

AGENDA:

Meeting of the RISK AND POLICY COMMITTEE

TUESDAY 24 APRIL 2018

commencing at 3.00pm

at the Clocktower
Palmerston Street, Westport

Risk Committee Members:

- Cr P Rutherford (Chair)
 - Cr G Hart
 - Cr J Cleine
 - Cr S Roche
 - Cr R Nahr
-

Terms of Reference

Risk and Policy Committee

Purpose

- To identify, assess, monitor and manage risk. The Risk and Policy Committee is to oversee, report and make recommendations to the Council in respect of financial and non-financial risks faced by Council.
- To develop, review and recommend strategies, plans and policies to the Council that advance the Council's vision and goals, and comply with the purpose of the Local Government Act.
- Develop and recommend bylaws to the Council.
- Develop and approve submissions to government, local authorities and other organisations
- Review and monitor Council Health and Safety strategies, plans and policies.

Delegated Powers

- Review the risk identification and management processes developed by management to confirm it is consistent with Council's Strategy.
- Review management's assessment of risk (bi-monthly) and provide an update to Council.
- Oversee and monitor management's documentation of material risk.
- Assess the steps management has implemented to manage and mitigate identifiable risk, including the use of insurance.
- Review annually (at a minimum) Council policies for risk assessment and risk management.
- Recommend all strategies, policies and plans.
- Approve all submissions made by the Buller District Council to other Councils, central government and other bodies, other than those of a technical nature which have been delegated to staff.
- In relation to bylaws, approve for consultation and consider submissions.
- The Risk and Policy Committee will report to Council immediately after each Committee meeting, providing information on all matters within its duties and responsibilities.

Reporting to Council

Reporting Timeline

Bi-monthly dashboard report

Frequency of Meetings

Bi-monthly

Membership

Chair - Phil Rutherford

Members - Greg Hart

- Jamie Cleine
- Sharon Roche
- Robyn Nahr

RISK AND POLICY COMMITTEE
FOR THE MEETING OF 24 APRIL 2018

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RISK AND POLICY COMMITTEE

FOR THE MEETING OF 24 APRIL 2018

Report for Agenda Item No 1

Prepared by - Mike Duff
- Group Manager Assets and Infrastructure

MEMBERS INTEREST

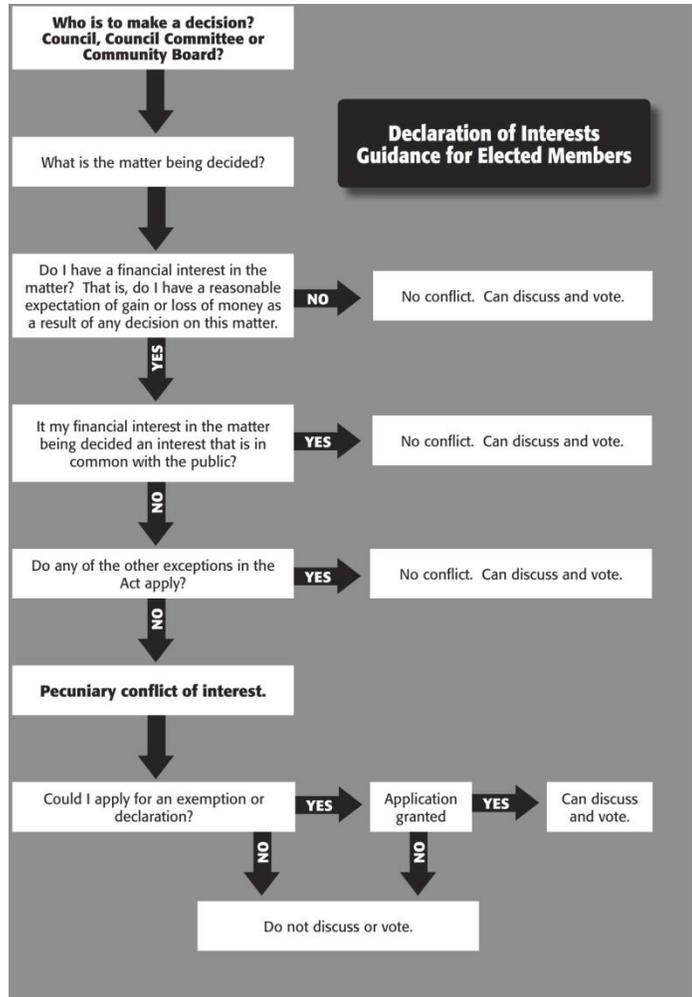
Councillors are encouraged to consider the items on the agenda and disclose whether they believe they have a financial or non-financial interest in any of the items in terms of Council's Code of Conduct.

