



10. EXTRAORDINARY VACANCY – RESIGNATION OF CHRIS ENGLISH

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| General Manager responsible: | General Manager Regulation and Democracy Services, DDI 941-8462 |
| Officer responsible: | Democracy Services Manager |
| Author: | Peter Croucher, Community Board Adviser |

PURPOSE OF REPORT

1. The purpose of this report is to outline the options available to the Shirley/Papanui Community Board in respect of the extraordinary vacancy arising from the recent resignation of Chris English.

EXECUTIVE SUMMARY

2. Chris English has resigned as an elected member of the Shirley/Papanui Community Board with effect from 19 March 2013.
3. Resignations which occur during the triennium are treated as extraordinary vacancies, which are dealt with under sections 117-120 of the Local Electoral Act 2001. If the vacancy occurs within 12 months of the next triennial local government elections (being 12 October 2013) then the Board has two options. It can either leave the vacancy unfilled, or it can appoint a person to fill the vacancy for the balance of the current triennium. The Board cannot decide to hold a by-election within 12 months of a triennial election.

If the Board resolves to leave the extraordinary vacancy unfilled, immediate public notice must be given of that decision.

To be eligible for appointment as a member of the Community Board, the candidate must:

- (a) Be a New Zealand citizen.
 - (b) Enrolled as a Parliamentary elector somewhere in New Zealand (it is not necessary for the candidate to be enrolled as a Parliamentary elector in Christchurch).
4. The Board is asked to note that, regardless of the current number of members, the quorum for the community board remains as four as under the Council's Standing Orders it is based on the number of members including vacancies.

FINANCIAL IMPLICATIONS

5. There are no major financial implications.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

6. Not applicable.

LEGAL CONSIDERATIONS

7. Section 117 of the Local Electoral Act provides:
 - "2) If a vacancy occurs in the office of a member of a local authority or in the office of an elected member of a community board 12 months or less than 12 months before the next triennial general election, the chief executive of the local authority concerned must notify the local authority or community board of the vacancy immediately.
 - (3) On receiving notice under subsection (2), the local authority or community board must, at its next meeting (other than an extraordinary meeting) or, if that is not practicable, at its next subsequent meeting (other than an extraordinary meeting), determine by resolution –

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- (a) *that the vacancy will be filled by the appointment by the local authority or community board of a person named in the resolution who is qualified to be elected as a member; or*
- (b) *that the vacancy is not to be filled.*
- (4) *If for any reason the person specified in the resolution is unavailable, or otherwise unable to be notified of the appointment, a further vacancy occurs in that office."*

8. Section 118 provides as follows in respect of any decision to make an appointment to fill an extraordinary vacancy:

"118 Notice of intention to fill vacancy by appointment

- (1) *If, under section 117(3)(a) or section 117A, a local authority or community board resolves that a vacancy will be filled by the appointment of a person by the local authority or community board, it must immediately, unless the vacancy is for the office of mayor, give public notice of—*
 - (a) *the resolution; and*
 - (b) *the process or criteria by which the person named in the resolution was selected for appointment.*
- (2) *The local authority or community board must, at a meeting held not later than the expiry of the prescribed period, by resolution confirm the appointment described in the resolution under subsection (1); and the person appointed is for all purposes to be treated as having been elected to fill the vacancy on the date on which that resolution is made.*
- (3) *For the purposes of subsection (2), the expiry of the prescribed period is 30 days after the date of notification of the resolution under subsection (1).*
- (4) *If for any reason the person specified in the resolution is unavailable or otherwise unable to be confirmed in the appointment, a further vacancy occurs in that office".*

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

9. The legal considerations are as outlined above within the Local Electoral Act 2001

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. Not applicable.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

11. Not applicable.

ALIGNMENT WITH STRATEGIES

12. Not applicable.

Do the recommendations align with the Council's strategies?

13. Not applicable.

CONSULTATION FULFILMENT

14. Not applicable.

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STAFF RECOMMENDATION

The Board has two options open to it, as set out in the following alternative draft resolutions:

- (a) That the Board resolve pursuant to section 117(3)(b) of the Local Electoral Act 2001 to leave unfilled the extraordinary vacancy created by the resignation of Chris English, and that the Chief Executive Officer immediately give public notice of that decision; or
- (b) That the Board appoint a person for the unexpired balance of the current triennium created by the resignation of Chris English, as provided in section 117(3)(a) of the Local Electoral Act 2001.

