

Introduction

[1] The Chief Executive of Land Information New Zealand, for and on behalf of the New Zealand Defence Force, appeals against a decision of the Land Valuation Tribunal determining the price to be paid by the respondents, collectively the Luke interests, for an area of land comprising 12.52 hectares. The land is part of the former Hobsonville air base on the north-western side of the Waitemata Harbour about 22 kms from Auckland Central Business District and within the territorial limits of the Waitemata City Council. It is immediately adjacent to a four hectare block used by Sovereign Yachts to construct super yachts and other substantial vessels.

[2] The land was originally taken for public work but is now no longer required for that purpose. The Luke interests accepted the Crown's offer to sell made on 3 June 2003. The Tribunal assessed the land's market value at the date of the Luke interests' acceptance of the Crown's offer at \$4 million excluding GST.

[3] The written synopsis of submissions on appeal by counsel for the Crown, Mr Hamish Hancock, identified numerous errors allegedly committed by the Tribunal giving rise to a miscarriage of justice. However, on analysis, his arguments raised two principal grounds of appeal, namely that the Tribunal failed: (1) to value the land according to its best and highest use; and (2) to take account of relevant valuation evidence being the sale price of the land agreed in July 2005.

Land Valuation Tribunal

[4] The land was originally owned by the Luke interests or their predecessors. Where the Crown offers land back to the original owner or his descendants because it is no longer required for public work, the offer shall be '... at the current market value of the land as determined by a valuation carried out by a registered valuer ...': s 40(2)(c) Public Works Act 1981. If the parties are unable to agree on a price following an offer, they '... may agree that the price be determined by the Land

Valuation Tribunal': s 40(2)(A). Here, the Crown and the Luke interests valued the land at \$6.45 million and \$3 million respectively, both exclusive of GST.

[5] The Tribunal's decision delivered on 18 December 2006 identified three issues requiring determination: (1) what was the highest and best use of the land at 3 June 2003; (2) what is the likely time period between 3 June 2003 and the land being available for development; and (3) how can the valuation differences be resolved: at [15]. The Tribunal described its task in these terms: at [20]:

In this case the Tribunal has to assess how, in June 2003, a prudent and reasonably well informed purchaser and a willing but not over anxious seller would consider the land's highest and best use. To undertake this task, the inquirer (who is referred to as 'the developer' -- for that is what he would be) would look at the land itself. Undoubtedly he would conclude, as did the valuer, Mr Iain Gribble, for example, that the land is a wonderful site with great residential potential. However, the process would not stop there. The developer would then consider what constraints existed affecting the land's development. He would consider such matters as the marketplace, legal and political constraints, and community objectives. He would note that the land was zoned Countryside Living and was outside the Metropolitan Urban Limit (MUL) as defined by the Auckland Regional Council (ARC).

[6] The Tribunal reviewed the evidence of the town planning expert called by the Crown. She had concluded that the land was suitable for urban development which she considered could include residential, commercial, industrial and marine cluster type uses. In the planner's opinion these uses could be undertaken within three years of June 2003: at [21]-[22]. The Tribunal rejected her evidence as superficial, noting: at [24]:

... Inquiries of the Waitakere City Council (WCC) would have revealed that, since at least 2001, there had been a strong commitment on the part of the WCC to have the land (and a significant portion of the air base) zoned for a marine cluster type industrial development... Nevertheless, in 2001 the WCC had entered into an option to acquire the land should it not be developed as a marine cluster type development.

[7] The Tribunal also placed weight upon the land's inclusion within the first phase of development of the Northern Strategic Growth Area. The WCC's proposals were generated by a real concern to provide employment opportunities within its boundaries and the north-western sector generally. About 60% of its citizens leave the city to obtain employment, placing a heavy burden on public infrastructure. Also, Council was influenced by the land's proximity to deep water and its

uniqueness within the Auckland area for marine activity, and by pressure from Sovereign to extend the catchment for marine industrial use: at [25]-[29].

[8] The Tribunal held that market value was to be determined from the standpoint of the 'risk averse' developer who 'needed to be aware of these political and planning matters ... and of the drivers behind the WCC's policies': at [30]. The risk averse developer would have concluded that (1) the MUL would be relocated to include the land within the next three to five years; (2) within the same period the WCC would have initiated a scheme plan change to provide for the rezoning of the land; (3) the scheme change would have envisaged some sort of industrial development with a particular emphasis on marine type activities; and (4) the likely zone would have permitted the subdivision of the land into lots of varying sizes to enable boat construction and associated activities: at [31].

[9] Accordingly, the Tribunal found that the Crown's planner's inclusion of residential uses within her urban development concept was misconceived; and that clearly there would have been 'enormous opposition from all the local authorities to the land being zoned for residential uses within the foreseeable future': at [32]. The reliability of the Crown's valuation evidence was consequently affected because it proceeded on the erroneous premise that a residential use of the land was likely, and could be undertaken within three or four years of the effective date: at [33]. While the land showed that it was 'perfect for a residential subdivision ... [the Crown's] valuations were inevitably flawed': at [34].

