



Kaipara te Oranganui

**KAIPARA
DISTRICT**

Two Oceans Two Harbours

Audit, Risk and Finance Committee Open Agenda

Date: Thursday 10 September 2020
Time: 10.00 am
Location: KDC Mangawhai Office
Unit 6, 6 Molesworth Drive
Mangawhai

Committee members: Stana Pezic (Chair)
Councillor Peter Wethey (Deputy Chair)
Deputy Mayor Anna Curnow
Councillor Jonathan Larsen
Councillor David Wills
Councillor Eryn Wilson-Collins

*For any queries regarding this meeting please contact
the Kaipara District Council on (09) 439 7059*

Thursday, 10 September, 2020

10:00 am

KDC Mangawhai Office

The Hub

6/6 Molesworth Drive

Mangawhai

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Confirmation of open committee meeting minutes 11 June 2020

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Confirms that the open minutes of the Audit, Risk and Finance Committee meeting held 11 June 2020 are a true and correct record.

Attachments/Ngā tapiritanga

	Title
A	Unconfirmed open minutes of Audit, Risk and Finance Committee meeting 11 June 2020

Minutes of the Ordinary meeting of the Audit, Risk and Finance Committee

Date: 11 June, 2020
Time: 10:00 a.m. – 1:41 p.m.
Location: KDC Mangawhai Office
The Hub
6/6 Molesworth Drive
Mangawhai

Members present: Stana Pezic (Chair)
Councillor Peter Wethey (Deputy Chair)
Deputy Mayor Anna Curnow
Councillor Jonathan Larsen
Councillor David Wills
Councillor Eryn Wilson-Collins (from 10:52 a.m.)
His Worship the Mayor Jason Smith

1. Opening

1.1 Karakia

Mayor Smith opened the meeting with a karakia.

1.2 Apologies

Nil.

1.3 Confirmation of agenda

Moved: Cr Wethey

Seconded: Deputy Mayor Curnow

That the agenda for the 11 June 2020 meeting be confirmed.

Carried

1.4 Conflict of interest declaration

Nil.

2. Confirmation of minutes

2.1 Audit, Risk and Finance Committee meeting 12 March 2020

Moved: Cr Wethey

Seconded: Mayor Smith

That the Kaipara District Council:

- a) Confirms that the open minutes of the Audit, Risk and Finance Committee meeting held on 12 March 2020 are a true and correct record.

Carried

3. Open agenda

3.1 Audit action update

[Secretarial note: Deloitte auditors Bryce Henderson and Vera Chian joined the meeting via audio link for this item. An error regarding Northland Inc was found on Attachment 2 (audit fees), which the auditors agreed to correct before it was signed by Council.]

Moved: Cr Wethey

Seconded: Deputy Mayor Curnow

That the Audit, Risk and Finance Committee:

- a) Approves Deloitte's scope of Audit Planning Report for Council's financial statements for the year ending 30 June 2020.

Carried

Cr Wilson-Collins joined the meeting at 10:52 a.m.

3.2 Treasury Policy update

[Secretarial note: Council contractor Alex Wondergem from PricewaterhouseCoopers gave a presentationⁱ.]

Moved: Cr Wethey

Seconded: Deputy Mayor Curnow

That the Audit, Risk and Finance Committee:

- a) Recommend to Council to approve the changes to the Treasury Policy, to be included as part of the Long Term Plan 2021-2031.

Carried

Cr Wills requested that his vote against be recorded.

3.3 Treasury management report

Moved: Cr Wills

Seconded: Mayor Smith

That the Audit, Risk and Finance Committee:

- a) Notes the treasury management report for April 2020.
- b) Notes that the liquidity risk position is non-compliant due to the maturity of debt in May 2021.

Carried

Meeting adjourned for morning tea 11:33 a.m.

Meeting reconvened at 11:49 a.m.

3.4 LGFA Quarterly Report

Moved: Cr Wilson-Collins

Seconded: Mayor Smith

That the Audit, Risk and Finance Committee

- a) Notes the Quarterly Report from LGFA ending 31 March 2020.

Carried

3.5 Legal compliance update

Moved: Mayor Smith

Seconded: Cr Wethey

That the Audit, Risk and Finance Committee:

- a) Notes the legal compliance update.

Carried

3.6 Revised Water Safety Plans

Moved: Cr Wethey

Seconded: Mayor Smith

That the Audit, Risk and Finance Committee:

- a) Notes that staff have developed new Water Safety Plans for Dargaville, Maungaturoto, Ruawai and Glinks Gully and the risks identified (Attachments A-D).
- b) Recommends to Kaipara District Council to commit to drinking water quality management by adopting water safety planning and other tools.

Carried

3.7 Health and safety update

Moved: Cr Wills

Seconded: Deputy Mayor Curnow

That the Audit, Risk and Finance Committee:

- a) Notes the health and safety update for January to March 2020.

Carried

3.8 Quarterly Finance Report

Moved: Cr Wethey

Seconded: Deputy Mayor Curnow

That the Audit, Risk and Finance Committee:

- a) Notes the quarterly finance report at 30 April 2020.

Carried

Meeting adjourned for lunch at 12:40 p.m.

Meeting reconvened at 1:07 p.m.

3.9 Committee Terms of Reference update

Moved: Cr Wethey

Seconded: Mayor Smith

That the Audit, Risk and Finance Committee:

- a) Notes the new Audit, Risk and Finance Committee Terms of Reference, noting the additions as recommended by the Committee and approved by Kaipara District Council in April 2020.

Carried

3.10 Recommendation to move into public excluded session 11 June 2020

Moved: Mayor Smith

Seconded: Cr Wilson-Collins

a) That the following items are considered with the public excluded:

Item	Grounds for excluding the public
Confirmation of public excluded minutes 12 March 2020	<p>Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))</p> <p>Protect the information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest (Section 7(2)(c)(ii))</p> <p>Avoid prejudice to measures protecting the health or safety of members of the public (Section 7(2)(d))</p> <p>Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (Section 7(2)(h))</p> <p>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))</p> <p>Prevent the disclosure or use of official information for improper gain or improper advantage (Section 7(2)(j))</p>
Contract monitoring and reporting	<p>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))</p>
Potential claims update	<p>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))</p>
Investigation update	<p>Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))</p> <p>Avoid prejudice to measures protecting the health or safety of members of the public (Section 7(2)(d))</p> <p>Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (Section 7(2)(h))</p>
Cyber security incident	<p>Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))</p> <p>Avoid prejudice to measures protecting the health or safety of members of the public (Section 7(2)(d))</p> <p>Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (Section 7(2)(h))</p>

Carried

4. Public Excluded session

Meeting moved into public excluded session at 1:08 p.m.

Meeting returned to open session at 1:40 p.m.

In the public excluded session, the Audit, Risk and Finance Committee resolved to make the following decisions publicly available after the meeting:

4.1 Confirmation of public excluded minutes 12 March 2020

Moved: Deputy Mayor Curnow

Seconded: Cr Wethey

That the Audit, Risk and Finance Committee

- a) Confirms that the public excluded minutes of the Audit, Risk and Finance Committee meeting held on 12 March 2020 are a true and correct record.

Carried

4.2 Contract monitoring and reporting

Moved: Cr Wills

Seconded: Deputy Mayor Curnow

That the Audit, Risk and Finance Committee:

- a) Notes the contract monitoring report for period ending March 2020, for the following contracts:

- CON860 Maintenance of Parks, Reserves, Cemeteries, Public Toilets, Buildings and Dargaville Gardens
- CON888 Roding Network Maintenance
- CON798 3 Waters Operations and Maintenance
- CON706 Solid Waste.

- b) Agrees that this decision be published in the open minutes of this meeting, and that the report will remain confidential due to the commercially sensitive information contained within the report.

Carried

4.3 Potential claims update

Moved: Cr Wilson-Collins

Seconded: Mayor Smith

That the Audit, Risk and Finance Committee:

- a) Notes the details contained within the potential claims report.
- b) Agrees that this decision be published in the open minutes of this meeting, and that the report will remain confidential due to the commercially sensitive information contained within the report.

Carried

4.4 Investigation update

Moved: Cr Wethey

Seconded: Deputy Mayor Curnow

That the Audit, Risk and Finance Committee:

- a) Notes the investigation update report.
- b) Agrees that the decision be published in the open minutes of the meeting and that the report remain confidential due to the confidential information contained in the report.

Carried

4.5 Cyber security incident

Moved: Deputy Mayor Curnow

Seconded: Mayor Smith

That the Audit, Risk and Finance Committee:

- a) Notes the Cyber Security Incident report.
- b) Agrees that the decision be published in the open minutes of the meeting and that the report remain confidential due to the confidential information contained in the report.

Carried

4.6 Recommendation to return to open session 11 June 2020

Moved: Mayor Smith

Seconded: Cr Wilson-Collins

That the Audit, Risk and Finance Committee

- a) Agrees to returns to open session of the meeting.
- b) Notes that all decisions and reports that were resolved to be made publicly available during the public excluded session will be included in the open minutes of this meeting and published on the Kaipara District Council website.

Carried

5. Closure

5.1 Karakia

Mayor Smith closed the meeting with a karakia.

Meeting closed at 1:41 p.m.

ⁱ Treasury policy presentation

Land Information Memorandum (LIM) Audit

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Linda Osborne, Administration Manager

Purpose/Ngā whāinga

To report on the Land Information Memorandum (LIM) audit undertaken earlier this year.

Executive summary/Whakarāpopototanga

Earlier this year an audit of Council's LIM's and the processes was undertaken at the request of the Committee. The report has been received and overall, it was found that LIM reports produced by Council are of a high standard and that the requirements of the Local Government Official Information and Meetings Act 1987 (LGOIMA) are being met in terms of processing times and content.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the Land Information Memorandum (LIM) Audit report prepared by Paua Planning dated 19 June 2020 (Attachment A).

Context/Horopaki

As a result of a request from the committee, Paua Planning were contracted to review the Council's LIM processes. 25 LIM's were randomly selected to assess the current process and determine if they met the requirements set out in s44A of the Local Government Official Information and Meetings Act 1987.

The report from Paua Planning is available at **Attachment A**.

Discussion/Ngā kōrerorero

Before COVID-19, the LIM's team were investigating supplying LIM's in a digit format. This was successfully implemented in February 2020 and not only enabled the audit to continue as planned but meant a smooth transition from producing LIM's from the workspace to producing LIM's from the "home space".

While it is pleasing to receive a positive report, there is always room for improvement. Some of the quick recommendations have already been implemented. These include ensuring sites on maps are consistently and clearly identified, improved usage of hyperlinks to relevant information on Council's website and reviewing consent conditions and notices that relate to a parent property, as opposed to the property in question.

One of the recommendations was also to consider providing an urgent LIM service. While this is something the LIM's team have often considered it hasn't been implemented due to resourcing. Many departments across Council are involved in providing comments for LIM's and supplying an urgent service is likely to result in considerable pressure in some areas. Although not official should a customer request a LIM under the 10 working days the team will look at accommodating their request.

It is also worthwhile to note that the report mentioned the digitalisation of records. With a recently purchased scanner, Council will be able to slowly start the process of converting all hard copy

stored property information to a digital format. This will speed up the process and may enable an urgent LIM service in the future.

Over the coming months the team will also be undertaking cross departmental LIM meetings, reviewing and updating the departmental comments table and improve wording.

Significance and engagement/Hirahira me ngā whakapapa

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Staff will continue to review the recommendations within the audit report and undertake further changes and improvements where required.

Attachments/Ngā tapiritanga

	Title
A	LIM Audit Report 19 June 2020

LAND INFORMATION MEMORANDUM AUDIT

On behalf of
KAIPARA DISTRICT COUNCIL



JUNE 19
2020

PAUA PLANNING LTD

Authored by: Kate Madsen
Director/Principal Planner

AUDIT REPORT

Purpose

To assess the current process of producing LIM reports and to determine whether 25 randomly selected LIM reports produced in February and March 2020 met the requirements set out in s44A of the Local Government Official Information and Meetings Act 1987.

EXECUTIVE SUMMARY

There are some opportunities to improve the current process of LIM reporting in terms of time and cost efficiencies, as well as suggestions to make the final output more user-friendly for the those who read the reports. The key findings of this report are:

- Many other councils in New Zealand offer an express LIM service for which a higher fee is charged. It is suggested that Kaipara District Council offer an urgent LIM service for a higher fee, thereby increasing the revenue generated by the LIMs team.
- Direct input of information from each department to a shared LIM report database will speed up the process and eliminate the possibility of errors caused by double-handling information.
- Regular training and collaboration of all staff involved in producing LIM reports will be beneficial.
- Improved usage of hyperlinks to relevant information on the KDC website will provide a higher level of customer service by making information more accessible.
- KDC is currently in the process of converting all stored property information to a digital format. This is anticipated to speed up the LIM process and reduce the possibility of human errors.

Overall, it was found that LIM reports produced by KDC are of a high standard and that the requirements of the LGOIMA are being met by Kaipara District Council in terms of processing time and content of LIM reports.

AUDIT PROCEDURE

Telephone interviews were carried out with a representative from each department involved in providing information for LIM reports. Due to the Covid-19 restrictions under Level 4 and 3 these interviews were unable to be carried out in person.

The people interviewed were:

- Linda Osborne (Administration Manager)
- Pamela Henare (LIMs officer)
- Dina Tetzner (Post Approval Officer (Subdivision))
- Arran Arrieta (Roading Co-ordinator, Whangarei Office)
- Hannah Davies (Building Technical Support)
- George Lewis (Team Leader Monitoring and Compliance)
- Crystal Paniora (Water Services Administrator)
- Matthew Bayly (Planner)

Paua Planning were provided with 25 randomly selected LIM reports from February and March 2020 and the associated property files in electronic format, except for one property file that was not available, with a copy of the working notes and interdepartmental emails attached. Copies of the draft LIM process maps for each department were also provided.

An excel spreadsheet was created to record the following information:

- LIM reference, address, valuation number
- Application date, date of issue, number of working days to process, whether the timeframe was met;
- Whether the required information was provided, where applicable, under the following categories:
 - zoning map,
 - special feature map,
 - land feature (e.g. erosion, inundation),
 - private SW/WW,
 - Public SW/WW,
 - drinking water,
 - rates owing,
 - consent/certificate/notice order,
 - building completion,
 - building certificate,
 - weathertight home,
 - statutory information,
 - network utility provider,
 - any other relevant information.

LIM information and application forms on the websites of various other Councils in New Zealand were researched and a sample of LIM reports from three Councils (Auckland Council, Waikato District Council and Tauranga District Council) were also reviewed for comparison purposes.

ANALYSIS

Strengths

- Overall, the 25 LIM reports met the requirements of s44A of the Local Government Official Information and Meetings Act 1987 in terms of the information provided.
- All 25 reports were issued within the required 10 working day timeframe.
- KDC is currently working with NRC to add current flooding layers to the KDC maps which will improve the reliability of information relating to inundation.
- Process maps of the LIM process for each department have already been drafted. These are a helpful tool for training of new staff and managing the LIM process.
- The entire LIM reporting process has been digitised since late March 2020, just before New Zealand entered the Level 4 lockdown restrictions due to COVID-19. The processing of LIM reports was therefore able to continue during lockdown.

Weaknesses

- A number of reports were lacking in some way – for example, an incorrect zoning map or information on consents for “related” properties that are not relevant to the site in question.
- Information was found to be missing from some LIM reports – for example, a subdivision consent or information regarding a vehicle crossing permit.
- Some comments provided by email from departments were omitted from the final LIM report.

Opportunities

- Allow each department to input their information directly to each LIM report within the central database rather than forwarding it to the LIM team for input. This will reduce possibilities of information handling errors.
- Hold regular LIM team meetings to provide training updates and allow for discussion of problems between departments and ideas for improvements.
- Amend the LIM report template as follows:
 - Where hyperlinks are provided to the Kaipara District Plan, ensure each link directs the user to the specified page rather than the home page and leaving the user to search from there.
 - Provide a hyperlink to the District Plan page of the KDC Website in the “Planning/Resource Management” section.

- Include a standard advice note and hyperlink to relevant information where a site is subject to a land and building classification, eg within a statutory acknowledgement area.
Note: it is essential that any hyperlinks included on LIM reports are checked for accuracy on a regular basis in case a webpage is changed or removed.
- Ensure all maps provided with LIM reports have a title and legend.
- Standardise the marking of sites on the planning and special features map so that they're clearly indicated.
- Include "Special Features, e.g. Inundation" as a separate line in the Planning comment table to prompt planners to check for inundation and other features.
- Add a note in the "Building" section advising applicants that any site plans and floor plans held by Council will be provided, and if further plans are required they can be requested separately. (Add hyperlink to relevant part of KDC website).
- Improve wording in the "Sewer and Water" section to provide clarity, as detailed in the "Drinking Water" section below.
- Include a standard statement on each LIM report referring to the Weathertight Homes Resolution Services Act 2006 and include this in the comment table for the Building department to ensure any relevant information is captured.
- Where consents on adjoining sites are referred to, it would be helpful to provide the relevant address rather than the valuation number.

Threats

- Potential for existing long-term staff to leave, taking their extensive knowledge of the Kaipara District and historical issues with them, particularly the subdivision and monitoring department.
- Interruptions to the electronic data storage system.
- LIM reports may sometimes be viewed by staff as less essential than other Council work and are not prioritized.

BREAKDOWN OF ANALYSIS

Timeframes

- Section 44A(1) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) specifies that LIM reports are to be issued within 10 working days.
- All 25 LIM reports were completed within the 10 working day timeframe:
 - 2 reports were issued in 4 working days
 - 5 reports were issued in 5 working days
 - 5 reports were issued in 6 working days

- 9 reports were issued in 7 working days
- 3 reports were issued in 8 working days
- and 1 report was issued in 9 working days.

Zoning and Special Features Maps

- One LIM report included an incorrect zoning map which did not show the site in question and another report did not include the planning map legend.
- It was noted that a number of zoning and special feature maps attached to LIM reports either did not mark the site at all or, if the site was marked, it was not always indicated clearly and the site was difficult to find. This was a particular problem for sites in rural areas where the maps have a much smaller scale. Some sites were indicated with a small red cross which was often difficult to spot, while others were marked more clearly with a large red arrow. In some reports the site was marked on the zoning map but not on the special features map.
- In general, the indication of sites on the attached maps were of mixed clarity.

Land Feature (e.g. inundation, erosion etc.)

- In general, special land features were indicated on LIM reports where applicable. In one report however, the LIM report did not mention any special land features yet the attached NRC map shows that part of the site is within the Coastal Erosion Hazard Zone.
- There seem to be some inconsistencies with reporting on special land features between departments. For example, in more than one report inundation was picked up by the Planning department and not by Infrastructure or Monitoring. This could be because each department accesses different sources of information (e.g. NRC Natural Hazards map), which should ensure that any special land features are captured between the three different departments.
It was noted that the comment tables that are filled in by each department includes “Inundation” as a separate line in the Infrastructure and Monitoring tables but is not mentioned in the Planning table. Where Inundation was noted by the Planning department, it was included in “Additional comments”. It is suggested that “Special Features, eg Inundation” is included as a separate line in the Planning comment table to prompt planners to check for inundation and other features.
- During the telephone interviews with staff the flooding maps were mentioned as sometimes being inaccurate and not up to date. Staff rely on the NRC maps and it was noted that KDC is currently working with NRC to add current flooding layers to the KDC maps.

Stormwater and Wastewater – Private and Public

- All 25 reports reviewed included information about both private and public stormwater and wastewater. As Built plans of private drainage were attached to the reports where available.
- Maps of public underground services (stormwater, wastewater and water) were attached to every report. It was noted that these maps have no title. The maps for sites that are serviced by the public network were relatively self-explanatory as they include a legend showing stormwater and wastewater lines etc.,

however rural sites that are not connected to the public network only show the site boundaries and have no legend, making the maps difficult to interpret. It is recommended that titles are added to all maps for clarity.

- Standard blurbs are included in the reports for different scenarios. For example, where a site has an on-site wastewater system, information relating to the Wastewater Drainage Bylaw 2016 is included along with a link to the bylaw on the KDC website. The link directs the user to the main Bylaw page of the website rather than directly to the Wastewater Drainage Bylaw page.

Drinking Water

- All reports included information about the supply of water, and where a site is connected to the public supply the water network is shown on the maps attached to each report. For sites connected to public supply information was given about the water account.
- It is suggested that the standard wording regarding water supply on the LIM report is amended for clarity. Rather than stating: “Water Not available”, something along the lines of “Drinking Water: The site is / is not connected to a public water supply” may be more helpful for readers of the LIM report.

Rates Owning

- All reports included rating information along with any outstanding rates in relation to the site.
Disclaimer: This audit has not reviewed the accuracy of rating information provided and it is assumed that the rating information taken from Council’s MagiQ system is correct.
- Standard wording is included in each Rates section of the LIM report referring the reader to both the KDC Long Term Plan 2018/2028 and to the KDC Development Contribution Policy 2018. A link is provided that directs the reader to the home page of the KDC website. From there, it is fairly easy to search for the Long Term Plan, however the Development Contributions Policy is more difficult to find. It is recommended that links are provided to each of the specific pages referred to for ease of access.

Consent; Certificate; Notice; Order

- All reports reviewed included reference to consents, certificates, notices and orders where applicable, however a number of reports included consents etc. that were related to the parent property and are not relevant to the site in question. This results in excessive information that can be confusing for the report reader. For example, one report included historical consents for a relocated dwelling and new kiln in 1974 on the parent property that has no relevance for the subject site. Many reports relating to subdivided sites include consents that are “Found on related property” that may not be relevant to the subject site. Also, consent notices were often included that are applicable to other subdivided lots and not the subject site. It is acknowledged that subdivided site files often contain many consents and it takes time and expertise to go through these files and pull out the relevant consents and consent notices. On balance, it is considered that it is preferable to provide too much information in a LIM report rather than run the risk of leaving out pertinent information.
- It is recommended that regular training is provided to staff to ensure the accuracy of subdivision information provided with LIM reports.

-
- At least one staff member interviewed commented that there is a problem with the MagiQ database not linking property information properly and that this is currently being worked on.

Building Completion and Building Certificate

- All reports reviewed included building plans (site plan and floor plan) and Code Compliance Certificates where applicable and available. While additional plans (eg elevations) may be held on the property file it is not considered necessary to provide these with LIM reports as they are not usually needed in order to determine if the site contains unconsented buildings and they can be requested separately if necessary. It is recommended that a note advising applicants of this is included in the “Building” section of the LIM report.
- A standard note at the end of each report advises that final inspections on buildings were not mandatory prior to 1 January 1993 and that an independent qualified person should be consulted if an evaluation of buildings is required.

Weathertight Homes

- Section 44A(2)(ea) of the Local Government Official Information and Meetings Act requires that information notified to the territorial authority under section 124 of the Weathertight Homes Resolution Services Act 2006 (the WHRS Act) is provided in a LIM report. None of the reports reviewed mentioned this requirement, possibly because no homes on the subject sites have been subject to the WHRS Act. However, it would be prudent to include this in the comment table for the Building department along with a standard statement on each LIM report referring to this requirement for the sake of completeness.

Statutory Classification

- This comes under the “Land and Building Classifications” section of the KDC LIM report. Only one LIM report included information on statutory classifications, stating that the site is “Within Areas of Significance to Maori”. This relates to the Historic Heritage chapter of the Kaipara District Plan and although it is clearly marked as such on the attached “Sites, Features and Units” map there is no further information provided about what this means. It is suggested that where sites are within statutory acknowledgment areas etc, a standard advice note and hyperlink are included to provide further information.

Network Utility Operator

- Every LIM report reviewed included a standard blurb stating that “Information related to the availability of supply, authorisations etc (eg electricity or gas) can be obtained from the relevant Network Utility Provider.”

