 councils have established only one board while Southland District has 12, Auckland City has 10, and Manukau and Christchurch Cities eight apiece.

## Part 9. Setting Community Boards in Context

**3.4** The variation in functions undertaken by boards is no less diverse although harder to summarise. While all boards share the roles set out in section 52 of the Local Government Act 2002, their functioning varies markedly as councils interpret and reflect these roles in widely differing ways. In some cases councils have adopted policies that make their boards an integral part of their community engagement and consultation processes; elsewhere boards are afforded no position greater in presenting their views to council than that of a member of the public. Some boards enjoy no delegated powers, others make decisions on behalf of the council on a range of “local” matters, while a handful of boards have wide decision-making powers and are influential in the annual plan and rate-setting processes.<sup>1</sup>

**3.5** The closer one looks at the functioning of boards the more tempting it is to suggest that although modes of operation are similar for the sister boards within a particular council, beyond that no two boards operate in similar fashion.

**3.6** An independent observer might establish a hypothesis that such richness of variation exists as a result of subtle reflection of the nuances of differing issues and dynamics in communities across New Zealand. It would take only a short time for the independent observer to recognise such a hypothesis to be false.<sup>2</sup> The independent observer might eventually conclude that community boards are perhaps an aberrant flirtation with flexibility in an otherwise prescriptive framework for local government.

**3.7** Before moving on to consider whether our independent observer would be correct and why such a varied pattern has developed, it is important to state a proposition that flows from the argument to date and is relevant to the future structure and functioning of local government in the Auckland region. The Local Government Act 2002 is written in a way that gives a relatively high level of certainty as to the processes a council will undertake and the manner of its doing so (for instance, long-term council community plans (LTCCPs) increasingly are resulting from similar processes). This is absolutely not the case when we are considering community boards. **Under the present legislation there is neither certainty as to whether community boards will be established (or disestablished) by a particular council nor any way of predicting how boards that have been established may function.** If, as in the case of the Rotorua Lakes community at the 2007 election, a new community board is established, there can be little certainty at all as to what it is likely to actually do!

**3.8** It is recommended that if there are to be community boards in the future local government structure of the Auckland region, then specific provisions be legislated for their existence and functioning.

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1 An example is the Turangi-Tongariro Community Board in Taupo District. During a workshop with elected members there a number of board members said that they “set the rates” for their community. This, of course, would be ultra vires [beyond their legal powers], but their statement reflected their experience that whatever plans and funding arrangements the board developed for the special rating area of their community would be adopted by the council as part of the district’s annual plan (or LTCCP).

2 I doubt whether anyone would seriously challenge this assertion. I am aware of no research that would directly shed light on the hypothesis and have worked with, reported on, and closely observed community boards since their inception in 1989.

### Understanding how we got to where we are

**3.9** There can be no single explanation as to why community boards were provided for in the 1989 legislative reforms. Among submissions to the Royal Commission, Michael Bassett (Minister of Local Government at the time) and the Hobson Community Board both make observations. The following is a largely personal perspective (that is to say other perspectives may be equally as valid); to some it may seem horrendously over-simplified. It is included because it may help us understand how we got to where we are today and why views vary so widely on the effectiveness of and need for boards. It therefore assists in looking forwards.

**3.10** Oliver Wendell Holmes said, “Laws are merely a codification of political policies judged to be socially and economically advantageous. Law is reduced to a managerial skill used in the service of social engineering.” Taking this perspective makes it apposite to consider the context within which the 1989 amendment to the Local Government Act, which introduced community boards and enforced large-scale local body amalgamations, was framed. Three such contextual issues seem relevant: “new public management” (NPM) theory, the classical democratic concept of community, and the existing local government structure of the day.

**3.11** After its election in 1984, the third Labour Government moved quickly to implement an approach to the scope and method of the public sector that can be thought of as drawing from the liberal approach to democracy. This NPM approach is based on the principles of neoclassical as distinct from Keynesian economics. These principles can be summarised as follows:

- Economics is a deductive discipline (rather than empirical) underpinned by “laws” that can be discovered. So theory rather than empiricism becomes the basis of policy.
- One of the main “laws” is that left to itself the economy is self-regulating through market mechanisms. Production, consumption, and prices will find an equilibrium level at which resources are allocated efficiently and firms are efficient.
- The economy comprises “individuals” (households and firms) that produce and consume according to decisions that are systematic, transitive, and rational. Households seek to maximise their utility (well-being and happiness). Firms maximise their profits (shareholder value).
- Individuals (households and firms) act on the basis of self-interest and can be trusted to do so consistently.
- Society as a whole represents the sum of all the individuals and the economy is the sum of their transactions.
- As households maximise their individual welfare so the greatest sum of welfare is generated overall.

**3.12** This paradigm has profound implications for the public sector, which NPM views as being subject to none of the “laws” that otherwise drive the economy towards efficiency. This was influential in the reforms of central government during the mid-1980s and local government in 1988–89. It gives rise to the following line of thought:

- Government spending always tends to be suboptimal in terms of efficiency as it bypasses market mechanisms. In a sense therefore government (at all levels) is “part of the problem” rather than “part of the solution”. As far as possible services should be provided through corporate rather than public sector mechanisms.
- Given that people are motivated by self-interest, both politicians and bureaucrats will pursue their own purposes (concepts such as the public interest or public service are naive). They will pursue money, votes, power, prestige, and the like.
- Therefore, wherever possible, market mechanisms should be used when central and local government is delivering goods or services. When this is not possible, then other accountability mechanisms need to be introduced so that civil society is able to carefully scrutinise government spending and regulatory activities.

The principal mechanism to promote scrutiny of council spending in the 1988 amendment Act was the annual plan process with its requirement for extensive consultation (scrutiny) by the community.

**3.13** From this neoclassical perspective, community boards can be seen as a mechanism, close to civil society, that can contribute to scrutiny of council spending plans and decisions. If rational individuals were motivated to see councils operating as efficiently as possible, then an elected board that had no spending or rating powers itself could play a useful scrutiny role on behalf of ratepayers. It is not intended to suggest that this is the primary reason for the establishment of community boards in 1989. What is intended is to suggest that some policy thinkers close to, indeed at the heart of, Government at that time were operating from this paradigm.<sup>3</sup> For them the potential key role of community boards would be to challenge council spending in the interest of efficiency. Taking this perspective, therefore, a successful community board could be thought of as institutionalising scrutiny, perhaps even conflict, with its council. I understand that the late John Roberts (Professor of Government and Public Administration at Victoria University) judged community boards to be a device to keep local government divided within itself. (He also suggested the number of separate councils to be a device to keep councils divided between themselves.)

**3.14** For most people involved in the wider processes of local government reform in the late 1980s there were two other reasons for establishing community boards. The first of

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<sup>3</sup> The following quote from a Cabinet paper of the day (February 1988) illustrates this thinking: “the key role for local government lies in the provision of local public goods where such goods are not more efficiently provided by markets, voluntary arrangements, or by central government.”

these was the classical view of the role of government.<sup>4</sup> This can be thought of along the following lines:

- Society comprises communities of citizens capable of common purpose and mutual action by virtue of their sense of collective and mutual responsibility, civic attitudes, and participatory institutions.
- The issue is not to protect the individual from arbitrary power or inefficient operations but to achieve substantive outcomes, such as growth of wealth, environmental quality, improved conditions in the lives of individuals, social justice, and equity.

For many involved with local government at that time community boards were welcomed as a contribution towards grassroots democracy and a reflection of the concept of community.<sup>5</sup> For them the potential key roles for community boards would be to provide leadership to the community, to actively advocate on its behalf, and to ensure local circumstances were reflected in council decision making.

**3.15** The third contextual issue relevant to this discussion was the pattern of local bodies that was legislated out of existence in 1989. Involved in local government at the time were those concerned at the loss of local autonomy as a result of amalgamation of councils; generally they welcomed community boards. Those used to decisions being made by an elected council based in, say, Birkenhead, Waiuku, New Lynn, or Mt Roskill saw community boards as a safeguard against forces of centralisation riding roughshod over their distinct local interests. In a sense this third group, which in practical terms was the most vociferous at the time, represents an amalgam of the liberal and classical perspectives.

**3.16** For this third group one of the key potential roles of community boards was to see significant decision making retained in their local town hall, that is, significant powers delegated to the community board.

**3.17** This picture would suggest that from these three differing perspectives, the success of community boards would be variously judged as follows:

- Do they provide challenge to council and help maximise efficiency? (i.e. the liberal perspective reflected in NPM)
- Do they strengthen local community and provide it with voice and effective influence? (i.e. the classical perspective)
- Do they provide safeguards for the local community's interest and maximise the number of decisions made under delegated authority? (This is the perspective based on historical local government structures.)

4 This can be contrasted with the liberal view, which sees government as a "necessary evil" from which civil society is to be protected, reflected at that time in new public management theory.

5 In fact the competing liberal democracy paradigm that held great sway at the time conceptualises a nation state comprised of individuals (households and firms). The concept of shared interest (as distinct from personal interest) at the level of a geographically based community is not a concept it can readily handle.

3.18 The paragraphs above paint in black and white terms a picture that is really a shade of grey. None of the perspectives is right or wrong (although their adherents may not agree); they are different. Over the past 25 years we have witnessed sharp fluctuations as to which holds sway in our social and political life. The influence of the competing paradigms as to the purpose of government and nature of democracy was influential in the establishment of community boards and has affected their development and the way they are perceived.

## 4. Community boards and effective local government

*The purpose of this section is to establish criteria against which we can evaluate the current operation of community boards and alternatives. It offers an initial review of the effectiveness of boards in terms of the four criteria proposed by the Royal Commission in its Call for Submissions document. Additional criteria are presented for the purposes of this paper. Including these leads to the following characteristics established for later use in evaluating alternative models:*

- *transparency*
- *accountability*
- *efficient resource use*
- *responsiveness*
- *subsidiarity*
- *contribution to building social capital*
- *civic leadership*
- *capacity.*

4.1 Before looking at community boards in practice, this section will make some initial observations about how in principle community boards, as portrayed above and as reflected in the submissions to the Royal Commission, appear to perform. It then suggests some additional characteristics.

4.2 The Royal Commission, in its *Call for Submissions* document proposed that there are at least four necessary characteristics for effective local government: transparency, accountability, efficient resource use, and responsiveness.

4.3 **Transparency.** On the face of it community boards as used by several councils reduce transparency. They potentially muddy the waters as to who is making a decision. To avoid this there would need to be a much clearer, and generally consistent, definition of the role of boards and council in decision making.

4.4 **Accountability.** It appears that community boards as currently used also serve to muddy the waters in this area. Ultimately accountability is through the ballot box. How should an elector evaluate the performance of a community board if it appears to be constantly in conflict with its council? Is it undertaking an effective scrutiny role? Or is

it failing to effectively influence council on behalf of its community? (Other possibilities could also be raised in such a case.)

**4.5 Efficient resource use.** This is one of the characteristics where community boards in theory should be creating value. They are closer to the grassroots than their parent council; they have a lower ratio of elected members to citizens and so (numerically) a greater potential to relate to the community; they have more time to focus on community engagement because they have fewer decisions to make and community engagement is intuitively at the core of their purpose.

**4.6** More efficient resource use could arise from this in two ways: council making better decisions as a result of a more complete and detailed understanding of local issues and variations; and/or decisions delegated to boards and so made closer to the community. In terms of the latter, the argument becomes particularly powerful if the community board bears the financial consequences of any decisions it makes. This is currently the case only if the decision results in user charges being set, in drawing on a discretionary fund available to the board, or in rates raised from the community itself rather than the district/city at large.

**4.7 Responsiveness.** This characteristic also can see boards creating value provided they are engaging with their communities in ways that are genuinely proactive.

**4.8** So, on the face of it, we could suggest that the boards should be creating value through two of the four criteria.

**4.9** A number of community boards in their submissions suggest additional characteristics.<sup>6</sup> Although the subsidiarity principle is not generally referenced, most of these submissions reflect it. The Manurewa Community Board expresses it with great economy of language: “What can be done well at local level should be done at local level, ...”. The Maungakiekie Community Board argues, “Decisions should be made at the lowest level of competency. The Board believes that this is the most important way to engage and involve people in the decision making process. This grassroots decision making makes the best decisions for local areas.”

**4.10** The latter quote appears to recognise that many citizens are disengaged from the decision-making processes in larger city councils and assumes that higher levels of engagement are necessarily a good thing. This, in effect, is an argument about the linkage between social capital and good governance (see below). The quote also refers to levels of competence and in doing so picks up on a point raised explicitly in the submission from the Eden-Albert Community Board, which raises the capacity of a unit of government as a characteristic for use in evaluation.

**4.11** Let us consider these suggested additional characteristics.

**4.12** The **subsidiarity principle** has to date not been explicitly adopted as a basis for our local government framework. Indeed the practice has perhaps been the opposite. Peter McKinlay points out that not only are New Zealand’s local bodies typically large

6 This includes Devonport, Eden-Albert, Great Barrier Island, Hobson, Maungakiekie, and Manurewa Community Boards.

in comparison with other Western countries but also our ratios of residents to elected members are generally markedly higher than most other countries. There is a consistent attitude among local body elected members that community boards members are in the “B” grade.<sup>7</sup> In reaching its recommendations the Royal Commission may find it helpful to consider how much weight should be given to the subsidiarity principle; I include it in the evaluation framework later in this paper.

**4.13** In addition to the view expressed in submissions that decisions should be made close to “grassroots”, there is an extensive body of research (with which I am only slightly acquainted) that would lend weight to the proposition that the greater the engagement of citizens at large with decision making in the local government sector the more effective will be the quality and effectiveness of the governmental institutions themselves.

**4.14** This phenomenon was first observed by the American researcher Robert Putnam in his study of the widely varying effectiveness of Italy’s regional governments.<sup>8</sup> In this context he coined the term “social capital”. Subsequent research has looked at variations on Putnam’s findings, and the language to describe this and related phenomenon has proved subject to fashion (e.g. “capacity building”, “building communities”), but the basic

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7 It is fascinating for instance how often community boards’ members are not allowed to use the councillors’ lounge if visiting the council offices (although they may be invited in by a councillor!).

8 Putnam’s Italian research: In a 20-year study of 20 regional governments established in 1970, some were seen to have been highly successful, others highly ineffective and corrupt. Possible reasons suggested included: party politics or ideology, affluence/prosperity, stability of population. None of these were found to explain the varying performance of governments. Rather, in Putnam’s words:

Strong traditions of civic engagement – voter turnout, newspaper readership, membership in choral societies and literary circles, Lions Clubs, and soccer clubs – are the hallmarks of a successful region.

Some regions of Italy, such as Emilia-Romagna and Tuscany, have many active community organizations. Citizens in these regions are engaged by public issues, not by patronage. They trust one another to act fairly and obey the law. Leaders in these communities are relatively honest and committed to equality. Social and political networks are organized horizontally, not hierarchically. These “civic communities” value solidarity, civic participation, and integrity. And here democracy works.

At the other pole are “uncivic” regions, like Calabria and Sicily .... The very concept of citizenship is stunted there. Engagement in social and cultural associations is meager. From the point of view of the inhabitants, public affairs is somebody else’s business – *i notabili*, “the bosses,” “the politicians” – but not theirs. Laws, almost everyone agrees, are made to be broken, but fearing others’ lawlessness, everyone demands sterner discipline. Trapped in these interlocking vicious circles, nearly everyone feels powerless, exploited, and unhappy. ...

The historical roots of the civic community are astonishingly deep. Enduring traditions of civic involvement and social solidarity can be traced back nearly a millennium to the eleventh century, when communal republics were established in places like Florence, Bologna, and Genoa, exactly the communities that today enjoy civic engagement and successful government. At the core of this civic heritage are rich networks of organized reciprocity and civic solidarity – guilds, religious fraternities, and tower societies for self-defense in the medieval communes; cooperatives, mutual aid societies, neighbourhood associations, and choral societies in the twentieth century.

(“The Prosperous Community: Social Capital and Public Life”, *The American Prospect*, 13 (Spring 1993): 35-42)

relationship between the extent of ongoing citizen engagement and the performance of government has not essentially been challenged.

4.15 Robin Hambleton makes a related point in his briefing paper for the Royal Commission:

In too many cities global changes are creating social divisions, and there is evidence to show that an increasing number of people feel disempowered. Indeed, in some cities, whole communities feel so excluded that residents have taken to the streets in public protest. Thus, social tensions and outbreaks of civil unrest are to be found in housing estates on the outskirts of cities, such as Paris, as well as in the inner cities of conurbations .... At a major International Conference on City Futures held in Chicago in 2004, over 200 scholars from 36 countries examined future urban scenarios. The papers to this conference, and other research, suggest that it is not too far-fetched to envisage a disaster scenario for cities. This gloomy scenario sees cities becoming balkanised with consumers living isolated lives in separate fortified enclaves or gated communities.<sup>9</sup>

4.16 An additional characteristic is therefore recommended for evaluating models: the contribution of the model to building, or at least preventing the loss, of **social capital**. This is a characteristic on which community boards, when performing effectively, would appear to be strong because they bring the structures of city government closer to the citizens.

4.17 Also drawing on Hambleton I propose a further characteristic for evaluating models: contribution to strengthening **civic leadership**, primarily at the local or community level.

4.18 **Capacity** is suggested as a criterion in the submissions. Do community boards lack the capacity to make decisions on behalf of their local communities? I believe that a majority of local government people, and from their actions, submissions, and comments, many of Auckland's councils and boards and their members, would answer "yes". Capacity for an elected member body is a function of the skills of its elected members and the depth and width of support and advice that it receives from a professional staff organisation. There is no inherent reason to suggest that a community board need be weak in either of these respects but views expressed suggest that at the current time some Auckland boards are lacking one or both of the elements that build capacity for effective performance. (This is elaborated on later.) It is certainly the case that many boards (not just in Auckland) lack the capacity to make decisions in the sense that they have a strictly limited decision-making brief (delegations). I propose to include the notion of **capacity** as a further characteristic in evaluating alternative models.

4.19 The following criteria are used later in evaluating alternative models:

- transparency
- accountability
- efficient resource use

9 Robin Hambleton, "Civic Leadership for Auckland", research paper for the Royal Commission.

- responsiveness
- subsidiarity
- contribution to building social capital
- civic leadership
- capacity.

## 5. Community boards elsewhere in New Zealand

*This section considers some examples from elsewhere in New Zealand. The following are the key learning points:*

- *Three of the four examples reviewed are communities that by virtue of geography have a distinct identity and community of interest. In the Christchurch example, deliberate strategies were pursued to build a sense of identity around the large urban boards.*
- *In all cases the boards have exercised significant delegated decision-making powers.*
- *In three of the cases the boards develop community plans based on an expectation that the council will adopt and set community rates to enable them to be implemented.*
- *A high level of support from council staff is important. In the example of large urban boards, community service centres with a range of staff increase the boards' capacity in terms of the range and depth of their involvement.*
- *There is a high level of acceptance of the board on the part of the parent council.*

**5.1** Of the 41 councils outside the Auckland region that have community boards, a small selection is included that seem to offer practices that may be helpful to community boards in Auckland.

