



AGENDA

Audit and Risk Committee Meeting Tuesday, 27 September 2022

Date: Tuesday, 27 September 2022

Time: 9.30 am

**Location: Ngā Hau e Whā, William Fraser Building, 1
Dunorling Street, Alexandra**

(A link to the live stream will be available on the Central Otago District Council's website.)

**Sanchia Jacobs
Chief Executive Officer**

Notice is hereby given that an Audit and Risk Committee meeting will be held in Ngā Hau e Whā, William Fraser Building, 1 Dunorling Street, Alexandra and live streamed via Microsoft Teams on Tuesday, 27 September 2022 at 9.30 am. The link to the live stream will be available on the Central Otago District Council's website.

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Members Ms L Robertson (Chair), His Worship the Mayor T Cadogan, Cr N Gillespie, Cr S Jeffery, Cr N McKinlay

In Attendance L van der Voort (Acting Chief Executive Officer), S Righarts (Group Manager - Business Support) and W McEnteer (Governance Manager)

1 APOLOGIES

2 PUBLIC FORUM

3 CONFIRMATION OF MINUTES

Audit and Risk Committee meeting - 3 June 2022

**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
AUDIT AND RISK COMMITTEE
HELD IN NGĀ HAU E WHĀ, WILLIAM FRASER BUILDING, 1 DUNORLING STREET,
ALEXANDRA AND LIVE STREAMED ON MICROSOFT TEAMS ON FRIDAY, 3 JUNE 2022 AT
9.32 AM**

PRESENT: Ms L Robertson (Chair), His Worship the Mayor T Cadogan, Cr S Jeffery

IN ATTENDANCE: S Jacobs (Chief Executive Officer), L Macdonald (Executive Manager - Corporate Services), Q Penniall (Infrastructure Manager), S Righarts (Chief Advisor), N McLeod (IS Manager), A Crosbie (Senior Policy Advisor), R Ennis (Health, Safety and Wellbeing Advisor) and W McEnteer (Governance Manager)

1 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION

Moved: Cadogan

Seconded: Jeffery

That the apologies received from Cr Gillespie and Cr McKinlay be accepted.

-----**CARRIED**

2 PUBLIC FORUM

There was no public forum

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Jeffery

Seconded: Robertson

That the public minutes of the Audit and Risk Committee Meeting held on 25 February 2022 be confirmed as a true and correct record.

-----**CARRIED**

4 DECLARATION OF INTEREST

Members were reminded of their obligations in respect of declaring any interests. There were no further declarations of interest.

5 REPORTS

22.2.2 POLICY AND STRATEGY REGISTER

To consider the updated Policy and Strategy Register.

After discussion it was noted that the Procurement Policy and the Protected Disclosures (Whistleblower) Policy were scheduled to come to the next meeting or an update as to their progress.

COMMITTEE RESOLUTION

Moved: Robertson

Seconded: Cadogan

That the report be received.

CARRIED

22.2.3 AUDIT NZ AND INTERNAL AUDIT UPDATE

To consider an update on the status of the external and internal audit programme and any outstanding actions for completed internal and external audits.

It was noted that the Three Waters assets were being valued and that this should be updated at the next meeting.

COMMITTEE RESOLUTION

Moved: Robertson

Seconded: Cadogan

That the report be received.

CARRIED

22.2.4 FINANCIAL REPORT FOR THE PERIOD ENDING 31 MARCH 2022

To consider the financial performance for the period ending 31 March 2022.

COMMITTEE RESOLUTION

Moved: Robertson

Seconded: Cadogan

That the report be received.

CARRIED

22.2.5 CYBER SECURITY, INFORMATION AND RECORDS MANAGEMENT, AND PRIVACY UPDATE

To consider an update on:

- Cyber Security Plan 2022-2025
 - Information and Records Management Plan 2022-2025
 - Privacy Plan
-

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Cadogan

That the report be received.

CARRIED

22.2.6 PRIVACY AND LGOIMA REQUESTS POLICIES

To note the Privacy Policy and Local Government Official Information and Meetings Act Request Policy are now finalised following incorporation of the recommended changes.

It was noted that privacy policies were being updated across all council websites to ensure consistency.

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Cadogan

That the report be received.

CARRIED

22.2.7 HEALTH, SAFETY AND WELLBEING REPORT

To provide an update on the health, safety and wellbeing performance at Central Otago District Council.

After discussion it was noted that elected members were not considered in the Risk Management Policy.

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Cadogan

That the report be received.

CARRIED

6 CHAIR'S REPORT**22.2.8 CHAIR'S REPORT**

The Chair had nothing to report.

7 MEMBERS' REPORTS**22.2.9 MEMBERS' REPORTS**

The members had nothing to report.

8 STATUS REPORTS**22.2.10 JUNE 2022 GOVERNANCE REPORT**

To report on items of general interest, consider the Audit and Risk Committee's forward work programme and the current status report updates.

COMMITTEE RESOLUTION

Moved: Cadogan
Seconded: Robertson

That the report be received.

CARRIED

9 DATE OF THE NEXT MEETING

The date of the next scheduled meeting is 30 September 2022.

10 RESOLUTION TO EXCLUDE THE PUBLIC**COMMITTEE RESOLUTION**

Moved: Robertson
Seconded: Cadogan

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution

Confidential Minutes of Ordinary Committee Meeting	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(c)(ii) - the withholding of the information is necessary to protect 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 otherwise to damage the public interest</p> <p>s7(2)(d) - the withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
22.2.11 - Water Services Update on Compliance Status	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
22.2.12 - Strategic Risk Register	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
22.2.13 - Litigation Register	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for

		withholding would exist under section 6 or section 7
22.2.14 - June 2022 Confidential Governance Report	<p>s7(2)(c)(ii) - the withholding of the information is necessary to protect 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 otherwise to damage the public interest</p> <p>s7(2)(d) - the withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

CARRIED

The public were excluded at 10.47 am and the meeting closed at 11.28 am.

4 DECLARATION OF INTEREST

22.3.1 DECLARATIONS OF INTEREST REGISTER

Doc ID: 596106

1. Purpose

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

2. Attachments

Appendix 1 - Audit and Risk Declarations of Interest [↓](#)

Name	Member's Declared Interests	Spouse/Partner's Declared Interests	Council Appointments
Tim Cadogan	Business South Central Otago Advisory Group (member) Alexandra Squash Club (member)	Two Paddocks (employee)	Airport Reference Group Maniototo Curling International Inc Eden Hore Steering Group Tourism Central Otago Advisory Board Ministerial Working Group on Responsible Camping Ministerial Working Group on representation, governance and accountability of new water entities (member)
Neil Gillespie	Contact Energy (Specialist - Community Relations and Environment) Clyde & Districts Emergency Rescue Trust (Secretary and Trustee) Cromwell Volunteer Fire Brigade (Chief Fire Officer) Cromwell Bowling Club (patron) Otago Local Advisory Committee - Fire Emergency New Zealand Returned Services Association (Member)		Lowburn Hall Committee Tarras Community Plan Group Tarras Hall Committee

Stephen Jeffery	G & S Smith family Trust (Trustee) K & EM Bennett's family Trust (Trustee) Roxburgh Gorge Trail Charitable Trust (Chair) Roxburgh and District Medical Services Trust (Trustee) Central Otago Clutha Trails Ltd (Director) Teviot Prospects (Trustee) Teviot Valley Community Development Scheme Governance Group Central Otago Queenstown Network Trust		
Nigel McKinlay	Transition To Work Trust (Board member) Gate 22 Vineyard Ltd (Director) Everyday Gourmet (Director) Central Otago Wine Association (member) Long Gully Irrigation Scheme (member)		

I, **Linda May Robertson**, hereby disclose the following 'interests' and am to be regarded as interested in any transaction involving the following entities:

Nature of interest	Appointment date	Details of relevant entities	Monetary Value of Interest (other than director fees, if quantifiable)
Director & Shareholder	January 2008	RML Consulting Ltd	Company I charge my director fees through
Director	October 2013	Dunedin City Holdings Limited	Nil
Director	October 2013	Dunedin City Treasury Limited	Nil
Chair	November 2015	Crown Irrigation Investments Ltd (Chair from April 2019)	Nil
Director	November 2015	New Zealand Local Government Funding Agency	Nil
Chair	June 2016	Audit & Risk Committee, Central Otago District Council	Nil
Chair	December 2017	Central Lakes Trust (Chair from October 2018)	Nil
Director	July 2018	Dunedin Stadium Property Limited	Nil
Director	September 2018	Central Lakes Direct Limited	Nil
Member	February 2019	Capital Markets Advisory Committee – The Treasury	Nil
Member	March 2019	Risk and Audit Committee – The Treasury	Nil
Director	July 2020	Dunedin Railways Ltd (subsidiary of DCHL)	Nil
Director	August 2020	Alpine Energy Ltd	Nil
Member	May 2021 – effective Jan '22	Audit and Risk Committee - Office of the Auditor-General and Audit New Zealand	Nil
Director	July 2021	Kiwi Wealth companies comprising of; Kiwi Wealth Management Limited, Kiwi Wealth Investments General Partnership Limited, Kiwi Investment Management Limited, Kiwi Wealth Limited, Portfolio Custodial Nominees Limited	Nil

Signed:



Date: 12 July 2021

5 REPORTS

22.3.2 POLICY REGISTER

Doc ID: 593835

1. Purpose

To consider the updated Policy and Strategy Register.