Cost of LIM Reports

- The current cost of obtaining a LIM report from Kaipara District Council is a flat fee of \$315.00. The cost of LIM reports from 13 other Councils around New Zealand was researched with the average cost of a standard LIM being \$262.44. Eight of the Councils charge more for LIM reports on rural or commercial sites, and six of the Councils provide an urgent or express LIM report service, for which a higher fee is charged. The average fee for an urgent LIM is \$434.00. (See attached list of Councils and LIM information).
- The time taken to provide information for LIM reports is not recorded by KDC staff. The staff interviewed were asked to estimate the time spent on reports for simple/straightforward sites and for more complex sites. The estimates given are shown below:

Department	Straightforward site	Complex site
LIMs team	3 hours	2 days
Planning / Subdivision	5 min + 5 min	3 hours + 15 min
Roading	-	-
Building	30 min	1 day
Monitoring	5 min	20 min
Water/Infrastructure	5 min	10 min
Total:	Approx: 4 hours	Approx: 3.5 days

“Complex sites” generally refer to sites that have been subdivided and require additional time to extract the relevant information for the specific site in question. It does not therefore appear that LIM reports for rural or commercial sites take significantly longer than residential sites and an increased charge for rural or commercial LIM reports would not be justified.

There may however be scope for KDC to provide urgent LIM reports for a higher fee. 19 of the 25 reports sampled were produced within 5-7 days. Where an urgent LIM is required, for example within 3 days, a higher fee could be charged. This would require amended service level agreements with each department to ensure urgent reports are prioritized and completed within specified timeframes. A change to the current process of compiling LIM reports whereby each department inputs their information directly into each LIM report would help expedite the process.

Comparison with LIM reports from other District Councils

LIM reports were obtained from three other District Councils (Auckland Council, Tauranga City Council and Waikato District Council). In general, the LIM reports from Kaipara District Council are of a high standard and include all the required information in a succinct and easily understood manner.

- The layout of each LIM report is quite different. Compared to the other reports, the KDC reports are clear and easy to follow and understand.

- The rating section of the KDC LIM reports includes the name of the current owner(s) of the site while two of the other LIM reports surveyed (from Tauranga City Council and Auckland Council) did not include this information. The Waikato District Council LIM report did include the names of the current property owners. This information is not required to be provided under the Local Government Official Information and Meetings Act 1987 and it is queried whether this information is necessary as the property owners are listed on the Certificate of Title.
- The Waikato District Council LIM report includes information on refuse and recycling collection, including the day of collection for the site in question. While this information is not required under s44A of LGOIMA it does deliver a high level of customer service.
- No building consent plans were included with the LIM report from Auckland Council. While s44A of LGOIMA does not specifically require building consent plans to be provided, such plans are helpful for the applicant to determine if the site contains any unconsented buildings.

The KDC LIM reports include several notes at the end of the report for the applicant's information. Comments on these notes are in red as follows:

1. *Final inspections on buildings were not mandatory prior to 1 January 1993. Should an evaluation of the building be required an independent qualified person should be consulted. In the interests of safety, an inspection of any fireplace within the dwelling may be requested of Council at any time, after paying the appropriate fee.*
2. *Every care has been taken to ensure that the information supplied by the Council on this form is accurate. The Council relies on information available to it, and will not be held responsible for incomplete or inaccurate information provided, or for any errors or omissions made in good faith.*
3. *Please note that the property was neither inspected nor visited in the course of the preparation of this Land Information Memorandum.*
4. *Other information may be held by other authorities, for example the Northland Regional Council or Heritage New Zealand.*
5. *This Land Information Memorandum is a disclosure of information (which may be historical) held by the Council at the time of application and is subject to change.*
Add note that "This LIM report is valid as at the date of issue only."
6. *Any enquiry not accompanied by a fee will be invoiced separately. (All prices are GST inclusive.)*
Add note that processing of the LIM report will not begin until the appropriate fee has been received by Council.
7. *No Certificate of Title was supplied with this application for this Land Information Memorandum. The Council therefore does not warrant that the information supplied is related to the correct property.*
This appears to be a standard note on all LIM reports, including those where a CT was provided with the application. A more appropriate wording would be: "If no Certificate of Title was supplied with this application for this Land Information Memorandum, the Council does not warrant that the information supplied is related to the correct property."
8. *Any Resource or Building consents run with the land; if the project is incomplete, there may be existing/additional charges to pay for which the new owner will be liable.*
It is recommended that applicants are advised to make an appointment with a planner or building officer to discuss any such consents.

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9. *A Development Contribution and or Financial Contribution may be payable if development is carried out, the effect of which is to require new or additional assets or assets of increased capacity and as a consequence Council incurs capital expenditure to provide appropriately for those assets and that capital expenditure is not otherwise funded or provided for. Future rating policies are outlined in Council's Long Term Plan 2018-2028.*

It would be helpful to provide a hyperlink to the Long Term Plan here.

Recognised Agency Assessment Report – Food Health

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Dean Nuralli, Regulatory Manager

Purpose/Ngā whāinga

To have confidence that the Kaipara food health team is meeting its statutory obligations under the Food Act 2014 and meets the performance requirements as an agency to conduct verification services under the Food Act 2014.

Executive summary/Whakarāpopototanga

The successful outcome of the surveillance assessment audit report by the International Accreditation New Zealand (IANZ) confirms that the Kaipara District Council food health team continues to meet the requirements to be a recognised agency to conduct verification services under the Food Act 2014. This remote assessment and desktop review is a requirement of the Ministry of Primary Industries (MPI).

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the Recognised Agency Surveillance Audit Report from IANZ.

Context/Horopaki

This report is to inform the Audit, Risk and Finance Committee of the outcome of the desktop and remote assessment audit conducted by IANZ of the Quality Management System (QMS) with regard to the Food Act 2014 that was undertaken on 24 June 2020. This information is provided in order that the Committee is aware of the capacity and operational status of our food control team. The report also illustrates how the Council is performing in comparison to the audit criteria and any commentary by the auditors that may assist Council in future.

The original JAS-ANZ assessment audit of the QMS resulted in the initial recommendation to award Kaipara District Council as a Recognised Agency, whereas the IANZ surveillance assessments will now become an annual audit, in between the full technical assessment audits which are to be held every three years.

The following is an extract from the IANZ auditor commending the Recognised Agency for the speed in which it has closed both non-conformances;

“....I would really like to commend KDC on their approach to their QMS. They were a pleasure to deal with, provided me with the many records I requested in a systematic and thorough manner, and were very open to suggestions for improvement. They were extremely prompt in closing out the two non-conformances I raised, and submitted the material to clear these non-conformances in less than ten days post-assessment.....”

The IANZ report is attached as Attachment A.

Discussion/Ngā kōrerorero

The report covers the areas assessed. Council has 173 registrations.

Policy and planning implications

This is a statutory assessment which is completed annually.

Financial implications

The associated financial implications, IANZ fees, are estimated to be approximately \$20,000.

Risks and mitigations

This assessment aids in mitigating risks in the future, to ensure Council's verification process complies. This process helps ensure the health and well-being of persons purchasing prepared food.

Significance and engagement/Hirahira me ngā whakapapa

The decisions or matters of this report do not trigger the significance criteria outlined in council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Attachments/Ngā tapiritanga

	Title
A	IANZ Report

ASSESSMENT FINDINGS: KAIPARA DISTRICT COUNCIL, 24 JUNE 2020

Non-Conformances	
NC No.	Details of non-conformity / Reference
1	<p>Several instances were identified where the new verification frequency appeared not to correlate with the guidance provided by MPI.</p> <ul style="list-style-type: none"> FP0380 (12/05/2020): the operator had been on nine months frequency (step 3), while the new frequency was given as two years (step 6). This was an NP3 business with an acceptable outcome. The MPI guidance for an NP3 verification with an acceptable outcome is to increase by only one step, unless there is justification to change more than one step. It was questioned why the jump from step 3 to step 6 was provided, given that this had been a remote check (which involves more risk than an on-site verification) and although there was an acceptable outcome there were two non-conformances. FP0411 (23/03/2020): this was an initial NP2 verification with an unacceptable outcome. The verification frequency had been provided as two years (step 6), while the MPI guidance indicates that this should be 18 months (step 5). FP0190 (22/01/2019): this was an FCP verification which had a critical non-compliance identified (rat infestation). The verification frequency had been changed from 18 months (step 5) to 9 months (step 3). The MPI guidance states that when there is an instance of immediate risk to public health (i.e. a critical non-compliance), the frequency should be changed to three months (step 1). The verifier indicated that the reason why step 5 had been selected was because they had made sure the operator had addressed the issue before they started operating again. It is argued that operators always have to address critical non-compliances before they reopen, so this cannot be used as justification for choosing a higher step. The business would need to be verified again at a shorter timeframe to make sure that they have continued with their corrective action, and to make sure that other serious non-conformances have occurred. <p>It is recognised that the verification frequency is determined by <i>guidance</i> provided by MPI, however this guidance is considered best practice and if any deviations are to implemented, the justification for such deviations should be appropriately documented.</p> <p style="text-align: right;">Food Regulations 2015, Regulation 110 (2)(e)</p> <p>Information provided by agency to rectify non-conformance</p> <p>Comment/closure and date</p>
2	<p>It was apparent that the Mandatory and Top 5 topics were not always being covered during verifications.</p>

	<ul style="list-style-type: none"> When KDC's contractor was reviewed by the environmental health officer (or verifier) on 10/04/2019, it was noted the contractor did not cover recalls, which is a Mandatory topic. When KDC's second contractor was reviewed by - the environmental health officer on 10/04/2019, it was noted the contractor did not cover recalls (Mandatory topic). According to the MPI verification report (15/05/2020), 28% of sites have only 2-4 Mandatory topics addressed, and 39% of sites have only 2-4 Top 5 topics addressed. <p>An evaluation of the checklists associated with the verification reports reviewed during the assessment, showed that all possible Top 5 topics were highlighted in red (i.e. all Top 5 topics associated with the all the food sectors which require a Top 5; 11 topics in total). The verifiers explained that it is their intention to try and focus on as many of them as possible. While the intention of this approach is commendable, it allows room for error. For example, if a verifier does not have time to complete all the 11 red highlighted topics, and the specific Top 5 topics for the food business that they are verifying have not been given emphasis on the checklist, then they may leave out one or some of the relevant Top 5 topics associated with that specific business. In addition, by highlighting all 11 topics, this detracts from focussing on the relevant top 5 and the verifiers are not learning which ones are associated with each food business.</p> <p>The Mandatory topics and Top 5 topics should be the key focus of each verification. This should be documented in the QMS and steps should be taken to ensure KDC verifiers have followed the process and a peer review system is in place to ensure this is the case.</p> <p><i>(Note: the Quality Manual provides no information on the Mandatory or Top 5 topics.)</i></p> <p>This corrective action requires urgent action, with strong traceable evidence to close it out.</p> <p style="text-align: right;">Food Regulations 2015, Regulation 110 (2)(f)</p> <p>Information provided by agency to rectify non-conformance</p> <p>Comment/closure and date</p>
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Recommendations	
Recommendation 1	KDC is recommended to update their verification procedures to include Remote Checks, in case a requirement to conduct such verifications arises in future.
Recommendation 2	In considering how to manage food businesses who do not cooperate with verifiers for closing out corrective actions, KDC is recommended to consider what their options are and document these accordingly. For example, a visit to the food business, temporary suspension, etc. A review of the relevant legislation would assist in determining what KDC's rights and responsibilities are in this regard.

Recommendation 3	It is anticipated that it would be unlikely for a verifier to have to “change hats” to the role of Food Safety Officer, now that a second full-time verifier had been appointed. KDC had indicated that they will be looking at a procedure to follow should this be required, and they are recommended to document such instances on the conflict of interest register in the unlikely event that they occur.
Recommendation 4	<p>If process-based audits are to be undertaken, it would be recommended that process maps be developed which would indicate how the different processes interact, and how the different procedures relate to the identified processes. Objectives would need to be specified, since process audits focus on results and evaluate outcomes; an understanding of what the objectives are, and whether or not they have been met, is therefore important. Specific checklists should also be developed, since without checklists findings could be interpreted as being a subjective account of what was being done, rather than an objective account of what is or isn't being done.</p> <p>Due to the limited resources that are usually available in Councils, KDC is encouraged to consider whether the above approach of process-based audits is suitable for them. Procedure-based audits can be just as effective as identifying potential or actual shortcomings, and can be simpler to manage. KDC is reminded that the Food Act legislation does not specify whether process-based audits or procedure-based audits are a requirement, and they should therefore choose the system that most suits their operations.</p> <p>The vertical audits being conducted by KDC, which look at a particular food business, are already process-based audits, and there is scope to develop this type of audit into a much more thorough tool. Registration, records, verification outcomes and findings, reporting and timeframes, competencies, training records, peer reviews, etc. are all aspects that could be included in these audits. By combining a selection of these vertical audits along with the procedure-based audits during the year, KDC would ensure that their audits are systematic and thorough.</p> <p>It is strongly advised that detailed checklists be developed, which would assist with objectivity and consistency. KDC could also consider whether their audit procedure needs to be revised to reflect these practices.</p>
Recommendation 5	Many of the findings from internal audits had been classified as minor findings. This was determined based on the risk to the business and how easy it would be to correct. It is recommended that this be documented, which would assist with consistency.
Recommendation 6	It is recommended that for system improvements (where applicable) and for audit findings, that the actual causes of issues are investigated. This will allow for corrective action to be implemented which will prevent the non-conformance or issue from recurring. For example: SI 48 dealt with a food operator only submitting the first three pages of the registration form. A similar incident occurred for the food operator related to the verification for FP0190 on 22/01/2019, where only the alternate pages of the registration form had been scanned. If the root cause of such instances is identified, it will allow a procedure or process to be put in place to prevent such an occurrence from happening again.

Recommendation 7	<p>The contractors had not previously been included in the team meetings. While it is acknowledged that the contractors will no longer be working for KDC, KDC are reminded that if any contracted verifiers are employed in future, they should be included in the team meetings. As would be the case for full-time employees, if the contractors are not able to be present, the minutes should then be forwarded to them.</p>
Recommendation 8	<p>Verifiers are reminded that it is good practice to document all their observations, not just those cases where the operator was missing something. While the observations noted in the verification checklists were generally good, there were several instances when they could have been more detailed to provide evidence of what was actually covered during the verification.</p> <ul style="list-style-type: none"> • For example, for verification of FP0464 on 13/01/2020, there were no comments filled in for “Training, Supervision and Competency”, which is a Top 5 topic. The reason for this was that the operator did not have any staff, and the verifier had covered this topic under “Competency of Management”. This makes it appear as though the Top 5 topic had not been addressed, which is not accurate. A simple comment, such as “no staff employed, refer to Competency of Management” would have indicated that the verifier had considered this topic. • Another example relates to verification of FP0439 on 29/04/2020. Under “Training, Supervision and Competency” the comment stated that the operator “was able to demonstrate how she trains her staff.” The checklist emphasized that records are required, yet the observations did not indicate whether the records were sighted. In discussion, the verifier indicated that she would have noted if there were no records, however documenting that the records had been reviewed would have provided more solid evidence of what was actually observed on site. • For NP verifications, there is a requirement that some topics include a requirement that records be kept. FP0464 and FP0380 are two examples where there were no comments to indicate that records had indeed been looked at for some of these topics. • If a topic was not covered during the assessment, it is good practice that this is noted in the “observations” as either not assessed or not applicable, rather than just leaving it blank (as was done in PF0478). This could alternatively be added as check boxes on the topic summary pages at the end of the checklist. • It is suggested that the text box “Critically non-complying identified” is not left as “Copy from report” (i.e. the prompt on the checklist template) – this should be indicated as “none identified” or something similar. <p>The documentation of more detailed notes also relates to the comments provided on the CPD forms. For example, both verifiers (for the allergens exercise) stated “conveying the importance of allergen management to the operator during a verification” for the question on “examples of how this has impacted your practice”. Their evidence would have been more robust if they had stated which verification (name, date) they were referring to.</p>

Recommendation 9	KDC is recommended to reconsider what a partial verification is. While it is a requirement to consider the Mandatory topics and the Top 5 topics, it is expected that verifiers prioritise the other verification topics, and should include at least one topic from each verification criterion. This implies that verifiers do not need to cover ALL topics for every verification (refer to Practice Note 7 for further information).
Recommendation 10	Not all the verification reports which were compiled for the remote checks, indicated that they were done remotely (for example, FP0380, 12/05/2020). KDC is recommended to include a description in the reports when there has been a deviation to the standard verification practice, such as a remote check instead of an on-site verification.
Recommendation 11	Photographs were sometimes being used to record evidence at a food business. It is recommended that these are stored in the client files in MagiQ, rather than on the verifier's phone.
Recommendation 12	Whiteout had been used on some of the forms. It is best practice that errors are crossed out by drawing a line through the error and writing the correction next to it. This relates to all records.
Recommendation 13	It is recommended that induction requirements be documented somewhere, to ensure consistency (e.g. induction checklist, which gets ticked off by trainer and trainee). In addition, the Competence procedure should include mention of induction.
Recommendation 13	It is recommended that <i>general</i> verification skill requirements are included somewhere in the quality system (e.g. HACCP, Tiritiri training modules, auditing, etc.). This will allow someone to see at a glance what competencies a new verifier would need when they are initially recruited.
Recommendation 14	The Competency Review forms, which were sometimes being used for peer reviews, do not allow for recording of the verification details (food business, date, etc.). These details had been filled in for verifier (1)'s review on 21/0/2020, but not on verifier (2)'s review on 18/11/2019. One of the outcomes of peer reviews is the ability to monitor the consistency and reliability of verification outcomes, and this is only possible if the details of the relevant verification have been filled in.
Recommendation 15	It had been noted in the previous Recognised Agency Assessment Report (JAS-ANZ, 2/06/2019) that it would be beneficial to review the procedure for critical non-compliances to ensure consistency of processes across staff and contractors. This had not been investigated by KDC. During the previous year, one of KDC's contractors was the only verifier who had noted a critical non-compliance, and while it is possible that this may reflect the actual situation, it is suggested that this may be an opportunity for improvement. Options for consideration would be to research and document examples of critical non-compliances, develop a critical non-compliance procedure, provide training to verifiers, etc.

Resolution of past audit recommendations

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Sue Davidson, GM Sustainable Growth and Investment

Purpose/Ngā whāinga

The Audit, Risk and Finance Committee can gain assurance that staff are following up on recommendations from external audits.

Executive summary/Whakarāpopototanga

This report gives details of the follow up on items from previous audits:

- BCA Audit December 2018
- NZTA Investment Audit December 2018
- Recognised Agency Assessment Report (Food) September 2019
- Barker & Associates report on Planning Processes August 2019
- Cyber Security Audit March 2020.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the resolution of past audit recommendations report and attachments.

Context/Horopaki

Each year Council has a number of audits undertaken on various processes and records in a number of departments. Many of these are undertaken as a result of statutory requirements. This report gives details on the follow up of the recommendations made from these audits.

Significance and engagement/Hirahira me ngā whakapapa

This is not an item for the public to be consulted on, but the public will be notified by the report being on the Council website.

Attachments/Ngā tapiritanga

	Title
A	Updates on Recommendations from Audits Received 2018-2020

Audit, Risk & Finance - Updates on Audits for the Year

Report Title Date	Recommendations	Completed Not Started In Progress	Response
BCA Audit 12 December 2018	There were no recommendations and 15 Regulations where general non compliances were detailed	Completed	March 2019 The recommendation was completed in March 2019 as our Building Control Authority Accreditation certificate cannot be issued until all recommendations/non compliances by IANZ have been addressed.
NZTA Investment Audit Report 12 December 2018	Q2 Investigate retentions relating to Contract 693 and 710 to ensure the amounts being held are still valid.	Completed	23/04/20 Response from Wendy Mosley: <i>Contracts 693 and 710 retentions are no longer showing which means they have been dealt with and cleared.</i>
	Q3 a) Implements quality assurance procedures to improve its tender evaluation process	Completed	5/5/20 Response from Shakhin Sharma <i>We have developed a standardized scoring and recording template for tenders and all tenders are evaluated with a member, who is a qualified evaluator.</i>
	Q3 b) Ensures there is a Qualified Proposal Evaluator on the tender evaluation team for all NZ Transport Agency financially assisted contracts with an estimated value exceeding \$200,000.	Completed	<i>Answer per above</i>
	Q4 a) Ensures that all procurement records are held on Council's files.	Completed	5/5/20 Response from Shakhin Sharma <i>All records are saved in the respective council files</i>
	Q4 b) Completes exemption declarations when it considers a road safety audit is not required for a construction period or renewal	In Progress	21/08/20 NTA have a dedicated safety team comprising of four people, who ensure safety audits are done as per NZTA Standards and exemptions from the same where an audit is not required
Recognised Agency Assessment Report (Food) Audit, Risk & Finance 11 September 2019	There were no findings and 6 observations	Completed	March 2019 The Recognised Agency Assessment Report resulted in 6 observations and no findings. All observations were actioned and closed on the second day of the assessment. We received the Recognised Agency certificate as a result of this outcome.
Barker & Associates Report August 2019	Technology:		

Report Title Date	Recommendations	Completed Not Started In Progress	Response
	<ul style="list-style-type: none"> Upgrade the GIS system to align and integrate with new EPlan requirements. 	Completed	GIS launched 7 October 2019 Isoplan completed on current operative district plan Isoplan on Proposed District Plan will be completed as this is developed
	<ul style="list-style-type: none"> Integrate technological systems across Council. 	In Progress	Planners and technical support have been allocated laptops with updated desk arrangements to be able to use these laptops required. Flexi desks purchased for all staff
	<ul style="list-style-type: none"> Provide reliable technology for Council asset management and engineering plan approvals. 	In Progress	Development Engineers in Infrastructure have sought alignment of technology used by customers submitting plans so that updates and training of systems are aligned. Progress through review of engineering standards but generally subject to Infrastructure budgets
	Consultants		
	<ul style="list-style-type: none"> Consolidate the consultant base, based on skills, experience and local knowledge. 	In Progress	Started by Quality Assurance Manager
	<ul style="list-style-type: none"> Contractually bind consultants to delivering quality professional services in a timely and cost certain manner. 	In Progress	Consultants met with in December and January and advised of new templates coming and use of one drive. New agreements being drafted where necessary as they expire
	<ul style="list-style-type: none"> Ensure consultants are briefed and sent resource consents to process promptly (as a minimum within 5 working days of lodgement). 	Completed	Sec 88 check carried out on consents on lodgement which has improved delays in allocation to consultants Consultant's report each week on their capacity
	<ul style="list-style-type: none"> Allocate the management of consultants to other staff members e.g. technical support officers to reduce the workload of team leaders. 	Completed	Resource Consents Team Leader / Principal Planner managing consultants
	<ul style="list-style-type: none"> Ensure clear lines of communication are established between Council staff and consultants. 	Completed	Resource Consents Team Leader / Principal Planner managing consultants
	Consent conditions		
	<ul style="list-style-type: none"> Prepare standardised conditions for common conditions on resource consents 	Completed	Standard condition set for land use and subdivision completed and being used
	<ul style="list-style-type: none"> Compliance and Monitoring team review draft bespoke conditions to ensure they are clear and enforceable 	Completed	All standard conditions reviewed by Compliance and Monitoring
	<ul style="list-style-type: none"> Undertake an annual audit of the standardised conditions and update as necessary 	On-going	Planned for 2021
	<ul style="list-style-type: none"> Nominate a staff member to be responsible for and champion consent conditions 	Completed	Principal Planner (once employed) will continue
	Communication and Customer Service		