**5.2** Southland District has long been noted for making a success of its decentralised governance arrangements. The Turangi-Tongariro Community Board (Taupo District) is sometimes said to have the highest level of autonomy of any board in the country. The Wanaka Community Board (Queenstown-Lakes District) is similarly placed. The Christchurch City example is included not because I had lengthy first-hand experience of it, but because it has been widely regarded as successful and, with boards representing communities of around 60,000 people, has some close parallels with the context of the Auckland urban area.

**5.3** **Southland District** has 12 community boards and 16 “community development area sub-committees” with delegated powers identical to those of the boards. The large number reflects Southland’s plethora of settlements; the distinction between boards

and subcommittees is a function of history. The existence of the 16 local subcommittees suggests that in the absence of community boards, other structures will emerge to fill the gap (we return to this latter observation in section 8).

**5.4** The council delegates to each community board local policy determination in respect of reserves, amenity areas, water supply, sewerage and drainage, footpaths, street lighting, camping grounds, traffic management, waste management, and many other local activities. (It is relevant to note that the water supply and sewerage schemes are local in their coverage.) The boards develop and adopt asset management plans for their community infrastructure and activity management plans for reserves and other activities.

**5.5** Te Anau is the largest community served by a board. Recently it planned and implemented a \$7.5 million airport, funded locally by a mix of local rates, land development, and land sales. Although several decisions in this mix could be made only by the district council, the process was driven by the board.

**5.6** Community boards are also responsible for considering and reporting on matters affecting their area, overseeing and setting priorities for local works, the preparation of local budgets, and recommending to council local rating levels. Approximately 30% of the council's rate take is "community rates" and 70% is "district rates". Dave Adamson (CEO, Southland District) comments that although differences of view occur, the relationship between the elected council and the boards and subcommittees has always been strongly collaborative and constructive. The fact that boards not only have significant delegations but also effectively determine local rates means that they must manage community expectations and at times make hard choices.

**5.7 Taupo District** has only one community board, Turangi-Tongariro. The board meets in Turangi, almost an hour's drive from the council's head office in the town of Taupo. Its terms of reference are potentially extremely wide:

The Board can carry out any function, duty or power of the District Council relevant to and within its rating area which:

- a. Supports Council's Long Term Council Community Plan and/or policy direction;
- b. Is within the approved Annual Plan for the T/T area and the Long Term Council Community Plan;
- c. Is not the function or responsibility of full Council or its other standing or special Committees;
- d. Is not prohibited by legislation;
- e. Otherwise falls within the objectives and scope of the Board.

In practice the board, in consultation with council, develops an annual spending plan for its community (within the context of the LTCCP) and recommends to council the adoption of this plan. One of the keys to this is the use of a separate rating area so that most services delivered in Turangi-Tongariro are funded from within the community and only a minority is funded district wide. Once the plan has been adopted the board implements most spending under delegated authority from the council.

## Part 9. Setting Community Boards in Context

5.8 A Taupo District senior staff member who works closely with the board makes the following additional observations:

1. There is a clear geographical separation, Turangi being 55 km south of Taupo.
2. Turangi has its own community of interest and is different in character to Taupo town.
3. Over the years there has been strong leadership from the Chair.
4. The rating area has been able to support itself – and willing to increase its rates to achieve its goals. This was not the case with the Mangakino-Pouakani Community Board which voted itself out of existence and merged into the Taupo/Kaingaroa-Mangakino/ Pouakani Area Committee.
5. Taupo officers have repeatedly underestimated the area Turangi serves and the travel required to do this. The Tongariro Ward with the Western Bay Lake Taupo lakeshore villages of Omori-Kuratau-Pukawa and Whareroa; the Eastern lakeshore areas of Motuoapa, Oruatua-Te Rangiita-Waitetoko, Motutere and Hatepe combine to provide substantial capital value areas (that exceed Turangi) have large seasonal occupancy (population equal to Turangi over Christmas-January) – and land value in excess of Turangi – hence rates revenue received is more than Turangi. The large MoF/Lake Taupo and Lake Rotoaiara Forest Trusts areas in the Tongariro Ward and Genesis Power stations of Rangipo and Tokaanu are also substantial ratepayers.

5.9 The examples above, while not typical of community boards across the country, are also not isolated examples. The Wanaka Community Board (Queenstown-Lakes District) has a highly detailed “governance agreement” and set of delegations that in nature reflect a partnership between two elected bodies of similar standing and so looks very different from other councils’ arrangements. These are included in full in Appendix 2. The following is a short extract:

The two major philosophies behind this delegation are:

- (a) The Council will give the Board extensive delegation in return for the Board, and the Wanaka Ward, taking financial responsibility for several function areas;
- (b) The programming and funding of those activities will be governed by asset management plans, funding policies, long term financial strategy, investment and treasury policies.

### **Philosophy of Partnership**

The Council will treat the WCB [Wanaka Community Board] as a partner in the governance of the District. Wherever possible the Council will give maximum delegation to the WCB where the community board is taking financial accountability for the decisions involved.

In return the WCB agrees to observe the parameters of the long term council community plan (LTCCP) or annual plan each year and to practice sound financial management for activities delegated to it.

Where the WCB is taking financial accountability for a decision but cannot, for legal or other reasons, make the final decision itself, the Council will give the utmost weight to any WCB recommendation ....

5.10 Roger Taylor, a general manager at Queenstown-Lakes District, comments:

In respect of actual practice,

1. The WCB meets monthly and their meeting is attended by the Mayor and CEO along with officers presenting reports to the Board.
2. The Mayor and CEO hold fortnightly clinics in the Wanaka Ward to hear from any constituents that have issues they wish to discuss. A member of the WCB usually sits with them on these clinics.
3. The WCB holds two regular monthly “workshops” one each for matters of infrastructure (roads, waters and waste) and another for community services (reserves, emergency management, libraries etc). These workshops are attended by officers who provide information and advice to the board.
4. Each of the 4 directly elected members of the WCB has been appointed as members to standing committees of Council – in addition to the ordinary elected members of Council in the Wanaka Ward.

5.11 **Christchurch City** has six urban community boards all with populations of around 60,000 and two rural boards covering Banks Peninsula.<sup>10</sup> Given Christchurch’s urban form, with few natural boundaries within the city, each community represents an amalgam of neighbourhoods and comprises several commercial centres. In this sense the communities are “artificial” but, having remained generally consistent since 1989, are generally well understood by citizens. For example I am advised that a recent survey shows that 42% of Shirley-Papanui residents identify themselves as belonging to that community despite decades of association with some dozen communities of interest at a more local scale.<sup>11</sup>

5.12 Notwithstanding the relative ease of movement around the city, as a matter of policy, after 1989 the council progressively established a council service centre for each community.<sup>12</sup> Although the principle was always maintained that the council staff within a service centre did not report to the board, their brief was to ensure a high level of service to the board and the community itself. The staff team was led by a “community advocate”, with a member of the council’s senior management team also liaising with the board and normally in attendance at board meetings.<sup>13</sup> Several of the staff in the service

10 The former Banks Peninsula District was amalgamated into Christchurch City in 2006, prior to which the city had the six urban wards.

11 Yvonne Palmer, Shirley-Papanui Community Board and chair of the New Zealand Community Boards’ Executive Committee, personal communication.

12 New library-service centres were built in Papanui and Shirley and a new service centre in Linwood (these three all within the “old” Christchurch city area); new library-service centres on the site of the former Heathcote and Waimairi Council office building, and the former Paparua Council building continues to be used as a service centre.

13 The structure described here represents that to which the system “matured” and was in place from 1998 to 2003. The community advocates were staff with sufficient mana within the organisation to secure attendance of appropriate specialist staff at board meetings. The members of the senior management team each overviewed one board. The role was sometimes discussed as being that of a chaperon.

centres were selected for their wide-ranging knowledge of professional areas, “generalist professionals” to coin a phrase.

**5.13** The boards were delegated responsibility for implementing all capital works in their area, other than those defined to be “major” or “metropolitan”, and had delegated authority to enter into contracts up to \$500,000. Other matters relating to local roads and reserves were determined by the boards. By the late 1990s the boards were resourced to develop “Strengthening Community Action Plans” and implemented projects established in these. Christchurch City made no use of local rating areas, but boards were allotted discretionary funds for capital works (\$320,000 in 1999) and project funding (\$60,000 in 1999). Analysis showed that over the decade from 1990 to 1999 the boards’ project funding shifted in its emphasis from 67% devoted to roads and reserves to only 22% in these categories as well as 55% devoted to community programmes, which had taken only 16% at the start of the decade.

**5.14** Christchurch City received international recognition for its record in balancing “efficiency and democracy” in 1993 and again in 2001.<sup>14</sup> To whatever degree this was merited, community boards were a key feature of the council’s *modus operandi* throughout this period.

**5.15** It may be noteworthy that since the city council was halved in size, from 24 to 12 at the 2004 election,<sup>15</sup> the extent of delegation to community boards has been narrowed as the council has adopted some more “corporate” approaches to its governance role.

### **5.16 What are the potential learning points?**

- 1 Three of the four examples reviewed are communities that by virtue of geography have **a distinct identity and community of interest**. In the Christchurch City example **deliberate strategies were pursued to build a sense of identity around the large urban boards**.
- 2 In all cases the boards have exercised **significant delegated decision-making powers**.
- 3 In three of the cases the boards develop **community plans** based on an expectation that the council will adopt and set **community rates** to enable them to be implemented.
- 4 **A high level of support from council staff is important**. In the example of large urban boards, **community service centres with a range of staff increase the boards’ capacity** in terms of the range and depth of their involvement.
- 5 **There is a high level of acceptance of the board on the part of the parent council**.

<sup>14</sup> In 1993 Christchurch City was the winner, along with Phoenix, Arizona, of Germany’s Carl Bertelsmann Prize (an international prize for innovative solutions to social issues) and was named “the best-run city in the world” by the USA journal *Governing* in 2001. These awards should be given only limited weight, but it is relevant that the community board model featured prominently in the material presented for both.

<sup>15</sup> In fact with the amalgamation of Banks Peninsula District and Christchurch City in 2006, there are now 12 urban councillors and one elected from Banks Peninsula.

## 6. Community boards in the Auckland region

*This section summarises the current pattern of community board operations in the Auckland region. It reflects documentation and discussions with elected councillors, community board chairs, and council staff. None of the boards is exercising significant delegations. Rather than decision making, from rural Franklin District to the Hobson Community Board (which includes the Auckland central business district), the primary role is seen as looking outwards to the community and seeking to make a difference on its behalf.*

*The extent to which boards feel they are effective in doing this depends very much on whether or not they are integrated into their council's decision-making and public engagement processes. On the one hand are the boards in the western city, which are seen as a key component of the "Waitakere Way", which applies the principles of Agenda 21 to the processes of community engagement. On the other hand, boards in Auckland City feel marginalised and admit they seem to be adding only limited value. The variability in board operations and performance, identified earlier as stemming from the nature of the provisions relating to them in the Local Government Act, is laid bare in these examples.*

**6.1** This section looks at the current pattern of community boards in the Auckland region. Where possible and relevant, it also captures a little of their history and sets them in a wider context of the council's interaction with the community. It reflects documentation and discussions with elected councillors, community board chairs, and council staff.

### Franklin District

**6.2** There are two community boards.

**6.3** Waiuku-Awhitu Community Board (WACB) centres on the town of Waiuku, and also covers the adjacent farming areas of Aka Aka and Otua and the Āwhitu Peninsula. Some 60% of the board's area (rather more of its population of 14,571) is within the Auckland region.

**6.4** Onewhero-Tuakau Community Board (OTCB) centres on Tuakau and takes in Port Waikato and the extensive rural area to the south west of the district stretching south to Naikē. The board's community is in the Waikato region and has a population of 8,202.

**6.5** The delegated decision-making powers of the boards relate to planning and management of their reserves (WACB) and domain (OTCB) and maintenance of their towns' community halls. They make recommendations as to the latter's fees, operation, and capital spending. The boards are expected to take "a facilitation role in progressing Town Plans". The OTCB allocates pensioner flats in the ward in conjunction with a council staff member. There seems to be no great unhappiness that the delegated powers are few.

**6.6** The history of council-board relationships has not always been positive, although it is represented as having been good in recent years. There have been two occasions on which the council has moved, through its representation review, to disestablish the boards. On both occasions it met with significant resistance from the local communities.

## Part 9. Setting Community Boards in Context

Mayor, councillor, and community board chair alike spoke of a positive contribution from the boards in recent years. The following all seem to be making a contribution to this.

- There is an attitude on the part of council that the boards should be integrated into the system of governance and seen as **valuable and included**. As part of this a principal role for boards is to maintain a good understanding of local issues and to act as a conduit for communication to and from their communities. Members are expected to attend ratepayer and community meetings; to lead consultation on community outcomes; and to analyse and provide feedback to council on the Franklin Community Plan. The council undertakes to include board issues and recommendations on its agendas and requires the boards to monitor services in its area and report on issues/priorities with recommendations for action. By way of illustration, the OTCB states that it was “instrumental in facilitating the implementation of a local, special roading rate, which allowed accelerated improvements to local roads.”<sup>16</sup> The boards are also tasked “to feedback to the community on Council decisions.” Both boards have taken a lead role in working with the local business associations on the development and implementation of main-street programmes.
- There is **a passion** for their communities on the part of the board members, together with a strong, clear, and historically deep-rooted **sense of community**.
- There is a **strongly proactive** approach by boards to identifying and taking a lead in progressing key local issues that may or may not be traditional district council functions. Examples include facilitating community and physical development processes in an area of former steelworks rental housing with a low socio-economic status (the Hamilton Block); leading the reclamation of coastline from mangrove encroachment by working with regional and district councils, resulting in joint project funding and implementation; lobbying for and securing a bus service into Waiuku; and facilitating collaboration of the local college and adjoining rugby club and promoting to council the purchase of the surrounding O’Hara block of land (now this 17-hectare site is being planned for development of a major reserve and aquatic centre). This proactive approach is of particular note because individual board members take the lead on specific projects and work more in the mode of a project leader than a traditional elected member. (They convene meetings, access council staff, write reports, etc.)
- **Staff support** for the boards is evident. Although there is minimal support in Waiuku and Tuakau townships, board members have easy and direct access to specialist council staff. The comment was made that this depends on a relationship of trust and respect for each other’s time and priorities.

**6.7** The role of the boards may be understood in the context of the council’s consultation policy. This states, “effective consultation ... is *not a stand alone process* but part of current and on-going relationships with the various individuals, organisations

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16 Onewhero-Tuakau Community Board submission to Royal Commission, p. 1.

and groups across the District.” Six principles for consultation are identified that are congruent with the boards’ roles.

**6.8** In its submission the council states that community boards serve a useful function “by enabling participation for our widespread rural communities in cooperation with Council”. This healthy relationship between boards and councils is reflected in the design of the 2009 LTCCP process. Franklin District is treating its boards as both “an insider” and “an outsider”. As “insiders”, alongside council’s committees and management team, they are invited to contribute to the design of the process. As a key “outside” group they will be invited to participate substantively.

### **Manukau City**<sup>17</sup>

**6.9** There are eight community boards, as shown in the following table.

Name of community board	Population	Comments
Botany	31,263	In same ward as Clevedon
Clevedon	12,279	37,000 ha, 2/3 of Manukau City’s area
Howick	39,438	
Mangere	55,266	
Manurewa	77,508	
Otara	34,257	
Pakuranga	38,301	
Papatoetoe	40,659	

**6.10** The boards have a short list of delegated decision-making powers. They relate to local reserves (and include approval of reserve concept plans, minor capital works from a board multi-activity budget, signage, details of tree plantings); parking restrictions on roads and car parks, location of pedestrian crossings and bus shelters and minor street works from their budget; and local community discretionary funding grants. The boards each submit to the annual plan process a proposed multi-activity budget. These averaged \$129,000 in the 2007/08 plan, 57% of this being minor capital works on roads and a further 31% capital works on reserves.

**6.11** There is a very much longer list of substantial matters that will be referred by the council to boards for “information/input”. The preamble to the list of delegations says, “Community Boards operate within Council’s delegations and as advocates for their communities to enhance local decision making ensuring local needs and aspirations are reported to Council and take an overview of services provided within their communities.”

<sup>17</sup> It is a matter of regret to me that the time available for discussions in the Auckland region did not allow me to meaningfully visit all the councils. Notwithstanding its lengthy history of deep and wide community engagement I made the decision to exclude Manukau City from my visits.

## Part 9. Setting Community Boards in Context

**6.12** In its submission the council suggests that community boards continue much as at present. Its table of “Who does what?” assumes regional, local (city) and community tiers with a reference to “advocacy on local needs” and “nil” being the most numerous entries under the community tier. “Involvement in decision-making” is listed under local parks, “Involvement in planning, scale, and design” under facilities development, and “some decision-making” under economic development.

### North Shore City

**6.13** Initial review of material suggested that the North Shore might provide an example of effective use of community boards in urban Auckland. There are six community boards as shown in the table below.

Name of community board	Population	Elected members	Appointed members	Comments
Albany		4	2	Largely serves an area of recent and ongoing development
Birkenhead-Northcote		3	2	Based on 2 pre-1989 boroughs
Devonport		4	2	Perhaps the most distinctive community of interest in the Auckland region
East Coast Bays		4	2	Homogenous area based on pre-1989 council
Glenfield		4	2	The least readily defined of the areas
Takapuna		4	2	Distinct communities, heart of pre-1989 identity

**6.14** North Shore City in its submission (p. 43) strongly supports its community boards and states it has given them “extensive delegations partly in recognition of the historically strong communities, and partly to foster a sense of community (“place making”) in more recently established neighbourhoods.”

**6.15** In reality the delegations to boards are far from being extensive. There are 32 “delegations” to boards but 24 of these provide for the boards to “provide advice” or “make recommendations”. The remainder include three matters where a resident can appeal to the board to review an officer’s decision. (These relate to existing leases/licences on council property, trees on council land overhanging private property, and minor traffic management provisions.) The most significant delegations relate to administration of local events and setting priorities for spending the board discretionary funds. These funds are currently

Albany Community Board	\$148,000
East Coast Bays Community Board	\$243,000

Glenfield Community Board	\$194,000
Birkenhead-Northcote Community Board	\$251,000
Takapuna Community Board	\$264,000
Devonport Community Board	\$115,000

**6.16** It seems that the delegations to boards have been progressively whittled away since they were first established in 1989. There are two forces at work in this. On the one hand more decisions have been delegated to officers, such as in the areas of tree removal, dog matters, and minor decisions on local roads and reserves. On the other hand it seems that the boards went through a period after the turn of the century when they were not highly regarded by some council elected members and delegations were shifted from boards to standing committees. (These comments could equally well apply to other councils in Auckland.)