Recommendations

That the report be received.

2. Discussion

Changes to the Policy and Strategy Register

A review of the Policy and Strategy Register took place throughout the second and third quarter of 2022.

The new register aims to provide a greater level of transparency and oversight to the Audit and Risk Committee.

The register now includes a 'snapshot' of policy performance across the organisation, and by department. This will aid in identifying systemic issues or challenges in creating, maintaining, and renewing policies should they occur.

Further detail has been provided on each individual policy, including a brief explanation of the policy, any relevant legislative requirements, and whether it is published internally or externally.

The new register has retained all features of the previous register, with a new 'status' section including the colour coding when policies are out of date.

Further initiatives have been identified internally to improve support to the organisation across the policy space. These will continue to be developed and rolled out across the latter half of 2022 and early 2023, including a policy intranet, guidance documents, oversight of the legislative requirements and a new process for renewing policies.

The measurements within the policy register have been based on the current timeframes developed for Central Otago District Council policies. These timeframes and targets are under review and will be discussed with the Audit and Risk Committee in the new term.

The current target includes an organisational key performance indicator where 80% of policies should be current at all times. Organisational performance is audited externally annually against this figure.

The standard timeframes for review are:

- Bylaw – 5 years
- Policy – 3 years

- Plans – 5 years
- Strategies – 5 years
- Guidelines – 5 years

No set timeframes apply to community owned documents.

Longer timeframes may apply when a policy or document is drawn directly from legislation – in these instances, timeframes follow the relevant act.

Shorter timeframes are applied to policies with a higher degree of scrutiny, particularly those with strict legislative requirements (i.e. Protected Disclosures (Whistle-blowers) Policy).

Policy and Strategy Register Report

The following report was based on data as of 31 August 2022.

The organisational key performance indicator for policies is for 80% to be in date at any given time.

The organisation has exceeded the target, with 87.76% of policies in date, calculated on 31 August 2022.

Three of the five departments met or exceeded the target at 100%, 92.86%, and 84.21%.

People and Culture are within 2% of the target presently and expected to reach the target in September.

Planning and Environment are within 2% of the target. The policies within this portfolio are expected to reach the target in early 2023.

CEO Department

100% of policies in date.

An election protocol was introduced for staff during the election period and will remain in place until October.

Six Governance policies will roll over in October through the election process. The appropriate review processes are underway and on track.

Corporate Services

92.86% of policies are in date.

The two expired policies are the Procurement Policy and the Risk Management Policy. Reviews of both policies are on this meeting's agenda and they will seek adoption by Council on 28 September 2022. The Information and Records Management Plan is also on the agenda for this meeting.

Corporate Services is expected to return to 100% of policies in date by the end of September.

The Protection of Information and Information Systems (Cybersecurity) Policy and Fraud, Bribery and Corruption Policy are both on track for the December Audit and Risk meeting.

Infrastructure

84.21% of policies are in date.

The Roothing Policy was due in June 2022. It has been delayed as we are recruiting for several roading positions.

There are also two bylaws on hold due to the Three Waters process.

The Sewer Lateral Policy is due in December and is expected on schedule.

The Water Services Act will come into force from 14 November 2022, with a requirement to maintain Water Safety Plans. Existing plans are under review toward this deadline, with the addition of a new Pisa Village plan.

People and Culture

78.57% of policies are in date.

The Protected Disclosures (Whistle-blowers) Policy was due in June 2022. There are legislative requirements in the Protected Disclosures (Protection of Whistle-blowers) Act 2022 that relate to this policy. The policy fell out of date due to miscommunication during staff turnover. Additional measures have been put in place to prevent recurrences in the future. A full update on this policy will be provided in this meeting and the renewed policy will seek adoption by Council on 28 September 2022.

All library policies had expired. Four of these policies have been replaced by one new Library Policy that is in the final stages of sign off and expected by the end of September. One final Library policy is shared with Queenstown Lakes District Council and remains under review.

The Staff Interests Policy is due in December. It will be reviewed in the coming months and input sought from the December Audit and Risk Committee, before seeking readoption from the December Council meeting.

Two further pieces of work are due for updates in the next six months – the Health and Safety Policy Statement in September and the Trespass Procedure in January. Both are on track for renewal.

Planning and Environment

78.95% of policies are in date.

There are three policies out of date: the District Tree Policy, Public Toilet Policy, and Lighting Policy. Updates for all three have been programmed for 2023.

One further policy, the Molyneux Pool CCTV Policy, has been removed from the register as it will not be replaced. A new CCTV policy is in development that will cover the entire CCTV network. It will be presented to Council in the first quarter of 2023.

3. Attachments

Appendix 1 - Policy and Strategy Register [↓](#)

Report author:

Reviewed and authorised by:



Alix Crosbie
Senior Strategy Advisor
1/09/2022

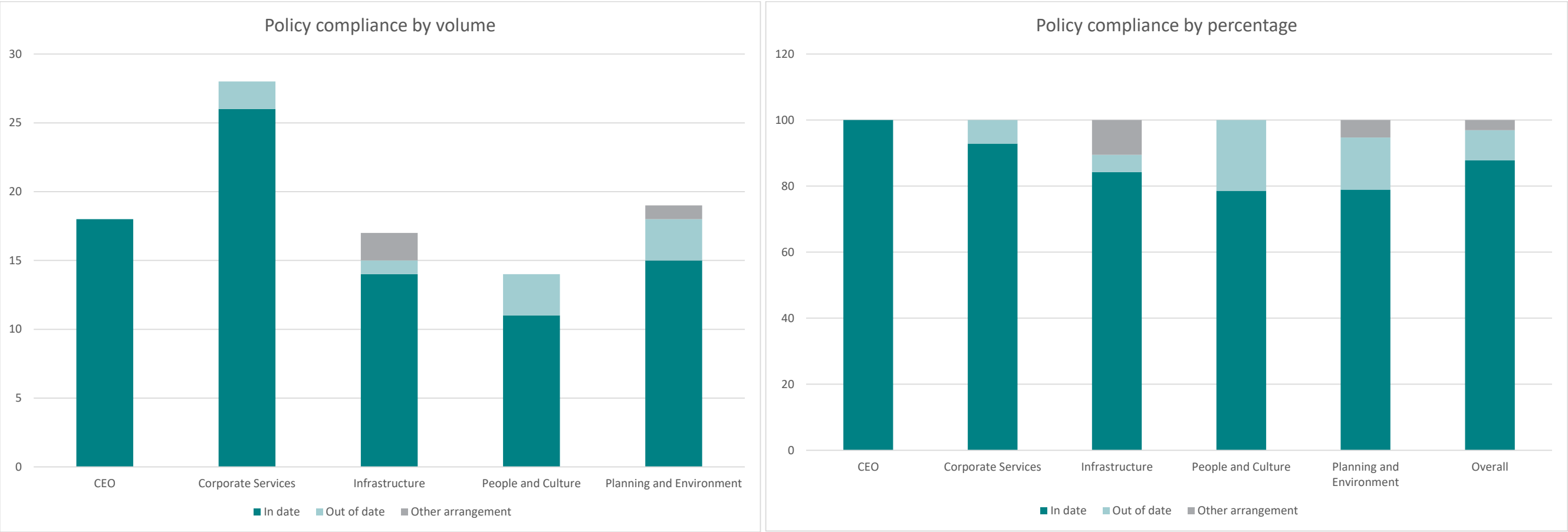


Louise van der Voort
Acting Chief Executive Officer
20/09/2022



Central Otago Policy Register

Policy compliance snapshot



Department	Total number of policies, strategies, and plans	Total number of policies assessed for compliance	Not assessed	Policies in date	Policies out of date without formal arrangement	Policies out of date with formal arrangements	Compliance (%)
CEO	18	18	0	18	0	0	100
Corporate Services	28	28	0	26	2	0	92.86
Infrastructure	20	19	1	16	1	2	84.21
People and Culture	14	14	0	11	3	0	78.57
Planning and Environment	20	19	1	15	3	1	78.95
Total	100	98	2	86	9	3	87.76%

Compliance target: 80%
Status: Compliance target met
Prepared: 31 August 2022





CEO Department

Responsible for overseeing the operational structure of the Council, Communications, Community Development, Economic Development, Governance, Regional Identity, Strategy and Policy, Tourism and Visitor Centres, Emergency Management.