Report Title Date	Recommendations	Completed Not Started In Progress	Response
	<ul style="list-style-type: none"> Implement standardised emails to inform customers that their communications have been received and state a clear and realistic timeframe for response. 	In Progress	Template responses being created with better use needed
	<ul style="list-style-type: none"> Implement standardised hours in the day for staff to be available for customer queries with a rotating public duty planner to be available outside of these hours. 	Completed	Current Duty Planner service is being used by CSC and customers with Resource Consent Help Desk to be the next phase of this process
	<ul style="list-style-type: none"> Create consistency in the tone and approach to managing customers to reflect that customers have been listened to, understood and that action will be taken, where appropriate. 	Completed/On-going	Use of template correspondence, staff upskilling, and team culture shift
	<ul style="list-style-type: none"> Ensure information is communicated to customers in plain language avoiding unnecessary planning jargon. 	Completed	Notifying applicant as well as agent so there is transparency to applicant about where they are in the process Decision letters being replaced with simple email and all correspondence being reviewed iteratively
	<ul style="list-style-type: none"> Update KDCs website to better manage communications, specifically include FAQs and links to key statutory documents. 	Completed	FAQs online with remaining webpages for planning updated and uploading imminent
	Templates and Checklist		
	<ul style="list-style-type: none"> Enforce the use of templates and checklists by staff and consultants. 	Completed/On-going	Template reports with conditions available and being used at present by staff and consultants
	<ul style="list-style-type: none"> Review, update, simplify and prepare templates and checklists. 	Completed	<p>New decision and report template for subdivision</p> <p>New notification assessment report template for subdivision/or land use</p> <p>Engineering report (incorporating relevant condition wording)</p> <p>New decision and report template for land use</p> <p>New decision and report template for sec127</p> <p>New decision and report template for sec 125</p> <p>New decision and report template to vary or cancel a consent notice</p> <p>New decision and report template for sec 42a hearing report</p> <p>New Deemed Permitted Boundary Activity templates</p> <p>New Deemed Permitted Marginal Activity template</p> <p>Creation of a new decision and report template for restricted discretionary land use activities in the residential zone to follow</p> <p>Template letters and checklists created/updated</p>

Report Title Date	Recommendations	Completed Not Started In Progress	Response
	<ul style="list-style-type: none"> Undertake an annual audit of the templates and checklists and update as necessary. 	Not started	Templates only just developed so will be looked at next year
	<ul style="list-style-type: none"> Nominate a staff member to be responsible for and 'champion' templates and checklists. 	Completed	Quality Assurance- Joy Hewlett
	<ul style="list-style-type: none"> Utilise the delegations effectively to more evenly distribute workload associated with review and sign off processes 	Completed	Resource Consents Manager, Resource Consents Team Leader, and Principal Planners to share workload as required Resource Consents Manager to obtain delegation for s357A objection to support GM
	<ul style="list-style-type: none"> Identify and deal quickly with low risk consents 	Completed	Checklists and flowcharts for simple consents to assist planners processing the application and final sign off have been developed Process for Deemed Permitted Marginal Activities and fast track consents established and being used.
	<ul style="list-style-type: none"> Use sec88 and s92 as intended in legislation 	Completed	Staff upskilled but on-going issue
	<ul style="list-style-type: none"> Utilise sec88c and 88E to better manage timeframes and applicants' expectations around timeframes and decisions 	Completed	Staff upskilled but on-going issue
	Mentoring and Training		
	<ul style="list-style-type: none"> Support and encourage staff to utilise external NZPI mentoring opportunities. 	In progress	Barkers & Associates have included staff in 2 updates which has been beneficial. Networking opportunities to be investigated
	<ul style="list-style-type: none"> Continue the identification of training programmes and courses for staff in the individual performance development plans. 	In progress	Development plans progressing and competency matrix to be furthered by RC Manager and Quality Assurance Manager In-house training (Know How Tuesday's) as well as online opportunities being used successfully.
	<ul style="list-style-type: none"> Establish a buddy system for graduate and/or new planners starting at KDC to be partnered with more experienced staff members. 	Completed	Senior planners will mentor more junior planners. More nurturing environment with all very senior planners working together and taking an interest in juniors Team leader weekly sessions with all planners to discuss cases and workload for greater support
	<ul style="list-style-type: none"> Develop personalised KPIs for all staff. 	In Progress	New business plan for year at 1 July, Aspirations documented Competencies still to be documented
	Workstream Prioritisation, Workloads and Work-Life Balance		
	<ul style="list-style-type: none"> Clarify essential and non-essential planning tasks based on statutory requirements to guide work prioritisation. 	Completed	Weekly work lists and meetings with Team Leader to support staff prioritising work

Report Title Date	Recommendations	Completed Not Started In Progress	Response
	<ul style="list-style-type: none"> Undertake quarterly strategic forward planning sessions between executive team, managers and team leaders to project focus and allocate resources and timeframes. 	Completed (on-going)	Senior leaders to meet monthly on progress and forward planning Team Leaders/Principal Planners meeting weekly/fortnightly
	<ul style="list-style-type: none"> Create a 'planning team' which combined the consenting and statutory planning functions together. 	Completed	Functioning team with improved structure, support, and atmosphere
	<ul style="list-style-type: none"> Give senior staff delegations to sign off on controlled and restricted discretionary consents 	Completed	Middle peer review eliminated to improve workflow. Delegations have now been distributed
	<ul style="list-style-type: none"> Distribute the delegations 	Completed	Delegations for signoff have been distributed to Principal Planners and Team Leader
	Governance and Management of External Enquiries		
	<ul style="list-style-type: none"> Ensure clarity with respect to the processes for political involvement in planning processes and the answering of enquiries 	In progress	GM working with Resource Consent Manager to involve her in reporting for Council
	<ul style="list-style-type: none"> Improve staff education and protocols around responding to enquiries 	In progress	Senior planners allocated to answering calls one day a week however needs to be managed better as less time on consents Resource Consents Help Desk and facilitator to be an on-going evolution to improve this balance
	Geographical Context		
	<ul style="list-style-type: none"> Hold regular whole department meetings in varying locations to share travel, time and distances for staff 	Completed/ Ongoing	Regular quarterly department meetings. New Skype Starleaf and installation of teams has improved communication between policy and planning. Resource Consents Manager with greater presence in Dargaville
	<ul style="list-style-type: none"> Explore other software e.g. Microsoft Teams that enables clear multi office communication via video conferencing. 	Completed	Installed Microsoft teams during lockdown and used frequently
	<ul style="list-style-type: none"> Efficient planning and organisation of site visits and field work across planning teams. 	Completed	Site visits are occurring efficiently. Safe working practices must be considered, and forms completed prior to each site visit. Compliance with health and safety protocols Training and PPE improvements for staff completing site visits
Cyber Security Audit March 2020	<ul style="list-style-type: none"> Develop effective and documented procedures and processes that meet the requirements of the stated Policy and Standards 	In progress	
	<ul style="list-style-type: none"> Develop and maintain information systems risk strategy 	Not started	
	<ul style="list-style-type: none"> Implement formalised IT asset management system for external, hardware and software assets. 	In progress	
	<ul style="list-style-type: none"> Formalise IT network documentation and diagrams 	In progress	

Report Title Date	Recommendations	Completed Not Started In Progress	Response
	<ul style="list-style-type: none"> Develop and maintain information asset register 	In progress	
	<ul style="list-style-type: none"> Develop and maintain information systems standard operating procedures 	Not started	
	<ul style="list-style-type: none"> Develop and maintain information asset register for critical infrastructure 	In progress	
	<ul style="list-style-type: none"> Develop and maintain information asset register for risk 	In progress	
	<ul style="list-style-type: none"> Implement formalised IT user and account management 	In progress	
	<ul style="list-style-type: none"> Replace legacy remote access system 	Not started	Funding provided in LTP
	<ul style="list-style-type: none"> Secure data at rest and at transit 	Not started	
	<ul style="list-style-type: none"> Implement edge or boundary protections for all sites. Intrusion detection and prevention. Web filtering, data exfil, traffic monitoring 	Not started	Funding provided in LTP
	<ul style="list-style-type: none"> Develop and maintain data and system backup and recovery plan 	In progress	
	<ul style="list-style-type: none"> Develop and establish cybersecurity awareness programme for continuous training, education and awareness (TEA) 	In Progress	Outsource to approved 3 rd party vendor, funding provided in LTP
	<ul style="list-style-type: none"> Implements centralised logging and analysis system 	In progress	
	<ul style="list-style-type: none"> Implements centralised vulnerability analysis system 	Not started	
	<ul style="list-style-type: none"> Replace static signature-based endpoint protection with advanced persistent threat protection 	In progress	
	<ul style="list-style-type: none"> Develop and establish cybersecurity incident response plan 	Not started	
	<ul style="list-style-type: none"> Develop effective and documented BCP plans and procedures that meet the requirements of Council when responding to a wide range of scenarios 	In progress	

Legal compliance update

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Sue Davidson, General Manager Sustainable Growth and Investment

Purpose/Ngā whāinga

This report summarises our legal compliance with Council's statutory obligations. It provides oversight to the approach to risk and complying with regulatory and statutory requirements.

Executive summary/Whakarāpopototanga

This report details instances of non-compliance and progress with addressing the instances of actual or potential non-compliance.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the legal compliance update report.

Context/Horopaki

The Audit, Risk and Finance Committee (the Committee) is responsible for identifying and monitoring risks associated with legislative compliance. This report provides details where council is not complying and how this is looking to be remedied

Discussion/Ngā kōrerorero

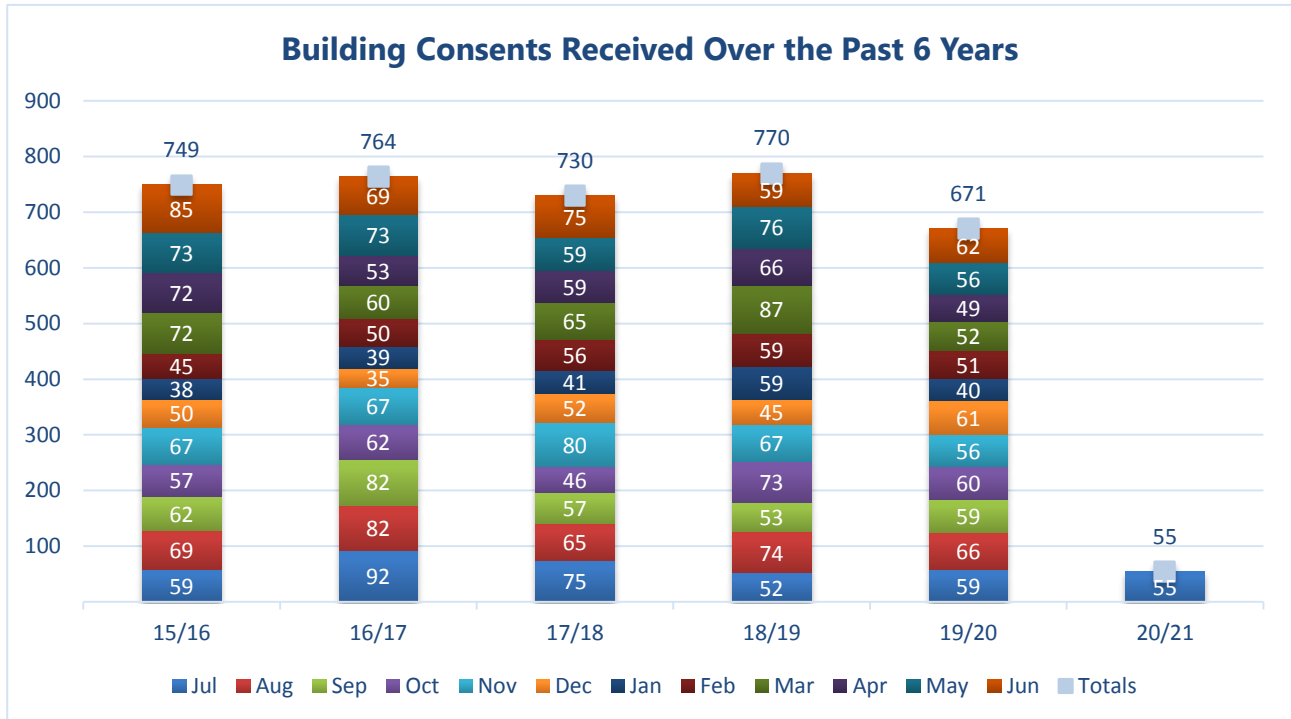
Council provides the following information.

Building consents

The aim is to have 100% of building consents processed within the statutory timeframe.

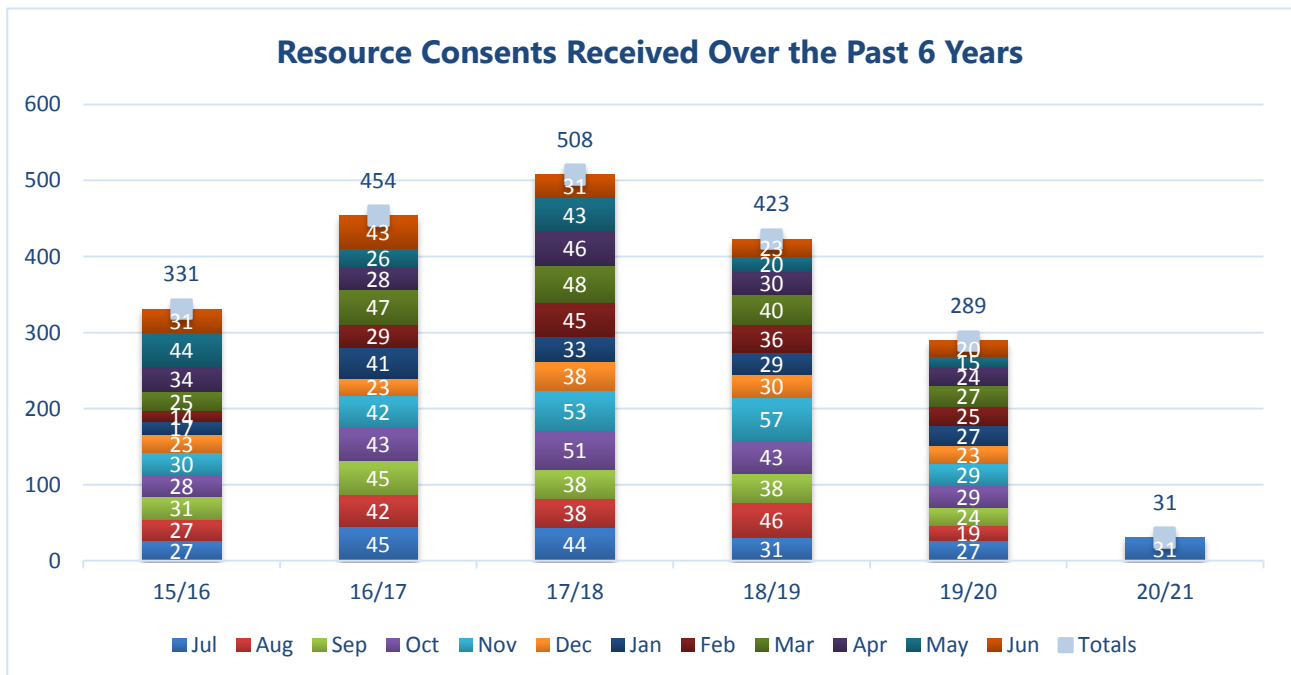
Percentage of building consents processed within statutory timeframes						
2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	YTD
100%	100%	99%	96%	96%	98%	98%

This is a good result with high work levels continuing, and Council at the upper end of meeting the statutory compliance rate.



Resource consents

The aim is to have all non-notified land use and subdivision consents processed within the statutory timeframe.



Percentage of resource consents processed within statutory timeframes						
2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	YTD
94%	100%	100%	67%	92%	95%	95%

Environmental health

There are currently nine Kaihu properties connected to a raw water supply that Council has been supplying bottled water to. We currently have a contractor helping us to get these properties onto a roof water supply. The original quotes have been reconfirmed. Update – Two of the residential premises have recently signed an agreement with Council. We are hopeful that the other residents will soon sign up and follow suit. Only one has refused.

The Council has a wastewater bylaw and is proactively monitoring a percentage of the district housing with onsite domestic wastewater systems. The monitoring being undertaken has resulted in several areas being identified where there are pollution / nuisance issues. The Council have been made aware of the issues of Paparoa and Spring Street, Dargaville at a Council meeting. Update – The Paparoa community are looking for alternative funding options for a community wastewater supply (with the Council collaboration). An advisor from Foundation North will be onsite shortly attending an onsite meeting to assess the physical environment surrounds and discuss the next steps.

Infrastructure

Waters:

The discharges of treated effluent from the Kaiwaka and Te Kopuru wastewater treatment plants (WWTPs) have been consistently outside of the discharge limits set by Northland Regional Council (NRC).

Investigations have been undertaken to identify what is causing these issues and what we can do to rectify them.

- **Kaiwaka**

The Kaiwaka Wastewater treatment plant has been constructed and commissioned. Fine tuning of the new treatment plant is underway. This will improve the treated water quality from Kaiwaka to the standard that meets the Resource Consent conditions.

- **Te Kopuru**

Council could not find an affordable aerator for Te Kopuru. We are intending to take a refurbished aerator from Dargaville, and it is currently awaiting Teflon seals with a view to complete installation in September.

Solid Waste:

- **Kaiwaka closed landfill** – listed as low risk noncompliance due to high copper concentration – no action by KDC requested by NRC.
- **Ruawai closed landfill** – listed as low risk noncompliance due to high copper concentration – no action by KDC requested by NRC.
- **Pahi closed landfill** – listed as low risk noncompliance due to high zinc concentration – no action by KDC requested by NRC.
- **Glinks Gully closed landfill** – listed as mod risk noncompliance due to a high concentration of lead and copper at this site, consent levels are set lower than usual due to the close proximity of the Glinks Gully secondary water supply, however this supply has been decommissioned for several years. No current action required by NRC.

Significance and engagement/Hirahira me ngā whakapapa

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Continue to monitor and work towards compliance.

Legislative Compliance - Awareness of Obligations

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Sue Davidson, GM Sustainable Growth and Investment

Purpose/Ngā whāinga

To detail the internal control steps undertaken to ensure staff are aware of the requirements and obligation as prescribed through Acts of Parliament, Regulations and Standards applicable for the local government environment.

Executive summary/Whakarāpopototanga

Simpson Grierson has reviewed new and amended legislation and council staff have been advised of the changes in **Attachment A**. Every six months, managers are asked to read and sign an Awareness of Obligations and Endeavour to Meet Statement (**Attachment B**).

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the 'Legislative changes relevant or potentially relevant to Kaipara District Council 1 April 2019 – 31 March 2020' (Attachment A to the report).
- b) Notes the Awareness of Obligations and Endeavour to Meet Statement (Attachment B to the report).

Context/Horopaki

Council has a system for requesting managers to acknowledge their awareness and endeavour to meet the requirements of the relevant Acts of Parliament, Regulations and Standards applicable to their duties. In this statement, managers are asked to verify that, to the best of their knowledge, they are complying and operating within the legislative requirements.




Council requests our solicitors to provide an annual summary of changes to legislation. This is part of the process to ensure managers are aware of the seriousness and commitment to compliance with legislation.

Significance and engagement/Hirahira me ngā whakapapa

The decisions or matters of this report do not trigger the significance criteria outlined in council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Attachments/Ngā tapiritanga

	Title
A	Legislative Changes April 2019 – March 2020
B	Awareness of Obligations and Endeavour to Meet Statement

Key	
Major change	
Minor change	
Nominal change	

Legislative changes relevant or potentially relevant to Kaipara District Council

1 April 2019 – 31 March 2020

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
8 April 2019	Local Electoral Matters Act 2019	Electoral 2001 Electoral 1993	Act and Act Make changes to voting methods.	<p>The Act allows for trialling of new voting methods if a new method is authorised by regulations (none in force yet).</p> <p>If a new method is authorised by regulations, Kaipara can trial this new voting method. Kaipara must resolve to do so in accordance with those regulations.</p> <p>The Act further provides that:</p> <ul style="list-style-type: none"> - electoral officers may abandon that voting method if they consider the method has failed or has been compromised; - if a voting method is abandoned, affected electors may vote again; and - where the use of an elector's date of birth is required for a new voting method, privacy considerations apply to this information that restrict its use. <p>If an irregularity occurs when a new voting method is trialled, an electoral officer can apply for an inquiry. The Act:</p> <ul style="list-style-type: none"> - sets up a process for an electoral officer to apply to the District Court where an irregularity has occurred in an election or poll; and

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
				<ul style="list-style-type: none"> - provides that if the Court finds an irregularity, it may declare the election or poll void and order a new election or poll be conducted.
12 April 2019	Arms (Prohibited Firearms, Magazines, and Parts) Amendment Act 2019	Local Government Act 2002	Amends the definition of “unauthorised weapon” in light of the firearms reforms after the Christchurch Mosques shootings.	This is only relevant if Council applies to the District Court for removal order concerning a fence, structure or vegetation that conceals an unauthorised weapon.
14 May 2019	Local Government (Community Well-being) Amendment Act 2019	Local Government Act 2002	Reinstate the “wellbeings” (social, economic, environmental and cultural) back into the LGA	<p>One of the previous purposes of local government under s 10 was “to 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”. Now this purpose has changed to “to promote the social, economic, environmental and cultural wellbeing of communities in the present and for the future”.</p> <p>Local authorities must consider, or describe the effect on, the “wellbeings” when:</p> <ul style="list-style-type: none"> - making decisions, including in taking a sustainable development approach; - deciding sources of revenue; - preparing a long-term plan; and - preparing annual reports.

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
				<p>The requirement to consider “core services” in performing Council’s role is now repealed. “Core services” included network infrastructure, public transport services, waste collection, the avoidance or mitigation of natural hazards, and various community facilities.</p> <p>Amendments were made to development contributions provisions:</p> <ul style="list-style-type: none"> - The definition of “community infrastructure” in s 197 widens the situations where local authorities can require development contributions. - The restrictions on powers to require contributions for reserves is repealed. - Where a specified funding arrangement has been entered into with NZTA as per s 200(5), the local authority cannot require development contributions.
28 June 2019	Dog Control (Schedule 5) Order 2019	Dog Control Act 1996	Amends the list of organisations authorised to certify dogs as disability assist dogs.	New organisations (Assistance Dogs New Zealand, K9 Medical Detection New Zealand and Perfect Partners Assistance Dogs Trust) can certify dogs as disability assist dogs, and the Top Dog Companion Trust can no longer do so.
1 August 2019	Health (Drinking Water) Amendment Act 2019	Health Act 1956	Imposes new requirements on drinking water suppliers and makes other various amendments.	<p>These changes follow the inquiry into the contamination of water in Havelock North.</p> <p>Duties on water suppliers have become stricter. While previously water suppliers had to “take all practicable steps</p>

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
				<p>to ensure” adequate supply, now suppliers must “ensure” an adequate supply. The same applies to the duty to comply with drinking water standards – taking all practicable steps to comply with these standards is no longer sufficient.</p> <p>For all duties that continue to require the supplier to “take all practicable steps”, the definition of “all practicable steps” has been amended. Suppliers must weigh up all relevant matters, including:</p> <ul style="list-style-type: none"> - the nature and severity of harm that may be suffered if the result is not achieved; - the current state of knowledge about the likelihood that harm of that nature and severity will be suffered if the result is not achieved; - the current state of knowledge about harm of that nature; - the current state of knowledge about the means available to achieve the result, and about the likely efficacy of each; - their availability; and - their affordability in light of the supplier’s financial position.

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
				<p>Beforehand, suppliers could put more weight on the last two considerations of availability and affordability when weighing up what “all practicable steps” means in any particular situation. This is no longer permissible.</p> <p>Other aspects of water supply regulation have been amended. These include water safety plan compliance and duties where the supplier becomes aware of a risk to drinking water supply.</p> <p>The amendments also significantly shortens the time that drinking water regulations and standards may come into effect (from a 2 year delay to a 28 day delay).</p>
26 September 2019	New Zealand Infrastructure Commission/Te Waihanga Act 2019	N/A	Establishes the NZ Infrastructure Commission/Te Waihanga.	The Commission may request from Council to supply the Commission any information that is necessary or desirable for the Commission to perform its function.
1 October 2019	Kāinga Ora–Homes and Communities Act 2019	N/A	Establishes Kāinga Ora–Homes and Communities.	One of the functions of Kāinga Ora–Homes and Communities is to make loans or provide other financial assistance to local authorities for housing purposes.
1 October 2019	Kāinga Ora–Homes and Communities Act 2019	Public Works Act 1981	Replace the words “Housing New Zealand” and “the Corporation” in s 224 PWA with “Kāinga Ora–Homes and Communities”	Updates the Public Works Act to reflect Housing New Zealand being renamed as Kāinga Ora–Homes and Communities.

