

Policy work programme update report

Meeting: Council Briefing
Date of meeting: 4 November 2020
Reporting officer: Shireen Munday, Policy Team Leader

Purpose/Ngā whāinga

To update Council on recently completed tasks and projects and provide an overview of the scheduled current and future work programme, with a focus on significant projects.

Context/Horopaki

The Policy Team is responsible for the delivery of a range of statutory and non-statutory policies, plans and strategies, as well as other one-off projects or on-going pieces of work. This update provides Council with an overview of our work programme, with a focus on statutory pieces of work that are subject to specific timeframes and other constraints. This report excludes the District Plan Review project and any associated Resource Management Act matters, which are reported to Council separately.

Discussion/Ngā kōrerorero

Staff last provided an update report in March 2020. Since then some projects or tasks have been completed or further progressed, and others have been added to the programme. **Attachment A** provides an update on these matters, with a focus on the current, rather than upcoming work of the team. Since March, internal changes have occurred and some matters previously included in these reports such as submissions to National Policy Statements and other RMA instruments will be addressed as part of the District Plan review updates. Kaipara Moana Treaty negotiations will be reported separately as this work progresses.

Attachment B provides an overview of the plans, strategies, policies and reports that form the key part of our forward work programme, and indicative timeframes through to June 2023. Some of the future work, particularly over the 21/22 year, will depend on the decisions of Council early in that year. For example, if Council chooses to undertake a full review of the Class 4 Gambling Venue Policy rather than retain the current Policy, this will then add another project to the first half of the 21/22 year. The forward programme may have to be reviewed depending on these decisions. Key components of the work programme are outlined further here.

Consolidated General Bylaw

Council has now adopted the Consolidated General Bylaw (CGB), which incorporates many different topics, within 11 Parts. The staff member who was responsible for the review recommended to Council that the appropriate process for this review would be to revoke the 2008 Bylaw and replace it with a new Bylaw. This means that the new Bylaw is due for review by 2025.

Feedback received from submitters, staff and elected members during the review process has indicated that having all bylaw topics combined into one single bylaw is not ideal. It is especially hard for the community to be involved in the development process and functionally, staff across the organisation find it more difficult to find matters relevant to their work within the Bylaw.

Some other councils across the country have general bylaws, but most have individual ones. It is unknown why a general bylaw approach as opposed to individual bylaws has been taken in these instances. An assumption is that under previous local government legislation (prior to the 1974 Local Government Act) the relevant provisions covered 'bylaws' and these were grouped together, much in the same way some non-local government institutions to this day still have 'bylaws' that govern certain matters. There is no current legal framework that requires bylaws to be grouped together in this way.

The review of the 2008 General Bylaws commenced in 2017 and was only concluded last month. If the covid-19 related legislation had not occurred, then technically Council would have not had a

valid bylaw for at least two or three months prior to making the new one. This further indicates that the scope of the review required creates significant capacity issues for the team to progress the review and outcome in a timely fashion.

As a result, the Policy Team is recommending that the review of the CGB is commenced immediately by splitting the 11 Parts of the Bylaw into individual bylaws over the five-year review period, to meet statutory timeframes. This indicative work programme is illustrated in **Attachment B**.

This is anticipated to be a positive solution in many ways. The workload and associated deliverables of the team will be more manageable, and the wider programme will more easily be able to be delivered within planned timeframes. Staff who implement, use and enforce the individual bylaws will be able to easily find and access relevant information, and Council and the community can provide more constructive input during the review stages. A further benefit of this 'rolling review' approach is that the future bylaw review programme will automatically be staggered throughout future years, ensuring statutory review timeframes are more easily met and Council is at less risk.

An item on this matter is being presented to Council at this same meeting, recommending that the first Part of the CGB to be reviewed and 'split out' is Part 11, Land Drainage. This is recommended because infrastructure and enforcement staff provided feedback during the review process that their preference is for a standalone bylaw and that some further refinement of the bylaw would be appropriate to ensure it is fit for purpose and aligns with other legislative provisions on land drainage matters.

Omnibus Reserve Management Plan

Council received a report on this proposal at the October 2020 Briefing. Feedback from that meeting from Council means staff are now reviewing the proposed approach and how to deliver the statutorily required reserve management plans, while meeting elected member feedback. This work is now in train and a future report to Council on this matter is anticipated early in 2021.

Depending on the staff recommendations and Council's feedback on that matter, the work programme may need to be expanded into individual workstreams and the teams wider work programme will then be adjusted accordingly. Currently, this project is provided as a single row across the entire period as a placeholder in Attachment B.

Climate Change work programme

Council has received reports on the proposed Climate Change work programme over recent months. While it is anticipated that this work will be a constant focus for the team over the upcoming years, the final work programme and timeframes are subject to the decisions of Council as part of the LTP process and these will be finalised and further defined once that process is completed.

Next steps/E whaiake nei

Staff will continue to implement the work programme in accordance with Council's direction and provide an update report on the work programme by April 2021.

Attachments/Ngā tapiritanga

	Title
A	Policy Team work programme as at Oct 2020
B	2020-2023 Policy Team key deliverables – forward work programme