Executive Function

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Election Protocol for Council Staff	June 2022	October 2022	Council	Provide guidance for relevant officers, including contractors and consultants, over the pre-election period in relation to interacting and communicating with members, candidates, and the public; participating in political activity; and balancing personal and professional interests	External	Operational

Community and Engagement

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Community Development Strategy	March 2021	May 2023	Council	Framework for well-beings, community outcomes, identity values, and community development.	External	Operational
Grants Policy	June 2021	January 2024	Council	Ensures a robust, fair and contestable process is in place for giving public money. Due for review in 2024; earlier review programmed during LTP process.	External	Operational
Media Policy	January 2020	January 2023	Council	Guides staff and elected members on their roles and responsibilities with regard to external media communications.	Internal	Operational
Social Media Policy	January 2020	December 2023	Council	Framework that enables staff to engage on Council activities through social media platforms.	Internal	Operational

Future work: Wellbeing Strategy; Communications and Engagement Strategy

Governance

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Appointment and Remuneration of Directors Policy	October 2019	October 2022	Council	Legislative requirement of Section 57(1) of the Local Government Act 2002. Sets an objective and transparent process for the identification, appointment, and remuneration of directors.	External	Operational
Code of Conduct	October 2019	October 2022	Council	Legislative requirement. Sets out standards of behaviour expected from members in the exercise of their duties. Reviewed through electoral process.	External	Operational
Delegations Register (including Audit and Risk Terms of Reference)	August 2021	October 2022	Council	Derived from Schedule 7, clause 32 (2) and sub clause 32 (1) of the Local Government Act 2002. Outlines the assignment of power, function or duty of action – and the related authority to complete the action assigned. Reviewed through electoral process.	External	Operational
Elected Members Allowances and Reimbursements Policy	October 2019	October 2022	Council	Legislative requirement. Relates to the Local Government Act 2002, Remuneration Authority Act 1977, and Local Government Elected Members (2021/22) (Certain Local Authorities) Determination 2021. Provides a framework for allowances, expenses claimed, and resources available to elected members during their term in office.	External	Operational
Governance Statement	March 2020	March 2023	Council	Legislative requirement of the Local Government Act 2002. Outlines how Council makes decisions and shows how residents can influence those processes. Council is obliged to provide a new governance statement within six months of each triennial election.	External	Operational



Otago Local Authorities’ Triennial Agreement	2020	1 March 2023	Council and external bodies	Legislative requirement. Section 15 of the Local Government Act 2002 requires local authorities within a region to enter into a Triennial Agreement to ensure appropriate levels of communication, coordination, and collaboration.	External	Operational
Pre-election Report	July 2022	2025	CEO	Legislative requirement of the Local Government Act 2002 (section 99A). Provides an update on the state of business in Central Otago for public discussion.	External	Operational
Standing Orders (Community Boards)	October 2019	October 2022	Council	Legislative requirement. Sets out rules for the conduct of proceedings. Relates to Local Government Act 2002, Local Government Official Information and Meetings Act 1987, Local Authorities (Members’ Interests) Act 1968. Reviewed through electoral process.	External	Operational
Standing Orders (Council)	October 2019	October 2022	Council	Legislative requirement. Sets out rules for the conduct of proceedings. Relates to Local Government Act 2002, Local Government Official Information and Meetings Act 1987, Local Authorities (Members’ Interests) Act 1968. Reviewed through electoral process.	External	Operational

Strategy and Economic Development

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Economic Development Strategy	May 2019	May 2024	Council	Economic development framework to assist in achieving gains in economic performance and manage challenges. Supports well-being (core function.)	External	Operational
Film Friendly Policy	June 2018	June 2023	Council	Partnership agreement with Film NZ to agree to Film Friendly Regulations – application of NZ Local Government Filming Protocols. There are conditions both Film NZ and the Council must meet.	External	Operational
Organisational Business Plan	July 2022	July 2023	CEO	Describes the organisational business focus for the year.	Internal	Operational

Future work: Housing Strategy; Council Investment in Museums Strategy

Tourism

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Tourism Strategy	June 2019	June 2024	Council	Guiding document with strategic priorities, goals, and connections to government framework.	External	Operational

Future work: Destination Management Plan



Corporate Services

Responsible for Accounting, Financial Planning and Reporting, Rating/Policy, and Information Services.

Executive Function

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Annual Plan	June 2022	30 June 2023	Council	Produced in each of the two years between Long-term plans. Refreshes budgets and work programmes, and considers whether adjustments are needed. Legislative requirement under the Local Government Act.	External	Operational. Review underway.
Annual Report	September 2021	November 2022	Council	Produced at the end of each financial year. Sets out performance and delivery against budgets and targets.	External	Operational. Underway – draft complete
Long-term Plan	June 2021	30 June 2024	Council	Core functional document and legislative requirement. Sets the strategic direction and work programme for the 10 years ahead. Describes the council's activities and relevant community outcomes. Outlines services, projects, costs, how they are paid for, and the relevant measurements of success and effectiveness. Produced every three years to statutory timeframes. Local Government Act 2002 Section 93 (6) (c)	External	Operational. Process has begun for next LTP.
Significance and Engagement Policy	June 2021	December 2023 LTP	Audit & Risk Council	Legislative requirement and core document. Identifies the degree of significance, when and how communities can expect to be engaged, and the decision-making process. Reviewed through Long-term Plan	External	Operational

Information Services

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Acceptable Use of Public Wi-Fi Policy	March 2019	June 2022	Council	Lays out terms and conditions of access to public wi-fi network to protect users and Council from associated related harms. Removed from register July 2022: to be incorporated into Cyber Security Plan.	External	Removed
Copyright Policy	September 2021	September 2024	CEO	Identified as a gap in a legislative compliance review – will be folded into the Information and Records Management Policy at a future review.	Internal	Operational
Digital Strategy	July 2022	July 2025	CEO	Guidance how to integrate digital services and information to meet community need	Internal	Operational
Information and Communication Technology Disaster Recovery Plan	April 2022	October 2022	CEO	Manages the backup and recovery of digital information and information systems in the event of a disaster or emergency event	Internal	Operational
Information and Records Management Disaster Recovery Plan	April 2022	October 2022	CEO	Manages protecting and salvaging physical records and archives in the event of a disaster	Internal	Operational
Information and Records Management Plan	2022	2024	CEO	Comprehensive plan for the effective retention, appraisal, and disposal of Council information and records.	Internal	Operational Review underway
Information and Records Management Policy	February 2022	February 2025	Council	Guidance for the effective retention, appraisal, and disposal of Council information and records. Part of Information and Records Management Plan.	Internal	Operational
Privacy Policy	February 2022	February 2025	Audit & Risk CEO	Outlines Council's code of practice and legal obligations in accordance with the Privacy Act 2020.	Internal	Operational
Protection of Information and Information Systems (Cybersecurity) Policy 2019-2022	August 2021	August 2024	Audit & Risk Council	Protects users of council information and information systems, including personal information. Will include Acceptable Use of Public Wi-Fi Standard. Report to December Audit and Risk meeting.	Internal	Operational Review underway
LGOIMA Request Policy	February 2022	February 2025	Audit & Risk CEO	Ensures Council meets the legal obligation on granting requests for official information under the Local Government Official Information and Meetings Act	Internal	Operational



				(LGOIMA) 1987. Provides a framework to ensure processes are open and transparent.		
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Future work: Cybersecurity Plan 2022-2025