**6.17** So is the city council incorrect when it states that boards have, “extensive delegations”? In the literal use of the word “delegations” it is, but the claim needs to be understood in the context that the council seeks to and does make significant use of the boards to help identify issues and to inform its own decision making. In effect the “delegations” are a commitment to engage with the boards and draw them into council governance in order to garner perspectives from the significantly different communities that comprise North Shore City.

**6.18** The submission from the Birkenhead-Northcote Community Board is representative of the six boards and looks at this relationship from a different perspective:

[Boards] are a valued conduit for the local community to access local government to raise issues of local concern. However the limited delegated authority and discretionary budgets that are currently available to Community Boards limits their effectiveness if they do not have the support of their Council. However if legislation were to empower Community Boards via funding and regulatory decision making powers they would be very effective and efficient.<sup>18</sup>

**6.19** In discussion with council elected members and staff, the conclusion is drawn that there is a desire to reflect the frustration of boards by increasing their delegations, but exactly what additional matters should be passed to the boards is hard to pin down.

**6.20** Although not explicit in council delegations each board works closely with and receives reports from the community coordinators funded via North Shore Community and Social Services.

**6.21** There is agreement from all parties as to the importance for boards of good staff support. The North Shore City model is for a team of three staff in an area office to be principally involved in supporting two boards: an area secretary (administrative role), a customer services manager (service delivery issues), and an area technical officer

<sup>18</sup> Birkenhead-Northcote Community Board submission to Royal Commission, p. 8.

## Part 9. Setting Community Boards in Context

(troubleshooting around infrastructure). There is also good access for the boards to the wider council staff organisation.

**6.22** The community board chairs have a substantial number of examples of how their boards have been proactive in addressing local issues and opportunities. The following are three examples, each different in nature. The provision of car parking and beach access to the Harbour had been a success of the Glenfield Community Board. This had involved land development, resource consent, importing of sand, using board funds and securing council backing to provide a new local amenity. Devonport Community Board brought together the police, naval authorities, and the community after a fatal traffic accident brought to a head a longstanding community concern relating to the driving habits of some naval cadets. East Coast Bays Community Board responded to the Long Bay-Okura Great Park Society's pleas for help in opposing a 5,000-acre development. The board made representations to the council, the Auckland Regional Council, and a central government Minister.

**6.23** In working with the community on issues, techniques include street corner meetings, letterbox drops, and lobbying local media for attention and support.

**6.24** The overall picture is of boards tapping into networks through the area of their communities. Board members are appointed to local organisations, attend meetings of residents and local interest groups, network with school principals, and "get about their patch". At four of the boards, members will report each month as to their liaison activities and issues arising therefrom. There is an open forum at the start of the monthly board meeting when residents may raise any issues; although it is acknowledged that the contributions to these vary widely, with some boards seeing markedly more interest than others.

**6.25** This latter observation can be illustrated by contrasting the nature of the Devonport community, with its strong sense of history and identity, with Glenfield, which is seen to lack a focus and be hard to define; and with Albany, which has a planned centre but is mostly a product of development over the past 20 years. Also seen as undermining the "place-making" role of boards is the tendency for their boundaries to change as differential rates of development feeds population growth, breaching the statutory criteria for electoral fairness.

**6.26** There are many similarities to Waitakere City in the above picture.<sup>19</sup> Some but not all of the comments would also be representative of Auckland City. In terms of the Auckland region, however, a unique feature of North Shore City is that board members are actively involved in resource management hearings. Notified applications under the Resource Management Act are heard by a panel of community board members if they are deemed to be "local" in nature. In the case of city-wide applications the normal practice is for two out of seven of the panel members to be drawn from the appropriate community board. This is a significant stream of quasi-judicial activity for community board members.

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19 The same should probably also be said of Manukau City, but given necessary limits to the scope of discussion interviews that council was excluded from the field research.

### Waitakere City

6.27 There are four community boards as shown in the table below. The Waitakere Community Board covers the ranges and west coast areas and is quite different in character from the other three.

Name of community board	Population	Elected members	Appointed members	Comments
Henderson	40,047	5	2	Former borough area plus distinctly different Te Atatu Peninsula.
Massey	51,372	6	3	Previously distant neighbourhoods now supplemented by large areas of recent development.
New Lynn	49,842	5	2	Former New Lynn & Glen Eden Boroughs. Older areas but with massive intensification planned.
Waitakere	27,456	6	3	The ranges, west coast, and their more rural communities.

6.28 The council in its submission (p. 49) supports “strong local community decision-making including the contribution of Community Boards.” This phraseology reflects the distinctive “Waitakere Way” developed by the “eco city” over the 19 years of its existence. The commitment to community boards seems just as strong as on the North Shore, and their role is similar in many ways, but in Waitakere City the boards are seen by some at council level as a part of wider machinery that is critical for engaging with the community at sub-city level. This machinery more generally involves a range of community engagement models to interact not simply with communities of place, but also with communities that take their primary identity from ethnicity or other demographic characteristic such as age.

6.29 The Waitakere City culture is that such machinery for community interaction, based on the principles of Agenda 21 (the United Nations programme for sustainable development), is essential to their vision and the community boards are a key part of this machinery. It is probably fair to suggest that the importance of community engagement is itself one of the essential elements of the “eco city”.<sup>20</sup> The following extract is from a

<sup>20</sup> This is not to say that other cities do not see these relationships as important; they do. All of the councils in the region have significant mechanisms especially with regard to partnering with tangata whenua and other Māori. Manukau is rightly proud of its track record of embracing the diversity of its ethnic communities. The emphasis on the wider framework of community engagement, however, has been a foundational theme at Waitakere City since the council was established in 1989. (The writer witnessed this first hand as the adviser to the transition committee at that time.)

## Part 9. Setting Community Boards in Context

supplementary submission made by the council to the Royal Commission (and included in full as Appendix 3):

Alongside organisations such as Waitakere Pacific Board, Waitakere Ethnic Board and Council Committees such as Te Taumata Runanga and the Waitakere Youth Council, community boards provide Waitakere City Council close contact with our communities. They play an active, hands-on role in supporting the partnerships we have with numerous community organisations such as Massey Matters, Ranui Action Project and Project Twin Streams. Their detailed local knowledge is an invaluable source of information for Council in determining critical strategy based on the intimacies of place and local democracy.

**6.30** In this context it is not surprising that boards see themselves as having excellent support from and access to council staff. (The immediate support staff of three is the same model as described above for North Shore City, although in Waitakere City's case the staff are based in the council's head office.)

**6.31** As a matter of intent, all policy matters (whether local or city-wide) are considered at community boards prior to going to council's standing committees. "For example over the past 6 months just under 30% (22 of 74 = 29.7%) of the meetings serviced by the Council were Community Board meetings and just over 30% of all reports (104 of 336 = 30.9%) prepared for consideration were for Community Boards." (See Waitakere City's supplementary submission, Appendix 3.) The community board chairs have the right to attend and speak at meetings of council and its standing committees (where most decisions are made under delegated authority). This means that there are likely to be two appointed board members (councillors) and the board chair present to articulate local views.

**6.32** From the perspective of the community boards themselves, the emphasis seems to be placed on their role in giving voice to local views and to tackling local problems and opportunities. Several examples were given, three of which were written up by the Waitakere team following our discussion and are included in paragraphs 6.35–6.37 below. These examples were offered in the context of discussing the functioning of community boards. I include them not to suggest that community boards are essential to Waitakere City's style of community engagement but rather because they are illustrative of the diversity of local issues that require local leadership if they are to be resolved.

**6.33** In terms of their community engagement role the techniques used are generally those outlined in describing North Shore City. There seems, however, to be greater consistency in the style of operation of Waitakere City's boards than is evident in North Shore or Auckland Cities. For instance **all** boards hold open forums every month. There could be several factors contributing to this, but the following two are suggested: a stronger and clearer lead from the council in terms of its expectations of boards and the context in which they fit; and the lesser number of boards.

6.34 While each board's advisory role is extensive, its decision making under delegated authority is small. There is a relatively narrow range of decisions relating to local reserves, local events, and management of local streets.

6.35 **Example 1: Vodanovich Road Safety Improvements, Henderson**

6.35.1 **Problem:** The residents of Vodanovich Road, Henderson, had expressed their concerns about traffic speed, driver behaviour, accidents, and near misses in their street. The Henderson Community Board took a leadership role in advocating for the residents and setting up a process to resolve these issues. Vodanovich Road is a residential street, approximately 1.5 km long, with curves, hills, and dips along its length, major intersections, and several side roads.

6.35.2 **Response:** Residents attended the February 2006 Public Forum of the Henderson Community Board. As well as community board members, the assets management group manager, senior road safety officer, and traffic engineers were present at the meeting. Several residents spoke outlining the problems and demanding action from the community board. After hearing responses from the council officers present, the board resolved to meet with residents, councillors, and the police to discuss safety issues and work toward solutions.

6.35.3 In the first week of March 2006, speed tubes were laid in Vodanovich Road to record speed and traffic volume data. The results confirmed that both high speed and traffic volumes were issues for the road.

6.35.4 A residents' meeting was convened by the community board chair Elizabeth Grimmer and attended by traffic engineers, assets management group manager, members of the road safety team, and New Zealand Police. The residents split into groups and brainstormed and discussed options for solving the problem. The focus was on what the residents wanted, not suggestions from the council officers. Ideas from the meeting were documented.

6.35.5 A working group was set up comprising representatives of the residents, community board and council officers. This group met several times to discuss options for traffic calming.

6.35.6 A further community meeting was held on 8 August 2006 to discuss and approve the proposed design that was prepared by council officers, which followed a holistic approach to the problem. Traffic calming was proposed through a number of methods including central islands, painted medians, and threshold treatments; in addition calming mechanisms included improved lighting, stop signs at major intersections, and reflectorised chevrons. The philosophy was to reinforce the residential aspect of Vodanovich Road and to discourage its use as a through-route.

6.35.7 A safety campaign will be rolled out shortly. It includes blown-up photos of local children (including a child who had been hit by a vehicle). These will be sited on the road with captions such as "Slow Down".

**6.35.8 Budget and Implementation:** There were over 200 submissions from Vodanovich Road residents to the 2006/07 annual plan. The community board made a submission for additional funds to be put aside for traffic calming, and with joint effort from the community and council officers, this resulted in \$150,000 being set aside in the 2006/07 annual plan. After the designs gained final approval from the community board in December 2006, construction started in February 2007 and was completed in mid-March 2007.

**6.35.9 Outcomes:** The outcomes of this work are a safer and more attractive street, speed reduction, and crash and near-miss reduction.

As the project has only just been completed, a full evaluation has not been done. Speed tubes can be laid to record speed data in the near future; however, it will be some years before crash data can be analysed to confirm the expected reduction in crashes for the area.

**6.35.10 Successes/Benefits**

- The community worked together with the community board.
- The consultation model has been developed that council officers intend to use in resolving future roading issues (e.g. Sunnyvale and Takapo Roads).
- There were positive outcomes and partnership between the community board, council, and the community.
- This project won the safety category of the New Zealand Community Board Best Practice Awards 2007.

#### **6.36 Example 2: Establishment of the Asian Support Group: New Lynn**

**6.36.1 Problem:** The safety of Asian residents in public places and in using public transport (particularly trains) had been of growing concern. There had been a number of muggings, robberies, and harassment of Asian residents. New Lynn Ward has 43% of Waitakere City's Asian residents, many of whom do not speak English or may have difficulty accessing police and other local support services.

**6.36.2** The New Lynn area will become a transit-oriented development, where it is planned that people, employment, and a transit hub will all form part of a high-density area. It is important at the earliest point to attend to emerging social issues around transport and safety concerns.

**6.36.3 Response:** About three months ago a Waitakere Asian Support Group was set up by a New Lynn Community Board member, a Chinese councillor, and local senior police officer. A couple of members of the Waitakere Ethnic Board were also invited to join the group to provide a bigger picture of issues for ethnic groups. There are plans to work with the local Citizens Advice Bureau. The group has already communicated the Waitakere initiative to the Asian community by way of communications and safety guidance to Chinese newspapers (5) and radio. The group will be undertaking a survey of the community and this is to be used to define

more specific responses. One of the initiatives members are planning is to set up a neighbourhood watch in Ambrico Place. In early September there will be a door-knocking appeal involving the community board and the police (with people able to speak Chinese).

**6.36.4** This response is also affiliated and supported by Safe Waitakere, an initiative with a focus on community safety that is funded by the council and central government (Ministries of Justice and Health).

**6.36.5 Outcomes:** The early outcome is an energised group that is drawing in other interested community leaders to establish a set of programmes for addressing safety issues in the Asian community. The New Lynn Community Board is taking a lead in this process working closely with the police and other community networks. The involvement of Councillor Peter Chan (Massey Ward) in the core group will provide a means to support any future annual plan funding bids.

### **6.37 Example 3: Improvements to the design of the Swanson railway station**

**6.37.1 Problem:** When the Glen Eden station pedestrian overbridge was constructed, there was significant community and elected member concern as to its scale, bulk, visual impact, and lack of fit with its context, particularly the Glen Eden heritage railway station. Consequently, council wrote to ONTRACK to ask it to reconsider plans for similar overbridges at Sturges Road, Ranui, and the Swanson station.

**6.37.2** ONTRACK responded by reviewing all of its plans for these overbridges. In the case of Sturges Road and Ranui, ONTRACK agreed with the council's recommendation that at-grade pedestrian crossings controlled by electronic gates would provide a safe crossing solution for pedestrians.<sup>21</sup> However, at the Swanson railway station ONTRACK could not approve an at-grade pedestrian crossing because double tracking terminates immediately west of the station. This means trains may need to be held in the station area while the track ahead clears, and could at times block a level crossing. The section of track at Swanson is signalled for bi-directional train operation; in addition, there are human factors issues involving risk-taking behaviour in the rail environment.

**6.37.3 Response:** ONTRACK was encouraged to engage with the Waitakere Community Board and the Swanson community in order to develop an overbridge option that was acceptable to the community, fitted with its context, and avoided the range of issues experienced in Glen Eden, where only very limited community engagement and no community board involvement had taken place.

**6.37.4** ONTRACK then made a presentation to the Waitakere Community Board on 4 March 2008, outlining the safety case for a grade-separated pedestrian rail overbridge at the Swanson station. In addition, a public open day was hosted by ONTRACK in the community room at the Swanson heritage station. The feedback from the community board and the community open day was that an overbridge

21 An at-grade crossing is where two or more routes meet at the same vertical level.

could be acceptable to the community if it was designed in a way that fitted with the context, particularly the heritage station building, and avoided the issues associated with the Glen Eden pedestrian rail overbridge. ONTRACK also established a reference group for the project involving community board members, community representatives, and council staff.

**6.37.5** The key concern of the community board (and the Swanson community) was that the length of ramps required to meet building code requirements for disabled access would have a similar negative visual impact as the ramps at Glen Eden. Sharon Davies, a disabled member of the Swanson community, advocated at the public forum section of the 6 May 2008 meeting of the Waitakere Community Board that lifts would be a better solution for people with disabilities because ramps, although compliant with the building code, are still difficult for disabled people and other people with reduced mobility to use. As a result, the Waitakere Community Board advocated, in its submission on the 2008/09 draft annual plan, that lifts be installed at Swanson railway station in preference to ramps in order to reduce the visual impact of the ramps and to better provide for access for people with reduced mobility.

**6.37.6** Officers reported to the 3 June 2008 meeting of the Waitakere Community Board on the proposed Swanson station pedestrian rail overbridge. As a result of officer advocacy based on the community board's preference for lifts, an offer by ONTRACK to fund the capital cost of lifts at the Swanson station was tabled at this meeting, subject to an organisation – either the Auckland Regional Transport Authority (ARTA) or Waitakere City – picking up the operating and maintenance costs of the lift. The report invited comment from the community board to be used to assist the council in its decision making. This gave the community board the opportunity to reinforce its advocacy for lifts at the Swanson station. Consequently, the chief executive of the council wrote to ARTA on 30 June 2008 requesting that ARTA fund the operating and maintenance costs of lifts at the Swanson station.

**6.37.7** ARTA responded positively on 23 July 2008 agreeing to fund the operation and maintenance of these lifts. This decision has allowed ONTRACK to proceed with planning for an overbridge with lifts and to discard the option of having ramps. ONTRACK is continuing to engage with the Swanson community and council staff on the design of the overbridge, which will be presented to the reference group, largely made up of members of the community board and the Swanson community.

**6.37.8 Outcomes:** The need for extensive and visually intrusive ramping was avoided at Swanson railway station, and a solution was agreed and funded by appropriate other parties that better meets the needs of the community, including people with disabilities that reduce their mobility. The solution did not result in a cost to ratepayers apart from community board and staff time in advocacy. ARTA and ONTRACK would have clearly seen the benefits of engaging with community boards and the community to achieve win-win situations to complex problems.

## Auckland City

**6.38** There are 10 community boards in Auckland City, including two boards in the Hauraki Gulf islands (Great Barrier and Waiheke Islands).

Name of community board	Elected members
Avondale	5
Eastern Bays	5
Eden-Albert	6
Great Barrier Island	5
Hobson	6
Maungakiekie	5
Mt Roskill	5
Tamaki	5
Waiheke	5
Western Bays	5

**6.39** The Great Barrier Island and Waiheke Community Boards are considered separately, in section 10.

**6.40** The decisions delegated to the boards are few, very much in line with the other city councils in the region. In a number of cases wording follows the formula, “To appoint a board member with whom the --- manager will consult over ---”. It is understandable that this is galling for members who saw these decisions, which were taken by the community board in earlier triennia, now delegated to officers.

**6.41** It seems fair to say that discussions held at Auckland City about the urban boards were clouded by a sense of frustration as to the effectiveness of community boards in the city in recent times. Several participants (councillors and community board chairs) spoke about their vision for effective community boards, and examples of local success stories were raised, but the overarching impression was frustration. Compared with the other councils, board members felt a sense of impotence, and councillors spoke of community boards in terms of limited competence.

**6.42** In terms of the activities of boards and their members, it was evident that some were interacting with a range of groups within their community in much the way described at North Shore and Waitakere Cities: attending meetings of associations; liaising with schools, play centres, sports groups; holding open forums at board meetings; and members reporting to their board on their allocated portfolio and so on.