[10] The Tribunal concluded that the risk averse developer in June 2003 would consider a future industrial subdivision with a strong emphasis on the marine industry as the most probable highest and best use of the land. On a 32 lot subdivision, and after making all the appropriate allowances – including the problem of identifying truly comparable sales – the willing vendor and willing purchaser would reach a price on the open market calculated at about \$33 per square metre or slightly in excess of \$4 million exclusion of GST: at [58]. Alternatively, if the land was ultimately developed as a residential site, on the contingency that the industrial use zoning with emphasis on marine activities proved unsuccessful after eight years, then the Crown's value of \$8.74 million deferred for that purpose would give a

present value of \$4.721 million. The valuation for the Luke interests would be slightly less: at [59].

Issues

(1) *Highest and Best Use*

[11] Mr Hancock submits that the Tribunal erred in treating Council's long-held desire and stated policy intention as at June 2003 to zone the area as a marine cluster as equivalent to what he describes as 'a formal promulgated zoning to that effect'. He says that in fact none of WCC's policies had been transformed into legislation or zoning changes in June 2003; and that the intended use was not financially feasible because it 'would be perverse and financially confiscatory ...' to impose it on a high quality urban site. He emphasises that the legal process of public notification, objections and hearings was yet to occur in June 2003 and that 'it is fundamental to the rule of law' that local authorities do not rule by decree.

[12] In this vein Mr Hancock submits that:

The intervention of WCC in this market as a promoter, joint venturer, caveator, purchaser, regulator and Resource Management Act adjudicator (at first instance) has comprehensively skewed and rendered abnormal the conditions in this market. The potential use of the land for marine industry was subject to a contractual relationship between WCC and Sovereign Yachts. It did not necessarily extend to the wider market. The corollary to this absence of normal conditions is that one can no longer have a willing seller. This is because the WCC has intervened in such a way as to blight the land...

[13] Mr Hancock submits that as a result, in identifying the highest and best use, the Tribunal devalued the land '... to arrive at a point of valuation absurdity ...' by accepting the concept of the marine cluster industrial zoning which was 'hopelessly uneconomic', leading to a 'miscarriage of justice' for the Crown.

[14] There is force in the submission by Messrs Julian Miles QC and Andrew Wedekind for the Luke interests that Mr Hancock's arguments are emotive and repetitive. They have masked rather than identified an arguable error of law, and

have confused Council's motives and intentions with the Tribunal's discrete function of finding a proper and reliable basis for determining the highest and best use of the land. In reality, for reasons which we will shortly explain, the Crown is mounting an unsustainable challenge to findings of fact.

[15] The misplaced premise of the Crown's attack is Mr Hancock's assertion that the Tribunal treated Council's intended zoning change as if it was implemented and lawful. This is not correct. The Tribunal followed the orthodox approach of placing itself in the position of the hypothetical prudent and reasonably well informed purchaser, in this case a property developer. Mr Hancock's detailed submissions do not suggest the Tribunal erred in this respect or was wrong in law in identifying the relevant constraints on development as constituting 'the marketplace, legal and political restraints, and community objectives'.

[16] Central to the Tribunal's decision was its finding of fact that Council had had a 'strong commitment' since at least 2001 to zone the land for marine cluster type industrial development. Whether or not the Crown disagrees with the financial, legal or environmental basis for this commitment, or whether the land would yield a higher price if zoned for residential development, is beside the point. The existence of Council's commitment was undeniable on the evidence before the Tribunal and would be directly if not decisively relevant to the price because the hypothetical risk averse developer would, as the Tribunal found as a matter of fact, be aware of it.

[17] Mr Hancock attempts to challenge the Tribunal's finding by submitting that:

... a developer, or his valuer, each trusting his own experience as to the physical possibilities of the land, what sort of development was appropriately justified for it, its current legally permissible zoning (Countrywide Living) and what is financially feasible does not have to be and would not be intimidated by WCC's decreed intended use in June 2003. If the preponderance of the other available information suggested that Council's intentions were financially infeasible, unreasonable and impracticable then the developer/valuer would exercise an independent judgment. His or her own intuitive judgment and brain programmed by experience and relying on evidence of current market sales transactions of comparable properties would come into play. In evaluating the information the developer/valuer would also be supported by confidence that the relevant legal processes would provide the citizen with adequate safeguards against the unreasonable, impracticable or oppressive.

[18] With respect, this submission is at direct odds with the Tribunal's factual finding, which we respectfully endorse. The Tribunal, drawing upon its collective knowledge and expertise, was satisfied that the risk averse developer, recognising Council's strong commitment to rezoning the land for marine cluster industrial development, would have taken direct account of and been influenced by the likelihood of WCC initiating a scheme plan change for this purpose within three to five years. The Tribunal had an ample evidential foundation for finding there would have been 'enormous opposition from all the local authorities to the land being zoned for residential uses within the foreseeable future'.

[19] In these circumstances the prudent, well informed and risk averse developer would hardly be likely to speculate on a favourable result through exercising his statutory rights of challenge to Council's commitment by agreeing to pay a higher price fixed according to residential use. Prudence and familiarity with the legal process would inform the hypothetical developer that he would be buying years of litigation, with the associated costs and loss of opportunity on capital, without a probable or real prospect of success. The right of challenge is one thing; an informed commercial assessment of its value is very different, and would be decisive here.

