



Notice is hereby given that a meeting of the Oraka Aparima Community Board will be held on:

Date:	Tuesday, 10 June 2025
Time:	6.30pm
Meeting room:	Riverton Senior Citizens Room
Venue:	Corner Bath Road and Princess Street, Riverton

Oraka Aparima Community Board Agenda - Late Items OPEN

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

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Extraordinary vacancy on the Oraka Aparima Community Board

Record no: R/25/6/26705

Author: Robyn Rout, Governance legal manager

Approved by: Vibhuti Chopra, Group manager strategy and partnerships

☒ Decision

☐ Recommendation

☐ Information

Purpose

1 The purpose of this report is to:

- formally notify the Oraka Aparima Community Board that a member of the board resigned by notice in writing to Council's chief executive on 5 June 2025
- seek a decision from the board on how it wants to respond to the vacancy, in accordance with its options under the Local Electoral Act 2001.

Executive summary

- 2 An extraordinary vacancy has arisen on the board with the resignation of Albert Buchanan. Mr Buchanan resigned by providing notice in writing to Council's chief executive on 5 June 2025.
- 3 When a vacancy arises within 12 months of a local government election, the chief executive must notify the board immediately.
- 4 After being notified, the board must then make a resolution at a meeting to either:
- fill the vacancy by appointing a specific person to the board (who is qualified to be elected as a member), or
 - to not fill the vacancy.
- 5 This report seeks a resolution from the board, in accordance with one of these two options.

Recommendation

That the Oraka Aparima Community Board:

- a) **receives the report titled “Extraordinary vacancy on the Oraka Aparima Community Board”**
- b) **determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002**
- c) **determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter**
- d) **notes an extraordinary vacancy has been created on the Oraka Aparima Community Board pursuant to Schedule 7 clause 5 of the Local Government Act 2002, through the resignation of Albert Buchanan on 5 June 2025**
- e) **decides:**
 - i) **the vacancy will be filled by the appointment of (who is qualified to be elected as a member)**
 - OR**
 - ii) **the vacancy is not to be filled.**

Background

- 6 On 5 June 2025 the chief executive received notice in writing that Oraka Aparima Community Board member, Albert Buchanan, was resigning.

Issues

Two options on how board can proceed

- 7 Section 117 of the Local Electoral Act 2001 (LEA) states that if a resignation is received 12 months or less from a local government election, a board must at its next meeting (or if that’s not practicable, the next subsequent meeting) determine by resolution:
- that the vacancy will be filled by an appointment by the board of a person named in the resolution who is qualified to be elected as a member
 - that the vacancy is not to be filled.
- 8 The board is therefore required to decide at this meeting how to respond to the vacancy.

If the board chooses to fill the vacancy by appointment

- 9 The LEA outlines steps that must be taken if the board decides to fill the vacancy by appointment. Council would be required to immediately issue a public notice that includes the resolution the board made to appoint the member, and the process or criteria the board used to select that person.
- 10 Within 30 days of the public notice being issued, the board would then be required to have another formal meeting. At that meeting the board would need to pass a second resolution to confirm the appointment of the new member. Once confirmed, the appointee would be legally treated as elected from the date of that resolution.
- 11 After these steps have been completed, the new member would be likely to attend one board meeting before the local government election on 11 October 2025.

If the board decides not to fill the vacancy

- 12 If the board resolves to not fill the vacancy and to just have six members for the rest of the triennium, Council is also required to immediately give public notice of the board's decision. No further steps are required.

Factors to consider

Legal and statutory requirements

- 13 In relation to both the resignation of Mr Buchanan and the vacancy, staff are following and applying the requirements set out in the Local Government Act 2002 and the LEA.

Community views

- 14 No specific community views have been sought on this matter due to its level of significance.

Costs and funding

- 15 Costs associated with this matter include staff time and advertising. If the board decide to appoint someone to fill the vacancy, the additional steps required will result in slightly higher costs (eg more staff time, additional elected member mileage claims to attend extra meeting etc). Costs have not been quantified.

Policy implications

- 16 Other than ensuring compliance with Council's Significance and Engagement Policy, there are no other policy considerations.

Analysis

Options considered

- 17 The LEA provides the following two options:
- fill the vacancy by appointing a specific person to the board (who is qualified to be elected as a member)
 - don't fill the vacancy.

Analysis of Options

Option 1 – fill the vacancy by appointing a specific person to the board

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">the appointee may add value/a different perspective at the last board meetingwould provide the new board member with insight/experience at being a board member, perhaps encouraging them to stand in the next election.	<ul style="list-style-type: none">quite a few administrative steps would be required when the new member would probably only attend one meetingslightly higher cost through the provision of staff time etc.

Option 2 – don't fill the vacancy

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">the board would still be able to function and make decisionsthe vacancy would only be for a short period of time.	<ul style="list-style-type: none">With one less member, it may reduced the range of perspectives at the last board meeting of the triennium.

Assessment of significance

- 18 Staff have assessed this matter as being of 'some importance/administrative' in relation to Council's Significance and Engagement Policy.

Recommended option

- 19 Due to the small amount of time left before the local government election, staff recommend that the board proceed with option two and resolve to not fill the vacancy.

Next steps

- 20 Council staff will proceed and issue a public notice outlining the board's decision.

Attachments

There are no attachments for this report.