**6.43** In terms of being proactive on behalf of their community, examples included bringing stakeholders together to discuss falling trade in the Point Chevalier commercial centre and investigating the possible use of a main-street model; also, helping to

## Part 9. Setting Community Boards in Context

provide focus to a groundswell of local objections to a review of dog exercise areas in a community area.

**6.44** The most proactive role for boards is seen as being around allocation of their small local improvement projects funding of \$395,000 per annum. Even here participants without exception expressed frustration at the high cost of implementing projects, which they saw as a consequence of the projects failing to have effective champions at an administrative level. There were suggestions of “council” projects being underfunded so that boards would have little choice but to “top them up” from their improvement projects funding. The boards also have small discretionary funds for events and community grants.

**6.45** In the context of this report the most useful learning points relate to suggesting causes for the dysfunction that is evident (and could be readily found in some other New Zealand councils). The following is a listing of some elements that are suggested to be, or seem to be, the causes.

- The council is not operating a model that sees the boards as an integral part of its governance or its public engagement arrangements.
- It is suggested that Auckland City is dominated by a power elite that is averse to taking risks and to transparency.
- The overarching culture of the staff organisation is seen as being antipathetic to boards. This, it is said, is made worse by lack of continuity in the staff advising a board on a project and extensive use of consultants. An example was given of an official information request having to be lodged under the Local Government Official Information and Meetings Act to ascertain the cost of a capital work (a toilet block) in a local area.
- Board boundaries have changed frequently.
- Service centres with significant staff in areas such as planning and building control were progressively withdrawn during the 1990s.
- Delegations have been progressively withdrawn. As elsewhere this has been in favour of officers in many cases.
- Some talented board members have quit in frustration, while others have become bitter, having rapidly gone along a path of passion to anticipation to frustration to “spit or quit”.
- Salaries (generally \$10,000 to \$12,000) are unrealistically low to attract good-quality nominations and to enable board members to have sufficient time to be proactive.
- Few disagree that the calibre of board members seems to have deteriorated. A picture is painted of there being a diminishing number of members who have their roots deep in community networks and for whom standing for election to the board is a natural extension of years of service on voluntary organisations.

Rather, many members are seen as “single issue” and others as simply not prepared to “put in the hard yards” of spending time around their community.

- In the urban area it is suggested that while local organisations are aware of boards and relate to them, most people are unaware of community boards and see them as an irrelevancy. Despite awareness of the boards, some organisations want to go straight to council because “that’s where the power is”.
- They are expensive in direct costs and staff resources and add little real value, least of all to addressing the complex issues the council needs to be focused on addressing.

**6.46** The discussants included a number who expressed that they had been enthusiasts for community boards but had become disillusioned with them through their experience. Others were community board members who agreed that under current arrangements they were achieving little.

**6.47** It is not the role of this report to determine which, if any, of the allegations and counter-allegations is accurate (although all of them will have “another side”). It is the role of this report to draw conclusions for the future. Lessons from all of the community board experiences outlined above are drawn together in the next section.

## 7. A framework for making community boards effective

*Drawing from what we have concluded earlier, this section draws out seven elements that if altered or clarified would result in consistently effective community board performance. The seven points relate to community boards’ status, their role and relationship with the council, decision-making functions, power to raise revenue from rates and charges, and capacity in terms of administrative and professional support, as well as having stable boundaries that reflect community of interest and operating with integrity.*

**7.1** This section is written in the context of the Auckland urban area. It is not intended to apply to the Hauraki Gulf islands or the rural parts of the Auckland region. These areas are the subject of Section 10, although that is not to say that some of the comments would not be relevant to these areas.

**7.2** The previous sections have highlighted how the statute has enabled a great deal of flexibility in the use of community boards (see paragraphs 3.1–3.8 in particular). We have seen how use of and performance of boards varies greatly within the Auckland region, and there is much wider practice again if we look elsewhere in New Zealand. In all these earlier sections learning points have been drawn. From these the following framework is suggested as a basis for effective community boards. (It differs sufficiently from current practice that later we will refer to it as an “enhanced community board” model.)

The key elements of a framework are as follows:

1. If we are to have community boards we must be **clear as to their status**.
2. If we are to have community boards we must be **clear as to their role and relationship with the council**.
3. If we are to have community boards we must be **clear as to their decision-making functions**.
4. If we are to have community boards we must consider **enabling them to raise revenue from rates and charges**.
5. If we are to have community boards we must **ensure they have adequate capacity in terms of administrative and professional support**.
6. If we are to have community boards they must have **stable boundaries that reflect community of interest**.
7. If we have community boards they will be effective only if they **operate with integrity and build and maintain trust**.

**7.3** The following sections elaborate on each of these framework suggestions. I would ask that the Royal Commission focus on the intent of the suggestions as I make no claims to being a lawyer (even of the bush variety). While my comments are framed in the context of the existing Local Government Act I intended only to suggest necessary directions of change, not the mechanism (legislative or other) for achieving such.

### **1. Their status**

**7.4** Community boards are odd creatures. They are not “legal persons”. They are independent of the council and yet they are dependent on the council. They are an elected body but to all intents and purposes in Auckland they are not accountable for anything.

**7.5** They are a part of the governance of the city’s territory but not part of the governance of the city council.<sup>22</sup>

**7.6** I have suggested (paragraph 3.13) that one stream of thinking when community boards were first established was that they could fulfil a scrutiny role. The architecture of the 1989 Act is very much around separation, accountability, and contestability.<sup>23</sup> While the paradigm that provides this perspective was powerful in 1989 it had waned considerably by 2002. By way of contrast, the 2002 Act has much architecture to foster collaboration. For instance, councils must enter into triennial agreements with their neighbours; the LTCCP is designed to provide a framework for councils to identify and work cooperatively with other agencies (public, voluntary, and private). But the Act does not require a basis of collaboration to be agreed between a council and its community boards. Neither does the Act provide much clarity as to how they should operate; it says

<sup>22</sup> I am indebted to Darryl Griffin for this insightful distinction (personal communication).

<sup>23</sup> Contestability and scrutiny were powerful principles. At that time one unitary authority was established in the country (Gisborne), and as consultant to it, I found it was necessary to demonstrate that in its internal structural and procedural arrangements adequate safeguards were in place to ensure appropriate separation and safeguards.

as much about what they are not and what they may not do as it says about what they are and what they may do (Local Government Act, sections 51, 53).

**7.7** Recommendation: that in urban Auckland, community boards be recognised as part of the governance structure of the city councils. And, further, that it be clarified that although they are separately elected, they are to work in partnership with the elected council to achieve “good governance”, having as **their purpose** the application of section 10 of the Local Government Act to **their community**.<sup>24</sup>

## **2. Their role and relationship with the council**

**7.8** The “role of community boards” (section 52) is interpreted in different ways; the brief review we have made of board activity in the region illustrates such. To some extent the way a board operates depends on its own choices, but in practice those of the council towards the board can be more important. A board can be strangled at birth by its council. This is possible because the capacity of a board, especially in a complex urban setting, is heavily dependent on the staff and other resources it has available. For instance, the role to “maintain an overview of services provided by the territorial authority within the community” can be undertaken in only an anecdotal way unless resources are made available for briefing and analysis. (The wording of this clause also reflects the status of a board as being outside the governance arrangements of the local body, separate from the territorial authority.) To take a further example, the efforts of individual board members to attend meetings of local organisations, network with schools, and the like are important, but if a board is to more fundamentally understand its community so as to provide leadership, advocate, and make decisions, then it must also have resources to enable more systematic approaches to be employed.

**7.9** In our context, therefore, to promote effectiveness of board operations it seems essential that there be requirements on councils in terms of how they partner with, and resource, boards. In parallel it is also desirable to further clarify that boards be expected to contribute not just to purposes related to their community but also to the good governance of the council.

**7.10** First, consider the responsibility of a council vis-à-vis its boards. The council is the “superior” body; this should not prevent the relationship between them being conducted in a spirit of partnership. (Councils often make an analogous point in their interaction with central government.) Such a partnership would be established by agreement between the parties. A parallel can be drawn with the triennial agreements of section 15 of the Act, although given the proposed change in status of a board vis-à-vis the council, it more properly fits as an element of the council’s local governance statement (section 40). Given the tendency for conflict between councils and boards in urban Auckland, it seems pragmatic to provide for any failure for the parties to agree to be resolved by an independent party.

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<sup>24</sup> Section 10 describes the purpose of local government as being “to enable democratic local decision-making and action, by and on behalf, of communities”, as well as “to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future”.

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**7.11** I would envisage that such an agreement would include undertakings on the part of a council to seek the views of its boards and to provide a level of resources sufficient for the role of the board.

**7.12** Secondly, the board would be required to demonstrate that it had mechanisms in place to provide the council with assurance that it has the capacity to fairly reflect the diversity of views and the issues and opportunities within its community(ies). Thus the council would be able to rely on the boards' input in fulfilling parts of its own obligations relating to identifying interested parties and seeking community views.

**7.13** Although it is intended that such a provision “lock in” boards as an integral part of a council's framework for community engagement, it is not intended to limit such frameworks to community boards (see our discussion in paragraph 6.28), nor is it intended to limit boards to this role. Rather it is envisaged that the primary roles of community boards should be confirmed as threefold:

- 1 to act as a mechanism for engagement with, and a channel of communication to and from, the community to enable decisions to be taken by city and regional councils (and other bodies when appropriate) that are informed by local perspectives and nuances
- 2 to be proactive in identifying and providing leadership in seeking solutions to the needs of its community and building its capacity (social capital)
- 3 to make decisions relating to their community (see next section).

**7.14** These three roles can be summarised as: “the eyes and ears role”, the role of “civic leadership” at the local level (as outlined in Robin Hambleton's paper), and the “grassroots democracy role”.

### **3. Their decision-making role**

**7.15** The desire of most in the local government sector for “general empowerment” was reflected in the 2002 Act. Its approach is to allow councils to undertake any lawful activity provided the activity has been subject to scrutiny by its community through a “special consultative procedure”.<sup>25</sup> Community boards are in a very different position. Although they may make submissions and undertake other activities, from the point of view of the “man in the street” they are not empowered to do anything.

**7.16** I want to draw a distinction with regard to community board decision making. In the next section we will consider whether community boards could be enabled to initiate spending via the community scrutiny of a special consultative procedure, analogous to how councils operate. In this section we will consider community boards being charged with implementing decisions that have been made by their council and legitimised through a special consultative procedure.

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<sup>25</sup> I understand this as a halfway house between the liberal and classical democracy perspectives. In most instances these will be LTCCPs and annual plans.

**7.17** Recommendation: as a principle, decisions that can be made effectively by community boards should be made by them rather than by the council that will have initiated the decision. I have three reasons for adopting this position:

- 1 As a manager and a social scientist involved over many years with local government, I have found it consistently effective to design models that allow decisions to be made as close as possible to “the front line”. This is the case provided that there are not wider considerations of which those at the coal face can not be expected to be aware. Such front-line empowerment requires clarity of expectations, capacity (resources and competence), shared vision, and trust.<sup>26</sup> With responsibility comes care, and with close understanding of detailed circumstances comes flexibility. Together these will enable effective decisions even though the circumstances are rarely the same twice.
- 2 Community boards in much of Auckland seem to have low profile and recognition.<sup>27</sup> If boards are to play an effective part in future governance arrangements then they need to raise their profile and establish mana. Greater decision making will contribute to this.
- 3 Grassroots democracy matters. I recognise the low ebb that many Auckland boards are experiencing, but take seriously the warnings from Robin Hambleton that city administrations are distant and inaccessible for many, and if we fail to re-energise the processes of public decision making close to communities, we risk social meltdown (see paragraphs 4.13–4.16). I acknowledge this is a heavily value-laden position!

**7.18** There would seem two main ways in which a significant and relevant decision-making role could be established for community boards so that they are consistently seen as part of the local governance machinery.

**7.19** First, the establishment of a principle, that is to say a presumption, that implementation of decisions relating to a community area, as distinct from the city as a whole, will be delegated to the community board. Included as Appendix 2 is a set of papers from Queenstown-Lakes District that sets out the nature of the partnership relationship between that council and the Wanaka Community Board.<sup>28</sup> The preamble to a very extensive listing of delegations says, “To the extent permitted by law the Wanaka Community Board will have authority to make decisions on, or make recommendations to the Council (as the case may be) on ...”.

26 Generally this approach to decision making can be contrasted with more hierarchical approaches that tend to predominate in New Zealand.

27 “Very few people were aware that Community Boards existed .... Only one resident mentioned seeking out a Community Board as an option available to them to engage with Council”; “Almost no residents knew how to get in touch with their local Community Board, or where it was located” (Auckland City submission, Appendix 1, p. 9). Other cities might well find a greater level of awareness but few would be confident about securing a radically different picture.

28 There is a wider framework around the relationship referenced here (see Appendix 2). In different circumstances the extract quoted here could be said to be taken out of context, but it begins to capture the intent of my recommendation.

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**7.20** If such a presumption were established then the partnership agreement between council and board (see paragraph 7.10) could be used as a vehicle for detailing its operation.

**7.21** Secondly, a list could be established of specific decisions to be delegated by councils to boards. The merits of establishing and varying the list by secondary legislation could be considered. The development of such a list would require a process in its own right; it certainly lies beyond the scope of this report. The following is offered therefore by way of illustration and as a possible starting point for discussion. It draws on my experience, especially in Christchurch, on submissions to the Royal Commission, and on the opinions of the discussants. The list could include

- oversight and implementation of all capital projects within the community other than those clearly serving a catchment that is 50% or more outside the community
- the power to enter into contracts for the purchase of materials, works and services to a maximum of \$2 million
- the preparation, review, and change of management plans for all reserves other than those with a clear metropolitan function
- exercise of council's powers for traffic management on all local roads (i.e. those not carrying a network designation) in the community
- the oversight and implementation of community centres, community development, recreation and social programmes, and events within the community, except those with a clear metropolitan focus
- exercise of council's powers to enter into leases and licences on council-owned land within the community except in the case of facilities clearly serving a catchment that is 50% or more outside the community.

**7.22** Exercise of all delegations would be subject to their being consistent with an adopted LTCCP or annual plan, and council policies relating to activities and procedures, including requirements to undertake consultation and to receive advice from council officers.

**7.23** In considering the implications of this illustrative list it is relevant that from a local perspective capital works "in my neck of the woods" are often the "once in a decade" occasion when "ordinary citizens" might wish to engage with council's decision-making processes. The above listing assigns to the city (or region) decision making on metropolitan facilities and reserves, standards for and maintenance of utilities, roads serving more than a local function, libraries, emergency management, land use planning, building control, and other regulatory functions. There is detail as to decision making around some of the regulatory functions (such as liquor licensing) where a measure of delegation to community boards might be appropriate.

#### 4. Their revenue-raising role

**7.24** It is my opinion that the intent of Sections 1–3 above describes essential framework changes if community boards are to be an effective part of the local government of Auckland. This section proposes a further change that would clarify the accountability of boards to their electors, facilitate local variations to services and facilities, and secure the mana of boards.

**7.25** Community boards should have the right to request their council to levy a “community rate” over and above the city-wide general rate and associated charges. Since 1989 there have been consistent efforts throughout New Zealand’s cities to secure uniform service standards across each of our cities and to pay for these through funding policies applied consistently across the city. Targeted rates for main-street programmes are an exception. Presuming that the commitment to city-wide and consistently funded minimum standards continues, the effect of a community rate would be to enable a community to decide to fund a higher level of service or additional facilities to reflect local differences, issues, or priorities. To illustrate this, if, say, Devonport, Eastern Bays, or Howick communities wish to fund a higher standard in their locality, this would enable them to do so without prejudicing standards in lower-income areas of the city.

**7.26** Any and all proposals for a community rate would be subject to the LTCCP or annual plan special consultative procedures. The community board would receive and consider submissions and resolve to request the council to levy a community rate, thus making transparent the accountability of the board to its electors.

#### 5. Administrative and professional support

**7.27** Adequate staff resources are a necessity if community boards are to have the capacity to undertake an effective role, however it is defined.

**7.28** It is beyond the scope of this paper to consider what this means in detail. At an absolute minimum, however, each board should be supported by a manager of standing within the organisation.<sup>29</sup> This individual is to be supported by an area-based team able to provide capability in board administration, community engagement and consultation, local roads and traffic management, reserves, community development, events, and recreation. The purpose of an area team is to ensure an in-depth professional knowledge of the community area able to engage with the community on local issues and also able to liaise and engage with the much larger pool of professionals in the central administration.

#### 6. Stable boundaries

**7.29** In the interests of fairness of representation the Local Electoral Act requires the ratio of elected members to population to be consistent ( $\pm 10\%$ ) across the wards (or constituencies) of the council’s area. In Auckland community board boundaries are generally aligned with ward boundaries. Both North Shore and Auckland Cities subdivide some larger city council wards into smaller communities for board purposes.

**7.30** In the context of population growth it is inevitable that boundaries will shift at frequent intervals. This is of limited concern for city council elections insofar as after a

<sup>29</sup> In the Christchurch model they came to be styled “community advocates”. There was one dedicated to each board.

shift a voter is still electing to the same political body, but at community level the effect is to change the political body for which one is voting. This makes the already difficult tasks of “place building” at the community level and securing the credibility of community boards so much the harder.

**7.31** My understanding is that there is no legal reason for council ward and community boundaries to be aligned. There may well be advantages administratively and perhaps also in terms of clarity if wards and community boards carry the same name. These, however, seem to be constraints that should be relatively easily resolved. The prize of consistent long-term boundaries for community boards within which a sense of local identity can be fostered is worth achieving (see paragraph 5.31 regarding building a sense of community identity in Shirley-Papanui).

### **7. Integrity and trust**

**7.32** I wish to make, but not to labour, what may seem to some to be an idealistically naive perspective from a South Island resident. The brief for this report is to consider the effectiveness of a particular structural element of local government. Structures are necessary and tend to work relatively well when appropriate to purpose. To work excellently and deliver world class performance, however, requires the institutional culture to be right.

**7.33** From 1997 I was privileged to be part of a two-year study, funded by Germany’s Bertelsmann Foundation, on building trust in local government. The study considered trust building within and between elected members and council staff and between those groups and the community. The following is a key conclusion:

we will see building trust as a focus of attention in local governments that are building organizations to change and improve. Stephen Covey uses the metaphor of an emotional bank account to focus our attention on trust. People establish an emotional bank account with one another. As trust is given, deposits are made. As trust is removed, withdrawals are made.

...

there is wide (and deep) agreement that building trust is essential in the context of organising for change and improvement.

...

