

QLDC Council
12 March 2020

Report for Agenda Item | Rīpoata moto e Rāraki take: 6

Department: Corporate Services

Title | Taitara Adoption of 2019-22 Local Governance Statement

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

The purpose of this report is to present the 2019-22 Local Governance Statement for Council to adopt.

RECOMMENDATION | NGĀ TŪTOHUNGA

That Council:

1. **Note** the contents of this report; and
2. **Adopt** the Governance Statement for 2019-22.

Prepared by:



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27/02/2020

Reviewed and Authorised by:



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27/02/2020

CONTEXT | HOROPAKI

- 1 The Council is required under Section 40 of the Local Government Act 2002 to have a Local Governance Statement in place within six months of a triennial election.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 2 The Local Governance Statement is a collection of information about the processes through which the local authority engages with its community, how decisions are made and how citizens can influence these processes. It is a publicly available document and the Council is required to adopt it within six months of the triennial election.
- 3 Section 40 requires Local Governance Statements to contain the following information:
 - (a) the functions, responsibilities, and activities of the local authority; and
 - (b) any local legislation that confers powers on the local authority; and
 - (ba) the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under section 158 or 159; and
 - (c) the electoral system and the opportunity to change it; and
 - (d) representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and
 - (e) members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and
 - (f) governance structures and processes, membership, and delegations; and
 - (g) meeting processes (with specific reference to the applicable provisions of the Local Government Official Information and Meetings Act 1987 and standing orders); and
 - (h) consultation policies; and
 - (i) policies for liaising with, and memoranda or agreements with, Māori; and
 - (j) the management structure and the relationship between management and elected members; and
 - (ja) the remuneration and employment policy, if adopted; and
 - (k) equal employment opportunities policy; and
 - (l) key approved planning and policy documents and the process for their development and review; and
 - (m) systems for public access to it and its elected members; and
 - (n) processes for requests for official information.
- 4 The previous Local Governance Statement has been reviewed and relevant updates made. Most are simply matters that have changed slightly since the last review took place. Changes of note are as follows:
 - Formatting and terminology aligned with current brand guidelines;

- Update to Public Forum provisions, in accordance with new QLDC Standing Orders;
 - Clarification of submissions process under Special Consultative Procedure;
 - Role of QAC-QLDC Steering Group in developing the Statement of Intent;
 - Updated process for responding to official information requests in line with the Local Government Meetings and Official Information Act 1987 and Office of the Ombudsman’s best guidelines.
- 5 Presented with this report is the draft Local Governance Statement, however a version with tracked changes is available on request for ease of reading.
- 6 In addition to being required to adopt a Local Governance Statement within six months of a triennial election, the Local Government Act enables a local authority to update its governance statement ‘as appropriate’.
- 7 **Option 1** Adopt the 2019/22 Local Governance Statement
- Advantages:*
- 8 Achieves compliance with the Local Government Act 2002.
- 9 Provides updated information about the Council for the public.
- Disadvantages:*
- 10 Failure to adopt a Local Governance Statement within six months of a triennial election will result in the Council acting contrary to the Local Government Act 2002.
- 11 This report recommends **Option 1** and it is the only option considered because the Council is required by law to adopt a Local Governance Statement.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 12 This matter is of low significance, as determined by reference to the Council’s Significance and Engagement Policy because it has a low impact on the environment, culture and people of the district, is not inconsistent with existing policy and strategy and will have no impact on the Council’s capability and capacity.
- 13 The persons who are affected by or interested in this matter are all residents of and visitors to the Queenstown Lakes District.
- 14 The Local Governance Statement is a management document that is not subject to public consultation.

> MĀORI CONSULTATION | IWI RŪNANGA

- 15 Specific consultation with iwi is not relevant to the decision sought by this report.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 16 This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK00040 Failure to deliver statutory reports within the QLDC Risk Register. This risk has been assessed as having a moderate inherent risk rating.
- 17 The approval of the recommended option will support the Council by avoiding the risk by adopting a new Local Governance Statement in accordance with the Local Government Act 2002.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

- 18 There are no financial implications of this decision.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

- 19 The following Council policies, strategies and bylaws were considered:
- Local Government Act 2002
 - Local Electoral Act 2001
 - Local Governance Statement 2016-19
 - QLDC Significance and Engagement Policy 2017
 - Local Government Meetings and Official Information Act 1987
- 20 The recommended option is consistent with the principles set out in the named policy/policies.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

- 21 The recommended option:
- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses;
 - Can be implemented through current funding under the Ten Year Plan and Annual Plan;
 - Is consistent with the Council's plans and policies; and
 - Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

ATTACHMENTS | NGĀ TĀPIRIHANGA

- A Local Governance Statement 2019-22