

## 6. LOCAL GOVERNANCE STATEMENT

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services
<b>Officer responsible:</b>	Secretariat Manager
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### PURPOSE OF REPORT

1. The purpose of this report is to seek the adoption by the Council of an updated governance statement.

### EXECUTIVE SUMMARY

2. The present governance statement was adopted by the Council on 20 November 2003. To comply with the provisions of the Local Government Act 2002, the Council is required to update the present statement within six months after each triennial election.
3. This document is required to provide information to the public on a number of specified topics regarding the structure of the organisation and the Council's decision-making processes.
4. A revised governance statement was submitted to the Council on 5 May 2005. Because of the pending review of the Council's governance structure, it was resolved that the statement be revised and reissued following the 23 June Council meeting, to reflect any changes agreed at that meeting.
5. Although some procedural refinements/enhancements have since been proposed as a result of seminar discussions between Councillors and Community Board members, there has been general agreement that the essential elements of the present governance structure should be retained for the immediate future, including the existing portfolio groups. The statement attached to this report is therefore essentially the same as the statement submitted to the 5 May Council meeting, subject to the addition of the new bullet-point references set out below under clause 2, dealing with functions, responsibilities and activities:
  - Have structures in place that allow the Council to listen to concerns raised.
  - To be accessible to residents.
  - Promote democracy.
6. The draft updated governance statement attached to this report therefore reflects the Council's present governance structure, and the other information required to be included pursuant to the Local Government Act 2002.

### FINANCIAL AND LEGAL CONSIDERATIONS

7. There are no financial considerations. Adoption by the Council of an updated governance statement is a statutory requirement under section 40 of the Local Government Act 2002, the full provisions of which are set out in clause 6.

### STAFF RECOMMENDATIONS

It is recommended that the Council formally adopt and make publicly available the updated governance statement attached to this report.

## BACKGROUND

8. The full requirements of section 40 of the Local Government Act 2002 relating to local governance statements are set out below:

- “(1) A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on---*
- (a) the functions, responsibilities, and activities of the local authority; and*
  - (b) any local legislation that confers powers on the local authority; and*
  - (c) the electoral system and the opportunity to change it; and*
  - (d) representation arrangements, including the option of establishing Maori 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, Maori; and*
  - (j) the management structure and the relationship between management and elected members; 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.*
- (2) A local authority must comply with subsection (1) within 6 months after each triennial general election of members of the local authority.*
- (3) A local authority must update its governance statement as it considers appropriate.”*