[20] In our judgment the Tribunal applied the correct legal principles in identifying the highest and best use of the land, and the factual foundation for its conclusion is unchallengeable.

(2) *Subsequent Sales Evidence*

[21] Alternatively, Mr Hancock submits that the Tribunal erred when fixing fair market value for the land at \$4 million, approximating \$33 per square metre, by failing to take account of a sale of the same 12.15 hectares together with an additional three hectares by companies associated with the Sovereign interests to WCC on 22 June 2005 for a total of \$15.5 million or \$121 per square metre (this assessment is arithmetically incorrect; the averaged price per square metre is \$102.31). Mr Hancock says that, putting aside all benefits of hindsight, an increase in value approaching 400% in only two years is a strong indication that the valuation

figure is 'patently inadequate and irrational', 'extremely unjust' and could only have occurred 'through a failure properly to apply correct valuation principles'.

[22] There is a short answer to Mr Hancock's overstated submission. The parties fixed the price of \$15.5 million in accordance with a valuation report from Bristow Barbour & Walker to WCC dated 20 May 2005. (The same firm had valued the subject 12.15 hectares for Council on 22 July 2003 at \$4.25 million or around \$35 per square metre.) Bristow Barbour's report noted, among other things, two critical factors. One was that Proposed Plan Change 13, rezoning the air base from Countryside Living into four special areas including this land in a marine industrial special area, was recently notified. The other was that '... the most recent sales transactions reflect significantly stronger prices than was evident only as far back as 2003, the major gains being made from late 2003 and during 2004'. While noting recent sales of other land in the air base for residential and educational purposes, Bristow Barbour focused on recent sales of large areas of land for mixed industrial and commercial use elsewhere in Auckland. The firm expressly recorded that pre-2004 sales of comparably zoned land 'would now require varying upward adjustment of between 50% and 100%'.

[23] Bristow Barbour broke down the total land area of 14.9 hectares into industrial land of 13.2 hectares at \$110 per square metre and mixed use land of 1.7 hectares at \$450 per square metre. The evidence established that the subject land falls into the industrial category. However, taking into account contributions towards off-site infrastructural work and deferment, Bristow Barbour's net value for the industrial land was \$90.20 per square metre. On our assessment this is an increase of 173%, not 400%, over the two year period, and much closer to the parameters of the market movement identified in the report than is the increase calculated by Mr Hancock.

[24] We shall also record briefly our reasons for concluding that the Tribunal did not err in any event in not giving weight to this sale. Evidence of transactions entered into after the date of offer may be 'relevant or of assistance to a greater or lesser degree': *Melwood Units Pty Ltd v Commission of Main Roads* [1979] AC 426 (PC) at 436D-E. The decision whether or not to take such evidence into account is

of an intensely actual or circumstantial nature. In *Melwood* the Privy Council held that a transaction entered into within six months may have been material.

[25] In this case the Tribunal noted that sales of possibly comparable land after June 2003 were 'only helpful to confirm a continued upward trend': at [55]. It does not refer to the June 2005 sale at all. That is because, as Mr Miles submits, the later transaction was a side issue at the hearing. The transcript of evidence confirms his point. The later sale received only passing mention there; in answer to a question by the Tribunal's chairman, Mr Hancock described its relevance as 'indicat[ing] a trend' and advised the Crown was not relying on it as 'the primary way to arrive at a valuation'. Otherwise the sale did not feature in evidence or submissions.

[26] As Mr Miles explained, the Crown disclaimed reliance on the July 2005 transaction because the Bristow Barbour valuation was undertaken on the premise of a marine precinct zoning for 31 sites, excluding the 85 mixed used sites. This premise undermined the essence of the Crown case that the highest and best use of the land was residential. Accordingly, it did not call Bristow Barbour and the Crown's valuer, Mr Brett Smithies, did not rely on the transaction.

[27] We agree with Mr Miles that the Tribunal would have erred if it had taken express account of the July 2005 transaction. There is no precedent for using a sale entered into two years after the offer as reliable evidence of market value. Any sale outside a matter of months from the transaction would likely be influenced by extraneous conditions. Bristow Barbour's report exemplifies the dynamic nature of the market following mid 2003 with its extraordinary consequential increase in values.

[28] Mr Hancock also submits that the Tribunal failed to take proper account of two other sales of Hobsonville air base land. In April 2003 the Crown sold 30.4912 hectares to Housing Corporation of New Zealand at \$22 million or \$72 per square metre; and in October 2003 it sold a further 8.8 hectares to the Ministry of Education for \$2.96 million or \$45 per square metre. But these transactions were of no evidential value. The land in both was sold for different purposes – the first for residential and the second for educational.

[29] This ground of appeal must also fail.

Result

[30] For the reasons given we dismiss the Crown's appeal against the Land Valuation Tribunal's decision.

[31] The Luke interests are entitled to costs. Normally we would fix them in accordance with the scale at category 2B. However, Mr Miles advises that the Luke interests may seek increased costs. We reserve leave to that party to file a memorandum in support of an application within 21 days of this decision, and for the Crown to file a memorandum in answer within a further 14 days. The memoranda are not to exceed five pages including schedules.