Councillors are encouraged to advise the Personal Assistant, Operations, of any changes required to their declared Members Interest Register.

The following flowchart may assist Councillors in making that determination (Appendix A from Code of Conduct).

RECOMMENDATION

That Councillors disclose any financial or non-financial interest in any of the agenda items.



RISK AND POLICY COMMITTEE
FOR THE MEETING OF 24 APRIL 2018

Report for Agenda Item No 2

Prepared by - Mike Duff
- Group Manager Assets and Infrastructure

CONFIRMATION OF MINUTES

Minutes of the meeting held on 13 December 2017.

DRAFT RECOMMENDATION

That the minutes from the meeting held 13 December 2017 are confirmed.

MINUTES OF THE MEETING OF THE BULLER DISTRICT COUNCIL RISK AND POLICY COMMITTEE, HELD IN THE CLOCKTOWER, PALMERSTON STREET WESTPORT ON WEDNESDAY 13 DECEMBER 2017 COMMENCING AT 1.00 PM.

PRESENT:

Crs PJ Rutherford (Chairperson), GW Hart, SP Roche, RM Nahr and JW Cleine.

IN ATTENDANCE

Chief Executive (A Gowland-Douglas), Group Manager Assets and Infrastructure (M Duff), Team Leader Planning and Policy (RP Townrow) and Manager Corporate Services (D Phibbs).

APOLOGIES:

None.

1 MEMBERS' INTERESTS

No interests were declared.

2 CONFIRMATION OF MINUTES

Resolved: That the minutes of the meeting held on 20 June 2017 be confirmed.

JW Cleine/RM Nahr

Carried Unanimously

3 INSURANCE REPORT 2017/2018

Resolved: That the report be received for information.

SP Roche/JW Cleine

Carried Unanimously

4 BYLAW AND POLICY REVIEWS

- Resolved: **1. That the report be received for information.**
 2. That the Risk and Policy Committee endorse the priorities for work on bylaw and policy reviews in the 2018 calendar year.

GW Hart/SP Roche

Carried Unanimously

The Committee thanked staff for their work throughout the year.

There being no further business the meeting concluded at 2.20 p.m.

Confirmed: Date:

RISK AND POLICY COMMITTEE
FOR THE MEETING OF 24 APRIL 2018

Report for Agenda Item No 3

Prepared by - Jane Jones
- Risk and Policy Advisor

Reviewed by - Rachel Townrow
- Acting Group Manager Community and Environment

WORK PROGRAMME UPDATE

Report Summary

- Dedicated resource available to progress work programme.
- Priorities for discussion have been determined in consultation with the Chair.
- Report provided for Committee endorsement.

Draft Recommendation

1. The Committee endorse the proposed changes to the National Representation – Financial Assistance Policy.
2. The Committee endorse the work programme approach.

Issues and Discussion

1. Progress Since December 2017 Report

The following reviews have been completed:

- Banning of Liquor in Public Places Bylaw [revoked, replaced by Banning of Alcohol in Public Places Bylaw]
- Cultural and Recreational Facilities Bylaw [revoked]
- Livestock Movements Bylaw [amended]
- Public Libraries Bylaw [revoked]

Work on the National Representation – Financial Assistance Policy has been completed by staff as per the attached. The Committee is asked to advise on the questions raised, and to endorse proposed amendments to go to full Council.

Work on the Baches on Legal Road Reserve Policy is progressing as per the previously agreed timetable. Work on the draft Water Supply Bylaw is nearing completion.