Finance

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Credit Card Policy	June 2021	June 2024	Audit & Risk CEO	Guidance for employees and Elected Members on the use of credit cards – defines parameters and mitigates risk	Internal	Operational
Financial Reserves Policy	July 2021	June 2024	Council	Guidance to ensure Council's financial reserves are managed consistently, accurately, and transparently within clearly defined parameters.	External	Operational
Financial Strategy	June 2021	December 2023 LTP	Council	Sets out the two guiding principles of affordability and sustainability. Includes how we fund, spend, and deliver. Reviewed through Long-term Plan process.	External	Operational
Fraud, Bribery, and Corruption Policy	October 2021	December 2022	Audit & Risk Council	Clear guidance to staff who encounter or suspect fraud, bribery, and/or corruption. Raise awareness about how to recognise fraud, bribery, and corruption.	External	Operational
Investment Policy	June 2021	December 2023 LTP	Audit & Risk Council	Reviewed through Long-term Plan process. Legislative requirement of the Local Government Act Sections 102(2)(c) and 105. Ensures all statutory requirements are met. Ensures Council appropriately manages funds for legislated purposes.	External	Operational
Liability Management Policy	June 2021	December 2023 LTP	Audit & Risk Council	Reviewed through Long-term Plan process. Legislative requirement of the Local Government Act Sections 102(2)(b) and 104 and Sub Part 4 of Part 6 (Sections 112 to 122). Ensures all statutory requirements are met. Ensures Council has appropriate funding facilities and complies with lending and risk requirements.	External	Operational
Procurement Policy	August 2020	June 2022	Audit & Risk Council	Guided by New Zealand Government Procurement Rules released by the Ministry of Business, Innovation, and Employment. Provides a consolidated view of the procurement objectives and requirements.	External	Out of date Review to September 2023 Council meeting
Rates Remission Policy	June 2021	December 2023 LTP	Audit & Risk Council	Reviewed through Long-term Plan process. Clear guidance when and how a rates remission can be sought.	External	Operational
Rating Policy	June 2021	December 2023 LTP	Audit & Risk Council	Reviewed through Long-term Plan process. Defines categories of rateable land, due dates and penalties, and spells out the rating charges and the total rates to be collected for a given year.	External	Operational
Revenue and Financing Policy	June 2021	December 2023 LTP	Audit & Risk Council	Reviewed through Long-term Plan process. Sets out the council's policies in respect of funding operating and capital expenditure.	External	Operational
Risk Management Policy and Process	August 2020	June 2022	Audit & Risk Council	Sets objectives, principles, processes, and parameters to ensure risk management practices are embedded and reviewed across the organisation.	External	Out of date Review to September 2023 Council meeting
Sensitive Expenditure Policy	June 2021	June 2024	Audit & Risk Council	Clearly defined parameters for sensitive expenditure to ensure it is consistently assessed, authorised, and reviewed. Ensures Council is a responsible user of public money.	External	Operational
Travel Policy	June 2021	June 2024	Audit & Risk Council	Provides a clear, transparent, consistent, and cost-effective approach to travel-related expenses incurred. Ensures both travel risks and costs are effectively identified, managed, authorised, and monitored.	Internal	Operational



Vehicle Procurement Maintenance and Disposal Policy	October 2020	October 2023	CEO	Provides a co-ordinated, consistent, cost-effective, and transparent approach to the procurement, maintenance, and disposal of council-owned motor vehicles. Supports value for money and sustainability objectives.	Internal	Operational
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Infrastructure

Responsible for Roothing, Water Services, and Environmental Engineering.

Executive Function

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Fixed Asset Management and Disposal Policy	January 2022	January 2025	Audit & Risk Council	Provides guidance and clarity surrounding the management and disposal of Council assets, ensuring probity, accountability, and transparency.	External	Operational
Infrastructure Resilience Plan	June 2020	June 2025	CEO	Assesses the resilience of Council's infrastructure networks to hazards and identifies opportunities to strengthen.	Internal	Operational
Infrastructure Response Plan	June 2020	June 2025	CEO	Council's arrangements for responding to significant failures		Operational
Infrastructure Strategy	June 2021	December 2023 LTP	Audit & Risk Council	Required under section 101B of the Local Government Act 2002. Identifies significant infrastructure issues for the next 30 years, the options for managing those issues, and the implications of the options. Currently covers Three Waters and Roothing. 2024 version won't include Three Waters but should include Parks and Property. Reviewed through Long-term Plan.	External	Operational

Environmental Engineering

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Development and Financial Contributions Policy	June 2021	June 2024 LTP	Council	Outlines Council's approach to funding development infrastructure via development contributions under the Local Government Act 2002 and Resource Management Act 1991. Reviewed through Long-term Plan.	External	Operational
Subdivision Engineering Standards	September 2019	September 2024	Council	Implemented as an addendum to New Zealand Standard 4404:2004. Provides appropriate standard for land development and subdivision engineering.	External	Operational Work underway
Sustainability Strategy	April 2019	April 2024	Council	Provides sustainability workstreams, goals, actions, and measures of success. Assists with compliance Toitū carbonreduce programme.	External	Operational Under review
Waste Management and Minimisation Bylaw	March 2021	March 2026	Council	Supports the promotion and delivery of effective and efficient waste management and minimisation as required under the Waste Minimisation Act 2008.	External	Operational
Waste Management and Minimisation Plan	June 2018	June 2023 LTP	Council	Supports the Waste Management and Minimisation Bylaw. Reviewed through Long-term Plan.	External	Operational

Roothing

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Roothing Activity Management Plan	September 2021	November 2025	Council	Guides management of strategic asset	External	Operational
Roothing Bylaw	November 2020	November 2025	Council	Provides the regulatory framework to facilitate the Council in achieving a safe, efficient, and fully accessible transportation network.	External	Operational
Roothing Policy	January 2016	June 2022	Council	Ensures a safe, efficient, and fully accessible transportation network is in place. Puts in place a minimal regulatory framework and ensures enforcement can be undertaken.	External	Out of date. Review underway.
Speed Limit Bylaw 2007	November 2007	Repealed	Council	Repealed as of 1 August 2022 (Resolution 22.5.5). To be removed from register before next meeting. Speed limits now managed through National Speed Limit Register (Waka Kotahi process).	External	Repealed



Transportation Procurement Strategy	May 2020	May 2025	Audit & Risk Council	Ensures resources are used effectively and economically to deliver fit for purpose infrastructure.	External	Operational
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Three Waters

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Drinking Water Quality Policy Statement	March 2020	March 2023	Council	Policy position on drinking water quality.	Internal	Operational
Leakage Remissions Policy	June 2021	December 2023 LTP	Council	Standardised procedure to assist ratepayers who have excessive water rates due to a fault/leak. Reviewed through Long-term Plan process.	External	Operational
Sewer Lateral Policy	July 2016	December 2022	Council	Defines responsibilities of sewer lateral pipes connecting to the main sewer system.	External	Operational
Trade Waste Bylaw	June 2001	Hold.	Council	Covers the discharge of trade waste to the wastewater system. On hold, pending transition requirements to new entity – expected to be covered in Bill 2.	External	Hold
Water Safety Plans <ul style="list-style-type: none"> Alexandra (2021) Clyde (2016) Cromwell (2015) Naseby (2016) Omakau (2017) Patearoa (2008) Pisa Village (new) Ranfurly (2016) Roxburgh (2016) 	Various	Various	CEO	Requirement of the Water Services Act 2021 from 14 November 2022.	Pending	Operational Not yet included in calculations until legislation in force
Water Services Asset Management Plan	2021	2024 Will transition prior to review.	CEO	Plan for management of strategic asset. 2024 AMP is being prepared now for new water services entity. CODC is providing information for this and does not need to do a separate CODC Three Waters AMP.	Internal	Operational
Water Supply Bylaw	May 2008	Hold.	Council	Regulates water supply. To be replaced by Water Bylaw – on hold, pending outcome of Three Waters review.	External	Hold



People and Culture

Responsible for Customer Services, Libraries, Health and Safety, People and Culture.

Human Resources

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Equal Employment Opportunity (EEO), Discrimination, Harassment and Bullying Policy	September 2021	September 2023	CEO	Embeds equal employment opportunity and anti-discriminatory practices to provide a workplace free from discrimination, harassment, and victimisation.	Internal	Operational
Leave Management Policy	December 2020	December 2023	CEO	Provides direction in relation to the administration of leave benefits. Relates to the Holidays Act 2003, Parental Leave and Employment Protection Amendment Act 1987, and Volunteers Employment Protection Amendment Act 1973.	Internal	Operational
Performance Management Policy	August 2021	August 2023	CEO	Provides a framework for dealing with instances where employees are alleged not to have met the required standards of behaviour, performance, conduct, and attendance. Ensures prompt, consistent, and fair treatment.	Internal	Operational
Police Vetting Guidelines	2021	2026	CEO	Ensures compliance with the Children's Act 2014	Internal	Operational
Protected Disclosures (Whistleblowing) Policy	May 2021	June 2022	Audit & Risk Council	Legislative requirement – Protected Disclosures (Protection of Whistleblowers Act 2022). Provides principles, objectives and a framework by which serious wrongdoing may be reported and the subsequent protections afforded to the whistleblower. Encourages the reporting of suspected or actual wrongdoing.	External	Out of date. Under review. Due September.
Staff Delegations Manual	June 2021	June 2024	Audit & Risk Council	Sets out the delegations given to officers in relation to certain administrative and financial matters, statutory duties, responsibilities, and powers.	External	Operational
Staff Interests Policy	December 2021	December 2023	Audit & Risk CEO	Manages conflict of interest to maintain the impartiality, transparency, and integrity of Council and protect employees from potential perceptions or allegations of bias.	Internal	Operational
Vehicle User Policy	February 2020	February 2023	CEO	Supports a safe driving culture to reduce the number of vehicle-related incidents and injuries and to reduce the costs associated with poor driving. To be replaced with Vehicle Use and Safe Driving Policy 2022-25	Internal	Operational Under review