Rhys Harrison J



Hobsonville
Landing
Special Area

A

Land Purchased by
Waitakere City

B

Hobsonville
Future Dev't
Special Area

E

F

Hobsonville Future
Development Special Area

C

D

H

I

A33

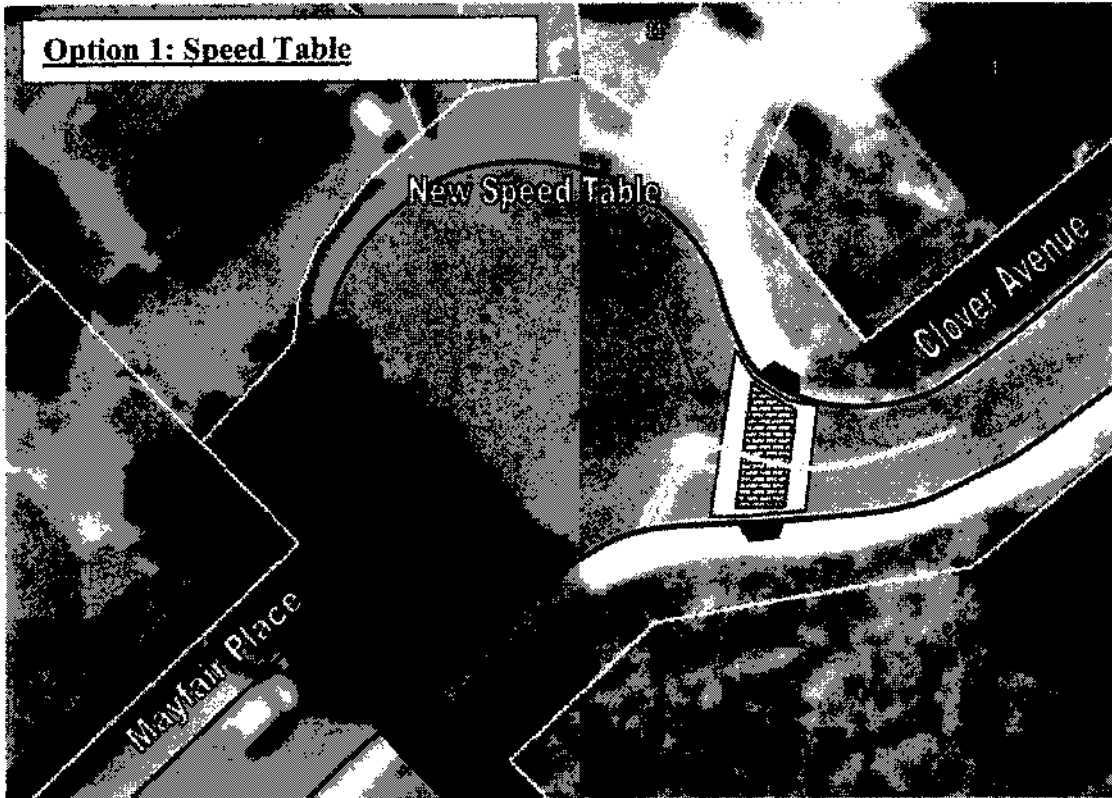
Clark Road

Clark Road

Clark Road

Clark Road

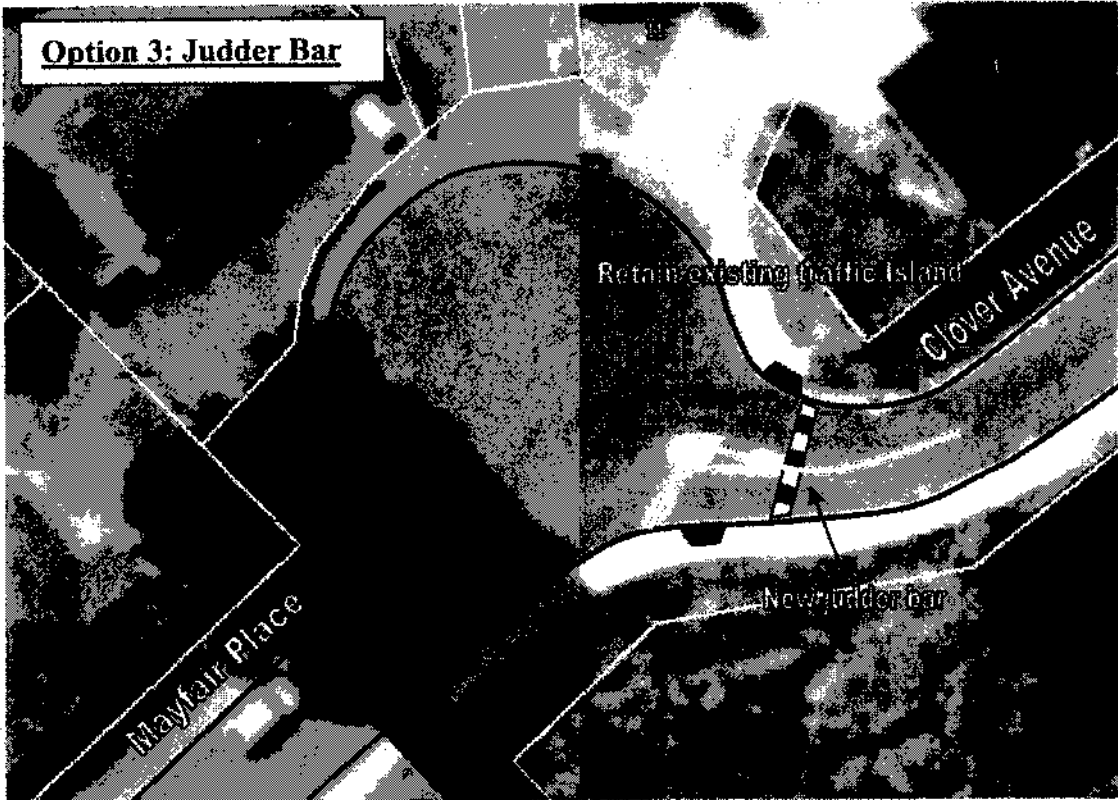
Option 1: Speed Table



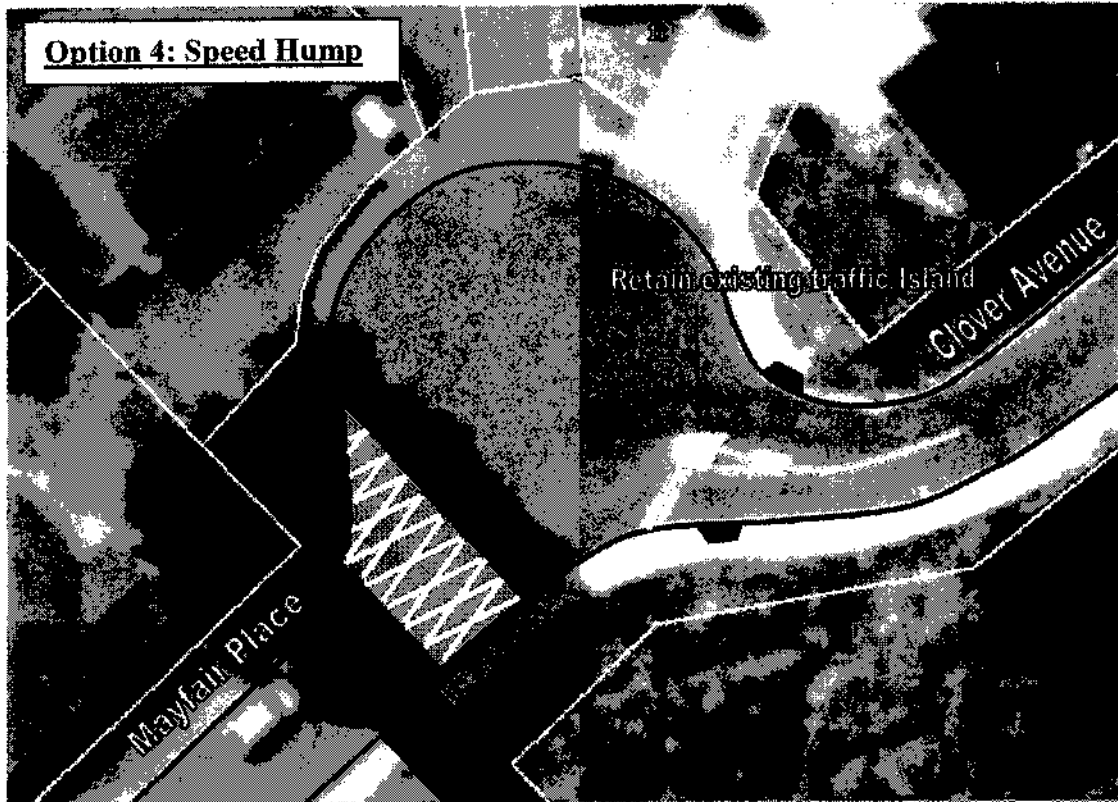
Option 2: Kerb Extension Island

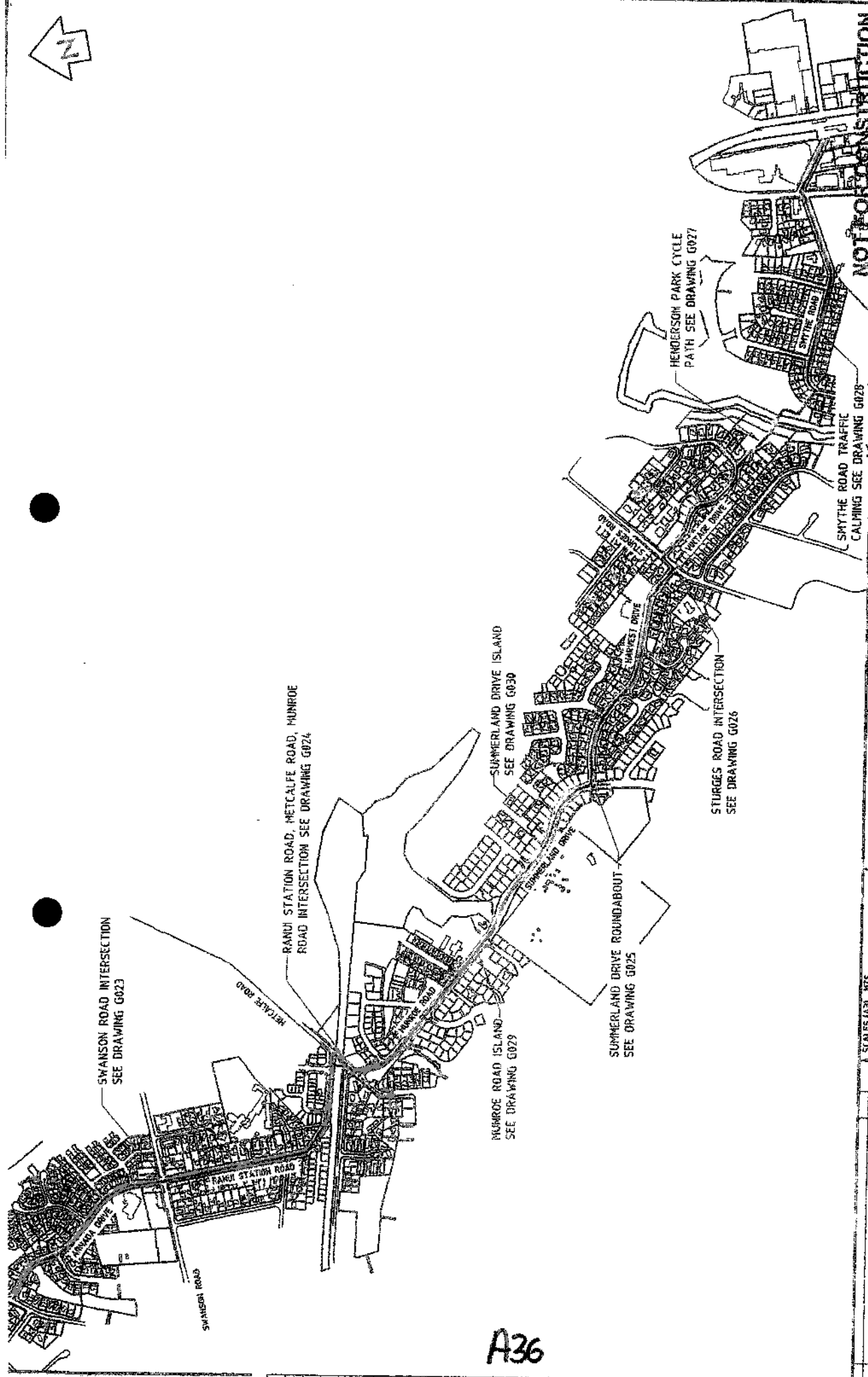


Option 3: Judder Bar



Option 4: Speed Hump





NOT FOR CONSTRUCTION

WAITAKERE CITY COUNCIL

ARMADA DRIVE CYCLEWAY PROJECT

RESOURCE CONSENT DRAWING

CYCLE ROUTE REFERENCE PLAN

Scale: 1:500

DATE: 02/07

DESIGNED BY: GN

DESIGN CHECK BY: GB

DRAWN BY: GN

DRAWING CHECK BY: GB

APPROVED BY: MP

Project No: Z14-81900

Sheet No: G022

Scale: A

REVISIONS

NO	DESCRIPTION	DATE

APP: _____ DATE: _____

PREPARED BY: _____

CHECKED BY: _____

DATE: _____

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Waitakere City Council Projects Z14-81900 - Z14-81909 & Z14-81910 WCC Armada Drive Cycleway Project LEAD PLAN DRAWING DRAWING NO: Z14-81900 - G022.dwg

A36