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
22 November 2019	Local Government Act 2002 Amendment Act 2019	Local Government Act 2002	Change to council reorganisation process and regime for council-controlled organisations (CCOs).	<p>The Act introduces three additional options for reorganisation:</p> <ul style="list-style-type: none"> - Transfer of responsibilities: whereas before only “statutory responsibilities” could be transferred, any of the following can now be transferred: responsibilities, powers, or duties, conferred by an enactment, and also any responsibilities, powers, or duties that come within the scope of the general power of competence in s 12(2). - Unitary authorities with different region and district boundaries: Reorganisation can provide for a council to carry out the responsibilities of a regional council in a region, and to perform territorial authority responsibilities for a district “that constitutes a part only of that region”. - Establishment of joint committees, and delegation to those committees: joint committees can be established, and delegations can be made to those committees. Reorganisation plans can set out the committee’s membership, terms of reference and delegations. <p>The Act sets out procedural changes for councils that propose reorganisation. Councils now can request the Local Government Commission investigate reorganisation for an area without having to put forward a particular proposal to</p>

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
				<p>the Commission. The Commission can design its own process for dealing with each investigation.</p> <p>Councils can now carry out reorganisation investigations. Once a council has adopted a reorganisation plan, the plan must be submitted to the Commission for approval and Council must provide “unconditional support” for the plan. No poll of affected communities is required for a council-led investigation.</p> <p>The Amendment Act also makes changes to the CCO regime. We have not commented on this because according to Council’s long-term plan, it has no CCOs.</p>
22 November 2019	Local Government Act 2002 Amendment Act 2019	Local Government Act 1974	<p>Extends the transfer of responsibilities provisions under the Local Government Act 2002 to certain responsibilities under the Local Government Act 1974.</p> <p>Repeals s 318 of the Local Government Act 1974.</p>	<p>Allows for transfer of Part 21 LGA 74 responsibilities between regional councils and territorial authorities under section 17 of the LGA 02.</p> <p>Under s 318 of the Local Government Act 1974, a territorial authority could request the Local Government Commission to determine certain matters in relation to reorganisation. The Commission could then determine such matters. These matters related to control and maintenance of boundary roads. This section is now repealed.</p>
22 November 2019	Local Government Act 2002 Amendment Act 2019	Freedom Camping Act 2011	Amends the definition of a “local authority area”.	Local authority areas are now potentially wider under the Act. Before the amendment a local authority area only covered areas controlled or managed by the local authority. Now, this area includes areas controlled or managed <u>on behalf of</u> the local authority.

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
17 December 2019	Building Amendment Act 2019	Civil Defence Emergency Management Act 2002	Where information is required to be disclosed under the CDEM Act 2002, that information can be disclosed to people exercising certain powers under the Building Act 2004.	This amendment Act means that where as a lifeline utility Council is disclosed information, Council can then disclose this information to a responsible person exercising certain powers under the Building Act 2004.
14 December 2019	Dog Control (Category 1 Offences) Amendment Act 2019	Dog Control Act 1996	Certain category 1 offences can be heard by the District Court presided over by 2 or more Justices of the Peace.	Beforehand, a District Court Judge would have to preside over prosecutions for category 1 offences. The amendment means that for certain category 1 offences (as defined by the Criminal Procedure Act 2011), the District Court presided over by 2 or more Justices of the Peace can hear the prosecution.
2 January 2020	Land Transport (Wheel Clamping) Amendment Act 2019	Land Transport Act 1998	The amendment Act introduces new duties on wheel clamping operators and provides new powers to enforcement officers.	<p>If Kaipara operates any parking places (apart from road-side parks) and clamps vehicles in these areas, these new regulations:</p> <ul style="list-style-type: none"> - impose maximum fees that can be charged to a person in charge of a clamped car; - permit the clamping operator to require payment prior to removing the clamp; - require the clamping operator to remove or arrange for the removal of the clamp as soon as reasonably practicable after the fee has been paid;

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
				<ul style="list-style-type: none"> - require the clamping operator to be reasonably available to remove the device; and - impose fines for breaches of any of these regulations. <p>Where Kaipara acts as an enforcement officer, it can prosecute for breaches of the above regulations and take other enforcement action.</p>
26 March 2020	COVID-19 Response (Urgent Management Measures) Legislation Act 2020	Local Government Act 2002	In light of the COVID-19 lockdown, this Act amends the Local Government Act 2002 to now allow for virtual meetings and deals with issues relating to public access to meetings.	<p>An elected member can attend meetings through either audio or audiovisual link whether or not the standing orders allow for this. An elected member councillor who attends a meeting by audio or audiovisual link is counted as present for the purposes of establishing a quorum.</p> <p>Public access to meetings is dealt with in three ways:</p> <ul style="list-style-type: none"> - The definition of “open to the public” was changed, enabling access to the meeting by broadcasting live the audio or video of the meeting (livestreaming on an Internet site), and, as soon as practicable after the meeting, making available on its internet site the recording of the meeting or a written summary of the business of the meeting. This service must be provided free of charge. - Regarding requirements to publish information prior to meetings, local authorities can make agendas, associated reports and minutes available on their

DATE	NEW / AMENDING LEGISLATION	AMENDED LEGISLATION	CHANGE	WHAT THE CHANGE MEANS
				<p>websites instead of making them available in their public offices and libraries. This service must be free of charge.</p> <ul style="list-style-type: none"> - Regarding the requirement to make minutes available, minutes of meetings these can be made available on the website, rather than at Council offices. Members of the public can still request physical copies of the minutes, which the local authority must provide by post. <p>All these amendments will be repealed when the Epidemic Preparedness (COVID-19) Notice 2020 expires or is revoked.</p>
5 March 2020	Local Government Members (2019/20) Amendment Determination 2020	Local Government Members (2019/2020) Determination 2019	Inserts annual remuneration determinations for 'Deputy Mayor' and 'Councillors with no additional responsibilities' into Schedule 2, Part 2 of the Local Government Members (2019/2020) Determination 2019.	<p>The new remuneration determinations for Kaipara are:</p> <ul style="list-style-type: none"> - Deputy Mayor: \$55,012 (with effect from 28 November 2019); and - Councillor with no additional responsibilities: \$43,487 (with effect from 22 October 2019).

Awareness of Obligations and Endeavour to Meet Statement

Kaipara District Council through its official Register of Delegations and in the definition of the functions of this Group, requires me and those reporting to me, to operate within the requirements and guidelines of the Acts, Regulations and Standards Applicable.

These requirements cover legislation and standards specifically applicable to my Group, and those applicable to Kaipara District Council generally relating to administration and employment.

I hereby confirm that to the best of my knowledge and endeavours these legislative requirements and standards have been complied with. I further verify that I have made and continue to make reasonable efforts to stay abreast of updated and new applicable legislation, and changing application.

Procedures are in place that ensure those within this Group are also aware of the impact of new legislation on their roles within Kaipara District Council.

Listed below are any matters involving known or threatened claims of non-compliance.

Also listed are instances of non-compliance with legislative requirements that my group has become aware of through the internal audit process.

Name
(printed)

Signature

Title

Date

Whistleblowing and Fraud Policies review

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Hannah Gillespie, GM People and Capability

Purpose/Ngā whāinga

To seek approval for an updated Whistleblowing Policy and Fraud Policy due to the changes required from the Office of the Auditor General (OAG).

Executive summary/Whakarāpopototanga

In September 2017, at this Committee's recommendation, Council approved a new Whistleblowing Policy (replacing the then Protected Disclosures Policy), making the policy and process clearer for staff, and to include an additional external service available for staff to call if they would like to report a serious wrongdoing.

Deloitte was approved as a third-party external service, at an annual cost of \$10,000. We have also been using Deloitte fraud training module for all staff to complete annually.

The OAG has instructed Deloitte to discontinue providing this service, as there is a conflict with the auditing services they provide. This includes the annual online fraud module.

We require a new option for the policies and give notice to Deloitte, who will then update the OAG.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Recommends to Kaipara District Council to approve the amended Whistleblowing Policy and Fraud Policy (Attachment A and B to the report) and to engage PriceWaterhouseCoopers as the new whistleblower service provider.

Context/Horopaki

- i. This report has come to Audit, Risk and Finance as this is a Policy that needs to be approved at Council. The policies affected by changing the whistleblowing service are the Whistleblowing Policy and Fraud Policy.
- ii. As mentioned above, Deloitte cannot continue to provide the whistleblower service due to the OAG instruction and conflict of interest.
- iii. The annual fee for the Deloitte service is \$10,000.
- iv. We have had no protected disclosures through the service since implemented in 2017.
- v. The researched options to replace Deloitte are outlined below.

Discussion/Ngā kōrerorero

Options

Option 1

Engage PriceWaterhouseCoopers (PWC) to provide the external service.

Cost			
Upfront implementation	\$2,500	On-going annual fee	\$5,000 + GST
Pros			
<ul style="list-style-type: none"> – Independent service – Dedicated NZ-based team – Access to a specialist sex offence investigator – Full reporting of all disclosures and investigative support – PWC free phone 0800 number and email address 24/7 – Dedicated relationship manager 		<ul style="list-style-type: none"> – Non KDC branded email address and phone line specific to KDC 	

Option 2

Engage Report it Now to provide the external service.

Cost			
Upfront implementation	\$1,000	On-going annual fee	\$6,600 + GST
Pros			
<ul style="list-style-type: none"> – Multilingual offering – Access to Multiple Reporting Channels (call centre, phone, online, text) – Access to EthicsProEnterprise Case Management system, access to automated reporting – Protected Disclosure Office oversight of submissions, anonymity available to the submitter 		<ul style="list-style-type: none"> – Only 2 free submission per month 	

Option 3

Engage KPMG to provide the external service.

Cost			
Upfront implementation	\$2,500	On-going annual fee	\$10,000
Pros			
<ul style="list-style-type: none"> – Implementation support service – 24/7 calls, email, post service – Deliver the report in 24 hours to Council – Service operated by forensics professionals – Dedicated relationship manager 		<ul style="list-style-type: none"> – 9.00am – 7pm call centre, after this time callers leave a voicemail (if voicemail is left with sufficient details, a South Africa call centre will answer it) – Non KDC branded email address and phone line specific to KDC 	

Option 4

Discontinue using an external service and have an internal process for Officers.

Cost	
Nil	
Pros	
<ul style="list-style-type: none"> – We have a set process in our whistleblowing policy for staff to follow 	<ul style="list-style-type: none"> – Council officers may not feel comfortable to report wrongdoings directly to Council disclosure officer

<ul style="list-style-type: none"> - No cost to Council for an external service 	<ul style="list-style-type: none"> - No external service on offer for staff/contractors to report to 24/7 - May result in wrong-doings not being reported in fear of identity disclosure (protected under act however protects them)
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The recommended option is **option 1**.

PWC offer value for money, remain as an independent service and have a reputable background with best practice in the industry. Whilst more costly than providing just an in-house reporting process, there remains a level of independence for those who want to disclose outside Council due to anonymity concerns, or fear of retribution.

Policy and planning implications

Change to process for Council Officers.

Financial implications

Reduction in consultancy fees paid.

Risks and mitigations

By not having an external service in place, this may discourage Officers to report wrongdoings.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.


Next steps/E whaiake nei

If approved by Council, the Chief Executive will delegate General Manager People and Capability to engage with PWC to agree terms of service for external whistleblowing service.

Policy will be implemented, and staff informed of the new changes.

Attachments/Ngā tapiritanga

	Title
A	Policy Whistleblowing August 2020 draft
B	Policy Fraud August 2020 draft

	Title of Policy	Whistleblowing Policy		
	Sponsor	General Manager People and Capability	Adopted by	Council
	Author	Hannah Gillespie, General Manager People and Capability	Date adopted	
	Type of Policy	Staff	Last review date	August 2020
	File reference	2206.03	Next review date	August 2024

Document Control			
Version	Date	Author(s)	Comments
1 st Commenced			
1.0	November 17	Hannah Gillespie	Periodic review, minor editing
2.0	August 2020	Hannah Gillespie	Review and editing

1 Background

Kaipara District Council has approved this Policy and procedure to ensure people can raise concerns regarding actual or suspected contravention of Council's ethical and legal standards without fear of reprisal or feel threatened by doing so.

The Policy aims to facilitate disclosure of questionable practices, encourage proper individual conduct, and alert our Chief Executive, Mayor and Audit, Risk and Finance Committee of potential problems before they have serious consequences.

This Policy aims to support and reinforce our Code of Conduct Policy, Conflict of Interest, Fraud Policy, and Bullying and Harassment Policy.

2 Objective

This Policy and procedure applies to all staff at the Council and includes:

- Former Staff members;
- Individuals seconded to the Council;
- Individuals contracted to the Council under contracts for services;
- Members of the Council's Executive Management; and
- Appointed Governance members.

3 Types of reportable "serious wrongdoings":

A serious wrongdoing may include, but is not limited to, any actual or suspected:

- Conduct or practices which are dishonest, illegal or breach any law;
- Breach of any Council Policy including our Code of Conduct;
- Sexual harassment, bullying, discrimination;
- Inappropriate accounting, internal accounting controls, or auditing matters;
- Corrupt activities;
- Theft, fraud or misappropriation of assets;
- Significant mismanagement or waste of funds or resources;
- Abuse of authority; or
- Unsafe work practice environment.

At Council we consider and will take such allegations seriously. We equally expect and assume that allegations are made in good faith, are truthful and can be substantiated.

4 How to submit a Whistleblow

Concerns may be communicated by any of the following means:

Mail to:

Protected Disclosures Officer – Chief Executive/General Manager People and Capability
Kaipara District Council
42 Hokianga Road
Dargaville 0310

PWC (External Independent Service)

Enter the details of the whistleblowing service here as above once approved via Council.

All allegations will be forwarded to the Chief Executive/General Manager People and Capability (unless the allegation involves the Chief Executive and/or General Manager People and Capability, in which case that role will be excluded from the forward, and the matter will then be escalated to the Mayor).

The two responsible officers (if escalated the Mayor and Deputy Mayor) will then discuss and decide the appropriate action to take in order to investigate and validate the allegation. The investigation will be conducted by suitably skilled and unbiased internal or external resources.

The responsible officers will acknowledge receipt of the Whistleblow, and will respond to the Whistleblower as soon as possible (not more than twenty (20) working days) with their action/outcome from the investigation.

5 What to include in your Whistleblow

An allegation should include enough information about the incident or situation to allow Council to investigate it properly.

Should the complainant wish to remain anonymous, he/she may send the complaint in a way that does not reveal their identity. Should, however, the complainant wish to co-operate in further investigation of the complaint, he/she should submit his or her name and contact details together with the complaint. If he/she identifies themselves in the whistleblow report the investigator might contact them to ask further matters reported in the complaint.

Every report of a possible violation, compliance concern, complaint or other allegation will be retained confidentially in our electronic system.

6 Protection for the whistleblower from retaliation


Council acknowledges that whistleblowers fear possible retaliation from making a disclosure. This may be a concern of reprisals, discriminations, harassment or retribution. We are committed to minimise that from happening by:

- Keeping the details of the person making the whistleblow confidential and protecting their identity;
- Protection for the individual from victimisation for having made the disclosure; and

- Protection from personal disadvantage for having made the disclosure where the person disclosing has acted in good faith and has not engaged in misconduct or illegal activities or made a malicious disclosure.

Council intends to investigate any report thoroughly made in good faith. Every employee will be required to co-operate in internal investigations of misconduct or unethical behaviour.

DRAFT

	Title of Policy	Fraud Policy		
	Sponsor	Hannah Gillespie, General Manager People and Capability	Adopted by/Authorised by	Council
	Author	Hannah Gillespie	Date Adopted/Authorised	30/09/2013
	Type of Policy	Operational	Last review date	August 2020
	File reference	2206.03	Next review date	May 2022

Document Control			
Version	Date	Author(s)	Comments
1 st Commenced	Sep 2013		
1.0	Jun 2016	Peter Marshall	Periodic review, minor editing
1.1	May 2018	Hannah Gillespie	Period review, minor editing
1.2	July 2018	Hannah Gillespie	Amendments following AFR committee
1.3	August 2020	Hannah Gillespie	Changes to whistleblowing service and review

1 Background

Fraudulent behaviour is unacceptable at Kaipara District Council. All reported incidents of alleged fraud must be treated seriously and will be investigated. Kaipara District Council is committed to maintaining the highest ethical principles and integrity in discharging our obligations to the community.

2 Objective

To ensure that the assets and reputation of Kaipara District Council and its Staff are protected from fraudulent behaviour.

3 Definition of Fraud

Fraud is the deliberate practice of deception in order to receive unfair or unlawful gain and, for the purposes of this Policy, includes forms of dishonesty.

Examples of fraud include, but are not limited to:

- Violation of Council's policies relating to employment, finance, equipment and other assets;
- Forgery or alteration of any document belonging to Kaipara District Council;
- Forgery or alteration of a cheque, bank draft or any other financial document;
- Theft of funds or other assets;
- Improprity in the handling or reporting of money;
- Profiteering as a result of insider knowledge;
- Disclosing confidential information to outside parties;
- Accepting anything of material value from contractors, vendors or persons providing services/materials to Kaipara District Council, with the exception of gifts of minor value, in keeping with Council's policy;
- Bribery and corruption;
- Misrepresentation or failure to provide comprehensive information to decision-makers;
- Destruction, removal or inappropriate use of records and assets (furniture, fixtures and equipment); and
- Any similar or related inappropriate conduct.

4 Related Documents

- a) Code of Conduct for Staff;
- b) Code of Conduct for Elected Members;
- c) Conflict of Interest;
- d) Gift Policy;
- e) Procurement Policy and Strategy; and
- f) Whistleblower Policy.

5 Policy

At Kaipara District Council:

- a) There is a policy of “zero tolerance” in relation to fraud against Council or ratepayers, and standard practice will be to report instances of fraud to the Police.
- b) There is a commitment to the development and maintenance of processes and procedures to prevent and detect fraud, and provide for the investigation and management of fraudulent behaviour.
- c) Each Manager has the responsibility for ensuring that appropriate controls are in place at all levels to ensure safeguards against fraudulent activity and must take action to implement and maintain these controls. Further, Managers are responsible to ensure there are systems in place to regularly review transactions and activities that may be susceptible to fraud.
- d) Staff who become aware of, or suspect fraudulent behaviour must advise their Manager and/or General Manager immediately.
- e) All incidents of alleged fraud or dishonest practices must be reported to the General Manager People and Capability as soon as practicable.
- f) Any breach of this policy needs to be reported to Council’s Audit, Risk and Finance Committee as a compliance breach.
- g) Investigations will be undertaken or co-ordinated by the General Manager People and Capability. Where any employee is involved the General Manager People and Capability will inform the Chief Executive. In investigations where the General Manager People and Capability is involved, the investigation will be co-ordinated by the Chief Executive.
- h) The employee may be suspended while the investigation is being conducted in accordance with the terms of the employee’s employment agreement.
- i) Appropriate regard will be given to all relevant employment law principles, including the concepts of natural justice, the right of reply and collection of adequate evidence.
- j) All alleged incidents of fraud will be investigated, reported to the Mayor and, where an employee is found to have committed fraud, disciplinary action, in accordance with Human Resources policies, will be taken and reported to the Audit, Risk and Finance Committee.
- k) The recovery of lost money or other stolen property will be pursued wherever possible and practicable and all substantiated instances of theft will be reported to the Police.
- l) Kaipara District Council is required to report all incidents of fraud to the Office of the Auditor-General via our auditor.

6 Responsibilities

All employees	Reading and adhering to the conditions of this policy.
Managers/General Managers	Ensuring employees are aware of this Policy. Taking appropriate action when breaches of this Policy occur.
People and Capability Business Partner	Involvement in any investigation of alleged fraud concerning an employee by providing advice and guidance. Administering, revision, interpretation and application of this Policy. Taking appropriate action when breaches of this Policy occur.

7 Scope of Policy

This Policy applies to any fraud, or suspected fraud, involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with Kaipara District Council. This Policy has limited application in the following case:

- a) Theft of money or goods by any person not employed by Kaipara District Council. The theft must be reported to the police and/or security. The General Manager People and Capability must be notified as soon as possible thereafter and be kept informed of any police investigation. For example, a robbery of a cash collection point.

This policy does not apply to:

- b) Minor fraud perpetrated by the public against Kaipara District Council. For example, providing wrong information on a license application.
- c) Routine performance management issues that should be resolved by the General Manager People and Capability.
- d) Conflict of Interest matters involving Councillors who are subject to provisions within the Local Authorities (Members' Interests) Act 1968, the Local Government Act 2002, and Kaipara District Council's Code of Conduct for Elected Representatives.

8 Investigations

The General Manager People and Capability has the primary responsibility for the investigation of all suspected fraudulent acts as defined in this Policy. Where the alleged fraud involves an employee, the General Manager People and Capability will be advised of the alleged fraud immediately so that they may provide advice and guidance. Any investigation carried out must comply with Human Resources policies to the fullest extent possible.

Decisions to refer the investigation results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made by the Chief Executive in consultation with, as appropriate, the General Manager People and Capability. Kaipara District Council's solicitors may also be consulted on the final decision for disposition of the case.

The General Manager People and Capability (and anyone acting on their behalf) will have:

- a) Free and unrestricted access to all Kaipara District Council records and premises.

- b) The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities when it is within the scope of their investigation.

The General Manager People and Capability has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy, except where the suspected fraud may involve:

- c) The General Manager People and Capability, in which case the Chief Executive will have primary responsibility for conducting the investigation;
- d) The Chief Executive, in which case the Mayor in consultation with the Chair of the Audit, Risk and Finance Committee will employ an appropriately qualified professional such as an external chartered accountant or external auditor who will have primary responsibility for conducting the investigation and reporting back to the Mayor and the Chair of the Audit, Risk and Finance Committee;
- e) The Mayor or an /Elected Member, in which case the Chief Executive and the Mayor or Chair of the Audit, Risk and Finance Committee employs an appropriately qualified professional such as an external chartered accountant or external auditor who will have primary responsibility for conducting the investigation in consultation with the Chief Executive and the Mayor or Chair of the Audit, Risk and Finance Committee.

9 Reporting Procedures

Great care must be taken in the investigation of alleged fraud to avoid mistaken accusations or alerting suspected individuals that an investigation is underway.

Any suspected fraudulent activities can be reported via the below contacts:

Insert new Whistleblowing service as agreed by Council

- Or to our Fraud Officer:
Attention: Fraud Officer
Kaipara District Council
42 Hokianga Road
Dargaville 0310

- a) The employee or other complainant may remain anonymous;
- b) The employee or other complainant may follow the Whistleblowing Policy process;
- c) All enquiries concerning the activities under investigation from the suspected individual, his or her lawyer or representative, or any other enquirer should be directed to the General Manager People and Capability; No information concerning the status of an investigation will be given out except through the General Manager People and Capability or the Chief Executive. The proper response to any enquiry is: "I am not at liberty to discuss this matter";
- d) Fraud perpetrated against Kaipara District Council will be reported to Council's Audit, Risk and Finance Committee, insurers, auditors and enforcement agencies, as required.

The reporting individual should be informed of the following:

- e) Do not contact the suspected individual in an effort to determine facts or demand restitution;
- f) Do not discuss the case, facts, suspicions or allegations with anyone unless specifically asked to do so by the General Manager People and Capability, the Chief Executive or Council's solicitors.

10 Consequences

An investigation may result in a recommendation to terminate a supplier's or contractor's contract or, in the case of an employee, a commencement of a disciplinary process, the outcome of which may be dismissal of the employee where appropriate. The following applies as appropriate:

- a) Any decision to begin a disciplinary process, or to terminate an employee's employment at the conclusion of that process, will be made in accordance with Human Resources policies;
- b) Fraud perpetrated against Kaipara District Council will be reported to General Managers, Chief Executive and others as appropriate;
- c) Where suppliers are involved, any recommendation from the General Manager People and Capability will be put forward and reviewed with representatives of Procurement (contracts) and with Council's solicitors as appropriate, before any action is taken;
- d) Where instances of fraudulent conduct are substantiated, any decisions will be referred to the relevant General Manager and the Chief Executive for adjudication.

11 Policy Review

The Policy will be reviewed every two years or earlier as required.

Policy Register review programme update

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Linda Osborne, Administration Manager

Purpose/Ngā whāinga

To update the Committee on the review programme of the Policy Register.