2. Priorities

Following discussion with the Committee chair the following work programme priorities have been identified:

- a) Navigation and Safety Bylaws – as Council has taken back control of the port of Westport, it needs to ensure statutory requirements are met, and arrangements are fit for purpose.
- b) Trading in Public Places – this issue currently involves significant staff time and energy. A range of potential solutions have been identified that will provide a better balance between public and commercial operator requirements.
- c) Class 4 Gambling and Totalisator Agency Board Venue Policy – Council has a licencing role for premises where these types of gambling occur. This policy and its review are a statutory requirement.

Tables 1 and 2 set out an updated list of bylaw and policy reviews, priorities and timing for 2018/2019.

3. Bylaws for Potential Revocation

Some bylaws currently in place may no longer be required (e.g. Mobile Homes Bylaw, Food Safety Bylaw). Staff will advise the Committee in due course. In line with the approach outlined below, where it is proposed to revoke a bylaw the consultation process for this will be carried out alongside other processes.

4. Approach

Public consultation processes are lengthy and resource-intensive. Bylaw and policy reviews will be “bundled”, whereby a number of matters will be put to public consultation together. This will make the consultation process more efficient and effective for the public (to minimise “consultation fatigue”), staff and Council. High priority issues will be considered in Phase I (work completed May-July, consultation processes begin late July/early August), medium priority issues in Phase II (work completed November-January, consultation processes being late January/early February) and low priority issues in Phase III (2019-).

Considerations

1. Strategic Impact

Having relevant and up to date bylaws and policies are one of the ways Council communicates and achieves its strategic direction, and meets its statutory obligations.

2. Significance Assessment

These matters are currently of low significance in accordance with our policy.

3. Values

The Buller District Council values are: One Team, Community Driven, We Care, Integrity and Future Focussed. This process aligns with these values.

Community Driven: bylaws and policies have an impact on how people can go about certain activities. They also provide protection from the effects of activities carried out by others. Reviews and updates take account of community input and needs.

We Care: Council strives to have bylaws and policies that serve the needs of the Buller community.

Future Focussed: Council endeavours to future-proof bylaws and policies. The three-yearly review cycle for policies recognises the need to keep looking at these issues to ensure we have the correct approach.

4. Risk Analysis

Some of Council's policies and bylaws have statutory requirements.

Each review includes a risk assessment.

5. Policy/Legal Considerations

These have been discussed above.

6. Tangata Whenua Considerations

No specific considerations have been identified. Tangata whenua will have the opportunity to provide comment through any consultation processes undertaken.

7. Views of Those Affected

The community will have the opportunity to make their views known through relevant consultation processes.

8. Costs

Staff time is the primary resource requirement. Part-time risk and senior policy capability has been outsourced to progress the programme of work, and assist the management team and the Risk and Policy Committee.

9. Benefits

Bylaw and policy reviews ensure these documents remain relevant and appropriate. They also ensure Council is meeting its statutory obligations.

10. Media/Publicity

It is likely that some bylaws and policies will attract public and media attention. Council will use media and publicity around these processes as an opportunity to inform the community about Council's bylaws and policies.

Table 1 – Policy Reviews, Priorities and Timing for 2018/2019

	Policy	Status	Notes
Phase I Work completed May-July 2018 Consultation late July/early August 2018	Class 4 Gambling and Totalisator Agency Board Venue	Underway	Statutory requirement of Gambling Act and Racing Act. Prepare policy options for Council review at June meeting. Last review 30/6/15. Next review due 30/6/18.
	Commercial Trading	Underway	Trading in public places – high demands on staff resourcing. Refer bylaw review.
Phase II Work completed November 2018- January 2019 Consultation late January/early February 2019	Dog Control	On hold	Statutory requirement of Dog Control Act. Must be reviewed alongside Bylaw. Operational requirements mean it's prudent to leave this until later in the year. Last review 2010.
Phase III 2019-	Housing for the Elderly	On hold, pending Council direction	Complex issue due to changes underway in health and aged care in Buller.
	Dangerous and Insanitary Buildings	Current policy in place	Statutory requirement of Building Act. Review due 2019. Updated requirements with amendments to the Building Act.
Three current policies due for review in 2019, four in 2020			

