



**Community Funding Assessment Panel  
Terms of Reference**

**For the remainder of the 2022-2025 Triennium**

**Adopted by Selwyn District Council on 11 September 2024**

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# INTRODUCTION

## 1. General Principles of Delegation

This document sets out the terms of reference and delegations for Selwyn District Council, and its committees and subcommittees. It also sets out the responsibilities of and delegations associated with certain roles, including the Mayor, Deputy Mayor, Chief Executive, Committee and Subcommittee Chairs and Deputy Chairs.

The Council's functions are wide-ranging, and it has obligations and powers under many statutes and regulations.

These terms of reference are intended to allow the Council to ensure that its powers and functions are exercised at a level commensurate with efficiency and effectiveness and the significance of the power or function.

## 2. Establishment of Committees

### **Procedures, responsibilities, and accountabilities**

Subject to the following limitations, the committees of the whole shall have power to act in all matters concerning the functions listed in their respective delegations, provided they do not conflict with stated policy of Council. In respect of matters requiring financial input the committee's power is limited to the extent that provision has been made in the annual budgets and in the Long-Term Plan.

All Committees of the Whole:

- a) Shall be responsible for planning, reviewing and implementation of functions, duties, and powers in respect of their delegations
- b) Shall be responsible for monitoring performance (including budget and performance targets) for their areas of responsibility
- c) Have delegated power to appoint subcommittees and to delegate their powers to that subcommittee.
- d) May delegate their powers to an officer of the Council
- e) Can delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002 (LGA)
- f) Any committee of the whole has the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction. (This allows for setting of fees and bylaw making processes up to but not including adoption)
- g) All committees of the whole shall undertake such other functions as may be delegated by Council from time to time and are able to provide recommendations to council where appropriate

- h) When an Act or Regulation empowers 'the Council' to carry out a decision-making function, that decision must be made by way of resolution of the full council unless the Act or Regulation permits delegation to a committee, subcommittee or officer
- i) Council cannot delegate any of the following matters to committees, subcommittees or any other subordinate decision-making body (Clause 32(1)(a)- (h) of Schedule 7 of the Act):
  - a) the power to make a rate
  - b) the power to make a bylaw
  - c) the power to borrow money, or purchase or dispose of assets, other than in
  - d) accordance with the long-term plan
  - e) the power to adopt a long-term plan, annual plan or annual report
  - f) the power to appoint a chief executive
  - g) the power to adopt policies required to be adopted and consulted on under the Local Government 2002 in association with the long-term plan or developed for the purpose of the local governance statement
  - h) the power to adopt a remuneration and employment policy.
- j) The power to make or alter any council policy is limited to those instances where that power has been specifically delegated to the committee
- k) Any committee of the whole can approve submissions on legislation
- l) All Council committees will follow Tikanga and will open and close with a karakia

### **3. Committees**

Committee includes, in relation to the Council:

- a) A committee comprising all the members of the Council;
- b) A standing committee or special committee appointed by the Council;
- c) A standing committee or special committee appointed by the Mayor;
- d) A joint committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002;
- e) Any subcommittee of a committee described in items (a) (b), (c) or (d) of this definition;  
or
- f) A subordinate decision-making body, including Subcommittees and Forums

The terms of reference and delegations to Committees and Subcommittees are set out in full in this document. In respect of committees and subcommittees:

- a) The committees have no decision-making powers other than those set out in these terms of reference
- b) Any committee may request expert advice through the Chief Executive where necessary

- c) The committees may make recommendations to their governing committee or Council, or Chief Executive as appropriate

#### **4. Working groups**

Working groups may be recommended by committees and subcommittees for Council approval. Working groups are set up to investigate a specific issue within their area of focus and report back within a specific timeframe. Working groups are made up of members of the committee or subcommittee. Working groups do not have decision making power. Working groups enable Councillors to work constructively and collegially together to consider an issue and collectively work on solutions.