Health, Safety, Wellbeing and Security

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Adverse Weather Guidelines	January 2022	January 2025	CEO	Work practises to ensure safety in adverse weather	Internal	Operational
Health and Safety Policy Statement	September 2021	September 2022	CEO	Sets out commitment under the Health and Safety at Work Act 2015 to protect the health and safety of employees, contractors, volunteers, and customers.	Internal	Operational
Safeguarding and Child Protection Policy	July 2022	July 2025	CEO	Ensures Council has a strong culture of child protection and appropriate vetting is in place. Complies with the Children's Act 2014. Includes: <ul style="list-style-type: none"> • Procedure for responding to child abuse and neglect (against staff) • Procedure for responding to disclosed or suspected child abuse or neglect • Publication of photo and video consent form 	External	Operational
Trespass Procedure	January 2022	January 2023	CEO	Sets out the procedure for authorised employees to trespass a person or persons who pose a risk to Council, property, or any person under the Trespass Act 1980.	Internal	Operational

Future work: Alcohol and Other Drugs Policy; Rehabilitation and Return to Work Policy; Hybrid and Remote Working Policy; Lone, Remote and Isolated Working Policy; Violence and Aggression Management Policy; Health and Safety Framework; Smoke and Vaping Free Workplaces Policy 2022; Contractor Pre-Qualification Guidelines.



Libraries

Policy Name	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Collection Development Policy	October 2018	October 2021	CEO	Shared policy with QLDC.	Internal	Out of date. Review underway
Library Policy	Various	Various	CEO	Replaces expired policies including deselection, donations, and lost property policy.	External	Out of date. Review underway



Planning and Environment

Responsible for Planning, Building Control, Alcohol Licensing, Environmental Health, Dog Control and Registration, Parks and Recreation, Cemeteries, Swimming Pools, Property and Community Facilities, Elderly Persons' Housing, Airports.

Parks and Recreation

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Cemeteries Bylaw	November 2020	November 2025	Council	Regulates the management of cemeteries.	External	Operational
Cemeteries Handbook 2020	2020	2025	Council	Further details the management of cemeteries	External	Operational
District Tree Policy	August 2020	Feb 2022	Council	Specifies principles, policies, and objectives regarding Council's ongoing protection and management of Council-owned trees within the district.	External	Out of date Review programmed
Parks and Recreation Activity Management Plan	2021	2026	Council	Formally documents the management philosophy applied to parks and recreation assets and services	Internal	Operational
Reserve Management Plans (RMP) x11	Various	Various	Council	Contain objectives and policies for the management, protection, and future development of a reserve. Relate to the Reserves Management Act 1977. 11 Reserve Management Plans are in place covering 55 reserves.	External	Various
Smokefree and Vapefree Policy	September 2021	September 2024	Council	Designates smokefree and vapefree public areas, including all parks and reserves, and within 10m of the entrance of any council-owned building or bus stop. Linked to the Government's Smokefree Aotearoa Plan 2025.	External	Operational
Wilding Conifer Control Policy	July 2021	July 2024	Council	Provides guidance on Council's approach to managing wilding conifers on council owned or managed land.	External	Operational

Future work items: Open Spaces Strategy; Playground Strategy; Responsible Camping Strategy, Reserve Naming Policy; Memorials Policy

Property

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Council-owned Earthquake-prone Buildings Policy	June 2020	June 2025	Council	To provide clear guidance for the management of a specific issue. For compliance with the Building (Earthquake-prone Buildings) Amendment Act 2016.	External	Operational
Community Leasing and Licensing Policy	July 2022	July 2025	Council	To provide a consistent and equitable framework for community leases and licences. To provide fairness, equity, and prudent financial management.	External	Operational
Public Toilet Policy	July 2009	July 2012	Council	Provides guidance around the provision of public toilets	External	Out of date Review programmed

Future work: CCTV Policy

Planning

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
District Plan	April 2008	TBD	Council	Alternate timeframe ratified by Council.	External	Agreed alternate timeframe
Lighting Policy	March 2019	June 2022	Council	Public spaces lighting policy – protects night skies from light pollution. Applies to land owned or managed by Council. Currently under review - completion will follow Dark Skies Plan	External	Out of date Review programmed
Master and Spatial Plans	Various	Various	Council	Provides guidance to facilitate growth.	External	Operational



<ul style="list-style-type: none">Alexandra Airport Masterplan (2021)Cromwell (2019)Vincent (2022)				Teviot Spatial Plan in development.		
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Regulatory

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Alcohol Restrictions in Public Places Bylaw	May 2019	May 2024	Council	Legislative mechanism to set controls on the consumption of alcohol in public places.	External	Operational
Dangerous and Insanitary Building Policy	March 2022	March 2025	Council	Requirement of the Building Act 2004.	External	Operational
Dog Control Bylaw	December 2020	December 2025	Council	Bylaw created under the Dog Control Act. Includes regulatory provisions for dog control in the district.	External	Operational
Dog Control Policy	December 2020	December 2025	Council	Complementary to the Dog Control Bylaw. Establishes the framework on which the bylaw and associated fees regarding dog registration and offences are based.	External	Operational
Easter Sunday Trading Policy	June 2022	June 2027	Council	Enables local businesses to trade on Easter Sunday in line with the Shop Trading Hours Amendment Act 2016. Legislation allows for five-year rollover. Requires consultation for each renewal – even with no changes – however can remain operational for up to two years after it lapses.	External	Operational
Gambling and Board Venue Policy	June 2020	June 2023	Council	Requirement under the Gambling Act. Establishes a framework for the regulation and control of Class 4 Gambling and Board Venues.	External	Operational
Psychoactive Substances Policy	June 2019	June 2024	Council	Provision of Section 66 of the Psychoactive Substances Act 2013. Regulates the availability of psychoactive substances. Enables Council and community to have influence over the location of retail premises in the district.	External	Operational

Future work: Enforcement strategy; Trading in Public Places Bylaw



Other Documents

Emergency Management

Note: Emergency Management Plans are administered by Central Otago Emergency Management, managed by the Otago Regional Council. They are not included in calculations of Council's overall target.

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Community Response Plans <ul style="list-style-type: none">CromwellClyde, Earnscliffe, and AlexandraNaseby, Ranfurly, ManiototoManuherikia ValleyTeviot ValleyQueensberryIda Valley	Various	Various	Central Otago Emergency Management (Otago Regional Council)	Localised advice and preparation for response to emergency situations. https://www.otagocdem.govt.nz/districts/central-otago	External	Operational

Community-owned Strategies and Plans

Note: Community-owned strategies and plans are maintained by the relevant communities. They are not included in calculations of Council's overall target.

Document	Date reviewed	Due for review	Responsibility	Explanation	Publication	Status
Arts Strategy	April 2013	April 2024	Community owned	Administered by the Arts Trust	External	Operational Under review
Community Plans <ul style="list-style-type: none">Alexandra (2013)Clyde (2011)Cromwell (2021)Maniototo (2007)Naseby (2016)Omakau (2014)Ophir (2015)Oturehua (2014)Patearoa and Upper Taieri (2019)Pisa (2009)Roxburgh and Teviot Valley (2011)St Bathans (2006)Tarras (2007)Waipiata (2008)	Various	Various		Community plans are visions made by the local community. Actions are identified through these plans.	External	Operational
Heritage Strategy	April 2018	April 2023	Community owned	Administered by the Central Otago Heritage Trust. An action plan designed to provide a long-term solution to the sustainable identification, preservation, management, and celebration of heritage.	External	Operational
Museum Strategy	August 2020	August 2025	Community owned	Administered by the Central Otago Museums Trust. Articulates a high-level vision, mission, and strategic objectives for museums. Includes a framework for collaboration and overarching actions for development into an operational plan.	External	Operational



Central Otago policy standard

The intention of the register is to provide an accurate and up to date overview to the Audit and Risk Committee. This enables the committee to carry out their function of providing oversight and governance to ensure appropriate systems and practice are delivered throughout the Council and its activities.

The register includes all bylaws, strategies, and policies. Relevant plans and guidelines have also been included.

A Central Otago policy standard is in development, to be presented in the new term for discussion. In the interim, the following standard for review is in place:

- Bylaw – 5 years
- Policy – 3 years
- Plans – 5 years
- Strategies – 5 years
- Guidelines – 5 years

No set timeframes apply to community owned documents.