ORIGINAL SIZE A3
 0 10 20 30 40 50 60 70 80 90 100
 DO NOT SCALE - IN DOUBT, ASK

ROLE DESCRIPTION

COMMUNITY BOARD MEMBERS

The role of a community board member is varied. To be an effective community board member you need to know that it consists of more than just attending community board meetings. It also involves a high level of commitment. In order to effectively represent your community you will need to attend many other meetings and events in your local community. Your community board will only be as good as you and your colleagues make it.

By electing you to a community board, your fellow citizens have appointed you to a position of leadership in your community. They will treat you with respect and will expect you in return to represent their opinions faithfully and with integrity. They will also expect you to actively work for the benefit and enhancement of the community as a whole.

Representative Role

i. Advocacy

- To promote residents' issues and initiatives to the community board and the council.
- To be an advocate for local issues and initiatives on behalf of residents, to the city or district council, or to central government.
- To monitor the range and level of council services provided within the community board's jurisdiction, and to advocate changes as necessary.
- To be proactive and to anticipate strategies and policies that may have a future impact on the local community.
- To respond to resident and community issues and submissions, and to act as leaders in the community where problems may arise and where issues or initiatives need to be promoted.
- To engage in community development activities in conjunction with council officers. (Board members frequently assist with the initiation and facilitation of community development initiatives and may liaise with council officers who are responsible for taking action and reporting back.)

ii. Public Face and Consultation

- To represent the community to central government agencies and wider community forums.
- To liaise with, and to communicate with, community groups regarding local issues and initiatives, and the processes, services and decisions of the community board and the council.
- To clarify and promote the role of the community board in the ward and wider communities.