#### **5. Quorum**

Unless otherwise specified, a quorum is defined as a half, if the total number of members is even or a majority, if the total number of members is odd. The quorum for committees and subcommittees are stated in the relevant terms of reference. The Mayor is included in calculating the quorum and is counted towards the quorum when present. Appointed members are included in calculating the quorum and are counted towards the quorum when present.

#### **6. Ambiguity and Conflict**

In the event of ambiguity or conflict between any of the provisions contained in these terms of reference, the Chief Executive can provide advice. If the ambiguity or conflict results in uncertainty or dispute as to which chairperson, committee or subcommittee has the delegation to act in respect of a particular matter, then the Mayor will decide in consultation with the Deputy Mayor and having received advice from the Chief Executive. The decision of the Mayor will be final and binding.

In resolving ambiguity or conflict in the allocation of matters to committees, the guiding principle is that the primary outcome of the decision required should determine which committee deals with the matter.

## COMMUNITY FUNDING ASSESSMENT PANEL – TERMS OF REFERENCE

The Community Funding Assessment Panel (the “Assessment Panel”) shall be a Committee of Council, established by Council for specific periods determined by the governing body, or until the 2025 local elections. The existence of the Assessment Panel does not remove from Council any of its legal obligations or responsibilities.

Chair: To be determined

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Deputy Chair: To be determined

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Members:

- Councillor Bob Mugford (Malvern Ward)
- Councillor Debra Hasson (Springs Ward)
- Councillor Shane Epiha (Ellesmere Ward)
- Councillor Sophie McInnes (Rolleston Ward)
- 1-2 iwi Māori members
- 1 Youth Council member
- 1-2 independent members

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Quorum: The quorum for a meeting is achieved if:

- the members are present in person or online so they can communicate in real time with the other members of the meeting, and
- at least two of those present are Councillors, and
- at least half the number of elected and appointed members on the committee at the time are present, as per S.O 11.1(b). If it is an odd number, then the quorum is half plus 1.

For clarity:

Total number of members	Quorum: at least 2 of this number must be Councillors
4	2
5	3
6	3
7	4
8	4
9	5

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Meeting Cycle: Monthly between February and December (inclusive)

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Delegations Powers: The Committee has the powers necessary to perform its responsibilities within the approved Long-Term Plan and Annual Plan Budgets and *C213 Community Funding Policy*.

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Reporting Officer: Senior Advisor Community Funding and Events (part of the Community Services and Facilities Group)

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## 1. Purpose and Principles

- 1.1 Council recognises the important role community organisations and individuals play in helping to promote the social, economic, cultural and environmental wellbeing of Waikirikiri Selwyn residents and provides funding to support wellbeing outcomes.
- 1.2 The Assessment Panel's purpose is to allocate contestable community funding to eligible groups and individuals to support the achievement of positive community outcomes which align with the Council's vision and strategic priorities for the District, and which cannot be achieved by Council acting alone.
- 1.3 The Assessment Panel is responsible for delivering the intentions of the Council's community funding programme which are to help:
  - 1.3.1 achieve the Council's strategic vision and priorities (including the community outcomes stated in the Long-Term Plan).
  - 1.3.2 build upon and support community-led initiatives which create positive change in the community, enhance the community's ability to meet its own needs, enhance wellbeing, and/or develop community leadership.
  - 1.3.3 support the work of property owners and community groups in delivering environmental, indigenous biodiversity, and heritage outcomes for Waikirikiri Selwyn.
  - 1.3.4 support individual and team representation at local, regional, national and international sport/cultural/community competitions and events, support the development of individuals actively engaged in community service, and/or support individuals with special needs to participate in community life.
- 1.4 The Assessment Panel commits to these four core principles when allocating community funds:
  - **Fairness:** Council acknowledges the many diverse communities in Waikirikiri Selwyn. Applicants will be treated without favouritism or discrimination and decisions will be just, impartial, equitable, and based on objective criteria, not personal preference or bias.
  - **Transparency:** Council will publicly communicate what community grants are available and when funding rounds are open. Council will publicly communicate the decisions it makes and what it expects the funding to achieve. Grant recipients will be required to acknowledge Council funding and report on its impact and use.
  - **Accountability:** Grant recipients are accountable to the Council for the community funding they receive. Council is accountable to the residents of Waikirikiri Selwyn for the wise use of money that funds community grants.
  - **Effectiveness:** Council is committed to ensuring the funds are used to deliver good outcomes for community. Council will efficiently manage the community funding programme for the benefit of community.