Executive summary/Whakarāpopototanga

The Policy Register contains 63 separate policies which are reviewed as they fall due. It is good practice that the Register is reported to Council on a regular basis. It is placed on the Committee's agenda for information.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the update on the Council adopted external policy register and the Executive approved internal policy register.

Context/Horopaki

Council currently maintains 63 separate policies. General Managers have the responsibility of periodically reviewing policies in their area and the General Manager Transformation and Engagement has an over-arching programme to ensure that happens. Some policies (operational and internal) are authorised by the Chief Executive only, whereas others, in the interest of transparency, are adopted by Council.

The Policy Register is available on Council's intranet (Te Kura) which enables all staff easy access to 'a single source of truth'. Every six months the Policy Register's status is reported to the Committee.

At its last meeting the Committee asked to see a separation between those policies adopted by Council or a Council Committee (external) from those policies approved by the Chief Executive or the Executive Team (internal).

There are currently 37 external policies adopted by Council or a Committee which are available at **Attachment A** and 26 internal policies approved by the Chief Executive or the Executive Team at **Attachment B**. Both registers will continue to be reported to the Committee six monthly.

Discussion/Ngā kōrerorero

Since the last Policy Register was reported to the Committee, staff have considered what policies are no longer required. Many of the Council adopted policies are required by legislation and this needed to be taken into account, when reviewing.

External Policies

Since last report, Council has approved new policies, provided overleaf, which have been included in the register:

- Environmental Awards Policy adopted by Council at the February 2020 meeting
- Procurement Strategy adopted by Council at the February 2020 meeting
- Hearing Commissioners Policy adopted by Council at its May 2020 meeting.

Two of the current Council adopted policies have been reviewed and approved by Council. They are the:

- Community Assistance Policy adopted by Council at the April 2020 meeting
- Risk Management Framework Policy and Process adopted by Council at the March 2020 meeting.

Other policies are under review as follows:

- The Whistleblowing Policy is currently being reviewed as the Office of the Auditor General has asked Deloitte to discontinue providing this external service due to the conflict of interest with their auditing requirements.
- Gifts for Elected Members Policy
- Fraud Policy
- Petitions Policy
- Sensitive Expenditure Policy
- Rooding Policy
- Health and Safety Policy.

The Elected Members Allowances and Recovery of Expenses had a review date of August 2020. This date ensures that the policy is reviewed in line with annual changes made by the Remuneration Authority (RA). The RA made no changes to the determination this year governing elected member remuneration, so the policy was not required to be reviewed.

The Legislative Compliance Policy is overdue. However, a legislative update is provided separately at this meeting.

Internal Policies

The internal policies approved by the Chief Executive or Executive Team (Attachment B) are being reviewed as they fall due and when resourcing allows. They are the:

- Disposal of Operational Assets Policy
- Flexible Working Arrangements Policy
- Mobile Phones Policy
- Performance Management Policy
- Professional Development and Training Policy
- Staff Procurement Policy
- Vehicle Procedures Policy.

The Procurement and Contract Management Manual is under review. As reported, Council has approved the Procurement Strategy. The Executive Team will approve the manual based on the Strategy.

Significance and engagement/Hirahira me ngā whakapapa

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

Staff will continue to review policies as and when they are due, and report updates to the Committee every six months.

Attachments/Ngā tapiritanga

	Title
A	External Policy Register
B	Internal Policy Register

External Policy Register

Policy Name	Description	Status	Last Reviewed Date	Next Review Due	Comments	Policy Owner	RAG Status
Favourable or achieved	Unfavourable – looking like it may not be achieved	Unfavourable –not achieved					
<u>2018 Development Contributions Policy</u>	Sets out Council's policy on levying and spending Development Contributions including how much will be levied for each activity in each catchment.	Adopted	23/02/2018	23/02/2021	Adopted in conjunction with Council's Long Term Plan	GM Sustainable Growth and Investment	
<u>Application of Sale Proceeds to Debt</u>	To ensure that the application of sales or other proceeds to debt is systematic, fair and transparent.	Adopted	28/03/2019	28/03/2022		GM Sustainable Growth and Investment	
<u>Citizens Awards Policy</u>	This Policy provides an assessment framework to assist the Citizens Awards Committee when determining successful recipients from the pool of nominees.	Adopted	30/06/2018	01/05/2021		GM Transformation and Engagement	
<u>Class 4 Gambling Venues Policy</u>	Controls the growth, integrity and fairness of gambling. The Policy provides the mechanism to limit opportunities for crime and dishonesty and ensures money from gambling benefits the community.	Adopted	30/09/2018	30/09/2021		GM Transformation and Engagement	
<u>Code of Conduct - Staff</u>	Policy deals with the way we go about our business and provides guidance on the standards of behaviour that are to be observed to ensure that these values are upheld.	Adopted	03/04/2017	03/04/2020	Currently under review	GM People & Capability	
<u>Code of Conduct Elected Members</u>	Provides guidance on standards of behaviour that are expected from the Mayor and elected members of the Kaipara District Council.	Adopted	26/02/2020	26/02/2023		GM Transformation and Engagement	
<u>Community Assistance Policy</u>	The Policy sets out criteria to assist decision making when allocating funds for community assistance to competing requests.	Adopted	29/04/2020	30/04/2023		GM Transformation and Engagement	
<u>Conflict of Interest - Staff</u>	The purpose of this document is to clarify for Council Staff and representatives what constitutes a Conflict of Interest, their obligation to declare any conflict when it arises, how conflicts will be managed and the potential consequences if Staff and/or representatives do not comply with their obligations.	Adopted	28/07/2016	28/07/2021		GM People & Capability	
<u>Early payment of rates for subsequent years P</u>	States Council's policy with regard to the early payment of rates and zero discounts. Also payment of subsequent years rates in relation to the MCWWS.	Adopted	30/11/2017	30/11/2020	Adopted in conjunction with Council's Long Term Plan	GM Sustainable Growth and Investment	
<u>Easter Sunday Shop Trading Policy 2017</u>	This Policy is to allow shops the choice to trade on Easter Sunday if they wish to. The Policy neither requires shops to open, employees to work or individuals to shop on Easter Sunday.	Adopted	14/03/2017	14/09/2021		GM Transformation and Engagement	
<u>Elected Members allowances and recovery of expenses Policy</u>	This Policy sets out rules on the claiming of expenses by elected members and the resources that will be available to them during their term of office.	Adopted	29/08/2019	30/08/2022		GM Transformation and Engagement	

External Policy Register

<u>Environmental Awards Policy</u>	The objective of these awards is to recognise and celebrate the people and/or organisations who have made a significant contribution to ensuring the natural environment thrives in the Kaipara District.	Adopted	26/02/2020	26/02/2023		GM Transformation and Engagement	
<u>Fraud Policy</u>	Objective is to ensure that the assets and reputation of Kaipara District Council and its staff are protected from fraudulent behaviour.	Adopted	30/05/2018	30/05/2020	Currently under review	GM People & Capability	
<u>Gift Register Policy</u>	The objective of this policy is to provide clear parameters for Council staff to ensure they are not open to influence or public criticism in relation to the receipt of gifts, hospitality and other personal benefits.	Adopted	31/08/2016	31/08/2021		GM People & Capability	
<u>Gifts for Elected Members Policy</u>	Provides clear guidance for Elected Members when considering whether to accept or decline a gift or hospitality. The policy also ensures the community has a clear sense of the Mayor's and Councillors decisions on these matters.	Adopted	30/11/2016	01/02/2020	Currently under review	GM Transformation and Engagement	
<u>Health and Safety Policy</u>	Sets out Health and Safety requirements for staff, managers, Health and Safety Committee members and representatives.	Adopted	06/12/2016	06/12/2019	Currently under review	GM People & Capability	
<u>Hearing Commissioners Policy</u>	Outlines how Council will appoint Independent Hearings Commissioners under the Resource Management Act 1991 (RMA).	Adopted	27/05/2020	30/05/2022		GM Transformation and Engagement	
<u>ICT Data and Information Compliance</u>	The purpose of this Policy is to ensure Council meets all legal and industry standard requirements pertaining to information and data that is either generated or held within our operation.	Adopted	30/06/2018	30/06/2021		GM Customer Experience	
<u>Legislative Compliance Policy</u>	To ensure that compliance with relevant statutes and regulations are met while undertaking the functions and duties of Local Government.	Adopted	21/04/2016	21/04/2019	Legislative update on Audit, Risk and Finance September agenda	GM Sustainable Growth and Investment	
<u>Maori Freehold Land Rates Postponement and Remission Policy</u>	This Policy is to ensure the fair and equitable collection of rates occurs from all sectors of the community. It is important to also recognise that Māori freehold land has particular conditions and ownership structures which may make it appropriate to provide relief from rates.	Adopted	30/11/2017	30/11/2020	Adopted in conjunction with Council's Long Term Plan	GM Sustainable Growth and Investment	
<u>Petitions Policy</u>	Sets out definition and procedures around petitions in order to strengthen and improve Council's decision-making through community involvement	Adopted	31/10/2016	01/02/2020	Currently under review	GM Transformation and Engagement	
<u>Policy on Dogs and Dog Management Bylaw</u>	Sets out responsible dog ownership and community awareness to promote an environment where dogs and people can happily co-exist.	Adopted	30/06/2019	30/06/2029		GM Customer Experience	
<u>Private Road Seal Extension Policy</u>	The objective of this Policy is to set out, in a clear and transparent manner, Council's criteria for considering private seal extension requests from ratepayers and/or residents.	Adopted	29/11/2018	29/11/2023		GM Infrastructure Services	

External Policy Register

<u>Procurement Strategy</u>	Guides and direct our activities over the next five years which incorporates the next Long Term Plan (2021). This strategy relates to all activities in Kaipara including Capital (e.g. physical projects) and Operations (e.g digital transformation).	Adopted	30/12/2019	30/12/2023		GM Infrastructural Services	
<u>Rates Postponement and Remission Policy</u>	This Policy is to: provide financial assistance and support to ratepayers address rating anomalies address matters related to wastewater charges address matters related to excessive water rates	Adopted	17/11/2017	17/11/2020	Adopted in conjunction with Council's Long Term Plan	GM Sustainable Growth and Investment	
<u>Reserves Contributions (Use of) Policy</u>	Defines Council's priorities for use of reserve contributions and uses these priorities to guide the development of a programme of works. A works programme will be consulted on as part of each year's Annual Plan process.	Adopted	23/05/2018	16/12/2020		GM Sustainable Growth and Investment	
<u>Revenue and Finance Policy</u>	This Policy sets out how Council funds each activity it is involved in and why. It forms part of the LTP.	Adopted	30/06/2018	30/03/2021	Adopted in conjunction with Council's Long Term Plan	GM Sustainable Growth and Investment	
<u>Risk Management Policy and Framework</u>	Outlines the ongoing requirement for all staff to identify opportunities that may enhance Council's objectives and to address risks that may negatively impact on the achievement of Council's objectives.	Adopted	12/03/2020	12/03/2023		GM Sustainable Growth and Investment	
<u>Roading Policy</u>	Provides guidelines and rules for Kaipara's roading network.	Adopted	30/09/2002	30/11/2016	Will be reviewed this year in line with the Long Term Plan	GM Infrastructure Services	
<u>Sensitive Expenditure Policy</u>	This Policy controls sensitive expenditure and ensure that the standards of probity and financial prudence expected of a public entity are met and the expenditure is able to withstand public scrutiny	Adopted	23/03/2017	23/03/2020	Currently under review	GM People & Capability	
<u>Significance and Engagement Policy</u>	Guides the assessment of significance during decision-making and provides direction on the consideration of community views and the level of community engagement that might be desirable to enable Council to develop a clearer understanding of community views and preferences on an issue or proposal.	Adopted	30/12/2017	30/12/2020	Draft Policy has been adopted for consultation	GM Transformation and Engagement	
<u>Smokefree Kaipara Policy</u>	The object of this Policy is to outline how Council will be proactive and demonstrate leadership by promoting a smokefree lifestyle as being desirable throughout the Kaipara district.	Adopted	16/12/2016	16/12/2021		GM Transformation and Engagement	
<u>Totalisator Agency Board (TAB) Venue Policy</u>	Council is required to develop and implement policies relating to stand-alone TAB venues. Consent is required to establish new TAB venues (other than TAB agencies where the main business carried on in the premises is not racing betting or sports betting). Limiting the number of TAB venues that can be established gives Council the opportunity to exercise control over the impact of gambling within the District.	Adopted	27/07/2018	27/07/2021		GM Transformation and Engagement	

External Policy Register

<u>Treasury Policy</u>	This Policy also incorporates the Liability Management and Investment Policies. It outlines approved policies and procedures in respect of all treasury activities undertaken by Council.	Adopted	28/02/2018	28/02/2022	Currently under review	GM Sustainable Growth and Investment	
<u>Wastewater Drainage Policy and Bylaw 2016</u>	The purpose of this Policy is to state Council's position and provide the statutory framework for protecting Council's wastewater assets and preventing unacceptable discharges of wastewater. The bylaw provides the mechanism to enforce the Policy.	Adopted	30/09/2016	30/09/2026		GM Infrastructure Services	
<u>Whistleblowing Policy</u>	Outlines the disclosure and investigation of matters of serious wrongdoing and protecting Staff who make disclosures of information about serious wrongdoing.	Adopted	30/11/2017	30/10/2020	Due for adoption at September 2020 Audit, Risk and Finance meeting.	Chief Executive	

Internal Policy Register

Policy Name	Description	Status	Last Reviewed Date	Next Review Due	Comments	Policy Owner	RAG Status
Favourable or achieved	Unfavourable – looking like it may not be achieved	Unfavourable –not achieved					
<u>Bullying and Harassment Policy</u>	Provides guidance and information to staff on how to identify, report and help prevent bullying or harassment occurring at KDC.	Approved	30/11/2015	30/11/2020	Currently under review	GM People & Capability	
<u>Code of Conduct - Staff</u>	Policy deals with the way we go about our business and provides guidance on the standards of behaviour that are to be observed to ensure that these values are upheld.	Approved	03/04/2017	03/04/2020	Currently under review	GM People & Capability	
<u>Customer Privacy Policy</u>	This Policy governs Council's collection, use and disclosure of customers personal information (as defined in the Privacy Act 1993 (Privacy Act)) and has been prepared in accordance with Council's obligations and the customers rights set out in the Privacy Act.	Approved	08/03/2018	08/03/2021		GM People & Capability	
<u>Disposal of Operational Assets Policy</u>	The objective of this policy is to provide clear guidelines on the circumstances in which operational assets may be disposed of and the methods that can be used in such disposal.	Approved	28/09/2017	28/09/2020	Will be reviewed over the next six months	GM Transformation and Engagement	
<u>EM customer queries process</u>	Outlines how Councillors will handle complaints, feedback and issues of some contention from constituents and provides clarity for Councillors, staff and the community.	Approved	30/09/2019	30/09/2022		GM Transformation and Engagement	
<u>Flexible Working Arrangements Policy</u>	This Policy supports employees with personal responsibilities, for example; family obligations, study and personal health. The policy aims to accommodate the reasonable requirements of staff members' work, life and family requirements, wherever practicable.	Approved	31/10/2016	31/10/2019	Currently under review	GM People & Capability	
<u>ICT Contractor Engagement and Exit</u>	The purpose of this policy is to ensure that risk to our systems, software and hardware is minimised and the business remains operational and that the correct processes and procedures are employed when contracting IT services.	Approved	30/06/2017	30/06/2022		GM Sustainable Growth and Investment	
<u>ICT Crime and Incident Policy</u>	The purpose of this Policy is to ensure that the impact and risks associated with an event of IT crime or a security incident are minimised and contained, in order for Kaipara District Council (KDC) to continue business as usual. This policy should be read in conjunction with all other ICT policies.	Approved	31/05/2017	30/04/2022		GM Sustainable Growth and Investment	
<u>ICT Equipment Purchases and BYOD (Bring Your Own Device)</u>	The purpose of this policy is to ensure that the correct processes and procedures are employed when purchasing, deploying, maintaining and replacing hardware and other equipment.	Approved	31/05/2017	31/05/2022		GM Sustainable Growth and Investment	
<u>ICT IT Asset Refresh Policy</u>	The purpose of this policy is to ensure that all desktop equipment is continually refreshed.	Approved	30/06/2017	31/07/2022		GM Sustainable Growth and Investment	

Internal Policy Register

<u>ICT Staff Moves, Additions and Changes</u>	The purpose of this policy is to ensure staff and contractors have access to ICT tools and systems they need to complete their work in a timely manner and ensure that the organisation has an accurate view of its ICT Equipment and Software asset base.	Approved	31/05/2017	31/05/2022		GM Sustainable Growth and Investment	
<u>ICT Staff Moves, Additions and Changes Policy</u>	The purpose of this policy is to ensure staff and contractors have access to ICT tools and systems they need to complete their work in a timely manner and ensure that the organisation has an accurate view of its ICT Equipment and Software asset base.	Approved	31/05/2017	31/05/2022		GM Sustainable Growth and Investment	
<u>IT Change Control Policy</u>	Outlines the change management process for IT changes to ensure risk and costs are controlled	Approved	19/07/2017	19/07/2022		GM Sustainable Growth and Investment	
<u>Misconduct and Disciplinary Policy</u>	Provides Staff with an understanding of what constitutes misconduct and Council's disciplinary process to manage it.	Approved	13/07/2016	13/07/2021		GM People & Capability	
<u>Mobile Phones Policy</u>	The purpose of this policy is to establish clear and consistent guidelines for the issuance and use of mobile/cell (mobile) phones to conduct official business on behalf of the Council	Approved	31/10/2016	31/10/2019	Currently under review	GM People & Capability	
<u>Parental Leave Policy</u>	This Policy outlines to all staff, Council's approach to parental leave and the obligations we have to the employee and the employee has to Council.	Approved	30/08/2016	30/08/2021		GM People & Capability	
<u>Performance Management Policy</u>	The purpose of the Performance Management Policy is to outline our procedure for resolving poor, non-effective or unsatisfactory performance via informal and formal performance management mechanisms.	Approved	31/10/2016	31/10/2019	Currently under review	GM People & Capability	
<u>Photocopier Usage Policy</u>	Outlines the access and use of the photocopiers within the organisation	Approved	27/10/2016	27/10/2021		GM People & Capability	
<u>Professional Development and Training Policy</u>	This Policy provides guidelines for administering professional development and training.	Approved	31/10/2016	31/10/2019	Currently under review. Remuneration Committee to review in future	GM People & Capability	
<u>Recruitment and Selection Policy</u>	Policy ensures all candidates applying for opportunities at Council are treated in the same way.	Approved	30/08/2016	30/08/2021		GM People & Capability	
<u>Smokefree Workplace Policy</u>	This Policy supports the health and wellbeing of their employees and, indirectly, their families/whanau through providing an environment that fully supports its employees to become and remain smokefree.	Approved	12/06/2016	12/06/2021		GM People & Capability	
<u>Staff Election Protocols</u>	Sets out requirements staff need to be aware of given their position as local authority officers.	Approved	11/06/2019	30/03/2022	Was called Staff Involvement in Political Process Policy	GM Transformation and Engagement	
<u>Staff Induction Policy</u>	To enable all new employees to become effective and efficient in their role as quickly as possible they are supported through an on-boarding programme, The New Employee Journey, which covers their first three months of employment.	Approved	30/07/2016	30/07/2021		GM People & Capability	
<u>Staff Procurement Policy</u>	Provides Council employees guidelines on their ability to access procurement benefits through their employment relationship with Council.	Approved	29/07/2014	29/07/2019	Currently under review. Next approval by Remuneration Committee	GM People & Capability	

Internal Policy Register

<u>Staff Uniform Policy</u>	The objective of this policy is to define the provision of Council-funded clothing for Council officers	Approved	06/11/2018	06/11/2023		GM People & Capability	
<u>Vehicle Procedures Policy</u>	The purpose of this Policy is to provide a guide that outlines the procedures for operating and maintaining a Council vehicle. This Policy needs to be read in conjunction with Council's Remuneration Policy and with employees individual employment agreements.	Approved	31/10/2016	31/10/2019	Currently under review	GM People & Capability	

Health and safety update

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Hannah Gillespie, GM People and Capability

Purpose/Ngā whāinga

To update the committee on Kaipara District Council's health and safety performance for the fourth quarter, 01 March—30 June 2020.

Executive summary/Whakarāpopototanga

This report and its attachments provide key information that addresses organisational health, safety and wellness matters at a governance level.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the health and safety update for March to June 2020.

Context/Horopaki

Under the Health and Safety at Work Act 2015, all elected members are deemed officers and must exercise a duty of due diligence in relation to health and safety.

The elected members' role is to provide strategic direction to the business, to oversee the management of business risks to ensure that the PCBU (Persons Conducting a Business or Undertaking) has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking.

Discussion/Ngā kōrerorero

Analysis and advice

To ensure Council is informed on the current state of health and safety performance and meeting legal health and safety obligations, we submit the following:

- Risks/Issues/Mitigations - Verify the provision and use of these resources and processes
- How we are meeting our due diligence duties.

People and Capability owned health and safety risks and issues as at 30 June 2020

Risk	Progress Report - Comments/Details	Due
Occupational Driving	Overspeed Guidelines for Managers has just been finalised and is due for review with the following policy and standard. The Safe Driving Standard is being reviewed along with our Fleet Policy in-line with the new fleet utilisation system.	Dec 2020
Fire Safety Compliance	Drills are overdue due to COVID-19 but have been rescheduled for the 1st quarter of the 20/21 year. Dargaville office has all wardens trained however with working from home may come the need to identify and train more wardens up to cover the lack of reliability of staff being 'at work' to respond to an emergency.	H&SS September 2020
Workplace Incident/ Emergencies	Various incidents are the catalyst for an investigation into staff safety and security. Combined reports and action plan now sit for review by the GM Customer Experience with the help of our H&S Specialist.	GM P&C to review monthly
Working Alone/ Remote work	Various incidents are the catalyst for an investigation into staff safety and security. Combined reports and action plan now sit for review by the GM Customer Experience. H&S is liaising with service providers to provide an after-hours incident notification service due to no staff being employed to be on call. There is also a need to urgently review the numbers of INREACH units to ensure staff can comply with the H&S Standard for Lone Working. Personal Duress is another area which urgently needs to be reviewed with AMO's now coming inhouse. Matter is sitting with GM Customer Experience as the risk lays within that work unit.	GM P&C + CSX To review monthly
Staff Security/ Aggressive customers	Various incidents have instigated an investigation into staff safety and security. We are currently doing a RACI on security across Council and who is responsible for each portfolio identifying gaps and putting in place controls.	GM P&C, GM E&T, GM CX, and GM IS Set 2020
Organisational Health, Safety, Environment & Quality (HSEQ) performance reporting, evaluation & assurance	GM People & Capability is the risk owner – this has been identified in the Health and Safety Management System (HSMS) Review. An Organisational H&S Strategy is near completion, the H&S Plan with targets and objectives have been incorporated into all Department Business Plans 20/21.	H&SS June 20 Completed

Risk	Progress Report - Comments/Details	Due
	<p>These KPIs have been broken into Contractor HSE Performance and Organisational HS Performance as there are two different risk owners, being GM Infrastructure Services (to include NTA) and GM People & Capability respectively.</p> <p>The new H&S Specialist who joined Council 24 August 2020, has been tasked to conduct a gap analysis to identify where we need to focus our work and ensure we have the H&S foundations right.</p>	*Sep 2020
Staff Mental Wellbeing	<p>Additional providers have been engaged to provide EAP services.</p> <p>Mental Health First Aid training has been completed to Peer Support Officers.</p> <p>Mental Health First Aid Training has been scheduled for leaders post lockdown as this is conducted face to face.</p>	<p>Completed</p> <p>Dec 2020</p>
Hazard Identification & Risk Management	<p>Review has just been completed of the Organisational H&S Risks and new risk register has been submitted to Executive Team. A new tier 3 role with responsibility of corporate risk commences in October 2020.</p>	Completed
Incident reporting, investigation and escalation	<p>Budgeting for three staff to attend ICAM training in the 20/21 Business Plan.</p> <p>Council still relies on manual reporting and recording on excel spreadsheet. The procured new H&S system is scheduled for installation by June 2021 – SaferMe which will have more rigor on reporting and escalation, and more importantly ease of use for Officers.</p>	Dec 2020
Employee consultation and engagement	<p>H&S Representative Meeting was held in April. H&S Meetings for each Workgroup to be scheduled quarterly with any unresolved items to be escalated to the H&S Committee.</p> <p>Terms of reference will need to be reviewed accordingly, which the new Health and Safety specialist has been tasked with.</p>	<p>Completed</p> <p>Dec 20</p>
H&S training & competencies	<p>Further work is being done on the H&S Training & Competencies Matrix in anticipation for the HRIS system to ensure staff have the right health and safety competencies to safely perform tasks.</p>	Ongoing
H&S Resourcing	<p>Staff resourcing is regularly reviewed in line with the significant demands of this ever-evolving portfolio.</p>	GM P&C
Injury Management	<p>Injury management and rehabilitation has historically been handled in an ad hoc fashion.</p>	Mar 2021

Risk	Progress Report - Comments/Details	Due
	The need for a H&S Standard has been identified and part of the work plan for the new H&S Specialist. Some forms have been developed to assist with staff returning to work after injury.	
Legal Compliance	A requirement of ISO 45001 is that council maintains a H&S legal register but does not currently exist.	Dec 2020

Other division owned health and safety risks and issues as at 30 June 2020

Risk	Progress Report – Comments/Details
H&S in Events Management	With the recent restructure events now sits in the Community, Communication and Engagement portfolio. The events process for stakeholders wanting to run events in Kaipara has been developed. We are trialling the new process with community groups at present.
H&S in Community Grants	GM Engagement and Transformation is taking the lead in this review (as risk owner).
H&S in Volunteer associations/groups working for council on council assets	GM Engagement and Transformation in is taking the lead in this review (as risk owner)
H&S in Contractor Management	GM Infrastructure Services is continuing to review this activity and there are monthly meetings to track progress.
H&S in Procurement	GM Infrastructure Services is taking the lead in this review (as risk owner).
H&S in Fleet Management	GM Infrastructure is taking the lead in this review (as risk owner), a new Fleet Policy is being implemented along with a review of the current Safe Driving Standard to link with this. We are implementing a new fleet system which will provide better health and safety controls for Council.
H&S in Building/Asset/Facility	GM Infrastructure is taking the lead in this review (as risk owner).