Governance Role

iii. Relationships and Facilitation

- To work in cooperation with the council. Community boards are part of the local authority and must work within the framework of the powers and functions set out in statute and delegated by the council.
- To act as an interface between the council and the community. Board members should listen to the diversity of viewpoints and concerns in their community,

represent and communicate these to the council, and work towards a common understanding.

- To attend meetings of the community board and any other bodies the member has been asked to serve on.

iv. Decision Making

- To contribute to the development of community board policies, to set and monitor key performance indicators.
- To ensure the integrity of the community board and its decisions, and represent these to the community and particular groups in a way that promotes the board rather than the individual.
- To scrutinize council policies and services within the community board area and, to advise the council on ways of enhancing effectiveness.
- To ensure that decisions are made on the basis of sound information and rationale, and that they reflect the interests of the communities represented by the Board.
- To ensure that the structures and systems used by the board (i.e. agenda) support and encourage effective democratic decision-making.

v. Information Gathering

- To actively seek good quality information and keep well informed of community priorities, broader issues and local initiatives.
- To attend specifically to information directed to board members, such as emails, submissions, deputations, and financial reports.

vi. Accountability

- To sit on hearing panels and engage in decision-making processes with no bias, acting at all times with integrity and professionalism.
- To act in accordance with democratic accountability to all residents within the area.
- To act in accordance with the community board or council's code of conduct.
- To prepare for and attend all community board meetings

For many people membership of a community board is their first step in a journey that may eventually lead to a role as a councillor, mayor or even a member of parliament.

Members receive remuneration which is set by the Remuneration Authority. Remuneration levels will vary from council to council so contact your local authority for more detailed information. Further information can be found on the community boards' web page at www.lqnz.co.nz

ROLE DESCRIPTION COMMUNITY BOARD CHAIRPERSON

The role of a community board Chairperson is varied with providing the Community Board with strong leadership. To be an effective community board Chairperson you need to know that it consists of more than just Chairing and attending community board meetings. It also involves a high level of commitment with leadership and team playing skills.

The Chairperson needs to lead, co-ordinate and direct business and activities of the Community board within its specific terms of reference and delegated authorities, providing guidance and direction.

In order to effectively represent your community you will need to attend many other meetings and events in your local community. Your community board will only be as good as you and your colleagues make it.

By electing you as the community board Chairperson, your fellow colleagues have appointed you to a position of leadership and to be the face of the Community Board at Council, and in the community along with representing the board to Members of Parliament, Regional and Environmental Councils, government departments and community agencies. Providing effective Chairmanship of meetings adhering to the councils standing orders and They will treat you with respect and will expect you in return to represent their opinions faithfully and with integrity. They will also expect you to actively work for the benefit and enhancement of the community as a whole.

1. Representative Role

i. Advocacy

- To promote residents' issues and initiatives to the community board and the council.
- To be an advocate for local issues and initiatives on behalf of residents, to the city or district council, central government, government departments and other agencies.
- To monitor the range and level of council services provided within the community board's jurisdiction, and to advocate changes as necessary.
- To be proactive and to anticipate strategies and policies that may have a future impact on the local community.
- To respond to resident and community issues and submissions, and to act as leader in the community where problems may arise and where issues or initiatives need to be promoted.
- To engage in community development activities in conjunction with council officers. (Board Chairpersons frequently assist with the initiation and facilitation of community development initiatives and may liaise with council officers who are responsible for taking action and reporting back.)

ii. Leadership

- Presiding over Community Board meetings ensuring that the business of the meeting is carried out in an orderly manner and enforcing standing orders as required.
- To liaise with Council Officials/Management for setting the content of the agenda and priorities.
- To act in accordance with the community board or council's code of conduct.

- Representing the community Board on council committees, community organizations and meetings with external partners.

- To chair public meetings seeking the communities input into community issues and councils LTCCP, planning and strategy development processes, and policies and bylaws.
- To have the Community Board agenda providing an opportunity for deputations from individuals, residents associations, community organizations, and the Police.
- To ensure effective and efficient communications and co-ordination between elected members, staff, and members of the public.
- To be the media spokesperson for the Community board promoting the role and decision making of the board.

iii. *Public Face and Consultation*

- To represent the community board to central government agencies, Members of Parliament and wider community forums.
- To liaise with, and to communicate with, community groups regarding local issues and initiatives, and the processes, services and decisions of the community board and the council.
- To clarify and promote the role of the community board in the ward and wider communities.

2. **Governance Role**

iv. *Relationships and Facilitation*

- To work in cooperation with the council and other partners. Community boards are part of the local authority and must work within the framework of the powers and functions set out in statute and delegated by the council.
- To meet with management establishing a good relationship.
- To act as an interface between the council and the community. Chairperson should listen to the diversity of viewpoints and concerns in their community and elected members, represent and communicate these to the council, and work towards a common understanding.
- To attend formal and informal meetings of the community board and any other bodies the member has been asked to serve on.

v. *Decision Making*

- To contribute to the development of community board policies, to set and monitor key performance indicators.
- To ensure the integrity of the community board and good decision making, and represent these to the community and particular groups in a way that promotes the board rather than the individual.
- To scrutinize council policies and services within the community board area and, to advise the council on ways of enhancing effectiveness.
- To ensure that decisions are made on the basis of sound information and rationale, and that they reflect the interests of the communities represented by the Board.
- To ensure that the structures and systems used by the board (i.e. agenda) support and encourage effective democratic decision-making.

vi. *Information Gathering*

- To manage the agenda with the assigned staff member.
- To actively seek good quality information and keep well informed of community priorities, broader issues and local initiatives.