CHAIRPERSON'S RECOMMENDATION

For discussion

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11. CORRESPONDENCE

No items of correspondence have been received to date.

12. COMMUNITY BOARD ADVISER'S UPDATE

12.1 CURRENT ISSUES

12.2 BOARD FUNDING UPDATE 2012/13

Refer to **Attachment**.

12.3 LOCAL EARTHQUAKE RECOVERY COORDINATION

12.4 GUIDING PRINCIPLES FOR COMMUNITY BOARD DECISION MAKING

Refer to **Attachment**.

13. ELECTED MEMBERS' INFORMATION EXCHANGE

The purpose of this exchange is to provide a short brief to other members on activities that have been attended or to provide information in general that is beneficial to all members. To also include key issues and information to communicate out to our people.

14. QUESTIONS UNDER STANDING ORDERS

Shirley/Papanui Community Board Funds 2012/13

| Updated as at | Project/Service/Description/Group | Allocation 2012/13 | | |
|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------|--|
| 21-Mar-13 | Shirley/Papanui Discretionary Response Fund Budget 2012/13 | \$ 51,197 | Board Approval | |
| | Funding Returned - SCF Transfer | \$ 318 | | |
| | Funding Returned - SGF Transfer | \$ 5,469 | | |
| | Funding Returned - St Albans | \$ 14,500 | | |
| | Carry forward from 2011/12 DRF | \$ 18,520 | | |
| | Total Budget for 2012/13 | \$ 90,004 | | |
| | Transfer DRF Tagged for St Albans | \$ 14,500 | 30/10/12 | |
| | Transfer to YDF | \$ 10,000 | 04/07/12 | |
| | Positive Youth Development Fund - Opening Balance allocation | \$ 10,000 | | |
| | Allocations made | | | |
| | Tui Tepora Matenga (National Kapa Haka Competition) | \$ 150 | 04/07/12 | |
| | Villa Maria College - Con Brio Choir (National Big Sing Competition) | \$ 700 | 18/07/12 | |
| | Carlos Policarpio (Sister City Global Leadership Programme European Tour) | \$ 300 | 18/07/12 | |
| | Melanie Nicole Cameron (Sister City Global Leadership Programme European Tour) | \$ 300 | 18/07/12 | |
| | Ashleigh Jayne Davidson (National Ice Hockey Tournament Auckland) | \$ 200 | 01/08/12 | |
| | Mairehau High School Senior Boys Basketball Team (Basketball NZ South Island National Qualifying Tournament) | \$ 1,200 | 15/08/12 | |
| | Rebecca Leanne Lau (NZ National Figure Skating Championships Auckland) | \$ 200 | 15/08/12 | |
| | Emmanuel Christian School (Three day Outdoor Pursuits Course Boyle River) | \$ 300 | 15/08/12 | |
| | Mackenzie Taylor Soper (Sister City Global Leadership Programme European Tour) | \$ 300 | 05/09/12 | |
| | Burnside High School Orchestra (April Ju, Andrew John Robinson, Hannah Xuanen Khor, Gabriel Xanyao Khor - 10 day tour working alongside the Melbourne Symphony Orchestra) | \$ 200 | 05/09/12 | |
| | Alexy Vitry Audibert (National Gym Sports Championships) | \$ 300 | 03/10/12 | |
| | Carlos Policarpio FUNDING RETURNED | -\$ 300 | 14/11/12 | |
| | Satori Hazlitt-Black (Waikato Swim Championships) | \$ 300 | 14/11/12 | |
| | Whitney Nikita Hepburn (U16 Secondary School Age Group Football Fiji) | \$ 300 | 14/11/12 | |
| | Gerard Nigel Matthew Trolove (Fiji Voluntary Project) | \$ 250 | 14/11/12 | |
| | Charlie Alec Edward Bristow | \$ 250 | 14/11/12 | |
| | Min Hyeok Bai (Table Tennis Lessons) | \$ 300 | 14/11/12 | |