“... trust and the implementation of the change strategies go hand in hand .... it can be said with certainty that it is the most essential and important precondition for instigation of an innovative administration.”<sup>30</sup>

The following is a comment the builds on this idea and that I believe to be relevant:

Most of our interactions with others in the workplace are necessitated by the task; but they always have an impact on our relationships. In the long run it is the strength of our relationships that is critical to achieving the outcomes we want. We need to be constantly aware of whether we are making a deposit or withdrawal from our “mutual

<sup>30</sup> *The Evolving Organization – Building Trust in Local Government: International Research and Good Practices*, Cities of Tomorrow Network, 1998, Bertelsmann Foundation, pp. 12 and 14.

trust account”. Deposits are generally in small amounts, withdrawals are generally large!<sup>31</sup>

**7.34** Trust cannot be legislated but it is the single most important key to being world class in our governance machinery. I submit the implications of this need to be put on the agenda. Whatever structural arrangements eventuate, the parties should be asked to give conscious attention to building a trust-based leadership culture. It is unlikely to come about by accident. I suggest that trust is so important it should be measured and included as a balance sheet item in a council’s annual report.

## 8. Community engagement in the absence of community boards

*This section considers community engagement in the absence of community boards. It considers arrangements in Rodney District and parts of Franklin District and then looks further afield.*

*It concludes that community boards are not necessary for community engagement; many councils do not have them. In their absence more place-based organisations of other sorts are likely to come into being. In their absence, also, councils will develop models to engage at community level on an ongoing basis; in a sense they will reinvent boards by doing so, area committees being an example of this.*

*If community engagement is seen as the primary function of community boards, then there are undoubtedly alternative models that can be put in place. If civic leadership at the local level and grassroots decision making are seen as significant functions for community boards, then the array of alternatives dissipates; but toothless boards are hard to justify.*

**8.1** Twenty-seven of New Zealand’s councils do not have community boards. Thirty-three have only partial coverage while 13 have full coverage of boards. Clearly an absence of community boards is the norm for many communities.

**8.2** Franklin District is one of those with partial coverage. (Its arrangements are described in paragraphs 6.2–6.8.) More specifically the settlements of Waiuku and Tuakau (which is in the Waikato region) have boards but Pukekohe does not. In discussions with elected members and staff at Franklin District I tried to tease out whether this arrangement somehow reduced the quality of outcomes or changed processes in the one town as against the others.

**8.3** It was consistently held among elected members that in the absence of a community board there were more local groups and they were likely to be more active; such groups were residents associations and business associations (although the latter were also considered to be active in Waiuku and Tuakau).

<sup>31</sup> This is from one of my own facilitation workbooks (2008), “Key concept: we must understand and build trust and leadership.”

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**8.4** A similar suggestion was made in discussing “board-less” scenarios in two of the cities. In the absence of boards it was thought that voluntary organisations would tend to fill the gap; indeed, councils would foster such, although concerns would be likely as to their capture by sectional interests.

**8.5** At Franklin District it was suggested that if Pukekohe residents had a problem they would drop into the council building (which is distinctly more human in scale than the city council offices) and simply ask to see the mayor or chief executive. This casual observation may be worth considering further in terms of whether urban Auckland’s communities should reverse the trend of closing their offices in suburban centres.

### **Rodney District**

**8.6** Rodney District was established in 1989 with three community boards each having extensive delegations, essentially all matters of a local nature. By agreement, the boards were disestablished in 1992 in favour of three area committees, each comprising the councillors elected from that ward. It was felt that this alternative would be more cost effective. The area committees continued to run with extensive delegations until the extent of dysfunction within the council led to a commissioner being appointed. In the opinion of a long-serving staff member, the area committee model did not in itself contribute significantly to the council’s severe problems. Since a new council was elected in 2000, a more traditional standing committee model has been favoured.

**8.7** Outside the Hibiscus Coast Ward (i.e. in the Northern, Western, and Central Wards) Rodney District retains a structure of rural areas and small settlements. The way in which the councillors operate in networking with their communities is very similar to that of a community board member in urban Auckland. They attend meetings of the 45 residents associations across the district and hall committees and network extensively within their “patch”. There are strong informal arrangements whereby the councillors within a ward divide it geographically between themselves for networking purposes. The central ward is sparse in population though of sizeable area. Its one councillor prepares and funds a newsletter to residents and drives around the whole ward delivering it to around 3,000 letter boxes: “It helps me keep an eye on what’s going on.”

**8.8** Several examples were offered of local initiatives, facilitated by the local councillor. Again, these created the feeling that initiatives are not stifled for the lack of community boards.

**8.9** Councillors are also engaged with the community at a district-wide level. There is an annual leaders forum, which brings together community leaders and senior staff of government agencies and utilities; its purpose is to identify issues and foster collaborative working to address them. The council has memoranda of understanding with the three principal iwi of the district and has a monthly taumata meeting with Ngati Whatua Nga Rima o Kaipara.

**8.10** During my discussions in all the councils, praise was given for the quality of customer (or call) centre arrangements within the staff organisations. In the case of Rodney District it was given as a reason for marginalising any residual demands for community boards.

**8.11** Traditionally there have been tensions resulting from the growth rates and infrastructure needs of the Hibiscus Coast. There have long been separate rating areas for the coast and the rest of the district (“rural and settlements”). More recently pressures have been arising from infrastructure needs within “the settlements” and concerns over fairness of priority setting within the rural and settlements rating area. In large part this demand for infrastructure is triggered by expectations of growth.

**8.12** Although Rodney District is outside the metropolitan urban limits (MUL) it has within the district a number of MUL islands. The larger areas are on the Hibiscus Coast (Silverdale, Orewa, and Whangaparaoa) and around Kumeu, but there are also small MUL provisions around settlements such as Warkworth. The council is required to prepare structure plans for these areas. The absence of community boards seems to have been no handicap to this.

**8.13** A process has been developed of putting in place a local working party through calling for expressions of interest throughout the local community. A “visioning day” is held in the local community and a council planner works with the group to develop and prioritise options. Ultimately the group recommends a plan to council that, once adopted, feeds through to district plan variations and the capital works programme of the LTCCP. There are similarities here with the main-street model used extensively by councils, but this must be understood as a device for planning and implementing a specific type of project in which there are key stakeholders who have direct pecuniary interests.

**8.14** Rodney District has pioneered the technique of recruiting focus groups for facilitated discussion and ongoing dialogue in the development (now the review) of the outcome statements for its LTCCP. Focus groups have been segmented by demography and geography with more than 20 place-based groups established.<sup>32</sup>

**8.15** The comment was made that canvassing place-based views using focus group techniques rather than organised groups or locally elected members has some advantages in securing wide and balanced representation. There are echoes in this of the views expressed at Waitakere City (paragraphs 6.28 and 6.29).

#### **Community engagement in the absence of community boards: other points of reference and summary**

**8.16** The Local Government Act requires councils to have effective mechanisms for engaging with their local communities. Rodney District provides us with some examples that suggest such can be achieved without community boards. Essentially these are of three types.

**8.17** The first is hard-working elected councillors. It is relevant that those discussing the issue suggested that the district’s current ratio of population to councillors of 8,500:1 was at the top end of the range they considered sustainable for their style of operation. It is also relevant that those councillors I met appeared to be retired (although they may be working longer hours as an elected member than they would in employment).

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<sup>32</sup> Some procedural difficulties have arisen around this method but no doubt these will be successfully tackled and are not relevant from the perspective of this paper.

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**8.18** Secondly, there is the establishment of functional, albeit non-accountable, local groups in response to specific issues and tasks that would deeply affect the community's future.

**8.19** Thirdly, Rodney District has structured approaches to canvassing initial community views and responses to options developed that are segmented by place, demographic profile, or other characteristics as appropriate. Such methods implemented with skill tend to be sound methodologically but can be seen as technocratic and distant from our traditional models of representative democracy.

**8.20** Time and resource have not allowed exploration of community engagement practice in many other New Zealand councils, but the experience of Palmerston North City (albeit a much smaller a city than the Auckland cities) is relevant.

**8.21** Until the most recent election that city council operated five ward committees. These met bimonthly and comprised the mayor, two to four ward councillors (the size of the wards varies), and five or six community appointees. Their terms of reference were:

- To actively seek input from ward residents on ward matters.
- To focus primarily on issues of concern within the Ward they represent and make recommendations to Council thereon for action on those and other issues which they consider appropriate.
- To liaise directly with Council officers when appropriate, to bring to their attention ward matters that can be dealt with outside the political process.
- To prepare recommendations for the Long Term Council Community Plan and Annual Plan process detailing issues and activities within the Ward boundaries, as well as other issues that the Committee deems appropriate, that the Ward Committee would like to have addressed in the ensuing year.

**8.22** The council's most recent annual residents survey, consistent with earlier years, showed that around 60% of people wanted the "Council to consult with residents on major issues only, otherwise get on with the job". Around 25% wanted "step by step consultation with residents on most issues". The remaining 15% wanted the council to "get on with the job they were elected for while keeping the public informed".

**8.23** These results seem consistent with the picture found by other councils. For example, Franklin District's 2008 survey had responses of 65%, 22%, and 11% respectively to similar questions.

**8.24** A Palmerston North City report concludes,

In summary, most people are really only interested in what the Council is doing about major issues or if they are directly affected. They see Council mostly as a service provider and they want to feel that Council sees them as valuable customers.

There is second group of people who are interested in most things that the Council does. They make submissions and they come to meetings. They see Council mostly as

the place for community debate and action. They want to be treated as citizens. They want to feel that they are part of the decision-making process.

A third group of people are not at all interested in what Council does.

**8.25** A note of caution is sounded, however, in that the report found 85% to 90% of people to be “interested” or “very interested” if the issue in question directly affects them. However, of people who might engage with council those preferring to engage with “informal” ward committees outnumbered those who preferred formal ward committees by more than four to one. The exception was found among those who had made submissions or attended public meetings; they favoured formal ward committees.

**8.26** Partly as a result of this evidence Palmerston North City has chosen to not re-establish its ward committees and “to take an informal approach (in general) to community engagement” (council resolution, June 2008). The range of community engagement techniques being used by that council is shown as Appendix 4.

**8.27** Community boards are neither necessary nor sufficient for effective community engagement. This is not to say, however, that they may not create significant value towards this outcome.

**8.28** During the mid to late 1990s I networked extensively with the innovative and highly respected council of Håmeenlinná in Finland.<sup>33</sup> Its mayor, Elina Lehto, and its senior community researcher, Robert Arnkil, advocated an interesting approach based on research undertaken by themselves and Swedish academics (Oluf Petterson in particular). I understood it in the following terms and still find its logic powerful.

**8.29** Somewhere around 20% to 30% of citizens will engage with the council around formal structures and machinery such as community boards. These people are the cornerstone of our traditional engagement processes and are disproportionately important in giving voice to a community. There are two mistakes that we need to avoid. The first is to belittle their contribution by arguing, “They’re barely a fifth of the population, but what does the silent majority think?” The second is to endeavour to reach the majority of disengaged residents in order to achieve a “balanced view”; they will generally not wish to interact with “the institution”, however informal we make the approach. Many within this group will be quite prepared to contribute to enriching their community but their preference will be to do something rather than to talk about it. The Finns see the challenge with this large group as being to capture their imagination with practical local initiatives in which they roll up their sleeves and get involved. This may not be engagement in the sense we normally use the term, but it is community building at grassroots.

**8.30** The example of Rotorua District illustrates that the apparent minority of citizens can have a powerful influence on governance arrangements and outcomes. A community board was established in the Rotorua Lakes area for the first time at the last election. It resulted

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33 Along with Christchurch and some 10 other cities Håmeenlinná was part of the Bertelsmann Foundation’s “cities of tomorrow” network.

from a petition (the statute enables a petition of 15% or more of electors to submit a proposal to the Local Government Commission for establishment of a community board).

**8.31** I understand that the first suggestions of a community board arose about six or seven years ago and initially were reflected in the development of a very active residents association. While the prime initial catalyst for action was seen to be the poor quality of water in the lakes, a wider desire for engagement with district and regional councils was evident relatively early. This was very evident when I ran a training workshop in Rotorua six months prior to the 2007 election, and staff at the council now comment: “The new Board has done very well in its first few months. It attracts a high level of public attendance at its meetings, a point which has not gone unnoticed by Councillors. I’m sure there would be far fewer Councillors now opposed to the Board than was previously the case.”

**8.32** Community boards are not necessary for community engagement; many councils do not have them. In their absence there are likely to be more place-based organisations of other sorts come into being. In their absence, also, councils will develop models to engage at community level on an ongoing basis; in a sense they will reinvent boards by doing so.

**8.33** If community engagement is seen as the primary function of community boards, then there are undoubtedly alternative models that can be put in place. The evaluation in the next section suggests that community boards as operating in Auckland may have less to offer than a “without boards” model. Toothless community boards are hard to justify. If, however, civic leadership at the local level and grassroots decision making are seen as significant functions for community boards, then the array of alternatives dissipates; but, again, toothless boards are hard to justify.

## 9. Evaluation of alternative models

*This section gets to the nub of the questions I have been asked to address. Four models are evaluated: community boards as currently operating in urban Auckland; a future without community boards; and two forms of an enhanced community board model. Of the latter two versions, one has all seven elements I have proposed for effective community board performance; the other lacks the element relating to an ability to raise revenue. The following is concluded.*

- 1. There will be expectations following from the work of the Royal Commission that Auckland local government will function more effectively. Although the current community board model has some merits it is too patchy and too limited in its effectiveness to be a part of the future to which citizens aspire. It should not be taken forward.*
- 2. If there were to be no community boards then a wide spectrum of voluntary bodies, informal mechanisms, and innovative styles of engagement might well result. This seems at first sight attractive and to have merit, but there are very significant*

*risks and implications. The quality of the resulting informal machinery would tend to be a function of the capacity (social capital) of individual communities, and so less advantaged communities would tend to be further marginalised. Significant resources, both elected and professional, would be diverted from a focus on strategic issues to invest time in community engagement; there is the risk of spreading the cream too thinly. I am tempted to suggest that this approach would have greater merit than the current board operations but neither model is satisfactory.*

3. *I recommend that the Royal Commission adopt an enhanced community board model as outlined in this report. I am attracted to the “enhanced plus revenue raising” model. However, a decision between that and the more limited enhanced model should rest on decisions as to the wider structural arrangements. Before choosing between these I would also wish to see some detailing as to how they would operate and a dialogue with a range of stakeholders in Auckland. In either case I would recommend that the approach developed by Queenstown-Lakes District with the Wanaka Community Board be used as a starting point. While the latter is based on a philosophy of partnership, with the council treating the board as a partner in the governance of the district, I recommend an approach that would see a partnership in the governance of **the city (district) and of the city council.***

9.1 This section relates to urban Auckland rather than the whole region.

9.2 The criteria established earlier for use in evaluation are

- transparency
- accountability
- efficient resource use
- responsiveness
- subsidiarity
- contribution to building social capital
- civic leadership
- capacity.

9.3 For evaluation purposes the characteristic “risks” is added.

9.4 In this section these criteria are used to consider the strengths and weaknesses of four models. The following table summarises the results of evaluation. This evaluation is subjective and partial, but the framework allows the reader to substitute alternative views and apply differing weights to the criteria as you consider appropriate.

9.5 Four models are tested:

- 1) community boards as operating under the 2002 Local Government Act in urban Auckland

Table Evaluations of models

	CB 2002	CB enhanced	CB enhanced +\$	No CB
Transparency	- confusing	++ role clearly known.	++ role clearly known	- confusing
Accountability	- confusing	++ Accountability for decisions.	+++ accountability for decisions plus some financial accountability	- none
Effective resource use	+ relatively cheap but limited effectiveness	++ Higher cost but should be more effective	++ highest cost but likely to produce better outcomes	+++ targeted to specific issues
Responsiveness	- tendency for CBs to have low profile and to be ineffectual	++ more visible and greater ability to resolve or influence	+++ have the ultimate capability of being able to initiate spending	- reliant on wider council outreach processes
Subsidiarity	+ “mice and small rats”	+++ local impact decisions made locally	++++ local impact decisions made locally including a percentage of rates	- not a decision-making framework
Social capital	+ low visibility, inaccessible to many	++ greater ability to “place build” by tailoring decisions	+++ greatest ability to “place build” by tailoring decisions	++ uses the impetus of issues to bring new groupings of people together
Civic leadership	+ likely to be patchy but some good examples	++ greater mana, likely to be less patchy	+++ greatest mana	+++ the approach likeliest to stimulate new leaders and fresh leadership
Capacity	- patchy quality of members and staff support	+ better staff support hopefully greater consistency of members	+++ no obvious limits to capacity	+ capacity directly related to resources used.
Risks	A known quantity.	Potential gains need to be set against uncertainty of new model.	Potential highest gains and highest risks.	Allows ongoing learning and so can be fine-tuned.

Notes: CB, community board; CB 2002, community boards operating under the 2002 Act; CB enhanced, as outlined in Section 7, without the revenue-raising enhancement; CB enhanced +\$, CB enhanced plus the revenue-raising enhancement.

Key: - = predominantly negative outcomes likely; +, ++, +++ = increasing levels of positive outcomes possible or likely

- 2) community boards as outlined in Section 7 above other than paragraphs 7.24–7.26, which relate to raising revenue; that is, with enhancements made in the following areas:
  - status
  - role and relationship with council
  - decision making
  - administrative and professional support
  - stable boundaries
- 3) community boards as in option 2 but with the addition of paragraphs 7.24–7.26 relating to raising revenue
- 4) no community boards.

**9.6** It needs to be stated that the evaluation of the current community board model reflects the current situation in Auckland. Some boards will fairly say that the evaluation does them a disservice. My thinking is strongly influenced by the ambiguity as to the functioning of boards and by the tendency for the boards to have become increasingly marginalised; almost 20 years after their establishment they have not carved out a sustained and clear role in the governance of the urban area.

**9.7** The benefits anticipated from the enhanced community board models will be seen by some as optimistic. I would point to some of the successful boards elsewhere in New Zealand that are operating in ways that have, by agreement, been enhanced well beyond the minimalistic framework of the Act; also to the truism that structures function better when their purpose is clear.

### **Conclusions from the models and recommendations**

**9.8** I have been asked to make recommendations. Accordingly

1. There will be expectations following from the work of the Royal Commission that Auckland local government will function more effectively. Although the current community board model has some merits it is too patchy and too limited in its effectiveness to be a part of the future to which citizens aspire. It should not be taken forward.
2. If there were to be no community boards, then a wide spectrum of voluntary bodies, informal mechanisms, and innovative styles of engagement might well result. This seems at first sight attractive and to have merit, but there are very significant risks and implications. The quality of the resulting informal machinery would tend to be a function of the capacity (social capital) of individual communities and so less advantaged communities would tend to be further marginalised. Significant resources, both elected and professional, would be diverted from a focus on strategic issues to invest time in community engagement; there is the risk of spreading the cream too thinly. I am tempted

to suggest that this approach would have greater merit than the current board operations but neither model is satisfactory.