Longer timeframes may apply when a policy or document is drawn directly from legislation – in these instances, timeframes follow the relevant act.

Policies are reviewed annually where appropriate.

Compliance

Compliance is calculated based on the number of items on this register that meet the timeframes above. The following exclusions have been made:

- Reserve Management Plans have been excluded from compliance figures.
- Community owned plans have been excluded from compliance figures as they are administered directly by the community.
- Community response plans have been excluded from compliance figures as they are administered by the Otago Regional Council.
- The Regional Identity has been excluded from compliance figures as there is no one set document to base the calculation on.

Publication

All Central Otago policies adopted by Council are published externally.

Policies that primarily relate to the management of staff, including human resource provisions, are not published. These policies have been marked as 'internal' on the register.

Publication generally refers to the Council website codc.govt.nz. Some work also appears on the Central Otago New Zealand website centralotagonz.com. The Long-term Plan and related policies are also published in hard copy.

22.3.3 PROTECTED DISCLOSURES (WHISTELBLOWERS) POLICY REVIEW

Doc ID: 593240

1. Purpose

To provide an update on the review of the Protected Disclosures (Whistleblowing) Policy.

Recommendations

That the report be received.

2. Discussion

The Protected Disclosures (Whistleblowers) Policy has been in place since 2020. It was last reviewed in May 2021. Our Central Otago District Council Protected Disclosures Policy is now due for review. It has had an annual review cycle to ensure it remains up to date with legislative changes.

The Protected Disclosures Act 2000 was replaced by the Protected Disclosures (Protection of Whistleblowers) Act 2022 on 1 July 2022. This Act's purpose is to facilitate disclosure and investigations of wrongdoing and to provide protection for employees who report under this.

Review

Current Central Otago District Council policy was effective May 2021 with review June 2022. It is reviewed annually to ensure it remains consistent with changes to legislation and fit for organisational activities. Central Otago District Council People and Culture Team have reviewed the current policy in August 2022 against the new legislation

Legislation Changes

- Extending definition of serious wrongdoing to cover private sector use of public funds and authority and to cover behaviour that is a serious risk to the health and safety of any individual
- Allowing people to report serious wrongdoing directly to an appropriate authority at any time, while clarifying the ability of the appropriate authority to decline or refer the disclosure
- Strengthening protections for disclosers by specifying what a receiver of a disclosure should do
- Clarifying internal procedure requirements for public sector organisations and requiring them to state how they will provide support to disclosers
- Clarifying the potential forms of adverse conduct disclosers may face

Changes against CODC current policy

Extension of serious wrong doing definition	Mostly included in policy, but could increase scope to link to legislation	Add into definitions – Any other instances as specified in the Act
Allowing report at any time	No specified time frame detailed in current CODC policy	No change required
Clarifying ability of appropriate authority to decline or refer disclosure	<p>This change relates to the action taken by the CEO as head of the organisation when dealing with a Protected Disclosure.</p> <p>Policy clarifies timeframes for the decision-making process, including reporting to the chair of Audit and Risk when required by the scale or scope of wrongdoing.</p>	<p>This legislative change is adequately captured in the existing process. It provides further detail for CEO understanding if required.</p> <p>Could update to detail out responses</p> <ul style="list-style-type: none"> - Investigation - Addressing - Referring - No action <p>Policy should have a description of the circumstances in which the disclosure may be referred</p>
Strengthening protections for disclosers	CODC policy doesn't mention receivers	Procedure that sets out a process to follow as the receiver of a disclosure added to the policy as an appendix
Clarifying internal procedure for support of disclosers (for example, by having a support person assess any risks to a discloser)	CODC policy has some mention of support under 'Protections' but does not provide enough detail to meet the new requirements	Further bullet points added to the 'Protections' section to further specify
Clarifying potential forms of adverse conduct for discloser	This is a further clarification of definitions within the Act.	Current policy provisions adequately cover this

Next Steps

This paper seeks the input of the Audit and Risk Committee on the policy. These recommendations will then be taken to Council with a request to readopt the updated policy.

3. Attachments

Appendix 1 - Protected Disclosures (Whistle Blowing) Policy 2022.docx [↓](#)

Report author:

Reviewed and authorised by:



Kirsten Adams
People and Culture Advisor
26/08/2022



Louise Fleck
Executive Manager - People and Culture
15/09/2022

Protected disclosures (whistle blowing) policy



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Department:	Corporate Services
Document ID:	436240
Approved by:	Council
Effective date:	Next council meeting
Next review:	1 year

Purpose

The purpose of this policy is to explain the principles and objectives for establishing a framework by which serious wrongdoing may be reported and the subsequent protections afforded to the Protected Disclosures (Protection of Whistleblowers) Act 2022.

The policy aims to encourage the reporting of suspected or actual wrongdoing, conducted by or associated with Central Otago District Council. This policy shall assist in the identification of risks associated with the breach of policy and aims to protect the Whistleblower from retaliation which may arise as a result of the report concerning suspected wrongdoing.

Principles and objectives

The key principles which guide activity under this policy are:

- **Transparency** – This policy promotes transparency by allowing employees to report serious wrongdoing without fear of reprisal. The report maker has the right to be kept informed of the progress of any investigation arising from a complaint;
- **Fairness** – All employees will be treated fairly and equally regardless of position or length of service with Council. An employee reporting an instance of serious misconduct is entitled to anonymity;
- **Good Faith** – Any report made in good faith is entitled to the protections afforded by this policy, and this principle guides all activity under this policy. Any report that is found to have not been made in good faith may result in disciplinary action against the Whistleblower;
- **Safety** – Activity under this policy should be conducted in a manner which recognises the rights of both the Whistleblower and the subject of any serious wrongdoing. The safety of all parties must be ensured, and an employee must not be compromised through making a report under this policy.



The objectives of this policy are to:

- Facilitate the disclosure and investigation of serious wrongdoing at Central Otago District Council
- Protect employees who make disclosures of serious wrongdoing

Scope

This policy applies to all Central Otago District Council employees and Elected Members wishing to report cases of serious wrongdoing. For the avoidance of any doubt, any reference to employees or staff in this policy shall include:

- An organisation's former employees, volunteers, employees, persons seconded to Council and as appropriate, contractors (individuals, contractor staff, sub-contractors or affiliated persons with third parties) members of the public and/or other parties with a business relationship with the Council, including Council-controlled Organisations.

Definitions

Word or phrase	Definition
Serious wrongdoing	<p>Serious wrongdoing includes any instances of the following:</p> <ul style="list-style-type: none"> • An unlawful use of public funds or resources; or • An act or omission constituting a serious risk to public health or safety or the environment; or • An act or omission that constitutes a serious risk to the maintenance of law; or • An act or omission that constitutes an offence; or • An act or omission by a public official that is oppressive, improperly discriminatory, grossly negligent or that constitutes gross mismanagement. • Any other instances as specified in the Act.



Policy

Reporting

- Reports can be made in several ways, either internally (e.g. to the Executive Manager – Corporate Services or to the Chief Executive Officer) or externally through the Office of the Ombudsman.
- Employees are encouraged to lodge a report if they suspect serious wrongdoing may have occurred. Relevant supporting information should be supplied when making a report.
- If the Whistleblower wishes to remain anonymous, they may contact the Chair of the Audit and Risk Committee or the Office of the Auditor General.
- In the event that a report of serious wrongdoing relates to a member of the Executive Team or the Chief Executive Officer, then the matter shall be referred to the Chair of the Audit and Risk Committee.
- In the event a report is made, and the complaint falls short of serious wrongdoing, the protections under the policy may not be available, however the complaint may still merit investigation. Complaints falling outside the definition of serious wrongdoing will be examined under usual disciplinary procedures.

Protections

- An employee who reports serious wrongdoing under this policy can claim protection under the Protected Disclosures Act 2000, provided they:
 - Believe the information they are reporting is true or have reasonable grounds to suspect that it is true; and
 - The information is provided in good faith; and
 - They wish for the matter to be investigated; and
 - Want disclosure of that information protected.
- Employees who meet the above criteria are afforded the following protections:
 - No civil, criminal or disciplinary proceedings can be taken against them for making a protected disclosure; and
 - An employee who suffers retaliatory action by their employer for making a protected disclosure may be able to take personal grievance proceedings.
- An employee who makes a protected disclosure has the right to anonymity unless:
 - The employee consents in writing to the disclosure of their identity; or
 - The disclosure of identifying information:
 - is essential to the effective investigation of the protected disclosure; or
 - is essential to prevent serious risk to public health, safety or the environment;or
 - is essential in the interests of transparency and fairness; or



- the concern is raised with a lawyer for the purpose of obtaining legal advice or representation.
- Disclosers are able to access a support person through People and Culture and access all other forms of support as laid out in Act. People and Culture to provide internal support or offer external support including EAP (Employee Assistance Programme) or similar.