| | Saraya Rose Martin-Mckenzie (Australian Girl Guide Jamboree Fantastic 2013 Tasmania) | \$ 300 | 14/11/12 | |
| | Olivia Isobel Hodgson (Showcase Dance Competition Brisbane) | \$ 300 | 14/11/12 | |
| | Stacey Michelle Hildreth (Secondary National Touch Tournament Hamilton) | \$ 250 | 14/11/12 | |
| | Mikayla Michelle Hildreth (Secondary National Touch Tournament Hamilton) | \$ 250 | 14/11/12 | |
| | Tomo Dorrance (South Island Coalgate Games Athletics Competition) | \$ 300 | 05/12/12 | |
| | Belfast School (Student Leadership Development) | \$ 1,050 | 05/02/13 | |
| | Henry Thomas Burrell (Ice Hockey Friendship Games, Aldergrove, Canada) | \$ 500 | 20/02/13 | |
| | Touch Canterbury U15 Mixed Team (Touch NZ Junior National Touch Championships - Holly Hutchinson, Jarod Glentworth, Jayden Watson, Milan Prangel, Grace Richards and Ashleigh Bull) | \$ 600 | 06/03/13 | |
| | Positive Youth Development Fund Balance | \$ 1,200 | | |
| | Discretionary Response Fund - Total Allocation | \$ 65,504 | | |
| | Shirley Tennis Club (replacement of Honours Board) | \$ 600 | 05/09/12 | |
| | Kidsfirst Kindergarten - Northcote (outside play equipment) | \$ 1,000 | 05/09/12 | |
| | Family History Society (The Family History Expo) | \$ 1,500 | 05/09/12 | |
| | Northgate Community Services (Accounting Expenses) | \$ 500 | 19/09/12 | |
| | Transfer of \$375 from the DRF to the Neighbourhood Week Fund 2012 | \$ 375 | 03/10/12 | |
| | Spencerville Residents Association (Guy Fawke's evening for community) | \$ 1,120 | 17/10/12 | |
| | Shirley Community Trust (Barista Training for 3 volunteers) | \$ 1,090 | 31/10/12 | |
| | Papanui Youth Development Trust (Whakaoho Community Day 2013) | \$ 3,500 | 14/11/12 | |
| | Delta Community Support Trust (Wages for Gardening & Bio-waster Recycling Programme) | \$ 3,900 | 05/12/12 | |
| | Belfast Community Network (Adminstrator Fixed Term Contract Costs) | \$ 4,447 | 05/12/12 | |
| Edible Gardens Award (Staff to arrange for Canterbury Horticultural Society to administer) | \$ 5,000 | 05/12/12 | | |
| Canterbury Cook Islands Sports Association Inc. (Cost of rent for culture nights) | \$ 2,380 | 17/12/12 | | |
| NZ Community Boards Conference (Attendance to cover any shortfall of Operational funds) | \$ 2,000 | 05/02/13 | | |
| Te Puna Oraka (Strengthening Collaboration Skills Training) | \$ 571 | 20/02/13 | | |
| Cranford Street/Main North Road Intersection (Zebra Pedestrian Crossing Upgrade) | \$ 5,000 | 06/03/13 | | |
| Shirley Community Trust (Wages for Shirley Youth Development Worker) | \$ 19,689 | 20/03/13 | | |
| Spencerville Residents Association (towards hosting the Kid's Christmas Party) | \$ 234.29 | 20/03/13 | | |
| Shirley/Papanui Discretionary Response Fund Balance | \$ 12,598 | | | |
| DRF Tagged for St Albans - Opening Balance allocation | \$ 16,000 | | | |
| Westminster Sports Inc. (Assist with private Planner to process consents for sports facility) | \$ 5,520 | 05/02/13 | | |
| Edgeware Croquet Club (towards the costs of repairing Equipment Shed) | \$ 699 | 20/03/13 | | |
| DRF St Albans Balance | \$ 9,781 | | | |
| Total Balance of unallocated DRF / YDF / St Albans DRF | \$ 23,579 | | | |

