

Our ref CASE-022435 (GROUND-0026065)
Contact Mikayla Coburn
29 April 2025



Joanna Gould
By email: joanna@bowenvale.co.nz

Tēnā koe Joanna

Your complaint against Waipapa Papanui-Innes-Central Community Board

The Ombudsman received your complaint against Waipapa Papanui-Innes-Central Community Board (Board) on 25 February 2025. I understand you are concerned about the Board's decision making process for the Shirley Community Reserve, Replacement Community Facility.

I understand your specific concerns as:

- That the decision made by the Board does not align with the Community Reserves purpose and isn't in the best interest of the community.
- That the supporting information you submitted as part of your online submission in 2023 was not received by members of the board until June 2024 after you had realised it was missing from the report.

This letter explains why the Ombudsman is currently not investigating your complaint and provides advice on the next steps you should take.

Role of the Ombudsman

Under the Ombudsmen Act 1975, an Ombudsman may investigate the actions and decisions of the central and local government agencies listed in the Act, including the Board, if related to a matter of administration and that affect an individual in a personal capacity.

However, there are also some limits on an Ombudsman's authority to investigate complaints involving community boards. Where the decision has been made by the full body of elected members of a board (a '*committee of the whole*'), an Ombudsman is not able to investigate that decision, as the powers of an Ombudsman do not include the right to review the exercise of the collective judgement of board members. In other words, an Ombudsman cannot review the political decisions of a community board. This is set out in section 13(1) of the Ombudsmen Act.

Your complaint is about a decision of a committee of the whole

You have raised concerns that the decision made by the Board does not align with the Community Reserves purpose and it isn't in the best interest of the community. While this is your view on the matter, the decision not to adopt the replacement community facility was ultimately made by the committee of the whole as set out the Boards minutes - [Minutes of Waipapa Papanui-Innes-](#)

[Central Community Board - Thursday, 13 June 2024](#). As such, the Ombudsman cannot investigate the decision.

If you believe that the Board has made its decision based on incorrect advice, for example the supporting documents missing from your online submission, then it is open to you to raise these concerns with the Christchurch City Council for consideration. This includes formally complaining to the Chief Executive of the agency, who is often in a position to resolve the matter or at least provide an explanation. You can do this on its website: [Make a formal complaint : Christchurch City Council](#).

If you remain dissatisfied with the response from the Council you can return to the Ombudsman. The extent to which the Ombudsman can assist will be considered. It is important to note that any such complaint would need to be specifically about the advice and not about the ultimate decision which the Board made based on that advice. You would also need to explain why the advice was incorrect or unreasonable. This is different to disagreeing with the advice or preferring a different option.

While the Ombudsman recognises that being able to participate in decision-making processes is in the public interest, Boards are elected to make decisions on behalf of the community they represent, and it is through the election of local authorities once every three years that the public can show its approval or disapproval of political decisions.

The Ombudsman will be taking no further action on your complaint at this time, I hope my comments have been useful.



Penny Eathorne
Acting Manager – Early Assistance Team