Table 2 – Bylaw Reviews, Priorities and Timing for 2018/2019

	Bylaw	Status	Notes
Phase I Work completed May-July 2018 Consultation late July/early August 2018	Navigation and Safety Bylaws	Underway	Statutory requirement of Maritime Transport Act and Regulations. Council now managing port so requirements/arrangements may change.
	Trading in Public Places Public Places	Underway	In parallel with the commercial trading policies. Review a statutory requirement of Local Government Act. Last review 10/6/08. Next review due 10/6/18.
Phase II Work completed November 2018- January 2019 Consultation late January/early February 2019	Dog Control	Refer above	Refer above
	The Keeping of Animals, Poultry and Bees	Current	Review a statutory requirement of Local Government Act. Last review 10/6/08. Next review due 10/6/18. Relates to nuisance.
	The Keeping of Cats	Current	As above. There may be some new issues to be considered.
	Fencing	Current	As above.
Phase III 2019-	Freedom Camping Control Bylaw review to be completed by 30/8/19. 10 bylaw reviews to be completed by 10/6/20.		Review a statutory requirement of Local Government Act. Last review 10/6/08. Next review due 10/6/18.

[DRAFT] SUPPORTING BULLER RESIDENTS TO REPRESENT NEW ZEALAND POLICY

Source:	Council		
Date:	26/7/2006		
Reviewed:	23/5/2018	Next review:	23/5/2021
See also:	Annual Plan, Long Term Plan		

OBJECTIVE

To support those that reach the pinnacle of their chosen activity and gain selection as a New Zealand representative, or the equivalent, in a cultural, sporting or educational field.

POLICY

1. A grant may be awarded to any person selected by a recognised bona-fide national body/association or organisation to represent New Zealand in a cultural, sporting or educational activity (or similar), provided that person:
 - resides in the Buller District; or
 - is a student studying outside of the Buller District, whose parents/guardians reside in the Buller District.
2. This Policy applies to amateur activities only, professional activities are not eligible.
3. Each individual person is eligible for no more than two grants in total under this Policy in their lifetime.
4. The value of any grant awarded will be determined by Council. The maximum level of grant that can be awarded on any one application is:
 - Representing New Zealand overseas - \$1,000

- Representing New Zealand internally - \$400
5. The maximum levels will be reviewed every three years as part of the review of this policy.

METHODS OF IMPLEMENTATION

1. Grants are discretionary and will be considered on an application basis.
2. Applications must be made on Council's official form.
3. The total amount of all grants awarded under this policy in a financial year shall be limited to the amount budgeted by Council for this grant in the applicable Annual Plan/Long Term Plan.

[Questions for consideration by the Committee:

- 1. Should the maximum levels change?*
- 2. Are you happy with the current process for considering these applications?]*



[EXISTING] NATIONAL REPRESENTATION – FINANCIAL ASSISTANCE POLICY

Source:	Council		
Date:	26/7/2006		
Reviewed:	30/6/2015	Next review:	30/6/2018
See also:	Annual Plan, Long Term Plan		

OBJECTIVE

To recognise those that reach the pinnacle of their chosen activity and gain what amounts to selection as a New Zealand representative.

POLICY

A grant may be payable to any person residing in the Buller District, and also to any primary or secondary student attending boarding school whose parents reside in the Buller District, selected by a recognised bona-fide national body/association or organisation to represent New Zealand within New Zealand and/or overseas.

This Policy applies to amateur activities only, professional activities are not eligible.

METHODS OF IMPLEMENTATION

Grants are to be considered on an application basis as per Council's official form, with the value of grant to be determined by Council.

Each individual person is eligible for no more than two grants in total under this policy in their lifetime.

The maximum level of grant that can be awarded on any one application is:

(a) Representing New Zealand overseas - \$1,000

(b) Representing New Zealand internally - \$400

provided that the total amount of all grants awarded under this policy in a financial year shall be limited to the amount budgeted by Council for this grant in the applicable Annual Plan/Long Term Plan.

The maximum levels will be reviewed every three years as part of the review of this policy.