3. **I recommend that the Royal Commission adopt an enhanced community board model as outlined in this report.** I am attracted to the “enhanced plus revenue raising” model. However a decision between that and the more limited enhanced model should rest on decisions as to the wider structural arrangements. Before choosing between these I would also wish to see some detailing as to how they would operate and a dialogue with a range of stakeholders in Auckland. In either case I would recommend that the approach developed by Queenstown-Lakes District with the Wanaka Community Board be used as a starting point. Although the latter is based on a philosophy of partnership with the council treating the board as a partner in the governance of the district, I recommend an approach that would see a partnership in the governance of the city (district) **and of the city council.**

**9.9** I have been asked to comment on “the upper practical limits on functions/responsibilities appropriately to be given to a community board”; and, “What functions are not appropriately discharged by a community board?”

**9.10** The example of Wanaka Community Board<sup>34</sup> (and some others) suggest that under present legislation there are no limits to the decision making delegated to community boards other than the statutory restrictions (employment of staff, ownership of property, striking a rate, adopting various statutorily required plans, etc.). It is also relevant, as several submissions have pointed out, that several city councils in New Zealand have a smaller population (and potentially resource base) than do many Auckland community boards. In one sense, therefore, if statute were to permit, there may be no functions that boards could not practically undertake. This answer is not particularly helpful except insofar as it reminds us that boards could be sensibly asked to undertake a role far different from their present one.

**9.11** The more helpful answer to the question is that it needs to be addressed situationally. Paragraph 7.21 suggests decisions that could be delegated to community boards using the approach adopted in Christchurch during the years I had a close involvement in that council’s affairs. They are listed again here:

- oversight and implementation of all capital projects within the community other than those clearly serving a catchment that is 50% or more outside the community
- the power to enter into contracts for the purchase of materials, works, and services to a maximum of \$2 million
- the preparation, review, and change of management plans for all reserves other than those with a clear metropolitan function

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34 See the table in Appendix 2.

- exercise of council's powers for traffic management on all local roads (i.e. those not carrying a network designation) in the community
- the oversight and implementation of community centres, community development, recreation and social programmes, and events within the community, except those with a clear metropolitan focus
- exercise of council's powers to enter into leases and licences on council-owned land within the community except in the case of facilities clearly serving a catchment that is 50% or more outside the community.

9.12 Although the language was not used, this model was based on a paradigm of partnership and a recognition of the core strength of boards being that they were closer to the community and could reflect local differences. It also reflected a view that in a contiguous urban area there are city-wide systems that need to be planned, designed, and managed in an integrated way.

9.13 It is in implementing the latter concept that a range of difficulties tended to arise. It seems "black and white" that piped infrastructure, the primary transport network, and some facilities such as a major performance venues and an art gallery were "urban wide" in nature. But other facilities seem to be "shades of grey". For example, should elderly person housing be seen as local to its neighbourhood or part of a metropolitan system? Major sports grounds have a wide catchment; local reserves are unknown beyond their immediate neighbourhoods; but what about medium-sized parks? Libraries have clear elements of local and city-wide. Do economic development and promotion have a relevant meaning at the local level?

9.14 Experience in Christchurch, however, clearly demonstrated that when undisputedly city systems such as sewage treatment or an 8,600-seat indoor entertainment centre have specific local impacts, then council was most unwise to make decisions without early involvement of the relevant community board in whose area a facility was located.

9.15 Turning to recommendation 3 in paragraph 9.8 I would envisage that, at a minimum, boards would undertake the functions listed in 9.11 above but, as stated in 9.8, the wider structural arrangements and the legal status of "enhanced community boards" will provide a critically important context. The following are matters that in my experience should not be the **responsibility** of "enhanced community boards" in the Auckland context (this is not to say that they should not have the right to fund a higher standard of service for their community):

- piped utilities and their associated sources or treatment facilities (the three waters)
- public transport, and major and arterial highways
- preparation and administration of district plans under the Resource Management Act
- building control and bylaws

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- emergency management
- management of significant growth areas (greenfield) and redevelopment (brownfield), including preparation of structure plans
- non-local facilities including libraries and reserves (I use the term “non-local” for facilities that have a catchment 50% or more beyond the community area)
- economic development and tourism promotion.

**9.16** Whether there should be a “super city” or whether regional and city councils should be retained is not part of my brief, but I have been requested to make comment on the issue from the perspective of the potential role of community boards in relation to the model.

Some comments are offered in Section 12. This matter would bear strongly not only on the functions for future forms of community boards but also potentially on their legal status.

## 10. Hauraki Gulf islands and rural areas

### Great Barrier Island and Waiheke Community Boards

**10.1** Both these island community boards made detailed submissions. The chairman of the Great Barrier Island Community Board painted the following picture to headline and supplement his submission:

- Great Barrier Island is 90 km from Auckland city. It is an absolutely different environment. It has no reticulated services (power or water).
- The island has benefited financially from its relationship with Auckland and needs ongoing assistance; the 70% of the island that is in Department of Conservation ownership is exempt from paying rates.
- Decisions made on the island generally reflect local sensitivities and tend to be effective and often cost-effective, avoiding “over-engineering”.
- Although the board has few delegations there are significant council powers delegated to the five staff residing on the Island and they work closely with the board and community on an informal basis to inform their decision-making.
- Some decisions made in Auckland City have been effective, but there is a tendency for such decisions to fly in the face of the local context and interests through being designed with an urban perspective and imposing urban values on a very remote community. The Hauraki Gulf Islands Section of the district plan seems the most obvious example, resulting in an avalanche of objections, still to be resolved. For example, the notified plan requires a resource consent to be granted (at a cost to the applicant of some \$2,000) before a fund-raising event can be held at the local school.

- Great Barrier Island cannot “go it alone” (unless a solution is found to its funding shortfall). A community board or similar arrangement is appropriate to achieve the following general framework:
  - Implementation of projects and other spending on the island should be enabled. This should include spending for tourism marketing and information.
  - The island is quite different in nature from Waiheke Island and should have its own district plan. There should be significant input to its development and review from the island, although it would be adopted by an authority in Auckland.

**10.2** Waiheke and Great Barrier Islands differ very significantly. The nature of local government services is different, and yet from the viewpoint of preferred governance arrangements, their community board chairs reach similar conclusions. In the case of the Waiheke Community Board, the chair emphasised the following headline points:

- Waiheke is quite distinct as a community and very different from urban Auckland in environmental and social terms.
- At the same time it has strong links to Auckland City in terms of daily commuting, ownership of baches on the island, and some 80% of visitors to Waiheke Island coming from the Auckland urban area (with the need for infrastructure to accommodate a significant seasonal influx).
- The island has benefited from city-wide funding to support new and upgraded infrastructure such as the Oneroa sewerage scheme.
- Decision-making processes in “city hall” that bypass local input can seem strong in principle but miss important local context. A recent example cited related to the community board having the opportunity of input only after a council standing committee had set a course of action that would see large “wheelie bins” used for a curbside domestic refuse collection on Waiheke Island. In the view of the board, such a scheme lacked understanding of the number of steep driveways and older residents on the island.
- Notwithstanding the city council maintaining an office on the island with a dozen staff, the harmonious relationship between local board and council staff, spoken of on Great Barrier Island, was not described as existing on Waiheke Island.

From the submissions I have considered and discussion with the board chair, the most appropriate way forward for Waiheke seems similar to that for Great Barrier Island: namely, a community board or similar arrangement to achieve the following general framework:

- implementation of projects and the fine-tuning of other spending on the island
- significant input to development and review of the district plan covering Waiheke Island, with the plan being adopted by an authority in Auckland.

### Non-urban Auckland

10.3 The following are my recommendations.

10.4 **Franklin District.** See paragraphs 6.2–6.8. Franklin District’s characteristics are those of the “rest of New Zealand” rather than of the Auckland urban area. Its partial community board model is working to the general satisfaction of the parties involved. **I recommend it be excluded from any changes made to Auckland local government with regard to community boards.**<sup>35</sup>

10.5 **Rodney District.** See paragraphs 8.6–8.15. The Rodney District structure, running as it does without community boards, appears effective in that regard. I see no good reason for imposing change at the current time on a matter that sits with the discretion of the council. The future may be different, however, because the extent of growth anticipated for Rodney District is significantly greater than is the case in Franklin District. **If the Royal Commission adopts the recommendations in this report, then I would further recommend that an evaluation be undertaken as to whether the scale of growth anticipated is such as to give parts of Rodney District the character of the Auckland urban area.** If so, then the supplementary question would be whether there should be boundary adjustments to place the future urban areas of a larger scale within the Auckland urban authority (or authorities) and whether this would leave a viable, largely rural, Rodney District.

10.6 **Great Barrier Island: I recommend that an enhanced community board, as outlined in this report, be maintained on the island.**

10.7 **Waiheke Island: I tentatively recommend that an enhanced community board, as outlined in this report, be maintained to serve Waiheke Island and neighbouring islands.**

## 11. Is there an optimum size for community boards?

*This section addresses the question of “optimum size” for community boards. Understandably the question of optimum size for units of local government is often asked, but I am not aware of it ever being satisfactorily answered. The section reviews the opinions expressed by community boards in their submissions and recommends a process for addressing this question.*

11.1 There is an extensive literature on the relationship between the size of councils and the cost of service delivery that has been presented to the Royal Commission. My focus here, however, is to see what can legitimately be concluded as whether there is a size that is reached by a community board where it ceases to display the characteristics that make such boards effective.

35 No inference is intended to wider issues such as the boundary with Waikato region.

11.2 Community boards by their nature nest under the umbrella of an authority serving a larger area. As we have discussed in the enhanced community board model, their core strengths relate to their being accessible to the community and close enough to the grassroots to appreciate subtle local differences.

11.3 I am not aware of significant recent research on this subject.<sup>36</sup> The following are the views of existing community boards on the matter of population representation by boards:

- The Botany Community Board suggests an upper figure of 100,000 population.
- The Clevedon Community Board, in the context of a two-tier model, suggests an upper limit of 60,000 to 80,000.
- The Devonport Community Board is committed to a single community of interest within a board area, so sees “less than 20,000” as likely to be positive while expressing reservations as to the merits of board populations larger than 60,000.
- East Coast Bays Community Board believes that a board population should ideally be below 40,000.
- Eastern Bays Community Board submits, “While it is accepted that ‘no size fits all’, the Board considers from its experience that a board could be effective, given adequate support, with a membership of 4 or 5 based on a ratio of one board member for between 7500 and 9000 people.” This would be indicative of a board serving a population of 30,000 to 45,000.
- Eden-Albert Community Board suggests a ratio of 3,000 to 5,000 population per elected member. This would seem to limit board representation to a population of around 35,000.
- The chair of the Howick Community Board suggests 40,000 to 50,000.
- The Manurewa Community Board, whose population is currently approaching 80,000, recommends “super boards” with a population size of 100,000 to 150,000.

11.4 The key concept underlying a community is that of community of interest. The Local Government Commission in its *Guidelines to assist local authorities in undertaking representation reviews* (2005) has recommended that it be seen as “the area to which one feels a sense of belonging and to which one looks for social, service and economic support.” The commission continues:

A community of interest usually has a number of defining characteristics, which may include:

- a sense of community identity and belonging;
- similarities in the demographic, socio-economic and/or ethnic characteristics of the residents of the community;

36 That does not necessarily mean that there is none!

## Part 9. Setting Community Boards in Context

- similarities in economic activities;
- dependence on shared facilities in an area, including schools, recreational and cultural facilities, and retail outlets;
- physical and topographical features;
- the history of the area; and
- transport and communication links.

**11.5** One of the important questions for us is whether or not distinct but adjacent communities of interest can be effectively combined into an effective community board. The submission from the Auckland Region Community Boards Association argues, “The risk of poor decision making increases markedly when a Board area contains dissimilar communities of interest”.

**11.6** If this observation is correct, then boards would need to be very small in urban terms to be effective. In my own experience I have observed boards of around 60,000 population comprising several different communities of interest working effectively in Christchurch over a number of years. These boards had six directly elected members giving a board member to population ratio of 1:10,000.

**11.7** I recommend that the identification of possible boundaries for community boards can be done only with reference to the actual geography of the Auckland area. An appropriate process would be to first identify communities of interest in a strict sense and then to consider how these might be grouped together to form community board areas. In doing this it should be seen that a range of board sizes is appropriate, provided communities of interest are kept intact at the more local level.

**11.8** From my experience I would use 60,000 population as a flag; above this level a presumption could be adopted that the board’s area was in danger of becoming too large and so the burden of proof would be to justify the coverage of the proposed board. Given the realities of Auckland’s population, I would set a second flag at 40,000; below this figure the burden of proof would be to justify that the size of the proposed board’s area could not be increased by adding an adjacent community or communities of interest. Boundaries should be determined with an eye to likely future growth of population.

**11.9** The principle of combining communities of interest to form community boards means that it is likely to be useful to consider subdividing the community boards into wards for electoral purposes. Given the nature of local communities of interest, the tolerance of  $\pm 10\%$  in setting wards could be usefully increased to provide greater flexibility for wards to reflect communities of interest and to remain stable with population change.

## 12. Addendum: Two tiers or three?

**12.1** Whether there should be a “super city” or whether regional and city councils should be retained is not part of my brief, but I have been requested to make comment on the issue from the perspective of the potential role of community boards in relation to the model.

**12.2** If the Royal Commission were to adopt the recommendation for enhanced community boards, it might seem attractive to argue that city councils are not necessary, as significant functions could be legislated to “community councils”. From the perspective of this report, however, my view is that retaining Auckland’s city councils (although not necessarily four) is preferable. There are two reasons for this.

**12.3** First, even with the model of enhanced community boards with revenue powers, there are still a handful of significant functions that if placed at regional level would “clutter up” that authority and risk diverting its focus. Yet these functions would, in my view, either be beyond the capacity of a “community council” or inappropriate to its scale of activity. These include

- preparation and administration of district plans under the Resource Management Act<sup>37</sup>
- building control and bylaws<sup>38</sup>
- emergency management
- management of significant growth (greenfield) and redevelopment (brownfield), including preparation of structure plans
- non-local reserves and facilities, including libraries (“non-local” assets meaning those that have a significant catchment beyond the community council area)
- “local” (i.e. “non-regional”) economic development
- possibly the management of the highway network that is neither local nor regional.

**12.4** Secondly, a key role for city councils would be to support and provide capacity to community councils/boards. With a three-tier model, enhanced community boards would be part of the city council governance structure (see paragraphs 7.4–7.7). The city council would employ a professional staff and provide professional and administrative capacity to community boards via a partnership agreement. City councils would manage LTCCP and annual plan processes and collect rates. With a two-tier model a significant tension would arise: increasing the capacity of community councils suggests their size be increased whereas, as discussed above, maintaining their intimate relationship with the community provides an opposite dynamic.

**12.5** As a Mainlander I would also observe that there seems to be meaning to community of interest existing at the level of the four main segments of the urban area. Citizens identify themselves as for instance “Westies” or “from the Shore”; the councils themselves have developed very distinct cultures over the past 19 years. This represents social capital that might be lost in a two-tier model.

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37 I would expect community councils to be closely involved in the preparation and variation of plans, possibly also nominating a local member to hearing panels, but they should not be the planning authority.

38 Again, community councils may have a power to enact local bylaws but the main stream of this activity would be city-wide.

## 13. Summary answers to questions posed in the brief for the project

**13.1** The approach adopted in this report is to present a narrative in a logical sequence, aimed at providing the Royal Commission with an understanding of the issues around community boards, with an evaluation of alternatives, and with clear advice. The latter reflects the understanding developed from discussions with staff of the Royal Commission as well as a reading of the brief. The purpose of this section is to set out the specific questions included in the project brief and to cross-reference them to the body of the report.

**Question 1.** “How are current community boards constituted in Auckland region, in terms of geographical coverage, populations, numbers of elected members, and delegated functions? (This data will be supplied by the Commission, to be written up by the contractor.)”

Answer 1. Section 6 describes the arrangement of community boards in the Auckland region and includes all data supplied to and sourced by the contractor.

**Question 2.** “What are the inherent strengths and weaknesses of community boards, in relation to community decision-making, representation and advocacy? (This will consider the perceptions of territorial authorities, community boards and others, from interview comments, submissions, the LGNZ research data, the contractor’s own experience, and literature.)”

Answer 2. The Oxford Dictionary defines “inherent” as “existing in something as a permanent, essential or characteristic attribute”. Much of the material in the report is aimed at addressing this question, which has been taken to be at the heart of the brief. Section 3 suggests that the legislation is such that community boards lack inherent characteristics and so lack inherent strengths and weaknesses. As a result their nature and operation is very varied and so perceptions of them are equally varied (see Sections 4–6). This view is central to the directions taken in the report.

**Question 3.** “Do community boards in Auckland region materially improve the performance of their territorial authorities in relation to the principles stated in section 14 of the Local Government Act 2002, in particular the ability of territorial authorities to –

- be efficient and effective
- make themselves aware of views of all communities
- take account of the diversity of the community and the interests of future communities
- provide opportunities for Māori to contribute to decision processes
- ensure prudent stewardship and efficient and effective use of resources

- take a sustainable development approach, taking into account the four well-beings, the need to maintain and enhance the environment, and needs of future generations?”

Answer 3. It is worthy of note that the wording of the question implies that boards are part of the council’s governance structure. The fact that they are not but would be more effective if they were is one of the recommendations of the report (see Section 7).

The short answer to this question from Section 6 is “Yes” in the cases of North Shore City, Waitakere City, and Franklin District (and probably Manukau City) and “No” in the cases of Auckland City, Rodney District, and Papakura District. In all cases where boards exist in the Auckland region they have become increasingly marginalised. The conclusion drawn is that the current community board framework is at best inconsistent in improving the performance of councils. The report then considers a more normative question in Section 7, which is entitled, “A framework for making community boards effective” before going on to offer an evaluation of local governance frameworks with and without boards in Section 9.

**Question 4.** “How could the performance and contribution of community boards in Auckland be improved? What is working well in other parts of New Zealand, and why? (Selected examples only.)”

Answer 4. This is covered in Sections 7 and 4 respectively.

**Question 5.** “What can community boards do well, and why? What are the upper practical limits on functions/responsibilities appropriately to be given to a community board? What functions are not appropriately discharged by a community board?”

Answer 5. This matter is alluded to in several places and explicitly addressed in paragraphs 9.9–9.16.

**Question 6.** “Is there an optimum size for the area or population served by a community board?”

Answer 6. This is covered in Section 11.

**Question 7.** “Do some communities have special needs (e.g. rural and islands), in terms of community decision-making, representation and advocacy?”

Answer 7. This is covered in Section 10.