Acronyms:

- | | | | |
|----------|-------------------------------|----------|-----------------------------------|
| ▪ CSX - | Customer Experience | ▪ HSMS – | Health & Safety Management System |
| ▪ EAP – | Employee Assistance Programme | ▪ HSR - | Health and Safety Representatives |
| ▪ H&SS – | Health and Safety Specialist | ▪ P&C - | People & Capability Unit |

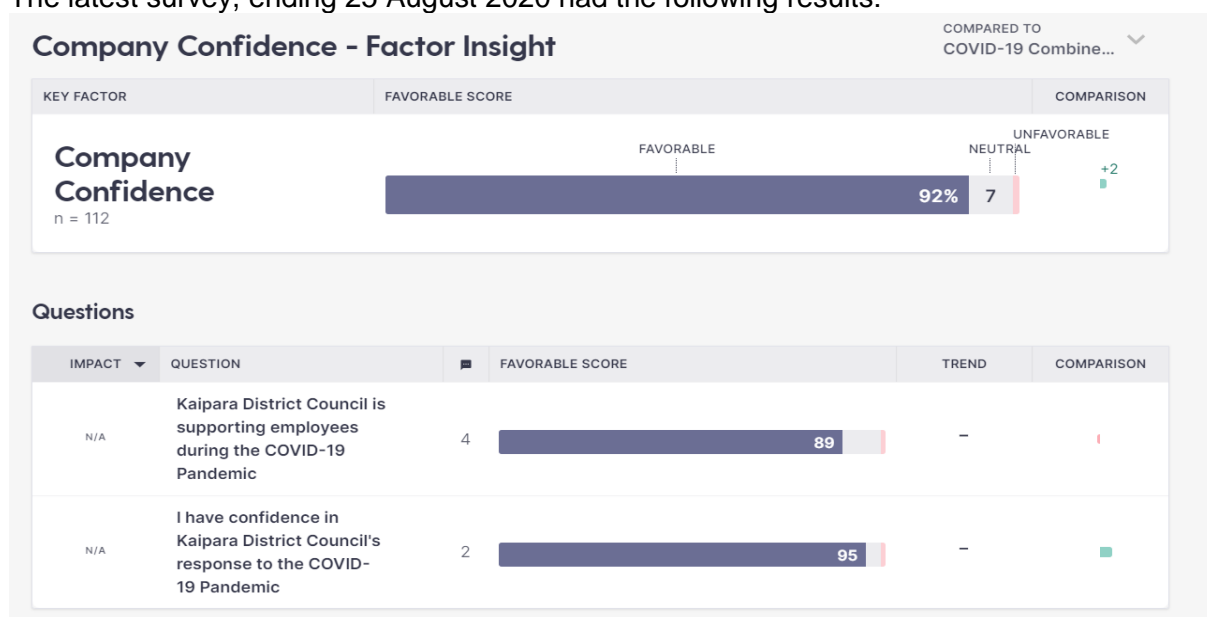
Achievements

COVID-19

We remain in unprecedented times as a Council with Covid-19. We continue to survey our staff to ensure we have trust and confidence in Council's response to keep staff safe but continue to operate our services.

Staff have been surveyed twice during this period to get an understanding on our response and whether we have any gaps that need addressing.

The latest survey, ending 25 August 2020 had the following results:



Infrastructure improvements:

- PACE evaluation registers set up for both consultants and contractors.
- Process implemented requiring H&S returns to be lodged with contractor payment claims.
- Review of one hazard / risk per week from the OH&S risk, by the Team now underway.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

- Adopt corporate H&S targets and objectives for inclusion in the H&S Strategy (being finalised with new Health and Safety Specialist on-board)
- Measure targets and objectives into Divisional and Business Unit Plans and for Executive/T3 Roadmap plans
- Revise the current H&S Policy
- Prioritise the development of Core H&S Standards for H&S Accountability, H&S Planning and H&S Assurance
- Commence a full review of existing H&S Standards to ensure currency and alignment to newly adopted Risk Management Framework
- Completion of annual reviews of operational risk registers (Business Unit KPI)
- Maintain the gap/issues register and assign, manage and report on actions
- Continue to review Council's end to end risk management processes
- Assist HSEQ Officer in the further development of the Infrastructure Contractor H&S Performance and Monitoring report (including with KPI's in the Business Plan)
- Monitor outstanding action items from previous AR&F Committee Meetings
- Re-invigorate H&S Consultation & Staff Engagement Framework (includes Wellness)
- Nominate candidates for incident investigation training (ICAM and entry level)
- Reschedule H&S training after cancellations from COVID-19

- Continue monitoring and reporting of staff mental wellbeing including stress, burnout, bullying, harassment etc
- Work with HRIS to ensure H&S system delivers on expectations
- Develop naming protocols for H&S documents, data and records to suit the final taxonomy model for Te Aka.

Attachments/Ngā tapiritanga

	Title
A	Lag indicators Organisational Health and Safety – 01 April 2020 – 30 June 2020
B	Incidents, near miss or hazards with potential to cause a serious outcome
C	Lead indicators - third quarter scorecard – 01 April – 30 June 2020

Attachment A – Lag Indicators – Last Quarter Scorecard - Period 1 July – 30 June 2020																	
	QTR 1: July – September 2019				QTR 2: October – December 2019				QTR 3: January – March 2020				QTR 4: April – June 2020				Total
	KDC	Contractor	Public	Q1 Total	KDC	Contractor	Public	Q2 Total	KDC	Contractor	Public	Q3 Total	KDC	Contractor	Public	Q4 Total	2020 FY
Fatality (coroner's report)	-	-	1 Road with coroner	1	-	-	1 lakes drowning	1	-	-	-	0	-	-	-	0	2
Environmental Incident	-	-	N/A	0	-	1	N/A	1	-	1	-	1	-	1 Kaiwaka spill		1	3
Notifiable Incident	-	-	-	0	-	1	-	1	-	-	-	0	-	-		0	1
Lost time injury	1	-	N/A	1	1	-	N/A	1	-	1	-	1	-	-		0	3
Medical treatment only	1	3	-	4	-	3	1	4	-	-	-	0	-	-		0	8
First Aid only	-	6	-	6	2	3	-	5	1	3	-	4	-	2 back strains (manual handling)		2	17
Report Only	-	-	-	-	-	-	-	-	1	-	-	1	-	-		0	1
Occupational Illness	-	-	N/A	0	-	-	N/A	0	-	-	-	0	-	-		0	0
Pain and discomfort	1	-	N/A	1	3	-	N/A	3	5	-	-	5	2 – ergonomic set up at home during Covid	1		3	10
Property Damage (other)	5	4	2	11	4	5	3	12		2	-	2	-	-		0	25
Near Miss (other)	2	-	-	2	-	-	1	1	1	-	-	1	-	1 – Glass splintering 1 – No PPE, 1 Slip		3	7
<i>Property damage (Motor vehicle) including driving</i>	-	8	-	8	1	1	1	3	-	2	-	2	1 reversed into stationary car	-		1	14
<i>Near Miss (Motor vehicle) including driving – thru traffic control</i>	-	14	N/A	14	1	12	N/A	13	-	-	-	0	-	-		0	27
<i>Occupational Violence/Threats</i>	-	4	N/A	4	2	3	N/A	5	-	2	1	3	3 – aggressive customers	-		0	15
Public Nuisance	3		N/A	3	7	-	N/A	7	1	-	-	1	1 – fight in library	-		1	12
Traffic Management Incident/Hazard/Non conformances	-	5	N/A	5	-	2	N/A	2	0	2	-	2	-	1 – No TMP		1	10
Hazards reported	1	6	-	7	4	5	-	9	2	-	-	2	1 – employee coughed on in Covid L3	-		1	19
Dangerous event	-	2	-	2	-	1	2	3	1	-	-	1	-	-		0	6
Asset strike	-	2	N/A	2	-	5	N/A	5	-	1	-	1	-	4		4	12
Animal attack/threat	-	1		1	-	-	-	0	1	-	2	3	-	-		0	4
Chemicals/haz substances	-	1	-	1	-	-	-	0	-	-	-	0	-	-		0	1
Theft/Security	-	3	-	3	-	1	-	1	-	-	-	0	-	-		0	4
Driving accident	-	-	-	0	-	1	1	2	-	1	-	1	-	-		0	3
Incidents/near miss operating plant (excavators etc)	-	13	N/A	13	-	7	N/A	7	-	2	-	2	-	2		2	24
Incidents/near miss operating equipment	-	4	N/A	4	-	5	N/A	5	-	1	-	1	-	1		1	11
Incidents/near miss operating trade vehicles	-	8	N/A	8	-	1	N/A	1	-	-	-	0	-	-		0	9

Appendix B – Incidents, Near Miss or Hazards with potential to cause a serious outcome

Staff/Public/ Contractor	Incident, near miss, hazard	Details	Risk Owner	Potential for serious harm/implications	Action/Response
Public	Pond Safety Review (post Gore drowning)	A review into the security and safety of the Dargaville PP Pond was conducted after a child drowned in a similar pond in Gore.	GM INFR	Likelihood UNLIKELY Consequence CATASTROPHIC RISK SCORE 10	This will not be funded externally and the Manager will look for alternative funding as well as including in the next LTP.
Public	Pontoon at Kai Iwi Lakes - Taharoa domain	Members of the public have reported three near drownings relating to the pontoon. It is unknown who placed the pontoon in the lake. We have been advised it is not NRC’s jurisdiction. Hannah has raised it to GM Infrastructure to discuss at Taharoa Domain Governance Committee 18/05/20.	GM INFR	3 near misses reported Likelihood UNLIKELY Consequence CATASTROPHIC RISK SCORE 25	Following a Governance committee meeting on 28 June 2020, the GM Infrastructure has accepted that while the consequence of somebody getting into difficulty in the lakes could be Catastrophic, warning signs have been positioned to remind the public of these dangers. Given the high use of the pontoon and that there are no deaths related to pontoon, the likelihood can only be considered unlikely. The only additional risk mitigation would be to eliminate - remove altogether - however the recreational benefit of having the pontoon would be lost. Ownership is KDCs. No permits or consent required by NRC (not in coastal environment). Life rings put in at Pine Beach, Promenade Point and Lake Waikare.
Staff	Rollover of ATV at Kai Iwi Lakes	Investigation has been finalised.	GM INFR GM P&C	Likelihood POSSIBLE Consequence CATASTROPHIC RISK SCORE 15	Findings to be reviewed by GM Infrastructure and GM P&C Action Plan has been updated out of the findings: <ul style="list-style-type: none">ATV added to the risk registerEvaluation and mapping of no-go areasA review of training and competenciesReview of suitability of ATV
Public/Roading	Fatality - Te Kowhai Road	Investigation has been submitted to the Coroner.	GM INFR	Legal Action	Investigation Report reviewed by GM Infrastructure Action Plan has been developed by the investigating officer who is waiting on follow up with police and the coroner. Lessons Learned will be communicated once information is forthcoming from the coroner. 14/07/20 Police requested confirmation of information for coroner.
KDC	Near Miss	Contractor had not received induction and was not aware that asbestos was present in the building in Dargaville	GM P&C	Contamination/Exposure	Visitor and Contractor Guidelines are nearly completed *Minor Works being arranged must be aware of H&S requirements

Consequence	Risk Assessment Matrix					
	Catastrophic 5	5	10	15	20	25
	Major 4	4	8	12	16	20
	Moderate 3	3	6	9	12	15
	Minor 2	2	4	6	8	10
	Insignificant 1	1	2	3	4	5
		Rare 1	Unlikely 2	Possible 3	Likely 4	Almost Certain 5
	Likelihood					

- Extreme Risks will be escalated immediately to the Executive Team
- High risks monitored & received monthly by the Executive Team
- Monitored quarterly
- Keep risks on the Risk Register and formally review them quarterly to make sure that the Likelihood and Consequence continues to pose a low level.

Attachment C – Organizational Health and Safety - Lead Indicators – Quarter 4 March – 30 June 2020

Activities	Due/Planned	Actioned/ Completed	Comments
Business activities/tasks risk assessed Hazards identified/reported	All business units	3	Annual review by business units is due – this is a H&S KPI in the 20/21 business plans The introduction of new roles such as the AMO's and Kai Iwi Lakes management has required a review of the health and safety hazards and risks. All action plans currently sit with the relevant risk owners – GM's of CSX & Infrastructure.
Site/Asset hazard registers	All business units	0	This has been raised as an issue with relevant risk owners and has been included in the H&S KPI Dashboard for future reporting *most assets sit within Infrastructure
Workplace/Office/Town Hall/Library H&S inspections	4	4	Offices at Dargaville, and two at Mangawhai and the Town Hall are all completed
Fire Evacuation Drills	3	3	All became due during COVID-19 - To be rescheduled *KDC coordinates drills in Dargaville Office, the Library and the Town Hall. Landlords at Mangawhai are responsible for those buildings.
Tsunami Evacuation Drill - Mangawhai	1	0	Postponed due to COVID –19 Will be scheduled for last quarter
Security Threat – Drill One for Mangawhai, Dargaville and Library	3	0	Postponed due to COVID-19 Will be scheduled for next quarter
HS&E audits due	0	Ongoing review	Ongoing internal review and gap analysis exists by H&SS.
New staff inductions	5	5	During lockdown a lot were completed online
Workstation Ergonomics e-learning	All staff	Collecting data to analyze	All staff are scheduled to complete the H&S Basics Refresher online last quarter. All staff are required to complete an Ergonomics Workstation Risk Assessment. With COVID-19, all staff were requested to complete one so that they could work from home.
Fire and Emergency Warden/Marshal training Dargaville Mangawhai	14 15	14* Rescheduled**	**Further training for Mangawhai staff was scheduled but was postponed due to COVID *to cover flexible work arrangements there may need to be more training to ensure each workplace always has a fire/emergency warden on hand
H&S Hazard Identification and Risk Assessment Instruction (internal)	All staff	Project work planned	Module has not been developed/sourced but this is a priority module
Hazards reported	2	1	Employee followed up with and precautions/controls put in place

Quarterly finance report

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officers: Christine Toms, Revenue Manager
 Violeta Kayryakova, Financial Services Manager

Purpose/Ngā whāinga

To monitor financial performance.

Executive summary/Whakarāpopototanga

Commentary is provided on both land debt outstanding and sundry debtors. The July 2020 financial report is attached at the end.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the quarterly finance report at 31 July 2020.

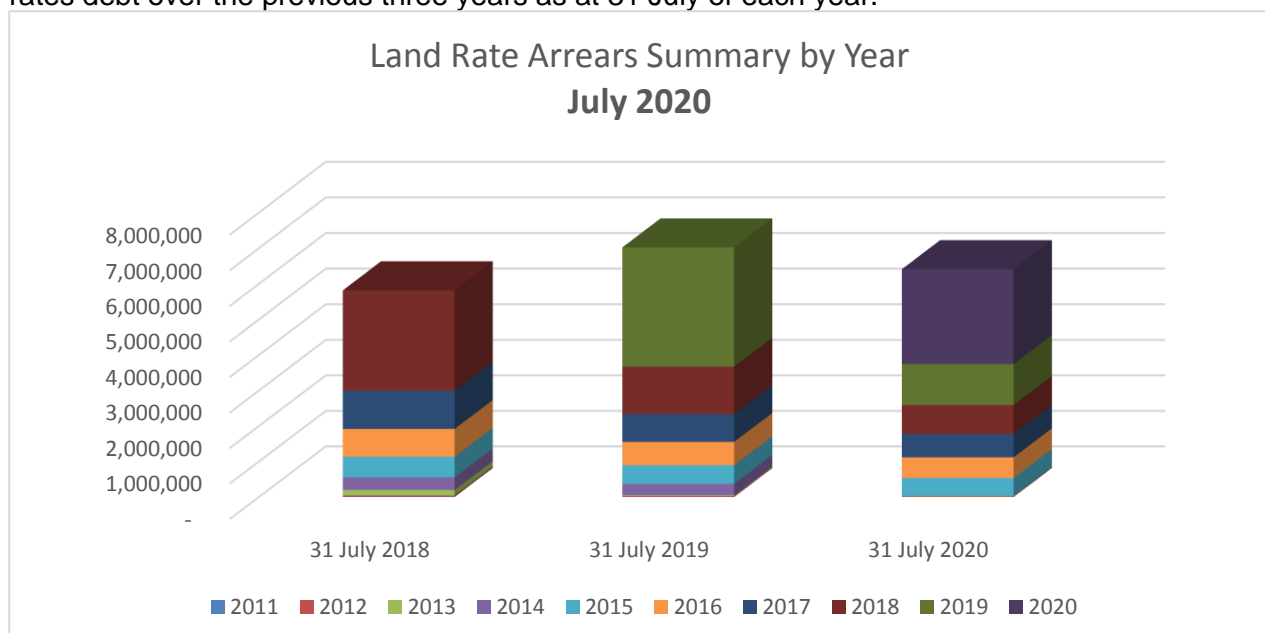
Context/Horopaki

Council Staff provide the Audit, Risk and Finance Committee (the Committee) with an update on year to date finances and debtors. Graphs have been provided to clarify debtors further.

Discussion/Ngā kōrerorero

Rates Debtors as at 31 July 2020

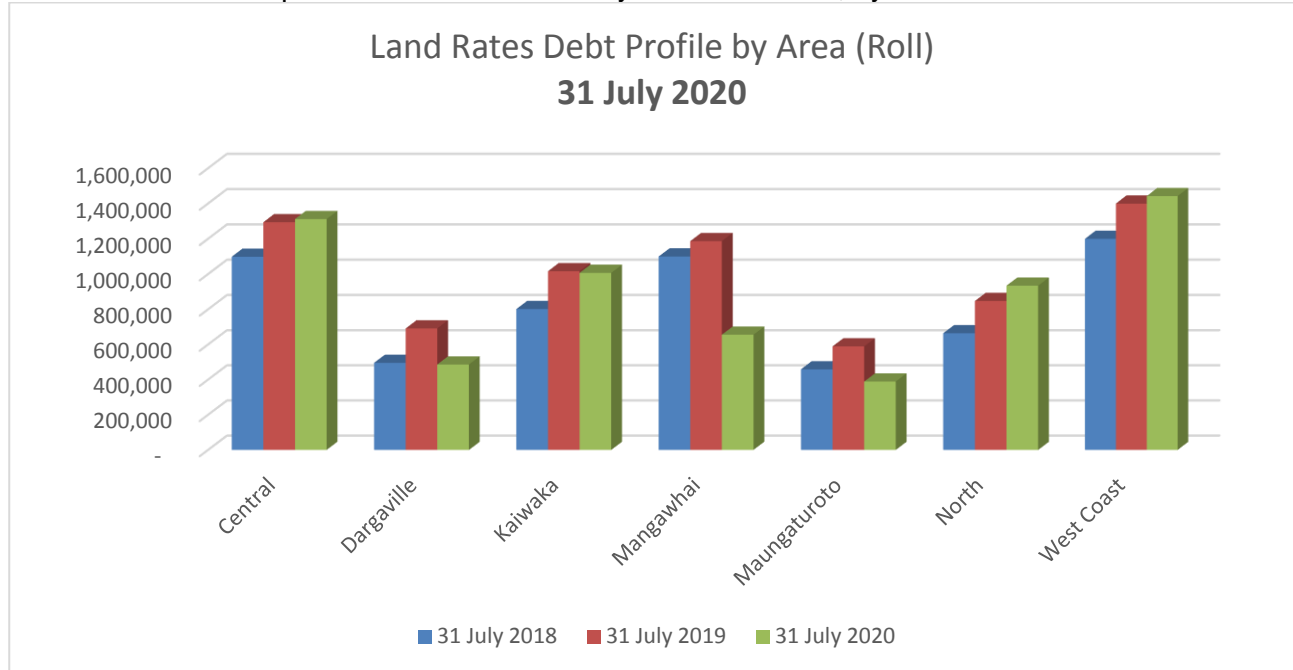
Earlier reports to the Committee focused on the land rates debt for the years up to 30 June 2019 (previous year's arrears). This current rating year will see reports focused on the arrears up to 31 July 2020. System generated arrears reports exclude current debt, which means that the beginning of each year sees the opening debt balance increasing substantially due to the previous year debt being re-categorised as previous year arrears. The graph below shows the allocation of total land rates debt over the previous three years as at 31 July of each year.



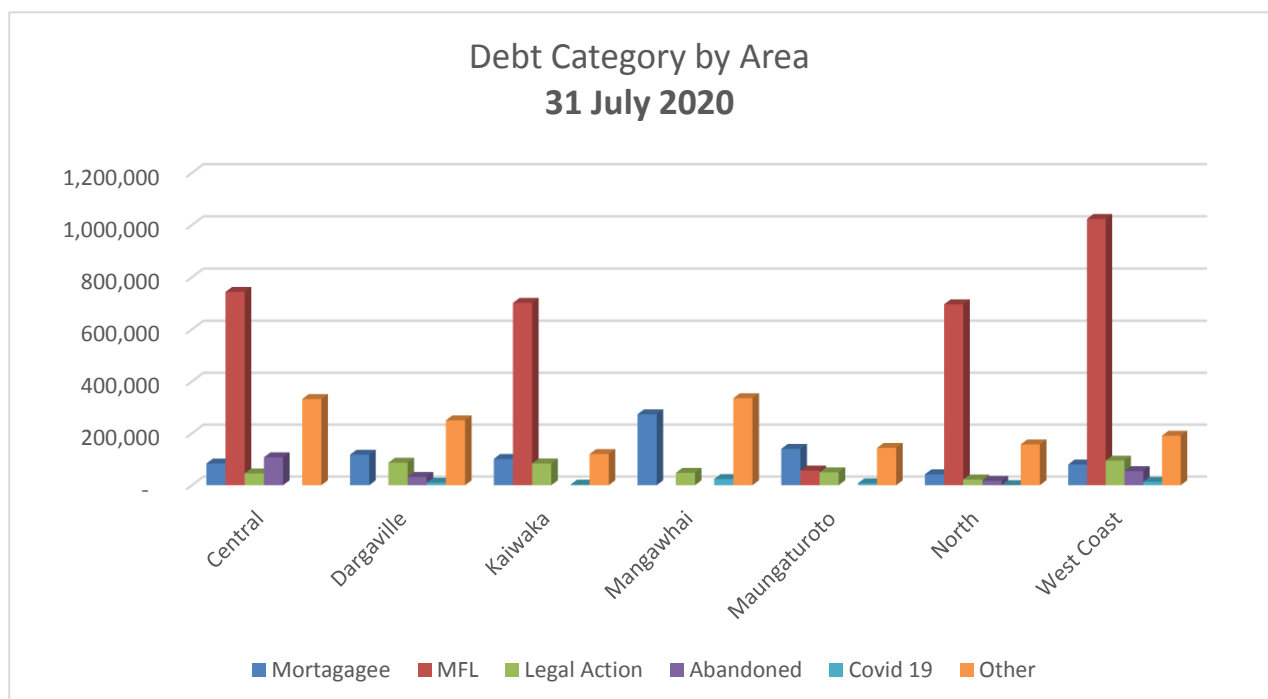
The graph above shows that outstanding rate arrears have decreased. It also reflects what we would expect to see, with the majority of debt sitting in recent years due to Council's policy of allocating payments to the oldest debt first.