ROLE DESCRIPTION

COMMUNITY BOARD DEPUTY CHAIRPERSON

The role of a community board Deputy Chairperson is varied with providing the Community Board with strong leadership. To be an effective community board Deputy Chairperson you need to know that it consists of more than just attending community board meetings. It also involves a high level of commitment with leadership and team playing skills.

The Deputy Chairperson needs to assist the Chairperson with leadership, assisting with the activities of the Community board within its specific terms of reference and delegated authorities, providing support with the Chairperson's guidance and direction.

In order to effectively represent your community you will need to attend many other meetings and events in your local community. Your community board will only be as good as the Chairperson and you working together to make it an effective board.

By electing you as the community board Deputy Chairperson, your fellow colleagues have appointed you to a position of assisting with co-leadership and to be the face of the Community Board at Council, and in the community along with representing the board to Members of Parliament, Regional and Environmental Councils, government departments and community agencies when the Chairperson is not available. Providing assistance to the Chairman at meetings, and having a good understanding of the council's standing orders.

1. Representative Role

i. Advocacy

- To promote residents' issues and initiatives to the community board and the council.
- To be an advocate for local issues and initiatives on behalf of residents, to the city or district council, central government, government departments and other agencies.
- To monitor the range and level of council services provided within the community board's jurisdiction, and to advocate changes as necessary.
- To be proactive and to anticipate strategies and policies that may have a future impact on the local community.
- To respond to resident and community issues and submissions, and to act as leader in the community where problems may arise and where issues or initiatives need to be promoted.
- To engage in community development activities in conjunction with council officers. (Board Deputy Chairpersons frequently assist with the initiation and facilitation of community development initiatives and may liaise with council officers who are responsible for taking action and reporting back when the Chairperson is absent.)

ii. Leadership

- Presiding over Community Board meetings in the absence of the Chairperson ensuring that the business of the meeting is carried out in an orderly manner and enforcing standing orders as required.
- To liaise with Council Officials/Management for setting the content of the agenda and priorities with the Chairperson.
- To act in accordance with the community board or council's code of conduct.
- Representing the community Board on council committees, community organizations and meetings with external partners.
- In the chairperson's absence to chair public meetings seeking the communities input into community issues and councils LTCCP, planning and strategy development

processes, and policies and bylaws.

- To have the Community Board agenda providing an opportunity for deputations from individuals, residents associations, community organizations, and the Police.
- To ensure effective and efficient communications and co-ordination between elected members, staff, and members of the public.
- To be the media spokesperson for the Community board promoting the role and decision making of the board in the absence of the Chairperson.

iii. Public Face and Consultation

- To represent the community board to central government agencies, Members of Parliament and wider community forums.
- To liaise with, and to communicate with, community groups regarding local issues and initiatives, and the processes, services and decisions of the community board and the council.
- To clarify and promote the role of the community board in the ward and wider communities.

2. Governance Role

iv. Relationships and Facilitation

- To work in cooperation with the council and other partners. Community boards are part of the local authority and must work within the framework of the powers and functions set out in statute and delegated by the council.
- To meet with management establishing a good relationship.
- To act as an interface between the council and the community when required. The Deputy Chairperson should listen to the diversity of viewpoints and concerns in their community and elected members, represent and communicate these to the council, and work towards a common understanding.
- To attend formal and informal meetings of the community board and any other bodies the member has been asked to serve on.

v. Decision Making

- To contribute to the development of community board policies, to set and monitor key performance indicators.
- To ensure the integrity of the community board and good decision making, and represent these to the community and particular groups in a way that promotes the board rather than the individual.
- To scrutinize council policies and services within the community board area and, to advise the council on ways of enhancing effectiveness.
- To ensure that decisions are made on the basis of sound information and rationale, and that they reflect the interests of the communities represented by the Board.
- To ensure that the structures and systems used by the board (i.e. agenda) support and encourage effective democratic decision-making.

vi. Information Gathering

- To assist with the management of the agenda with the Chairperson and the assigned staff member/s.
- To actively seek good quality information and keep well informed of community priorities, broader issues and local initiatives.
- To attend specifically to information directed to the Deputy Chair and board members.

such as emails, submissions, deputations, and financial reports.

vii. Accountability

- In the absence of the Chairperson to Chair all meetings in accordance to the approved standing orders, with professionalism ensuring that all meetings engage in good decision making.
- To sit on hearing panels and engage in decision-making processes with no bias, acting at all times with integrity and professionalism.
- To act in accordance with democratic accountability to all residents within the area.
- To prepare for and attend all community board meetings

For many people membership of a community board is their first step in a journey that may eventually lead to a role as a councillor, mayor or even a member of parliament.

Members receive remuneration which is set by the Remuneration Authority. Remuneration levels will vary from council to council so contact your local authority for more detailed information.

Further information can be found on the community boards' web page
www.lqnz.co.nz/communityboards