## 2. Responsibilities

The Assessment Panel's key responsibilities are to:

- 2.1 Consider and allocate the Council's contestable community funds within two months of the fund's closing date, and within a clearly defined assessment process that is applied to all applications in a transparent manner. Contestable funds to be allocated include:
- *Community Fund*
  - *Natural Environment Fund*
  - *Predator Free 2050 Fund*
  - *Heritage Protection Fund*
  - *School Students' Scholarship Fund*
  - *Individuals and Teams Fund*
  - *Strategic Events Fund*
  - *Ellesmere Reserves Board Reserve Fund*
- 2.2 Agree strategic priorities for the *Strategic Partnerships Fund* before it is opened for a funding round. Consider applications received and present recommendations to Council for the allocation of the funding. Council will consider these recommendations in the Long-Term Plan or Annual Plan deliberation process.
- 2.3 Appoint one Councillor member as chair and one member as deputy chair for the Assessment Panel. These appointments can be for the triennium or for any other period of six months or more, to distribute the responsibilities.
- 2.4 Appoint one member to be on the assessment panels for the two external funds administered by Council; these are the *Creative Communities Scheme* and the *Sport NZ Rural Travel Fund*. The member appointed can either be the same person on both panels or can be a different person for each panel.
- 2.5 Receive quarterly reports on allocations from the *Mayor and Councillors Discretionary Funds* and any other non-contestable funds where allocations have been made to community groups. Reporting will also provide information about the spread of allocations across the District. The intention of the reporting is to enable the Assessment Panel to make strategic decisions and provide transparency.
- 2.6 Approve any amendments to Fund Schedules that relate to any fund-specific criteria, exclusions, or terms and conditions.
- 2.7 Approve any amendments to the frequency or timing of funding rounds.
- 2.8 Approve proposals to change the *Purpose* or *Outcomes* for a fund before those changes are presented to the Council for consideration and approval<sup>1</sup>.
- 2.9 Participate in the formal evaluation of the community funding programme (clause 1.15 of the funding policy).
- 2.10 Provide governance input to any review of the *C213 Community Funding Policy* and governance oversight to the community funding programme so that the Council and

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<sup>1</sup> The *Purpose* and *Outcomes* of each fund are in the C213 Community Funding Policy. As this policy is approved by Council any changes to the policy must also be approved by Council.

community can have confidence that the intended community outcomes and strategic priorities are achieved.

### **3. Term of Office and Frequency of Meetings**

- 3.1 The Council appoints the four Ward Councillor members of the Assessment Panel at the first Council meeting following the elections. The appointment is for the full term of each election triennium unless otherwise determined by Council.
- 3.2 The Council appoints other members of the Assessment Panel when nominations are presented to Council for consideration.
- 3.3 Meetings are held monthly from February to December. There is no meeting in January except for the year after triennium election when a meeting may be scheduled if required.
- 3.4 Members are required to attend meetings in person, either physically or online, so they can communicate in real time with the other members of the meeting.
- 3.5 Members will receive and agree a schedule of meeting dates at the start of each year.
- 3.6 Meetings may be cancelled if there are no applications or other urgent business to consider.
- 3.7 Meetings can be held more frequently if the Assessment Panel considers it necessary.