Investigations

- Council shall ensure the fair treatment of any employee referred to in a report.
- Investigations will vary depending on the nature of the serious wrongdoing alleged in the report. Within 20 working days of disclosure, a decision on the scale of investigation must be made by the appropriate personnel.
- If warranted, the Chief Executive Officer or the Chair of the Audit and Risk Committee will arrange for a full investigation to be undertaken.
- Any employee who is the subject of a report will be given a reasonable opportunity to respond to the report findings and is entitled to be represented in any discussions relating to an adverse report.

The Ombudsman

- The Protected Disclosures Act 2000 allows for The Ombudsman to receive complaints of serious wrongdoing and provide guidance to organisations investigating cases of serious wrongdoing.

Any employee concerned with the process or outcome of an investigation may refer the matter to The Ombudsman for review.

Relevant legislation

- Protected Disclosures (Protection of Whistleblowers) Act 2022

Related documents

- Central Otago District Council Fraud, Bribery and Corruption Policy
- Central Otago District Council Fraud, Bribery and Corruption Process
- Central Otago District Council Sensitive Expenditure Policy
- Central Otago District Council Staff Interests Policy
- Central Otago District Council House Rules



Document management control

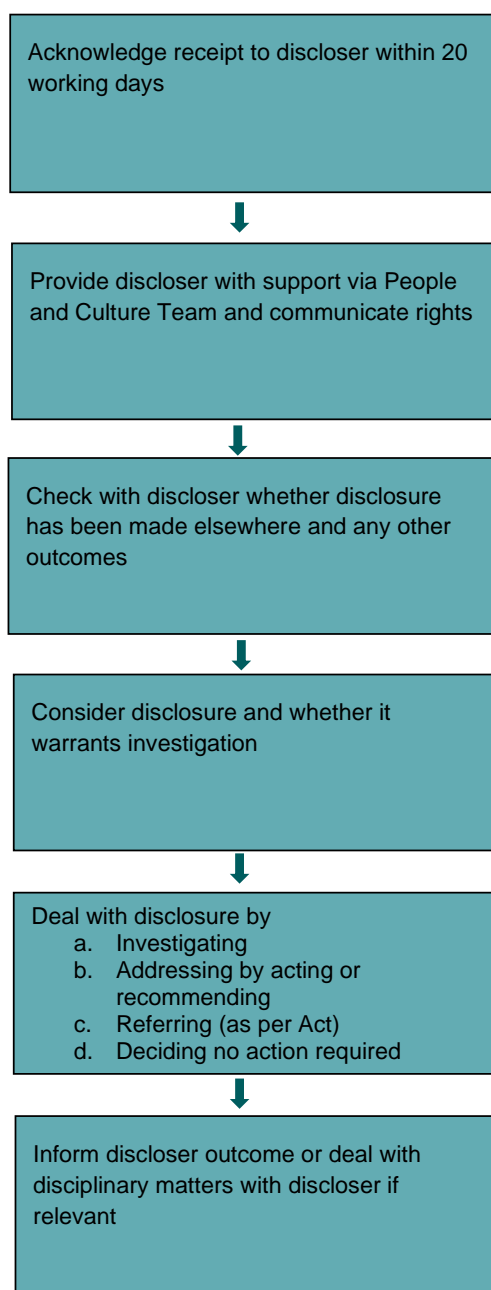
Prepared by: Business Risk and Procurement Manager

File Location Reference: 445967

Date Issued: 18 May 2020



Appendix 1 – Process as Receiver



22.3.4 RISK MANAGEMENT POLICY REVIEW

Doc ID: 592435

1. Purpose

To provide an update on the review of the Risk Management Policy.

Recommendations

That the report be received.

2. Discussion

The Risk Management Policy ensures an integrated, structured, and coordinated approach to operational risk management throughout all business functions and activities.

It is reviewed annually to ensure it remains consistent with changes to legislation and fit for organisational activities.

It was last reviewed on 26 August 2021.

A soft review began in August 2022. The review included discussion with activity managers regarding the practical application of the policy, an environmental scan of trends and other council experiences, and feedback from auditors as part of the annual review process.

Operational staff feedback on the policy was positive with no changes suggested.

The policy is heavily based on the International Organisation for Standard 31000 Standard from 2009. This standard was replaced in 2018. The new standard aims to keep risk management simple by delivering a clearer, shorter, and more concise guide. Further updates include:

- A focus on leadership by top management and their responsibility to ensure risk management is integrated into all activities, particularly governance.
- Greater emphasis on the iterative nature of risk management – or the ongoing feedback loop – drawing on new experiences to review and update the approach
- A greater focus on an open systems model that exchanges feedback with its external environment.

A review of the policy against the 2018 update found the policy to be generally consistent. Risk has been embedded across the organisation and there has been a focus, by top management, on ensuring appropriate governance structures are in place.

Presently, staff are following the policy. There could be a greater focus on the interactive nature of risk, with staff experience formally feeding into the review process, in line with the 2018 update to ISO 31000.

It is recommended the policy be readopted for a further twelve months in its current form, with references to the 2009 standard updated. Minor text updates have also been made.

A new Executive Leader has been appointed to the role of General Manager – Business Support, including the risk management portfolio. This provides an opportunity for a greater focus on staff interaction with risk processes as the next step in the evolution of this policy suite.

This paper seeks the input of the Audit and Risk Committee on the policy. These recommendations will then be taken to Council with a request to readopt the policy for a further twelve-month period.

3. Attachments

Appendix 1 - Risk Management Policy [↓](#)

Report author:



Alix Crosbie
Senior Strategy Advisor
29/08/2022

Reviewed and authorised by:



Louise van der Voort
Acting Chief Executive Officer
20/09/2022



Risk management policy

Department:	Risk and Procurement
Document ID:	500614
Approved by:	Council – X September 2022
Effective date:	X September 2022
Next review:	X September 2025

Purpose

Risk management is an integral aspect of Central Otago District Council operations.

Effective risk management ensures an integrated, structured and coordinated approach to operational risk management throughout all business functions and activities across the organisation. Risk cannot be eliminated entirely; however, it must be clearly understood, ensuring that any risks taken are appropriate for both the business activity and the business level.

This policy aims to support Council's objectives, providing assurance to both Council and the Audit and Risk Committee that risks are being managed appropriately and in line with objectives and the Council's risk appetite.

This policy is in line with the standards of best practice established by the AS/NZS ISO31000:2018 *Risk Management – Principles and Guidelines*. This shall be achieved through the continual implementation of risk management throughout processes within the organisation and creating a strong organisational risk aware culture.

Principles and objectives

Central Otago District Council's risk management processes are applied in accordance with the following objectives.

- Embed a consistent risk management process with the implementation of a common approach to the identification, assessment, treating and monitoring of risks;
- Provide protection and continuity of core business activities;
- Promote a risk aware culture whereby all employees assume responsibility and proactively manage risk through sound decision making in their day to day activities;
- Define and establish clear responsibilities and structures to ensure risk management practices are incorporated into strategic, operational and project planning and review processes;



- Establish a consistent, clear framework to provide assurance that material risks are identified, regularly reviewed, monitored and managed to an acceptable level, in an open and transparent manner.

Scope

This policy applies to all business, service or activity conducted by Council and all employees of Council.

For the avoidance of any doubt, any reference to employees or staff in this policy include:

- the organisation's employees
- volunteers
- persons seconded to council
- contractors.

Specific risk management policies, procedures and/or guidelines relating to specialised areas remain consistent with the broad directions in this policy.

Definitions

Word or phrase	Definition
Risk	The effect of uncertainty on objectives (adopted from the AS/NZS ISO 31000-2018 Risk Management Standard). Risk may be something unexpectedly occurring which impacts negatively upon council's strategic objectives. Risk is assessed in terms of likelihood and consequence.
Risk Assessment	The overall process of risk identification, risk analysis and risk evaluation.
Risk Management	An enabling function which adds value to the organisation, increasing the probability of success in achieving strategic objectives. Risk management aims to decrease the potential for legal liability and managing uncertainty; creating an organisation wide environment where the unexpected is minimal and, should it occur, the consequences may be managed effectively.



Word or phrase	Definition
Risk Management Framework	The set of components which provide foundations for designing, implementing, monitoring, reviewing and continually improving risk management within the organisation. Components include the Risk Management Policy, Process, Risk Registers.
Risk Management Process	The systematic and consistent application of policies, processes and practices of establishing the context, identifying, analysing, evaluating, communicating, treating, monitoring and reviewing risk.
Risk Register	A documented record of risks identified. This includes a description of risk, controls, risk levels and treatment plans.
Risk Appetite	The level of risk that council is willing to accept in pursuit of its strategic objectives.
Risk Tolerance	A measure of the level of risk an organization is willing to accept, used as a key criterion when making risk-based decisions.
Risk Owner	The position with authority and accountability for managing a specific risk and any associated risk controls.