**Question 8.** “What alternatives to community boards are available to promote community decision-making, representation and advocacy? What are the strengths and weaknesses of these? (This might include an examination of alternative mechanisms for engagement with the community through public forums, and groups such as residents, business, mainstreet associations and other interest groups.)”

Answer 9. This is the subject of Section 8. Insights also flow from the commentary of community board operations in Section 6 (see, for example, the discussion of Franklin District’s and Waitakere City’s approach to community engagement).

## Part 9. Setting Community Boards in Context

**Question 10.** “What model(s) do you recommend for community decision making, representation and advocacy to the Commission, setting out strengths and weaknesses?”

Answer 10. This is covered in Sections 7–11 and summarised in the Executive Summary.

## Appendices

### Appendix 1: Consultees and discussants

#### North Shore

Julia Parfitt	Deputy Mayor
Tony Holman	Councillor, Chair – Community Services and Parks
John McLean	Chairman, Albany Community Board
Jennifer Yorke	Chairman, Birkenhead-Northcote Community Board
Mike Cohen	Chairman, Devonport Community Board
David Cooper	Chairman, East Coast Bays Community Board
John Gillon	Chairman, Glenfield Community Board
David Thornton	Member, Glenfield Community Board
Richard Logan	Governance Policy Advisor
Alison Geddes	General Manager - Environmental Services
Steve Ironside	Corporate Planning Manager

#### Waitakere

Penny Hulse	Deputy Mayor
Gayle Marshall	Chair, New Lynn Community Board
Graeme Campbell	Director of Strategic Planning
Catherine Taylor	
Melissa Brown	
Rose Leonard	

#### Auckland City

David Hay	Deputy Mayor
Toni Millar	Councillor
Aaron Bhatnagar	Councillor
Richard Northey	Councillor
Bridget Graham	Chair, Maungakiekie Community Board
Richard Barter	Chair, Mt Roskill Community Board
Bruce Kilmister	Chair, Western Bays Community Board
Colin Davis	Chair, Eastern Bays Community Board
Paul Downie	Chair, Great Barrier Island Community Board
Ray Ericson	Chair, Waiheke Community Board

## Part 9. Setting Community Boards in Context

Teena Pennington      Manager, Strategy  
Christine Watson      Group Manager, Democracy Services

### **Franklin District**

Mark Ball              Mayor  
Dan Lynch              Councillor  
Bill Deed              Chair, Waiuku-Awhitu Community Board  
Sally Davis              CEO  
Ken Dyer              Communications Manager

### **Rodney District**

Penny Webster          Mayor  
Grahame Powell      Councillor  
Ross Craig              Councillor  
Pat Delich              Councillor  
Beverly Fletcher      Strategic planning  
Jacques Victor          Strategic planning  
Paul Garbett            Executive Assistant - Governance  
Warren Maclellan      Assistant CEO, Director Strategy & Policy  
Kim Gordon              Manager, Infrastructure  
David Low              Revenue Manager

### **Manukau City**

Grant Taylor            Director Strategy

### **Other consultees**

Mike Reid              Local Government New Zealand  
Yvonne Palmer          Chair New Zealand Community Boards' Executive Committee  
Donald Reizebos        CEO Local Government Commission  
Paddy Clifford          CEO Palmerston North  
Rob Williams            CEO Taupo District Council  
Peter Guerin            CEO Rotorua District Council  
Dave Adamson          CEO Southland District Council  
Duncan Field            CEO Queenstown-Lakes District Council  
Jim Palmer              CEO Waimakariri District Council  
Vyvien Maffey          Strategy & Partnerships, Kapiti Coast District Council

Thanks also to a dozen or more staff at the above councils who chased around to respond to questions often on a “today please” basis.

## Appendix 2: The Wanaka Community Board

### 1. Extract from report to Queenstown-Lakes District Council re Governance agreement with Wanaka Community Board

#### Background

During late 2003 and 2004 the Community Board considered the delegations of powers that Council was proposing to grant to it. During the later part of the discussion it was suggested that a statement of the joint responsibilities that Council and the Board have for governing the District would be appropriate. A series of drafts was prepared and circulated for discussion between Councillors and the Board Members prior to the recent election. It had generally received the agreement of most parties, following refinement through the drafting process. The latest draft is at a point where it is now necessary to consider it in a formal way and, if deemed appropriate, to recommend its adoption. The agreement was discussed and adopted with one change by the Wanaka Community Board at its meeting on 18 November 2004. A copy of the revised Governance Agreement is attached as an appendix to this paper.

#### Queenstown Lakes District Governance Agreement

##### Parties

The parties to this agreement are:

Queenstown Lakes District Council (the “Council”) and  
Wanaka Community Board (the “Board”)

##### Purpose

This agreement aims to:

- Document the principles of partnership in governing the Queenstown Lakes District between the Council and the Board.
- Encourage communication, coordination and cooperation between the Council and the Board.
- Provide a mechanism for the Council and the Board to:
  - a) Enable democratic decision making and action; and
  - b) Promote the social, economic, environmental and cultural well being of the district.

##### Protocols for Governance, Communication and Coordination

- The Council and Board agree that they have a joint responsibility for the good governance of the district and that the best interests of the communities of the district are served when the Council and Board work cooperatively.

## Part 9. Setting Community Boards in Context

- Members of the Board may be appointed to Council Standing Committees to ensure that, in association with Wanaka Ward Councillors, there is Wanaka representation on each Committee.
- The Board will be consulted on significant policy and planning documents that impact on the Wanaka ward before the policies or plans are adopted as draft documents and notified for public comment. It is acknowledged that in some special circumstances, urgency may limit the applicability of this protocol.
- The Board and the Council will agree on levels of service to be provided in the Wanaka Ward. Where the agreed service levels differ from the district-wide service level adopted by Council then a rate differential may be applied to the Wanaka Ward to equalise the different level of service.
- The Wanaka Operations Manager will provide operational performance reports highlighting service delivery performance in the Wanaka Ward to each meeting of the Board. Board concerns regarding operational performance will be communicated to the Wanaka Operations Manager in the first instance and subsequently to Council's Chief Executive Officer if not resolved.
- Council's Chief Executive Officer will ensure that the Board is provided complete, timely and robust information and advice on which the Board can make its decisions.
- Appropriately qualified members of the Board may be appointed to any Hearings Panel to consider resource consent applications. This will require that the Board maintains an impartial position on resource consent applications at all times.
- Both parties will ensure that appropriate training and development is provided for Councillors and Members to ensure they have the necessary skills to undertake their governance and policy making responsibilities within local government.
- Both parties acknowledge that good governance requires them to consider community views and provide a balance of the different views and the trade-offs necessary.
- As far as is practicable the Council will delegate governance to the Board over matters concerning the Wanaka ward. The principles and details of delegations to the Board are contained in section 9 of the Governance section of the Delegations Register attached as Appendix 1. The Board will be consulted over any changes Council proposes to make to delegations to the Board.
- Where the Board is exercising its powers (either mandated or delegated) to make binding decisions on the community in areas of significance (as defined in Council's significance policy) it must follow the special consultative provisions of the Local Government Act 2002 in reaching its decision.

- Both parties agree that they will act consistently with the established Code of Conduct. Where the Board has been involved in reaching decisions made by Council then it will not publicly criticise those decisions.
- Both parties will ensure that where issues arise between them that they are communicated to the other party for action in the first instance.

**Process**

Mayor, Chair of the Board, Council’s Chief Executive Officer and the Wanaka Operations Manager will meet six-monthly to discuss and review the performance of the parties under the protocol and to specifically review service performance in the Wanaka ward and to review the resolution of Wanaka issues. The Mayor will regularly attend meetings of the Board to report on Council issues impacting on the Board. The Chair of the Board will attend Council meetings and report on Board issues impacting on the Council.

**Administration**

The Council’s Chief Executive Officer is responsible for the administration of this agreement.

**Review of Agreement**

The parties may consider and review this document at any time. Any proposal for change must be presented for consideration at the next available meeting of each party upon the request of any one of the parties. The request must be made in writing to the administrator and made at least two weeks before the next meeting date.

Both parties must ratify any proposed changes to this Agreement prior to them coming into effect.

This agreement will be placed on the agenda of the final meetings of both parties prior to the triennial election for the purpose of reviewing the document and recommending changes (if any) to the incoming Council and Board.

**Authority**

This agreement is signed on this \_\_\_\_\_ day of \_\_\_\_\_ 2004 by the following.

Clive Geddes

Mayor

Queenstown Lakes District Council

\_\_\_\_\_

Bill Gordon

Chair

Wanaka Community Board

\_\_\_\_\_

**2. Extract from the current Delegations Register**

**Delegation to Wanaka Community Board**

**Overview**

The two major philosophies behind this delegation are:

- (a) The Council will give the Board extensive delegation in return for the Board, and the Wanaka Ward, taking financial responsibility for several function areas;
- (b) The programming and funding of those activities will be governed by asset management plans, funding policies, long term financial strategy, investment and treasury policies.

**Philosophy of Partnership**

The Council will treat the WCB as a partner in the governance of the District. Wherever possible the Council will give maximum delegation to the WCB where the community board is taking financial accountability for the decisions involved.

In return the WCB agrees to observe the parameters of the long term council community plan (ltccp) or annual plan each year and to practise sound financial management for activities delegated to it.

Where the WCB is taking financial accountability for a decision but cannot, for legal or other reasons, make the final decision itself, the Council will give the utmost weight to any WCB recommendation and will only review or overrule that recommendation if one or more of the following conditions exists:

- (a) the recommendation would mean that the LTCCP or annual plan budget would be exceeded without offsetting savings;
- (b) the recommendation is in breach of, or there is an argument whether the recommendation breaches a stated policy, standard, contract or precedent set by the Council;
- (c) the recommendation involves a rate that is collected on a district wide basis, thereby affecting all of the residents of the District;
- (d) the recommendation would create hardship or unfairness for a ratepayer or group of ratepayers;
- (e) the WCB or the Wanaka community are deeply divided over the decision;
- (f) the recommendation is unlawful or would create a legal liability not authorised by policy or the annual plan;
- (g) the action proposed would bring the Council into disrepute;
- (h) extraordinary circumstances exist which make the recommendation untenable.

The WCB will also be consulted on fundamental policy documents including asset management plans, funding policy, long term financial strategy, borrowing policies, etc.

### Delegation

To extent permitted by law the Wanaka Community Board will have authority to make decisions on, or make recommendations to the Council (as the case may be) on:

- (a) Rates and charges to be levied in the Wanaka Ward for which the Board takes financial responsibility and public accountability (i.e. those relate to water, sewerage, roading, tourism promotion and parking);
- (b) Other revenues to be collected in the Wanaka Ward which relate to the areas listed in (a) above;
- (c) The preparation of submissions to the draft LTCCP or annual plan relating to the Ward (including the prioritisation of proposals from community groups);
- (d) Any bylaws required for the safety or good governance of the Ward;
- (e) The use of borrowing to fund works or facilities in the Ward, where the Board takes financial accountability for the expenditure;
- (f) Any decision involving the use of the Public Works Act 1981 within the Ward;
- (g) Setting policy on the leasing or licensing of use of Council property;
- (h) Monitoring the performance of all contractors, budgets, performance measures and service standards set for the Ward;
- (i) The development of the district plan, long term financial strategy, funding policy, treasury policies and borrowing policies; and
- (j) Make decisions, subject to such general policies as are determined by the Council, and to the duties and powers set out herein, the following Council activities within the area of the Community:
  - i. Car Parking
  - ii. Cemetery
  - iii. Council owned buildings and property
  - iv. Footpaths
  - v. Temporary road closures for non-arterial roads, over 4 hours duration in the Wanaka part of the district
  - vi. Legislation relating to
    - Street names, parades, collections and special uses;
    - Waterways and waterfront special cases and concessions except for formal regulatory functions;
  - vii. Public toilets
  - viii. Recreation and reserve areas but not including preparation of management plans.
  - ix. Sports fields
  - x. Swimming pool
  - xi. Public information signage
  - xii. Street lighting
  - xiii. Trees on Council owned land
  - xiv. Elderly persons housing; and
  - xv. Other items not specified above that fall within the same general local interest category of Council activities within the Wanaka community.

## Part 9. Setting Community Boards in Context

These delegations MUST BE read subject to the following qualifications. The WCB's jurisdiction and authority will be limited in regard to the following decisions:

- Any decision delegated to an officer or contractor under Council delegations;
- Any services or facilities funded by any rate, charge or other revenue collected on a district wide basis;
- Any contract entered in by the Council for the good of the District as a whole;
- Any work, service, facility or payment that is not funded fully from revenue raised in the Ward;
- The power to employ staff
- Any decision where the Council records concerns about the authority of the Board to make that decision. In any such case the matter will be suspended until the dispute can be submitted to the full Council for determination;
- Any decisions involving the preparation of the Proposed District Plan which shall be in the hands of the Strategy Committee;
- Any matter where any Board member, or members, considering the issue could be seen to have an interest or bias;
- Financial contributions set in the District Plan or LTCCP or imposed in any resource consent application;
- Any decision that is contrary to policy set by the Council. Where the WCB considers that a policy is wrong, or requires amendment to provide for circumstances, which are not catered for, the Board will submit a proposal for amendment to the policy to the Council.

### **Communications**

The WCB will, at all times, keep the Mayor and Chief Executive informed of their activities and will invite both of these parties to attend meetings in accordance with the protocol established between the Board and Council.

The Chief Executive will be the primary advisor to the Board and, in considering any matter, the WCB will utilise staff or contractors of the Council appointed to take responsibility for functional areas.

The Board will report monthly at the Council table on its activities.

## WCB Delegation Schedule

	Decision By <sup>1</sup>			
	Officer	WCB	Committee	Council
<b>Artworks</b>				
- Location		✓		
<b>Buildings and Property</b>				
- sale and purchase		✓	✓	✓
- service & operation		✓		✓
- maintenance	✓			
<b>Bylaws</b>		✓		✓
<b>Council policy</b>		✓	✓	✓
<b>Cemetery plan</b>				
- development and approval		✓		
- implementation	✓			
<b>District Plan</b>				
- Wanaka issues		✓	✓	✓
- implementation	✓			
<b>Elderly persons housing</b>				
- policy		✓	✓	✓
- design		✓		
- location		✓		
- purchase and sale				✓
- maintenance	✓	✓		
<b>Footpaths and walkways</b>				
- locations/priorities		✓		
- specification / LoS <sup>2</sup>		✓		✓
- maintenance	✓			
- trails trust		✓		
<b>Infrastructure<sup>3</sup></b>				
Capital				
- funding		✓	✓	✓
- planning		✓	✓	✓
Operational				
- location		✓		✓
- specifications/LoS		✓		✓
- maintenance	✓			
- design and build	✓			
<b>Land vesting as reserve</b>		✓		✓
<b>Lagarosiphon Control</b>				
- management plan		✓		
- implementation	✓			
<b>LTCCP</b>				
- preparation		✓	✓	✓
- adoption				✓
- implementation	✓			
<b>Memorials</b>				
- design		✓		
- location		✓		
<b>Operational matters</b>				
- emergency works	✓			

## Part 9. Setting Community Boards in Context

	Decision By <sup>1</sup>			
	Officer	WCB	Committee	Council
<b>Parking</b>				
- strategic planning		✓		✓
- time restrictions		✓		✓
- no stopping areas		✓		✓
- location of areas		✓		
- enforcement	✓			
- implement payment		✓		
- fund payment option		✓		✓
<b>Public information signage</b>				
- location		✓		
- specification				✓
- installation	✓			
<b>Public toilets</b>				
- locations		✓		
- specification / LoS		✓		✓
- maintenance and cleaning	✓			
<b>Reserve &amp; recreation areas</b>				
- management plans		✓		✓
- locations		✓		✓
- specification / LoS		✓		✓
- LoS trade-offs <sup>4</sup>		✓		
- maintenance	✓			
- conditions of hire		✓		
- concessions		✓		
<b>Rivers and Lakes</b>				
- speed limits		✓		✓
- enforcement	✓			
- concessions		✓		
- charges		✓		
- navigation aids	✓			
- structure design & location		✓		
<b>Roads</b>				
<b>Capital</b>				
- strategic planning		✓		✓
- funding		✓	✓	✓
- new seals		✓		
- re-seals	✓			
<b>Operational</b>				
- policy		✓		✓
- LoS trade-offs		✓		
- maintenance	✓			
- naming		✓		
- stopping				✓
- temporary closure pursuant to policy		✓		
<b>Minor safety works</b>				
- implement projects	✓			
- change priority of projects		✓		
- approve new projects		✓		✓

	Decision By <sup>1</sup>			
	Officer	WCB	Committee	Council
<b>Service delivery</b>				
- specification / LoS		✓		✓
- delivery	✓			
- monitoring		✓		
<b>Staff issues</b>				
- employment	✓			
- performance	✓			
- dismissal	✓			
<b>Street furniture &amp; paving</b>				
- policy and palette		✓		✓
- location		✓		
- purchase	✓			
- installation/removal	✓			
<b>Street lighting</b>				
- policy		✓	✓	✓
- location		✓		
- style		✓		
- purchase	✓			
- installation/removal	✓			
- under-grounding priorities		✓		
<b>Swimming pool</b>				
- location		✓		
- design		✓		
- operation	✓			
- funding		✓	✓	✓
<b>Trees on Council land<sup>5</sup></b>				
- location		✓		
- species		✓		
- planting	✓			

Table footnotes: <sup>1</sup>Ticks ✓ appear in each column where approval is required before the final decision is reached. The final decision is made by the body with the last tick (reading left to right along each row).

<sup>2</sup>Level of Service. <sup>3</sup>Infrastructure: reservoirs, ponds and pipe networks for water, storm water and sewerage.

<sup>4</sup>Specification trade-offs are where the WCB determines to trade-off the level of facility management between two or more assets at no overall change to the cost of service being delivered. <sup>5</sup>The delegation for authorising removal of trees on Council owned land in the Wanaka ward is with Councillor Middleton.

## Appendix 3: Community Boards in Waitakere City: Wider Issues

Prepared by Waitakere City Council, August 2008

### Introduction

At the Waitakere hearings, the Royal Commission sought further information from Waitakere City Council on the future role of community boards. This report includes specific information

on community boards and takes the opportunity to raise a number of issues about the three tiers of local government (regional, city and community).

Waitakere City's view, supported by national and international examples, is that all three tiers of governance are necessary and that each has a different and complementary role. Our consideration of the role of community boards is in the context of a stronger metropolitan tier and cities continuing to have an instrumental role in city land use, city infrastructure, community development and economic development. Within this context community boards have a key role in identifying and advocating for specific community needs and supporting local services.

In their submissions community boards in Waitakere supported Council's position on key areas of regional governance and the number of cities. Areas of particular focus for community boards included a unanimous call for an increase in delegations (but not necessarily for policy or rating capacity).