### **4. Panel and Member Conduct**

- 4.1 Members are responsible for actively preparing for and participating in deliberations and decisions.
- 4.2 The Assessment Panel will aim to make decisions by consensus. Where this is not possible all members have an equal vote.
- 4.3 In the event of a tie, the casting vote shall be made by the relevant Ward Councillor for the area the applicant resides (for individual applications) or the area where the initiative will take place (for group applications). If the initiative is across multiple Wards, the chair shall have the casting vote. The casting vote is final.
- 4.4 If a Councillor member of the Assessment Panel cannot attend a meeting, they can delegate the responsibility to another Councillor from their Ward in the first instance, or the Mayor in the second instance or the Deputy Mayor in the third instance.
- 4.5 If an Assessment Panel member has not attended three or more meetings in a six-month period, the Assessment Panel can ask Council to:
  - appoint another Councillor member from that Ward so that the Ward can be assured it is fairly represented
  - revoke the membership of any non-Councillor member if the member has been absent without an apology being recorded or is unable to commit to regular



attendance<sup>2</sup>.

- 4.6 When the Assessment Panel considers applications to the Ellesmere Reserves Board Reserve Fund, any Ellesmere Ward Councillors who are not a member of the Assessment Panel can join the meeting for that particular agenda item. They do not count for the meeting quorum, but they can vote, and their vote is counted as if they were a member. The Councillor cannot participate in any other discussion on the agenda.

#### *Conflict of Interest*

- 4.7 All provisions stipulated in the Elected Members Code of Conduct are applicable to the Assessment Panel (Point 10 of the Code of Conduct specifically addresses matters concerning conflicts of interest).
- 4.8 If a member believes they have a conflict of interest with a funding applicant or application, then that member must declare their interest and not partake in any discussion or decision regarding that specific application. The declaration will be recorded in the minutes of the Meeting.

### **5. Role of Council Staff**

- 5.1 Staff will ensure that the application is complete, do an initial assessment against agreed criteria including those stated in the C213 Community Funding Policy and Fund Schedule, and make a recommendation for the Assessment Panel to consider.
- 5.2 Council staff or others with expertise relevant to the fund's purpose and outcomes (e.g. expertise in environment/biodiversity, large-scale event attraction, heritage protection etc) will attend the relevant meeting to answer questions from the Assessment Panel and provide advice, if requested.
- 5.3 Council staff will provide induction materials to new panel members and deliver other induction as requested by the Chair (or their delegate). The purpose of the induction is to enable the new member/s to understand the community funding programme, their roles and responsibilities on the Assessment Panel, and key reference documents including the C213 Community Funding Policy and Terms of Reference.

### **6. Key documents for the Assessment Panel to reference**

- C213 Community Funding Policy
- Long Term Plan (community outcomes and budgets in particular)
- Waikirikiri Ki Tua Future Selwyn (vision and outcomes)
- Funding Schedules for each fund

### **7. Delegations**

- 7.1 The Committee has the powers necessary to perform its responsibilities within the approved Long-Term Plan and Annual Plan Budgets and *C213 Community Funding Policy*.

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<sup>2</sup> It is preferred that a non-Councillor member resign if they cannot commit to regular meeting attendance. If a resignation is not forthcoming, the chair of the Assessment Panel (or their delegate) will engage in a process to enable the member to reassess their availability and commitment. Requesting the Council to revoke the membership is considered a last resort.

7.2 The Council retains the authority to adopt policies<sup>3</sup>, strategies, and bylaws.

8. Reporting

The Assessment Panel will report to the Council.

9. Chairperson may refer urgent matters to the Council

As may be necessary from time to time, the Assessment Panel Chairperson is authorised to refer urgent matters to the Council for a decision, where this Assessment Panel would ordinarily have considered the matter.

10. Urgent matters referred from the Council

As may be necessary from time to time, the Mayor is authorised to refer urgent matters to this Assessment Panel for a decision, where the Council would ordinarily have considered the matter.

11. Terms of Reference Review Process

The Terms of Reference will be reviewed at the first meeting of the committee and then again before the end of the triennium for advice to the next elected Council. Any amendments must be approved by Council.

TERMS OF REFERENCE REVIEW TABLE

Date of review	Status / summary of changes made
September 2024	TOR established
11 September 2024	Adopted by Council
Date to be confirmed	Adopted by Assessment Panel

<sup>3</sup> The Assessment Panel will recommend changes to the Council, particularly in regard to C213 Community Funding Policy.

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