At 30 June 2019 rates debt was \$7,389,300, at 30 June 2020 the debt was \$6,927,330 (a reduction of \$461,970). The rate arrears debt shown in the graph above is \$6,410,132, representing a reduction of \$517,198 during the month of July.

The chart below compares the debt over three years and shows, by roll where the debt sits.



Key changes between 31 July 2019 and 2020 are: Dargaville, Mangawhai and Maungaturoto rates debt levels have reduced noticeably, with a smaller decrease in the Kaiwaka area. All other areas have seen increases in the level of rates debt which has been further increased with the addition of the arrears penalty in July. As discussed in earlier reports the Central (which covers the area including Turiwiri, Arapohue, Okaho, Ruawai and Matakohē), Northland West Coast (covering Waipoua through to Te Kopuru and Poutu) areas have a high proportion of Maori Land, which carry a high level of rates debt. This is shown graphically below.



A new category (COVID-19) has been introduced to the debt category reporting. Staff have entered into multiple payment arrangements during the Alert level 3 and 4 COVID-19 lockdowns. Some of these arrangements have been satisfied whilst a number remain in place.

The table below summarises all of the categories whilst the charts above show the distribution of the debt by category and area.

Overall rates debt has decreased during the period of 31 July 2019 and 31 July 2020.

Arrears debt	31 July 2019			31 July 2020	
	No	\$		No	\$
Mortgaged Properties	725	1,926,486		336	837,111
Maori Freehold Land (MFL)	140	2,985,103		107	2,932,615
Legal Action	48	448,529		45	429,286
Abandoned Land	7	172,587		6	183,740
Other	1,275	1,491,976		692	1,970,910
Payment arrangements – COVID-19	-	-		40	56,470
TOTAL	2,195	7,024,681		1,227	6,410,132

As a result of the COVID-19 lockdowns staff have found that a softer approach to collecting outstanding debt is appreciated by customers. Staff have continued to advise customers when they have received a penalty due to a missed rates payment. The letter encourages customers to contact the Revenue Team to discuss payment options. The majority of customers that contact the Team after receiving this communication are positive and keen to enter into payment plans to get their rate arrears paid.

Mortgaged Properties Category

The mortgagee demand process has not yet been started for the 2020-21 year. During the level 4 COVID-19 lockdown it was agreed that it would be appropriate to delay this process until later in the year. The current plan is as follows:

- October 2020 - Identify properties with previous years arrears that have current mortgages. This is a manual and time-consuming task, as the record of title for each property with arrears must be examined to confirm whether a mortgage exists and who the mortgagee is. This needs to be done annually as customers can often change mortgagees or pay mortgages off for example.
- November 2020 - Send letters to notify both the ratepayer and the mortgagee that rates are in arrears and if previous years arrears are not paid within 3 months, Council will formally demand that the mortgagee pay the rates.
- February 2021 - Formal letter of demand to mortgagee, demanding payment of previous years arrears.

The properties reported in this category currently are those that were identified last year as having a mortgage. This information will be updated in November and future reporting will reflect the updated number of properties and associated debt.

Maori Freehold Land

The Local Government (Rating of Whenua Maori) Amendment Bill has been through the Select Committee and they have reported back to Parliament. The Bill will not be passed this side of the election. An incoming Parliament will need to vote to reinstate it. A project team is being formed to consider the implementation of the Bill, and staff have volunteered to be part of the team.

The Revenue Collections Officer has recently begun dedicating time each week to focus on Maori Freehold Land. She is also collaborating with the Iwi Relations Manager so as to identify and engage with the relevant parties to discuss rate arrears. She is also proactively identifying land that would meet our existing Maori Freehold Land remission policy and apply this where relevant.

Legal Action

Due to COVID-19, no new files have been sent to the legal team for follow up. There has been no proactive movement in this space to report.

Abandoned Land

There has been no further progress in this area to report.

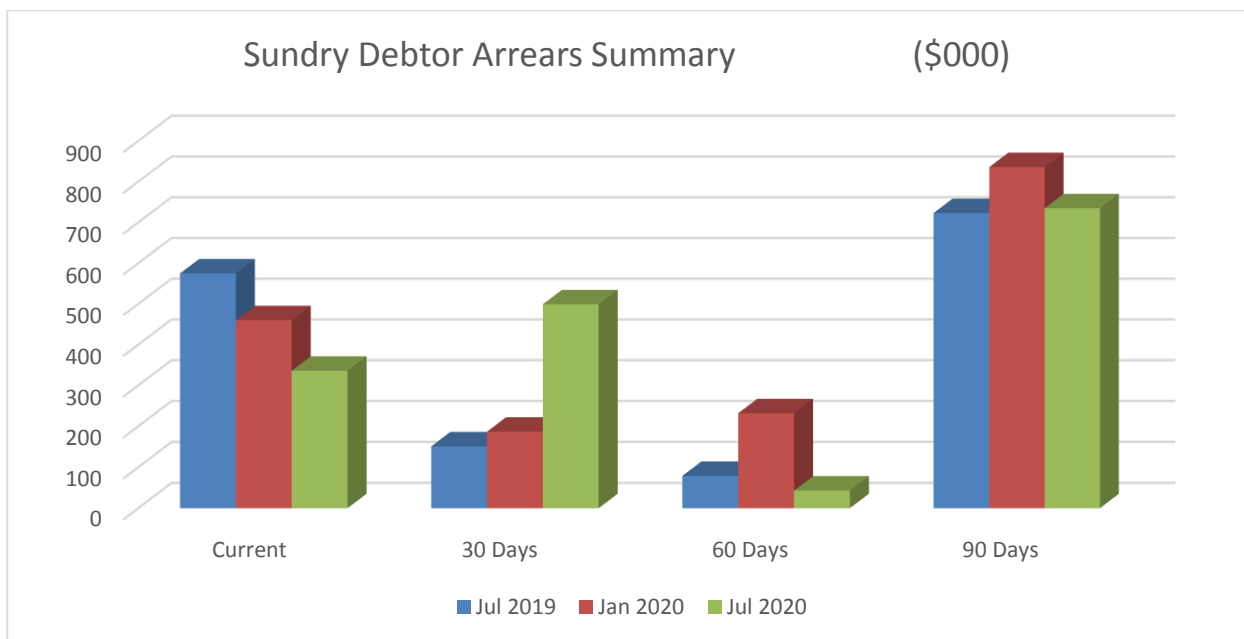
Other

Staff continue to make progress with the customers in this category and have agreed to numerous payment plans that will see the debt repaid over the next one to two years. We have also seen a number of lump sum payments being made that have cleared the debt.

No further files have been sent to the third-party debt collection agency (Credit Recoveries).

Sundry Debtors

Sundry Debtors Summary \$000

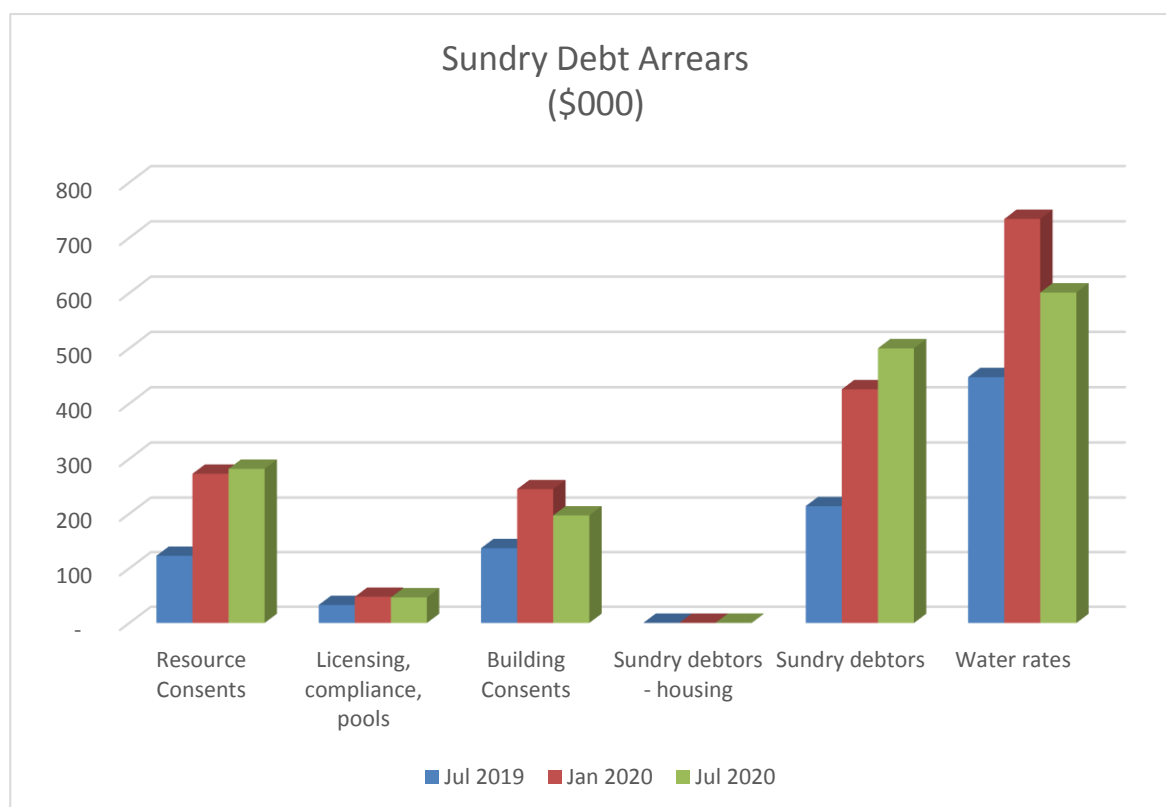


The above graph demonstrates a decrease in current, 60 days and 90 days debt whilst 30 days debt has increased when comparing July 2019 and January 2020 figures to the July 2020 data. The 30 day debt includes an outstanding invoice for \$310k related to a central government agency, which staff are continuing to follow up on.

The Officer that works on collecting this debt is also responsible for a number of functions related to rates revenue. The rates aspect has been extremely time consuming over the past couple of months. This has resulted in less time being allocated to sundry debtors. However, there is additional part-time resource allocated to the team now, which will allow more focus in this area. Staff continue to investigate options for increasing the collection rate of older debt and will be passing some of these debts to our third-party debt collector (Credit Recoveries). We anticipate a reduction in the older debt as a result of this action.

	Current	30 Days	60 Days	90 days	Total
Month of July 2019	575	151	79	723	1,528
Aging Percentage	38%	10%	5%	47%	100%
Month of January 2020	460	187	232	836	1,715
Aging Percentage	27%	11%	14%	49%	100%
Month of July 2019	336	499	43	735	1,613
Aging Percentage	21%	31%	3%	46%	100%

Summarising the aging of arrears for other debtors (\$000)



The total sundry debt reported here is \$1,627,000, of which \$601,000 relates to water rates. Staff continue to chase water debt at the same time as land rate debt.

The table below shows the number of debtors that contribute to the outstanding debt.

	Current	30 Days	60 Days	90 Days	Total
Resource Consents	50	21	8	57	136
Licensing, compliance, pools	49	11	1	41	102
Building Consents	42	21	3	31	97
Sundry debtors – housing	23			1	24
Sundry debtors	20	9	3	23	55
Water rates	1,049	204	1	512	1,766
Total	1,233	266	16	665	2,180

July 2020 Financial Report

Statement of Operating and Capital Performance

	This Month 31 July 2020				Indicator	Year to 31 July 2020				Indicator	Whole Year
	Actual \$'000	Annual Plan \$'000	Variance \$'000			Actual \$'000	Annual Plan \$'000	Variance \$'000			Annual Plan \$'000
Whole of Council											
Rates	3,676	3,551	126	●		3,676	3,551	126	●		38,780
Activity Revenue and Other Income	1,084	920	164	●		1,084	920	164	●		6,454
Subsidies and Grants - Operational	450	423	27	●		450	423	27	●		4,809
Total Operating Income	5,210	4,893	317	●		5,210	4,893	317	●		50,042
Employee Benefits	970	1,159	190	●		970	1,159	190	●		13,142
Contractors	108	206	98	●		108	206	98	●		1,888
Professional Services	201	546	344	●		201	546	344	●		4,724
Repairs and Maintenance	964	762	(201)	●		964	762	(201)	●		10,240
Finance costs	157	238	81	●		157	238	81	●		2,860
Other Operating Costs	180	1,087	907	●		180	1,087	907	●		7,040
Total Operating Costs	2,579	3,998	1,419	●		2,579	3,998	1,419	●		39,894
Operating Surplus/(Deficit) (before Depreciation)	2,631	896	1,102	●		2,631	896	1,102	●		10,148
Capital Subsidies	400	312	88	●		400	312	88	●		15,081
Contributions	488	254	634	●		488	254	634	●		3,046
Other Capital Revenue	0	0	0	●		0	0	0	●		0
Total Capital Revenue	888	566	722	●		888	566	722	●		18,127
Capital Expenditure	914	2,319	1,404	●		914	2,319	1,404	●		27,822
Total Capital Payments	914	2,319	1,404	●		914	2,319	1,404	●		27,822
Subtotal Capital	(27)	(1,752)	(683)	●		(27)	(1,752)	(683)	●		(9,695)
Surplus/(Deficit) - before Loan Payments and Depreciation	2,605	(857)	419	●		2,605	(857)	419	●		453

Key: ● Within 5% of budget

● Over or under budget by 5 - 10%

● Over or under budget by more than 10%

Statement of Operating and Capital Performance

Comments on major variances

Operating Income:

Account	Rationale	\$000
Rates Revenue	Penalties are ahead of budget for the year to date due to arrears penalties applied (July 2020) and instalment penalties.	126
Activity Revenue and Other Income	Regulatory activity revenue: <ul style="list-style-type: none"> • Increase in Building Control revenue. • Increase in Resource consenting income. • Decrease in Monitoring and enforcement fees. • Decrease in Roding external recoveries income – timing difference. 	212 49 (9) (160)
Operating Subsidies and Grants	Operational subsidies from NZTA are on than budget. PGF funding for Kaipara Kickstart Programme not received yet – can only claim at milestones.	(17)

Operating Costs:

Account	Rationale	\$000
Contractors	Overall reduction of contractor's costs.	98
Professional Services	Costs overall are lower than budget. Resource consenting activity costs are ahead of budget. Roding professional services costs are ahead of budget (NTA). Community Activities, Stormwater, Wastewater and Water supply work schedule planning not started yet – timing difference	 29 35
Repairs and Maintenance	Roding works maintenance programme is ahead of budget – due earlier completion of scheduled maintenance work	229
Finance Costs	Below budget due to lower inter-period loan balances.	81
Other Operating Costs	Costs overall are lower than budget.	907

Capital Revenue:

Account	Rationale	\$000
Capital Subsidies	Capital subsidies from NZTA are on budget.	
Contributions	The financial and development contributions are ahead of budget for the month.	234

Public Debt:

The public debt position at 31 July 2020 is \$44 million and the net debt position (debt less cash) is \$39.4million.

Public Debt and Requirements			
	June 2020 \$000's	31 July 2020 \$000's	June 2021 \$000's
Debt			
Public Debt	44,000	44,000	51,320
Cash in bank (overnight deposits)	(4,398)	(4,628)	(1,926)
Net Debt	39,602	39,372	49,393
Reserves (future obligations)			
Development Contribution Reserve	(24,702)	(24,702)	(25,415)
Other Reserves	24,538	24,538	13,021
Total reserves (future obligations)	(164)	(164)	(12,395)
Debt Requirements			
Public Debt	44,000	44,000	51,320
Future obligations	24,538	24,538	13,021
Gross Debt Requirement	68,538	68,538	64,340
Less cash in bank	(4,398)	(4,628)	(1,926)
Net Debt Requirements	64,140	63,910	62,414

*Note: Reserves balances are only recalculated at end of year.

Activities Net Cost for the period to 31 July 2020:

Activity	Actual as at 31 July 2020		Whole Year Annual Plan
	Operating Income \$'000's	Operating Costs \$'000's	Net Operating Surplus/(Deficit) \$'000
Community Activities	448	293	199
District Leadership	1,056	892	(739)
Regulatory Management	1,091	334	49
Roads and Footpaths	1,354	819	4,427
Wastewater	637	72	3,083
Water Supply	304	96	1,614
Stormwater	165	26	917
Flood Control	67	0	293
Solid Waste	88	47	305
	5,210	2,579	10,148

Capital Expenditure for the period ended 31 July 2020:

Activity - Capital Expenditure	Actual as at 31 July 2020				Whole Year
	Actual \$'000's	Annual Plan \$'000's	Variance \$'000's	Indicator	Annual Plan \$'000's
Community Activities	60	164	104	●	1,972
District Leadership	53	330	277	●	3,960
Roads and Footpaths	282	1,396	1,114	●	16,748
Wastewater	65	258	193	●	3,096
Water Supply	447	116	(331)	●	1,396
Stormwater	0	41	41	●	496
Flood Control	7	13	6	●	155
Solid Waste	0	0	0	●	0
	914	2,319	1,405		27,823

Provincial Growth Fund

Programme performance:

	Actual from February 2019 to July 2020	Budget from February 2019 to July 2020	Forecast (All programme)
Operating Income	2,374,562	5,058,488	5,160,000
PGF100 Kaipara Kickstart Programme	650,000	1,198,488	1,300,000
PGF101 Kaipara Kickstart Kai	964,156	980,000	980,000
PGF102 Kaipara Kickstart Moana Investigation	420,001	950,000	950,000
PGF103 Kaipara Kickstart Waipoua River Road Investigatio	26,550	120,000	120,000
PGF104 Kaipara Kickstart Waipoua Road Implementation	0	1,480,000	1,480,000
PGF105 Pouto Road Phase 2 (Investigation)	0	330,000	330,000
PGF106 50MAX HPMV Extension - Bridges	0	-	-
PGF108 Pouto Road Phase 1 (Physical Works)	263,855	-	-
PGF111 Kai Water	50,000	-	-
Operating costs	1,652,260	4,969,034	5,170,000
11152 Tomorata Bridge Repairs	5,352		
PGF100 Kaipara Kickstart Programme	421,189	1,099,034	1,300,000
PGF101 Kaipara Kickstart Kai	652,284	980,000	980,000
PGF102 Kaipara Kickstart Moana Investigation	413,602	950,000	950,000
PGF103 Kaipara Kickstart Waipoua River Road Investigatio	27,756	130,000	130,000
PGF104 Kaipara Kickstart Waipoua Road Implementation	11,528	1,480,000	1,480,000
PGF105 Pouto Road Phase 2 (Investigation)	63,994	330,000	330,000
PGF106 50MAX HPMV Extension - Bridges	0	-	-
PGF108 Pouto Road Phase 1 (Physical Works)	25,456	-	-
PGF109 Pouto Road Phase 2 (Physical Works)	1,575	-	-
PGF111 Kai Water	29,524	-	-
Internal charges and recoveries	508,494		
PGF100 Kaipara Kickstart Programme	354,516	-	-
PGF101 Kaipara Kickstart Kai	58,273	-	-
PGF102 Kaipara Kickstart Moana Investigation	47,272	-	-
PGF105 Pouto Road Phase 2 (Investigation)	5,085	-	-
PGF111 Kai Water	43,348	-	-
Capital expenditure	2,593,556	1,630,000	14,000,000
11152 Tomorata Bridge Repairs	2,101,421	1,500,000	2,150,000
PGF100 Kaipara Kickstart Programme	181,899	-	-
PGF103 Kaipara Kickstart Waipoua River Road Investigatio	8,277	-	-
PGF104 Kaipara Kickstart Waipoua Road Implementation	301,959	-	-
PGF105 Pouto Road Phase 2 (Investigation)	0	130,000	7,850,000
PGF107 Kaipara Moana Physical works	-	-	4,000,000
PGF108 Pouto Road Phase 1 (Physical Works)	-	-	-
PGF109 Pouto Road Phase 2 (Physical Works)	-	-	-
Grand Total	2,379,748	1,540,546	14,010,000

Please note the all programme budget to be updated with Shovel Ready projects in the month of August.

Please note these financials have been put together with a view of the Programme to Date. This programme of works officially commenced on 03 February 2019.

Kaipara KickStart Programme (PGF):

The Kaipara Kickstart programme continues to meet all contractual obligations and enjoys a positive and respected relationship with PGF/MBIE representatives.

Kaipara Kai contract concluded 30 June 2020. The Kai Hub is now operational, being funded through to 30 June 2021 with the underspend of Kai project funding. The Kai Water project, to establish two demonstration horticultural sites, is progressing as planned.

Kaipara Wharves – physical works contract for Dargaville Pontoon has been executed. Other physical work sites (Pahi, Beach Landing and Pouto) are progressing as planned.

Kaipara Roading Package – Unsealed Network funding of \$8.06m, team has focussed on regular discussions with PDU representatives (local and Central Government) to confirm funding sources. A resolution is expected mid-August, which still enables prioritised work to commence this coming spring.

An update across the Kaipara KickStart programme will be provided at the September Council briefing session.

Policy and planning implications

These reports are in line with the Terms of Reference for monitoring the finances of the Council.

Financial implications

These are the latest Council reports. Capital expenditure is low as this is the first month of the financial year.

Risks and mitigations

Best value for the community would be delivering on the projects we stated in the Long Term Plan. The community will be more satisfied if we plan appropriately this year.

If the Council does not deliver on its projects and debt is not required as has been previously calculated, then there is a risk that this can impact on the advice our treasury advisers have provided and Council does not meet its treasury requirements.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Te Tai Tokerau Worker Redeployment Package progress update

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Hayden McGrath, Project Manager

Purpose/Ngā whāinga

To update the Audit, Risk and Finance Committee on the Kaipara District Council park vegetation clearance and clean ups element of the Te Tai Tokerau Worker Redeployment Package.

Executive summary/Whakarāpopototanga

The delivery of the Kaipara District Council parks vegetation clearance and clean ups element of the Te Tai Tokerau Worker Redeployment Package commenced in July 2020. The package is a Provincial Growth Fund initiative providing urgent economic relief for those affected by the COVID-19 pandemic, providing immediate work opportunities for local people.

The vegetation clearance and clean ups package focus on pest plant management and eradication within the Kaipara District, whilst also achieving social procurement and worker redeployment outcomes.

Of the \$1.6m package, \$892,490 worth of works have been negotiated and committed, with over 95% of the direct and sub-contract works awarded to local businesses.

To date the initiative has provided opportunities for over 40 people, of which 18 were previously unemployed.

As at early August over \$200,000 worth of pest plant works have been completed across Taharoa Domain, Mangawhai Community, Harding, and Northern Wairoa Memorial Parks.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the Te Tai Tokerau Worker Redeployment Package progress update report.