Shirley/Papanui Community Board

Touchstone Document 2012-13

Guiding Principles for Community Board Decision Making within the Context of a Recovery Environment

| Priorities | Actions | Decision Making model |
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| <p>1. Community Development and Resilience</p> <ul style="list-style-type: none"> Advocate <u>community priorities</u> to CCC and other relevant agencies Promote, advocate and resource <u>community development, resilience and social enterprise</u> Promote and advocate for <u>Positive Youth Development</u> Support and maintain a current <u>community database and directory</u> Support and resource community groups <u>capability and skills</u> Grow and nurture local community leadership | | <p>This 'Touchstone Document' is a guiding document for the Shirley/Papanui Community Board (SPCB) and has been developed through an engagement process that emerged following the events of 22 February 2011. A SPCB <i>Towards Recovery Plan</i> was developed and implemented as a crisis response from April – August 2011. The SPCB then moved back to the previous network structure of engagement with our communities and a concentrated series of engagement to design and develop a plan of action with our local communities for the next 18 months – 2 years. Due to our dynamic environment there would need to be flex and responsiveness in any such plan.</p> <p>This one page Touchstone Document is our attempt to provide such a planning framework and it has come from an eight week period where Community Board members brokered, facilitated and attended a range of local events including service providers, local leaders and other stakeholders. The SPCB acknowledges the community leaders of Brooklands, Spencerville, Belfast, Shirley, St Albans and Papanui who have contributed to this document. Special thanks to Dr Phil Driver and Professor Bruce Glavovic for sharing their expertise and to Peter Croucher and Shirley Papanui staff for their support in coordination and administration of the engagement processes.</p> |
| <p>2. Community Safety</p> <ul style="list-style-type: none"> Broker and support initiatives that contribute to <u>neighbourhood and community safety</u> with and between community organisations and government agencies | | |
| <p>3. Economic Development</p> <ul style="list-style-type: none"> Broker, facilitate and support meetings with <u>business and community</u> sectors to define commonalities and begin to work together Promote businesses and entrepreneurship, particularly small businesses in our communities Support community <u>training and employment</u> projects and initiatives | | |
| <p>4. Emergency Preparedness and Responsiveness</p> <ul style="list-style-type: none"> Promote and support <u>Civil Defence Emergency Management (CDEM)</u> activities Support CDEM co-ordination and resourcing of neighbourhood and community groups especially in priority areas of <u>Brooklands, Shirley, St Albans and Spencerville</u> Support and <u>empower</u> our communities towards greater self sufficiency | | |
| <p>5. Engagement and Communication</p> <ul style="list-style-type: none"> Develop a <u>shared vision and action plan</u> with and for our communities Support <u>community based communications</u> ie newsletters Encourage increased <u>public attendance and participation</u> at Community Board meetings Provide public with <u>information</u> about Board and Council activities/processes and what the Community Board can do (i.e. deputations, advocacy) Broker, coordinate and facilitate <u>community networks, meetings and gatherings</u> eg MP's <u>Keep listening</u> to community aspirations, needs and priorities | | |
| <p>6. Family and Community Services</p> <ul style="list-style-type: none"> Resource effective projects and initiatives focused on <u>families, parenting, volunteering, integrated service</u> approaches Support <u>collaboration</u> of community groups and organisations | | |
| <p>7. Healthy Communities</p> <ul style="list-style-type: none"> Support <u>public health</u> (including mental health) initiatives especially to priority communities ie local food security, community gardens, exercise groups Supporting initiatives that <u>empower individuals, families and communities</u> to be proactive and take responsibility for their own health | | |
| <p>8. Learning and Development</p> <ul style="list-style-type: none"> Promote and resource <u>community research, learning and development</u> initiatives Engage with and advocate to <u>schools and Ministry of Education</u> on behalf of community priorities and interests | | |
| <p>9. Recreation, Places and Spaces</p> <ul style="list-style-type: none"> Support <u>collaborative approaches</u> to solutions for <u>community facilities</u> Support the development of <u>recreation</u> projects and initiatives Support sports clubs and community groups with <u>multi-purpose</u> places and spaces Support community facilities in getting up to the <u>building code</u> Advocate to Council for the development and completion of community and neighbourhood <u>infrastructure planning</u> Support engagement with local <u>land developers</u> ie Belfast and Redwood | | |
| <p>10. Supporting Vulnerable People</p> <ul style="list-style-type: none"> Raise awareness and advocate issues of <u>vulnerable people</u> in our communities especially Children, Youth, Older people, People with disabilities, migrants and refugees Promote, advocate and resource <u>positive social initiatives</u> Monitor and communicate community and social <u>housing</u> needs | | |