### **The Current Role of Community Boards Specific Activities**

In the context of their community advocacy and community interest responsibilities community boards have a formal participation in Council's policy and review activities. Overall about 30% of Council papers are placed on community board committee agendas for their consideration and feed-back. Through this process, community views are canvassed and reported back to the Council for inclusion in policy setting and decision making. They also have a formal role in Annual Plan/ LTCCP development and consultation processes in being invited to meetings and holding speaking rights.

Community Boards are supported in these Council activities by having membership on a number of internal committees as well as representing Council on a number of organisations (see Appendix B for a list of committees and organisations). For example they have been actively involved in Citizens Advice Bureau.

There has been traditional emphasis by community boards on geographical place and identity and they have had a solid participation in the development of parks and reserves. For example they have been responsible for developing Local Reserves Management Plans. They also have responsibility for minor parks projects within their ward, for which they receive Council funding.

This funding has been utilised for many neighbourhood projects that contribute to Council's Urban and Rural Villages Platform which has the objective that town centres are thriving places, providing exciting options for people to live, work and play. Such initiatives include parks seating and picnic tables; drinking fountains; children's playground equipment and recreation courts; arts projects; fencing, landscaping and planting; and some structural works such as small scale drainage, rubbish bins, footbridges, hand railing, signage and so on. For example, in the Annual Plan 2007/2008 Council allocated \$120,000 for Parks Capital Development Projects with an average sum of \$30,000 allocated per ward for projects of \$10,000 or less

Examples of projects completed as a result of community board initiatives include extensions and upgrades of playground areas in Copely Reserve, Hinau Reserve, and Prospect Park. They also include advocacy for expenditure on much needed infrastructure such as public toilets in the Swanson and Waitakere villages.

Council departments such as Parks Planning rely heavily on community board members 'hands on' knowledge of their area. They work closely with the community boards to understand local issues and get neighbourhood input, and will consult with community boards prior to reporting to Council in cases where delegation for a particular proposal sits with Council and not the boards. For example the New Lynn Community Board was extensively consulted on the options for replacing the Ken Maunder Park Footbridge involving proposals that ranged from \$225,000 to \$2,000,000 solutions. This project is now well underway.

New Lynn and Henderson Community Boards have a voting representative on the New Lynn and Henderson Town Centre Sub-Committees. These sub-committees provide urban development perspective in determining implementation process.

Community Boards also have taken a close interest in issues around community safety and the local responses that can be made to allay people's fears and develop appropriate local solutions to problems. They often represent Council on community safety initiatives. They also have a close relationship with the use and development of community facilities such as halls and in the management of community housing. Community Boards also support new community building initiatives such as school travel plan development and implementation.

Waitakere Council has also delegated ward-level responsibility for the Community Well Being Fund to Community Boards, this year providing \$56,000 to community boards to be distributed across the wards per head of population. Larger wards received an average of \$16,000. Community Boards are responsible for hearing applications for grants with the mandate to grant or decline applications. Organisations such as the Single Parents Trust, Scouts Groups and Drug Free Ambassadors have received grants for various well-being activities in the past year.

Alongside organisations such as Waitakere Pacific Board, Waitakere Ethnic Board and Council Committees such as Te Taumata Runanga and the Waitakere Youth Council, community boards provide Waitakere City Council close contact with our communities. They play an active, hands-on role in supporting the partnerships we have with numerous community organisations such as Massey Matters, Ranui Action Project and Project Twin Streams. Their detailed local knowledge is an invaluable source of information for Council in determining critical strategy based on the intimacies of place and local democracy.

Community boards provide the initial point of contact for community on many practical issues. To resolve these issues, however, often requires the expenditure of ratepayers' money and the decision for expenditure must be taken within a city-wide context, hence the need for community boards to relate co-operatively with the Council. Community boards cannot raise rates and neither have they requested the right to do so. A cohesive

## Part 9. Setting Community Boards in Context

city funding strategy considers requests from the Boards and supports them but retains an overall control of expenditure. This reinforces the three-tier model.

### Place-shaping

All three tiers of local government work within a wider spatial system including people, place, infrastructure and programmes designed to give effect to desired outcomes. This activity has been defined as place-shaping.

Lyons coined the term ‘place-shaping’<sup>39</sup> as the creative use of powers and influence to promote the general well-being of a community and its citizens. It includes such components as building and shaping local identity; representing the community; working to make the local economy more successful while being sensitive to pressures on the environment; understanding local needs and preferences, and making sure that the right services are provided to local people.

Waitakere City Council considers that all tiers of local government have a role in place-shaping. The table below summarises these roles:

Local Government Tiers: Place-making Roles		
Tier	Functions	Comments
<p><b>Regional</b> Whole region and national implications 1.3 – 2.5 million</p>	<p>Strategic direction System management</p> <p>Policy Framework/standards Own and manage regional infrastructure</p>	<p>Strategic focus Infrastructure systems and growth management</p> <p>The form and profile of the region (rules) Leadership on regionally significant initiatives and infrastructure Relationships nationally and internationally</p>
<p><b>Cities/Districts</b> Cross-city integration 100-250k</p>	<p>Regulation Land use City infrastructure –roads, waters etc Facilities – pools, libraries, leisure centres Events Economic Development Social programmes</p>	<p>City planning</p> <p>Implementation focus</p> <p>The form and profile of city and the relationship between the parts</p> <p>Its cross-city relationship relationships, communities of interest</p> <p>Ability to draw together large multi-party, multi-funding projects to benefit the city wide community (Massey Matters, New Lynn etc).</p>

39 Lyons, Michael, *Lyons Inquiry into Local Government, Place-shaping: a shared ambition for the future of local government*, March 2007, London ([http://www.hm-treasury.gov.uk/consultations\\_and\\_legislation/lyons/consult\\_lyons\\_index.cfm#final](http://www.hm-treasury.gov.uk/consultations_and_legislation/lyons/consult_lyons_index.cfm#final) (accessed April 17, 2008) p. 10).

<b>Community Boards</b>	Community engagement Advocacy and response to Council's policies Local events Programmes Parks (local) Road signage Community identity and heritage Safety initiatives	Community focus at neighbourhood, suburb or ward level  Able to draw together multi-party projects to benefit local community
Cross-ward 30-60k		

### The Role of Community Boards and Community Councils

#### Local Accountability

Listening to communities is crucial in any structure of effective governance. A three-tier structure of local governance where cities work collaboratively with community boards provides more accessibility and accountability to community and city-wide voices. This complementary arrangement provides a higher level of knowledge of local preferences and concerns both at a community level and across the city that are captured as part of formal legislative planning and reporting processes.

In contrast a two-tier structure where a regional entity works with a larger number of community councils raises a number of issues. This two tier structure is more likely to result in decisions made from a regional perspective with a dissipated range of community input, rather than from drawing on both cross-city and community perspectives.

Council asserts that a large number of community councils (or enhanced community boards) has the potential to increase the noise and divisiveness of local governance in Auckland. These many interests and voices will compete for regional resources, create increased transaction costs and dissipate community interests.

#### Local policy and implementation role

A critical role for the regional entity is setting regional direction and prioritisation that is binding on all parties, namely other local authorities and their entities. The community council proposal includes organisational units that do not have the knowledge, resources or capability to implement projects or initiatives of a scale that will give effect to regional strategy across a city or district. It is inevitable that the regional entity and community councils will be competing for staff with scarce or specialist skills. Simply they do not have the sophistication to achieve high level projects such as New Lynn or Westgate.

Even with a regional representative on a community council, a regional plan spanning a large number of dispersed community councils is of too great a scope to truly reflect local policies, local interests and local implementation issues in the way that city/district scale can and does. As the middle layer, the city tier can play a useful role in negotiating the interests of communities and getting ownership of city priorities and aspirations. For example, it can obtain wider city support for town centre development in Henderson, transit oriented developments in New Lynn; and suburban refit in Massey.

Strategy is also most effective when informed by implementation. Regional strategies such as compact city development must be informed by those with implementation experience. The city-tier is the best fit for delivering the urban regeneration function which requires local knowledge and relationships to allow for trade-offs and buy-in within local and sub-regional markets. Neither an enhanced community board nor a community council has the scale or ability to understand regional strategy and at the same time have the agility to move with and influence the local market and players, e.g., development of marine and film industries.

Cities and districts also have the scope and capability to understand the land use, transport and economic development connections between sub-regional town centres, and between town-centres and their surrounding communities. This is based on in-depth knowledge of history, land use changes and local markets. Community Boards can make very valuable contributions to this perspective by offering local views of geographically based communities rather than that of the whole city.

### **Dual Representation at the Regional Level and Local Voice**

Our strongly held position is that the one city proposal with its operating arms known as community councils is less effective and democratic than a three tier/ four city model. For legitimate local accountability, the city has to raise its own revenue and be accountable for its use. The city also has to have the scale and associated balance sheet to fund a number of substantive initiatives, whether they be local facilities, town centre development or economic development (by use of Resource Management Act instruments and purchasing strategic parcels of land). Community councils or community boards simply do not have the levers or capabilities to take on this role.

Instead, Waitakere City Council proposes that community engagement can be better served by community boards working with the city. In this relationship the city's role as a conduit for the local voice at the regional level is ideally served by dual representation, whereby two of the Councillors elected to each Territorial Authority are also appointed as representatives on the regional entity.

The dual representation structure ensures Territorial Authorities can take a regional perspective that has effect on local development, but that where appropriate a local voice is represented at the regional level. Regional decisions are binding and are acceptable locally because cities have a voice in regional decision-making processes.

There are concerns about the assumed city 'parochialism' and competition amongst cities working against the region's progress. Waitakere City Council believes that this can be easily overcome in a governance structure where there is a strong regional entity with dual representation, and an agreed regional strategy that has a binding commitment on all parties. There may well continue to be situations where some contestability of views and approaches across cities and districts is desirable. This may provide different strengths and point to areas where organisations could share services to jointly own providers e.g. waste management.

## Conclusion

Proposals that enhanced community boards or “community councils”, comprising combined community boards and Territorial Authorities could undertake the role that the current cities play in local governance do not fully appreciate the important role that cities play in the development of the Auckland region. While some place-shaping functions could arguably be located at the regional level or at a very local community board level, there are some key aspects of place-shaping where the city has best fit skills and knowledge - in particular, in areas such as city-wide land use and growth management, urban development and regeneration, and infrastructure delivery.

The three-tier model of governance comprising a regional entity, four cities and community boards provide the optimal governance structure for the region. The powers and responsibilities of community boards provided for in current legislation are broad and are operating well. The community advocacy role and fix-it attitude of community boards are valuable and there is scope for boards to contribute to city planning by using processes such as community outcomes to ensure democracy thrives at the local level.

As stated earlier, in their submissions community boards in Waitakere supported Council’s position on key areas of regional governance and the number of cities. Areas of particular focus for community boards included a unanimous call for an increase in delegations (but not necessarily for policy or rating capacity).

Therefore, Waitakere City considers that a fundamental change to the role of community boards is not required and that community board powers and responsibilities set out in the Local Government Act 2002 are sufficient.

## APPENDIX A – CURRENT DELEGATIONS OF COMMUNITY BOARDS

### Legislative Context

According to legislation a community board is an elected body that represents a particular community (constituted under Schedule 6 of the Act). It is neither a local authority nor a committee of the relevant territorial authority. Members of a community board are elected by the community under the provisions of the Local Electoral Act 2001. In addition the territorial authority may appoint members of the authority (who are elected from that community) to the board.

- 52 The role of a community board 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 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

## Part 9. Setting Community Boards in Context

A community board cannot buy, sell or lease property, nor can it hire or fire staff and the territorial authority must pay the expenses of the board.

### Delegations in Waitakere City

Community Boards in Waitakere provide a full range of activities for the community either in their own right or in respect of delegations from Council. They make decisions and provide input on a number of local matters as well as being represented on other community organisations and attending public meetings and events. They are also supported in having Councillors from the same community also sitting on the board. Their comparative advantage is a passion for a specific community, its locality and their local knowledge and relationships.

They are also supported in their operations through Council advice and administration. For example over the past 6 months just under 30% (22 of 74 = 29.7%) of the meetings serviced by the Council were Community Board meetings and just over 30% of all reports (104 of 336 = 30.9%) prepared for consideration were for Community Boards.

Community Board Chairs can attend Council and Committee meetings and have speaking rights (this arrangement does not operate in a number of other Councils). For example in developing Council's submission in Auckland Governance, all the Community Board Chairs attended the meetings and contributed to the debate.

Community Boards act as a very useful conduit for the democratic process as they utilise their local knowledge in advocating for neighbourhoods and the communities interests. The input and advocacy of Waitakere's Community Boards assists Waitakere City Council in acting for its communities in developing and implementing its Long Term Community Council Plan.

Waitakere City community boards have the following responsibilities:

- Consider and report to the Council on specific matters or concerns to the community
- Identify community needs and make submissions to the Council's Annual Plan process
- Have delegated authority for local traffic control, parking restrictions and local parks including preparation of Reserve Management plans
- Oversee service levels e.g. community activities, footpaths, recreation facilities and local water supply schemes within the community
- Keep in contact with local community and special interest groups, residents and businesses in the community.

## Appendix 4: Report to Palmerston North City Council, June 2008

### Citywide community engagement

#### Appendix 1: Possible Council Community Engagement Techniques

This Table lists a range of techniques that the Council can use to engage local people and organisations. They have been rated according to their fit with the principles outlined in paragraph 5 of this Report. This rating is just an indicative guide to help officers develop appropriate engagement techniques in line with Council's preferred approach.

Preferred techniques ✓✓

Use when appropriate ✓

Use only if necessary

		Advantages	Disadvantages
✓✓	Quarterly Informal Community Meetings	All attendees can have their say Informal Can get discussions and clarification of points of view Allows two way flow of information	Can be dominated by strong voices Hard to get views of people Council does not often hear from
✓✓	Social, economic, environmental & leisure forums  Eg Annual Social Well-Being Forum	Involves sharing of views and common themes from a wide variety of groups Can get discussions and clarification of points of view Allows two-way flow of information Can involve central government agencies to sit alongside Council	Can be dominated by strong voices Hard to get views of people Council does not often hear from Can result in mismatched expectations - specific sector focus of non-Council participants and whole of community focus of Council
✓✓	Meetings with "Umbrella Groups"  Eg Community Services Council Environment Network Manawatu Sport Manawatu	Can get discussions and clarification of points of view Can build on existing relationships Can target views of specific sectors Can get views of the whole sector	Hard to get views of people Council does not often hear from Can be dominated by strong voices Can result in mismatched expectations - specific focus of meeting and whole of community focus of Council Lots of meetings are time-consuming
✓✓	Public Comment / Deputations	Builds into existing processes Allows comment on issues being considered by Committees	Hard to get views of people Council does not often hear from Formal

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		Advantages	Disadvantages
✓✓	Square Circular	Well recognised Can include submission form Can contain lots of information Information can be re-read	Hard to get views of people Council does not often hear from May not be read
✓✓	Email newsletter	Low cost Timely way of communicating Can be targeted at different audiences Can contain lots of information Information can be re-read	Only reaches those who enrol Does not suit people without internet and those who don't like technology Hard to get views of people Council does not often hear from May not be read
✓✓	Email panel survey	Get representative views, including people Council does not often hear from	Does not suit people without internet and those who don't like technology
✓✓	Website	Accessible by many people at their own time Timely way of communicating Can contain lots of information Information can be re-read	Expensive to set up, but now it is running inexpensive for each engagement topic Hard to get views of people Council does not often hear from
✓✓	Maori advisory group Note: No such group exists currently. Further discussions with Iwi are needed. A report for Council will be prepared.	Culturally appropriate Involvement of Rangitaane and wider Maori community Can get discussions and clarification of points of view Can involve central government agencies to sit alongside Council Allows two-way flow of information	Hard to get views of people Council does not often hear from Can be dominated by strong voices Can result in mismatched expectations - specific focus of meeting and whole of community focus of Council
✓	Hui	Culturally appropriate Involvement of Rangitaane Can get discussions and clarification of points of view Allows two-way flow of information	Can be time-consuming Can be dominated by strong voices Hard to get views of people Council does not often hear from
✓	Meetings with specific groups	Can build on existing relationships Can get discussions and clarification of points of view Can target views of specific sectors / interest groups	Hard to get views of people Council does not often hear from Lots of meetings are time-consuming Can be dominated by strong voices Can result in mismatched expectations - specific focus of meeting and whole of community focus of Council

		Advantages	Disadvantages
✓	One-off household brochures	Can contain lots of information Information can be re-read Can include submission form Goes to all households	Hard to get views of people Council does not often hear from May not be read Expensive
✓	Targeted letter box drop	Can target information to people affected, including people Council does not often hear from Can contain lots of information Information can be re-read	May miss interested people outside affected area Hard to get views of people Council does not often hear from May not be read
✓	School visits	Get the views of young people Allows two-way flow of information Informal	Only get views of one sector
✓	Phone Surveys	Get representative views, including people Council does not often hear from	Expensive
✓	Street corner / on the bus surveys	Council is going out to where people are Get the views of people Council does not often hear from	Relatively time-consuming and expensive
✓	Special Consultative Procedure Eg draft document, submissions, hearings	Well recognised technique Sometimes it is a legal requirement	Expensive Hard to get views of people Council does not often hear from Cumbersome
	Demographic sector / single issue committees or groups  Eg Low Income Sub-Committee Children's Issues Reference Group	Would focus on issues of particular interest to each sector Can get discussions and clarification of points of view Allows two-way flow of information	Bound by formal processes Hard to get views of people Council does not often hear from Would mean more meetings than social, economic, environmental and cultural forums and therefore be more expensive Also may not get Govt Agency involvement Can result in mismatched expectations - specific sector focus of non-Council participants and whole of community focus of Council Can be dominated by strong voices

## Part 9. Setting Community Boards in Context

	Advantages	Disadvantages
Advisory Committees (for specific issues with limited life)	Can target views of specific sectors / interest groups Allows two-way flow of information Can get discussions and clarification of points of view	Hard to get views of people Council does not often hear from Expensive Can be dominated by strong voices Can result in mismatched expectations - specific sector focus of non-Council participants and whole of community focus of Council
One-off Public Meetings on specific issues	Allows two way flow of information Can get discussions and clarification of points of view	Hard to get views of people Council does not often hear from Can be dominated by strong voices Can result in mismatched expectations - specific focus of meeting and whole of community focus of Council
Stalls at events, places of work, shopping centres, etc	Council is going out to where people are Allows two way flow of information	Can get low levels of interest Relatively time consuming and expensive

People can always directly contact Councillors, the Customer Service Centre, or other staff about any issues, irrespective of what other techniques Council uses.