Context/Horopaki

The Te Tai Tokerau Worker Redeployment Package is a Provincial Growth Fund Initiative providing urgent economic relief for those in the region's workforce who have been affected by the COVID-19 pandemic.

A funding agreement established between the Kaipara District Council (KDC) and the Ministry of Business, Innovation and Employment (MBIE) details Project Elements that are to be undertaken using the funding, whilst meeting agreed social procurement objectives in providing immediate worker redeployment opportunities for those affected by the COVID-19 pandemic.

The 'Te Tai Tokerau Worker Redeployment Package - Kaipara District Council Parks – Vegetation clearance & clean ups' is an element of the funding agreement established between Kaipara District Council and the Ministry of Business, Innovation and Employment and subsequently approved at the Extraordinary meeting of Council on 01 July 2020.

Discussion/Ngā kōrerorero

For the Kaipara District, there are a total of eight project elements within the agreement with a total budget of \$2.87m. This report is focussed on the largest of the project elements, being the vegetation clearance and clean ups with a budget value of \$1.6m.

The physical works aspect of the package is focused on the Kai Iwi Lakes and Pou Tu o Te Rangi, along with other Council park and reserve areas, with a particular focus on pest plant eradication.

Procurement

The individual elements of work package have been scoped and a direct negotiation procurement approach utilising existing locally based suppliers has been selected in order to meet the specific social procurement outcomes and timeframe deliverables required under the funding agreement.

To date \$892,490 of work has been negotiated and committed, with over 95% of the direct and sub-contract works awarded to local businesses.

Smaller elements have been procured through direct purchase order, with larger package elements through minor works contract agreements or variation to existing contracts.

Physical Works Update

The physical works commenced in early July with over \$200,000 worth of work completed to date including;

- 1) Mangawhai Community Park
 - Removal of gum trees between the Mangawhai Activity Zone and Golf Club completed.
- 2) Pou Tu o Te Rangi Harding Park
 - Removal of pest plants around pond area in preparation for bike track, clearance and treatment of pest plants throughout Pa site area.
- 3) Taharoa Domain – Kai iwi Lakes,
 - Implementation of pest plant plan underway, with a focus on removal and treatment of wilding pines, wattle and other pest species.
- 4) Northern Wairoa Memorial Park
 - Removal and treatment of pest plant species within bush reserve area in progress.

Redeployment Outcomes

Currently there are 42 people employed as part of the current stages of works, of which 18 of these were previously unemployed.

Of the 42 people, 14 of these are part-time engaged in assisting with the works in roles such as administration and traffic control duties as required.

Social Procurement Objectives

The following table outlines the social procurement objectives as agreed with MBIE and the progress towards achieving the to date.

Social Procurement Objectives as agreed within the funding agreement	Achievements to date against each of the Social Procurement Objectives	Additional narrative regarding Social Procurement Objectives progress.
Local (regional) businesses prioritised for employment (40% of direct contract and sub-contract values will be awarded to businesses owned and operated by people who reside in the region.	Of the total value of contracts awarded to date, the value portion awarded to locally owned enterprises is over 95%.	The willingness and availability of local businesses has aided in achieving almost double the targeted value in the works contracted to date. Having packaged and spread work over mix of SME's, Larger Contractors, and Iwi Group(s) has also aided in achieving this.
Maori and Pasifika enterprises prioritised for employment (15% of the direct and subcontract values to be awarded to Maori or Pasifika enterprises.)	Of the total value of contracts awarded to date, the value portion awarded to Locally owner enterprises is over 53%.	Early involved of Te Roroa Group (TRG) has provided the ability to exceed the target to date. TRG have also engaged 10 people who were previously unemployed as part of their project works.
Targeted employment (Employment targets a. 45% Maori b. 5% Pasifika c. 20% Woman d. 30% Youth (18 – 24 years) At least 50 (new) fixed term roles over the total 165 workers across the packages)	The achievement of employment targets are as follows; a. 73% b. 0% Pasifika c. 24% Woman d. 24% Youth 18 x workers have been employed who were previously unemployed.	One of the risks identified early was meeting the employment targets, by spreading of work packages across SME's, Larger Contractors and Iwi Groups, along with coordination with MSD has aided in progress towards achieving the targets to date.
Skills and training delivered (Provision of relevant training to ensure all workers are skilled, qualified and safe in the workplace)	Contract agreements with Te Roroa Group include the provision of Growsafe and Chainsaw Training as part of the project delivery. For the works involving Kia Tupato has provided the opportunity for professional development training. (STMS,TC)	Agreements to date have been focussed on working collaboratively to achieve outcomes. The provision of Growsafe and Chainsaw Training is planned to be undertaken onsite at Kai-iwi Lakes under the agreement with Te Roroa Group. There is opportunity to extend this training to the wider groups (other contractors) involved in the Project.
Improved Conditions for Workers (All new workers undergo pre-employment induction H&S) Documented H&S Management Systems	New workers introduced have been inducted into the relevant companies systems. Particular sites have in place Site Specific Safety Plans (SSSP) and contractors have relevant H&S systems in place.	Agreements to date have been focussed on working collaboratively to achieve outcomes. Attended induction day with Te Roroa Group at Kai iwi, which included formal welcome to the site, discussion on the significance of the area, followed by formal safety induction and project briefing. This briefing was attended by KDC, MSD and NRC representatives.
Environmental Responsibility (Protecting local ecosystems through removal of exotic pest species. Actively seeking to minimise carbon impact of project delivery. Minimising waste – reusing materials. Build resilience back into work areas through replanting etc.)	The works being undertaken by Orang Otang Tree Trimmers, includes mulching of tree waste for reuse as ground cover, recovering of gum stems for use as landscape edging, and also possible recovery as firewood for community groups. The works undertaken by Turf Tamer involves a process of mechanically mulching in-situ which provides an initial ground cover prior to further treatment/revegetation.	Arrangements in place with contractors have been focussed on working collaboratively with community and other groups in order to reuse by-products where possible. Open communication channels between contractor, KDC, and other stakeholder groups have been utilised to seek opportunities for re-use of by-products and recycling where possible.

Forward Works Programme

The following work is planned for the coming months:

- 1) Mangawhai Community Park;
 - Removal of gum and pine trees between the Mangawhai Activity Zone and the Museum, followed by revegetation planting with native species.
 - Removal of sand-dune and reuse of material to construct shared pathway formation between the Mangawhai Activity Zone and the Mangawhai Club.
- 2) Pou Tu o Te Rangi – Harding Park
 - Completion of treatment of pest plants throughout Pa site area.
- 3) Taharoa Domain – Kai iwi Lakes
 - Continuation of the implementation of pest plant plan and removal and treatment of pest species.
- 4) Northern Wairoa Memorial Park
 - Completion of removal and treatment of pest plant species within bush reserve area.
 - Remediation of metalled pathway through bush reserve area
- 5) Omana Reserve War Memorial
 - General tidy up of reserve area and follow up treatment of pest plant species.
- 6) Kaiwaka Oneriri Road Intersection
 - General tidy up of reserve area and follow up treatment of pest plant species.

Risks, Issues and Opportunities

Risks / Issues	Magnitude / Likelihood	Mitigation
Risk – Timely delivery of works to meet required timing outcomes.	Low	Have packaged and spread work over mix of SME's, Larger Contractors, and Iwi Group(s).
Risk – Meeting required employment outcomes of the PGF funding	Low	Spread of work packages across SME's, Larger Contractors and Iwi Groups, along with coordination with MSD will provide wider opportunities.
Opportunity – Introducing new local SME's as future KDC Suppliers through work package opportunities.	Medium	Communication with SME's and other groups regarding opportunities and also introduction to existing Contractors.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

The remaining elements of the overall works package are to be scoped and negotiations undertaken with relevant suppliers to ensure all elements are committed for delivery of all physical works prior to the end of December 2020.

Treasury management report

Meeting: Audit, Risk and Finance Committee
Date of meeting: 10 September 2020
Reporting officer: Violeta Kayryakova, Financial Services Manager

Purpose/Ngā whāinga

To provide the Audit, Risk and Finance Committee (the Committee) with detailed treasury management information and to provide an opportunity to discuss strategic directions.

Executive summary/Whakarāpopototanga

Council undertakes treasury management activities in accordance with its Treasury Management Policy and Treasury Operations Schedule. Council is working closely with PwC treasury advisors.

Council management provides the Committee with detailed operational treasury reporting

Attachments A—C.

Tools and techniques that are used to manage debt and funding are:

- Daily cash flow forecasting, undertaken in-house
- A treasury model, managed jointly by Council and PwC to monitor Council's funding and interest rate risk management position at a given point
- PwC treasury advisors provide in-depth advice on a monthly basis.

Council primarily borrows from the Local Government Funding Agency (LGFA) who provides the cheapest debt financing and longest maturity terms for debt financing available. Since 2016 Council has progressively refinanced and repaid debt.

Council borrowed two tranches of \$15 million and \$10 million with maturity date 15 May 2021, this existing funding maturity is now due within the period of 0 to 3 years, breaching Council's funding and liquidity position. Council is working together with PwC to refinance the borrowings ahead of 15 May 2021.

At 31 July 2020 a total of \$44 million was drawn.

Recommendation/Ngā tūtohunga

That the Audit, Risk and Finance Committee:

- a) Notes the treasury management report for July 2020.

Context/Horopaki

Council's current Treasury Management Policy was adopted in February 2018. Council's specialist Treasury advisors are PwC, since 2011.

Discussion/Ngā kōrerorero

Council management conducts treasury operations in conjunction with Council's advisors, PwC.

Tools and techniques that are used to manage debt are:

- Daily cash flow forecasting - projecting timing of cash movements over the course of the year
- A treasury model - managed jointly by Council and PwC to monitor Council's debt management position at a given point. This tool records loans and swaps that have been entered into and monitors the position against policy limits. It reflects on the current positions and projects future positions.

Council's funding and liquidity risk position (note that this position assumes existing funding maturities are repaid as they fall due).

Council's maturity profile showing its funding and liquidity risk position:

	Minimum cover to Maximum cover	Actual %	Compliance
0 to 3 years	15% to 60%	83.0%	No
3 to 5 years	15% to 60%	9.0%	No
5 years plus	10% to 60%	7.0%	No

The liquidity risk position is outside of the policy and once it does not comply with policy for 90 days then Council has to officially accept that there will be a breach. This will continue to be breached in the future with a large amount of debt (\$25 million) coming due at 15 May 2021, **Attachment A**.

Current position (31 July 2020): Indicates whether or not Council is within Treasury Policy parameters and its current funding and liquidity risk position, **Attachment C**:

- Actual liquidity ratio is 123%.

Council's borrowing should be within the following fixed/floating interest rate risk control limit.

Period	Minimum to Maximum Fixed	Actual %	Compliance
Less than 12 months	50% to 95%	77% Fixed	Yes
12-36 months	40% to 90%	55% Fixed	Yes
37 to 60 months	30% to 80%	37% Fixed	Yes
Greater than 60 months	Nil to 50%	30% Fixed	Yes

There is no breach of the policy parameters.

Projected positions: Indicates whether or not Council is within Treasury Policy parameters and its interest rate risk position, **Attachment B**:

- 63% of the portfolio is fixed (based on a debt forecast level of \$53.08 million).

Debt Interest rate policy parameters: **Attachment C**.

Debt ratios and limits:

Ratio	KDC Policy	LGFA Covenants	KDC as at 31 July 2020	Compliance
Net debt as a percentage of total revenue	<170%	<175%	89%	Yes
Net interest as a percentage of total revenue	<15%	<20%	3%	Yes
Net interest as a percentage of annual rates income	<20%	<25%	4%	Yes
Liquidity	>110%	>110%	123%	Yes

Council is well within its policy limits as at 31 July 2020.

Significance and engagement/Hirahira me ngā whakapāpā

The decisions or matters of this report do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda on the website.

Next steps/E whaiake nei

This report is for information only and does not trigger legal or delegation implications.

Attachments/Ngā tapiritanga

A	Funding and liquidity risk position at 31 July 2020
B	Interest rate risk position at 31 July 2020
C	Debt Interest rate policy parameters at 31 July 2020

31-Jul-20

Kaipara District Council

Funding & Liquidity Risk Position

Committed Loans/Stock/Facilities/Investments \$53.3m

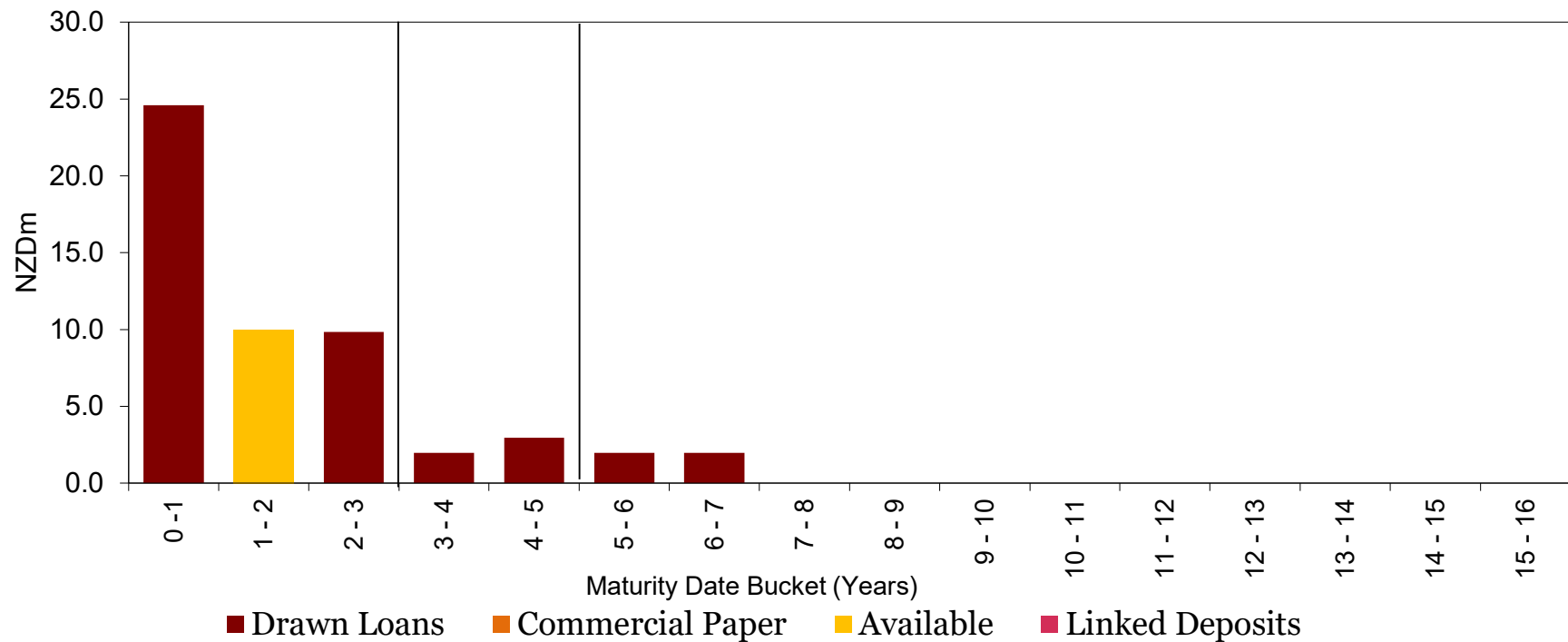
Current External Debt \$43.3m

Current Net Debt \$43.3m

Policy Liquidity Ratio $\geq 110\%$

Actual Liquidity Ratio 123%

	0 - 3 years	3 - 5 years	5 years plus
Policy Target Band	15%-60%	15%-60%	10%-60%
Actual	83%	9%	7%
Actual (NZDm)	44.44	4.92	3.94



Attachment B: Interest rate risk

31-Jul-20

Kaipara District Council

Interest Rate Risk Position

based on projected debt of \$52.58m 31 July 2021

Overall Fixed

Policy Min 60%

Policy Max 90%

Actual 63%

33m

Actual Floating

37%

19.6m

Policy Target band

Actual

Actual (NZDm)

1 - 3 years

15%-60%

15%

4.95

3 - 5 years

15%-60%

48%

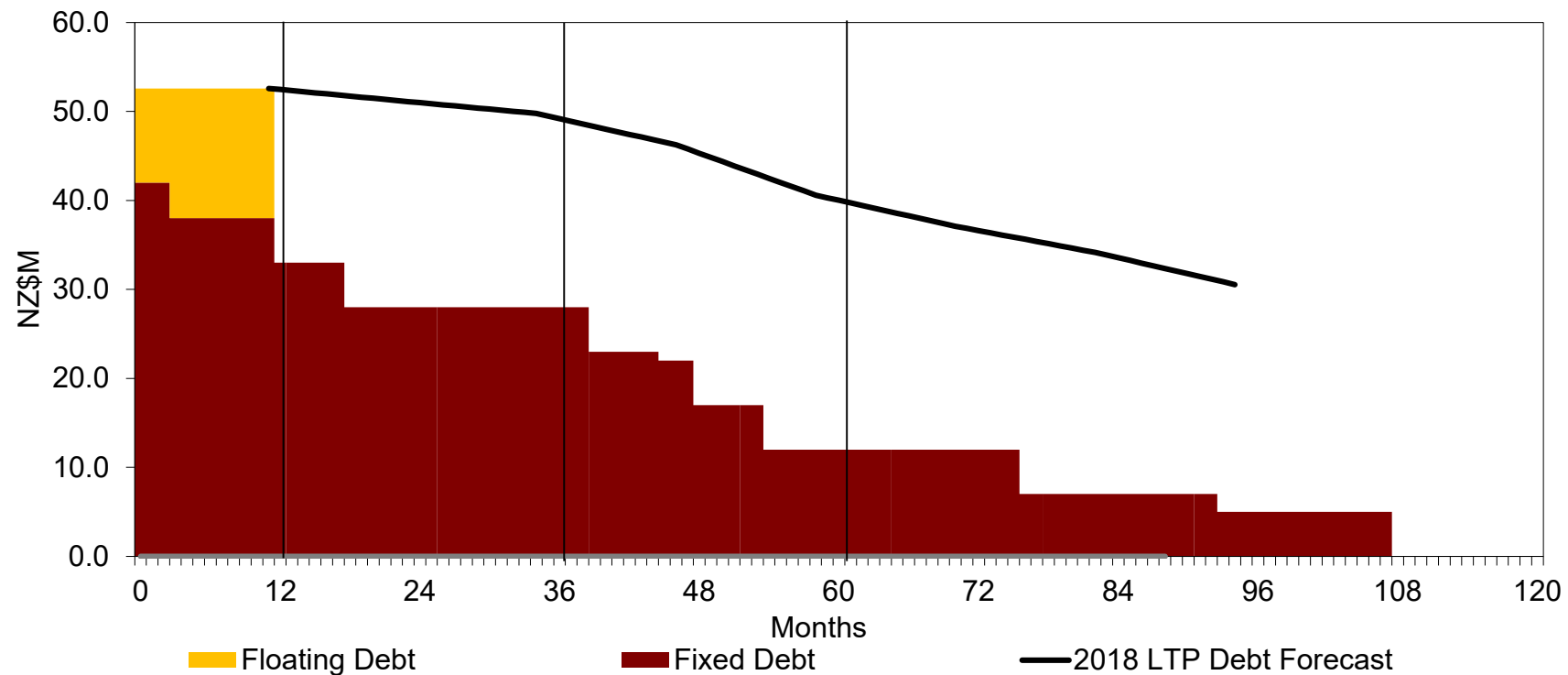
15.84

5 years plus

0%-60%

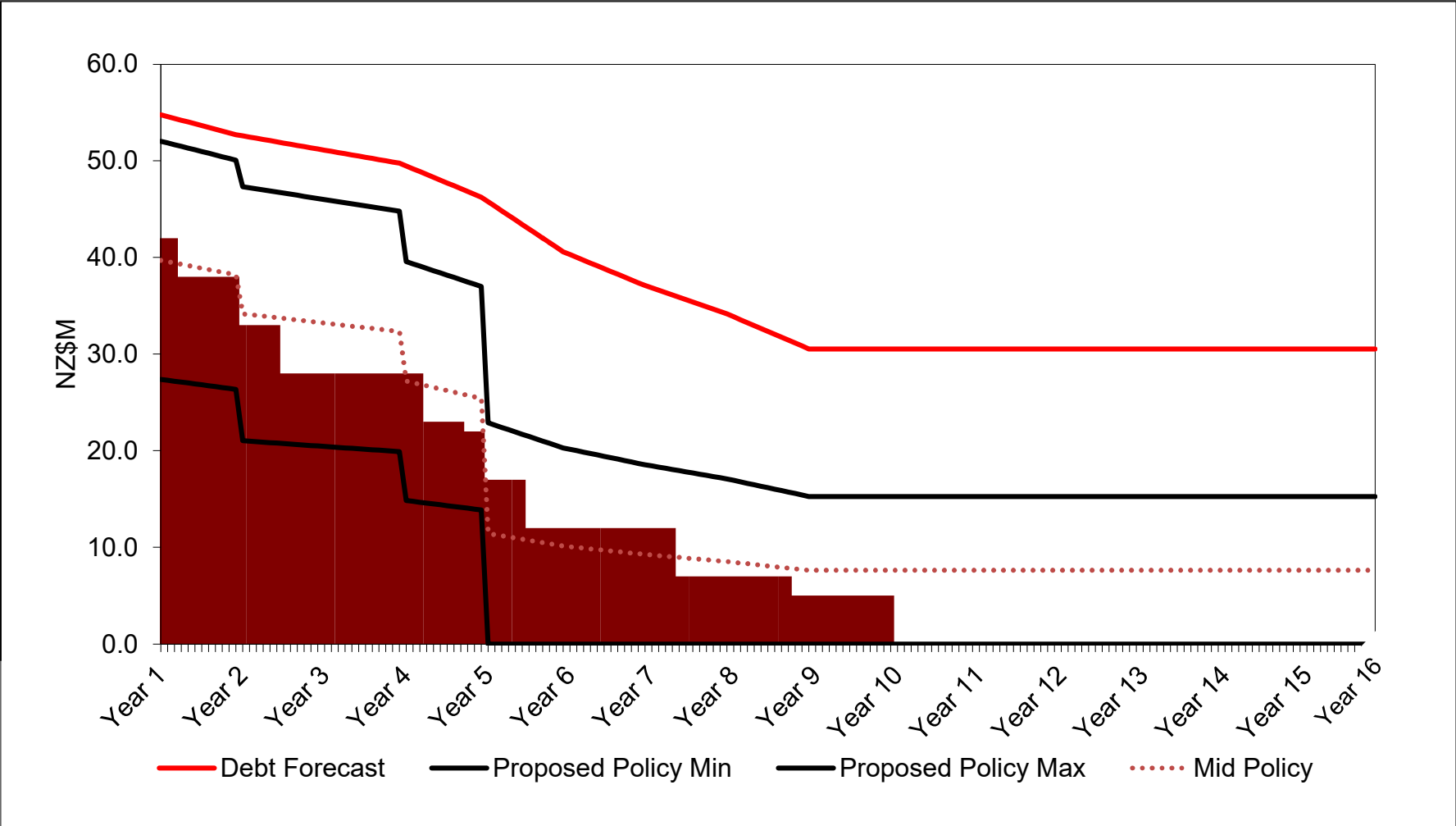
36%

11.88



31-Jul-20

Kaipara District Council
Debt Interest Rate Policy Parameters
(calculated on rolling monthly basis)



Recommendation to move into public excluded session

The following recommendation is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) and the particular interest or interests protected by section 7 of the Act.

On the grounds that matters will be prejudiced by the presence of members of the public during discussions on the following items, it is recommended:

Recommendation/Ngā tūhunga

a) That the following items are considered with the public excluded:

Item	Grounds for excluding the public
Confirmation of public excluded committee minutes 11 June 2020	To protect the privacy of natural persons, including that of deceased natural persons (LGOIMA s7(2)(a)), to avoid prejudice to measures protecting the health or safety of members of the public (LGOIMA s7(2)(d)), to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (LGOIMA s7(2)(h)) and to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (LGOIMA s7(2)(i))
Contract monitoring and reporting	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (LGOIMA s7(2)(i))
Insurance renewal update	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (LGOIMA s7(2)(i))