Roles and responsibilities

All staff

Risk Management is the responsibility of all Central Otago District Council staff. The process of identifying and managing risk should underpin all council functions to insure transparency, authority and accountability. To remain effective, both the Risk Management Policy and Framework must be supported by an organisation-wide risk aware culture which will better enable council to achieve strategic goals.



Specific duties by role

To support the Risk Management Framework and ensure an appropriate degree of oversight, transparency and accountability in risk management practices around the organisation, the roles and responsibilities have been outlined in *Appendix One: Risk Management Roles and Responsibilities*.

Policy

Central Otago District Council shall maintain an effective and relevant Risk Management Framework, ensuring a structured, consistent and systematic approach to risk management across the organisation. Risk management documents shall remain relevant to the organisational culture, business objectives and organisational strategies, remaining applicable to all areas and in keeping with Council's risk appetite.

Core Principles

Central Otago District Council establish, implement, maintain and monitor effective risk management processes aligned with the principles and processes described within AS/NZS ISO31000:2018 *Risk Management – Principles and Guidelines*. The following core principles are the foundation for Council Risk Management Processes.

- Facilitation of a risk-aware culture which is integrated into all critical planning and decision-making activities;
- Systematic, structured, transparent, informed and inclusive processes with the engagement of all relevant stakeholders, both internal and external where appropriate, contributing to risk discussions;
- Identifying, assessing, treating and monitoring risks throughout the organisation;
- Recognising and integrating strategic, operational, human and cultural factors into processes;
- Maintaining dynamic and customisable yet resilient risk management processes which are responsive, adapting to a changing environment and Council's risk appetite in a timely manner;
- Reduce the likelihood of negative impacts on Council's strategic directives/objectives by obtaining the best possible information to base decisions from;
- Recognise, respect and support human and cultural factors which may influence risk management decisions.
- The Central Otago District Council Risk Management Framework includes but is not limited to the following:
 - Central Otago District Council Risk Management Policy – provides guidance and a foundation for the management of risk.



- Central Otago District Council Risk Management Process – provides guidance on identification of potential threats to an organisation and defines the strategy for eliminating, mitigating and/or minimising the impact of these risks, as well as processes to effectively monitor and evaluate this strategy.
- Central Otago District Council Strategic Risk Register – register of the organisations strategic and operational risk, with the inclusion of risk ratings and management/treatment plans.
- Central Otago District Council Group Risk Register – risk Register for each business area with the inclusion of risk ratings and management/treatment plans.
- Audit and Risk Committee – the overarching governance body assisting and advising Council in meeting the responsibility and ownership of governance, risk management and internal controls to achieve strategic objectives.
- Relevant information, training and educational activities for the ongoing improvement of risk management processes.
- Informed decisions are to be made based on a comprehensive understanding of the risks involved; It is acknowledged that some risks must be accepted in the achievement of strategic objectives.

Risk Reporting

Reporting of risk is an integral aspect of effective risk management, aiming to support the understanding of risk at all levels - to improve decision making, day to day operations and the achievement of objectives. Risk reporting is a fluid and constantly evolving process.

Risk reporting should focus on the change to the risk profile, outlining any emerging or potential risks which may require escalation.

Risk reports are prepared annually for the Executive Team and bi-annually for the Audit and Risk Committee. Risk management includes continual communications with both internal and external stakeholders.

Risk reporting details the following.

- Risks which stand outside accepted tolerance levels
- Escalating risks
- Emerging risks
- Significant project risks.

Comprehensive reporting on significant risks contributes to effective governance.



Relevant legislation

AS/NZS ISO 31000:2018 Risk Management – Principles and Guidelines

Reporting and Monitoring

The policy is reviewed every three years or as required.

Related documents

- Staff Interest Policy
- Fraud, Bribery and Corruption Policy
- Fraud, Bribery and Corruption Process
- Protected Disclosure (Whistle blower) Policy
- Delegations Policy
- Register of Interest

Document Management Control:

Prepared by: Business Risk and Procurement Manager

File Location Reference: 500614

Date Issued: 26 August 2020

Attachments

- | | |
|-----------------|--|
| Appendix One: | Risk Management Roles and Responsibilities |
| Appendix Two: | Risk Likelihood Table |
| Appendix Three: | Risk Consequence Table |
| Appendix Four: | Risk Matrix |



Appendix One

Risk Management Roles and Responsibilities

Position	Roles and Responsibilities
Audit and Risk Committee	<ul style="list-style-type: none"> The Audit and Risk Committee provides governance and oversight in the areas of audit and risk to ensure appropriate systems and best practices are delivered throughout the organisation and its activities. Ensure that strategic planning and business operations are achieved within an effective Risk Management Framework. Review and recommend approval of risk management frameworks, risk-related policies, the Risk-Register and review risk treatment options for critical risks. Supervise Corporate Risk Registers Monitor and review the risk management practices, systems and processes adopted by Council to ensure these remain relevant and appropriate. Monitor Council's risk appetite and exposure and recommend to Council any pre-emptive or corrective actions in respect of risk management frameworks, the Risk Register and risk-related policies. Approve and monitor the internal auditor's annual workplan, ensuring an adequate response to corrective actions are assumed and implemented.
Council	<ul style="list-style-type: none"> Nominate members for the Audit and Risk Committee. Confirm appropriate risk governance and management frameworks are in place, ensuring risks are appropriately managed, aiding in the achievement of Council's strategic objectives. Receive and evaluate reports from the Audit and Risk Committee.
Chief Executive Officer	<ul style="list-style-type: none"> Lead and promote a risk-aware culture across the organisation. Ensure overall accountability, authority and resources for managing risks within management and operational areas. Champion a strong risk management culture across the organisation. Report critical risks to Council with treatment options.
Executive Manager – Corporate Services	<ul style="list-style-type: none"> Oversee the development and implementation of the Risk Management Policy and Risk Management Framework. Ensure that the Risk Framework and Corporate Risk Register are regularly reviewed and maintained and inform the development and effectiveness of risk controls and management plans implemented.



Position	Roles and Responsibilities
	<ul style="list-style-type: none"> • Ensure appropriate reporting to the Audit and Risk Subcommittee and Council. • Receive disclosures from all members of staff relating to risk concerns or issues. • Review tracking of risks against the Risk Appetite tolerance limits.
Executive Team	<ul style="list-style-type: none"> • Champion a strong risk management culture across all of Council. • Maintain situational awareness of council-wide risk exposure, priorities and risk management activities. • Ensure the effective implementation of the organisation-wide Risk Management Framework and promote a risk-aware culture across the organisation. • Develop and maintain an effective Risk Management Policy. • Facilitate the identification, management and monitoring of the organisations Strategic and Operational Risks. • Undertake (at a minimum) a six-monthly review of the Corporate Risk Register, and the appropriateness of all Strategic Risk ratings, priorities, controls and management plans. • Monitor relevant Group Risk Register/s and ensure the appropriateness of all associated risk ratings, priorities, controls and management plans. • To facilitate the management of organisation-wide risks and risk management training.
Business Risk and Procurement Manager	<ul style="list-style-type: none"> • Responsible for the maintenance of the Risk Management Framework. • Support the development and provision of risk training and awareness-raising activities across the organisation. • Facilitate (at a minimum) a six-monthly review of the Corporate Risk Register, and inform associated risk ratings, priorities, controls and management plans. • Support the development of relevant business (BAU, project, contract) risk registers and appropriate risk management plans, activities and priorities, including providing specialist advice in relation to new or existing risks, appropriate management strategies and the escalation of risks. • Provide reports to, the Executive Team and the Audit and Risk Committee on Council's Strategic and Operational Risk exposure, to ensure effective oversight and assurance of all business risk management activities. • Alongside the Audit and Risk Committee, develop and manage the delivery of Council's annual internal audit plan and activities. • Support the activities of Council's Audit and Risk Committee.



Position	Roles and Responsibilities
	<ul style="list-style-type: none"> • In conjunction with the Executive Team, develop and review the Risk Management Policy and Risk Management Framework. • Receive disclosures from all members of staff relating to risk concerns or issues.
Managers	<ul style="list-style-type: none"> • Champion a risk-aware culture across the organisation and their group and drive implementation of the Risk Management Framework. • Develop and maintain relevant business (BAU, project, contract) risk registers and appropriate risk management plans, activities and priorities. • Implement risk management practices within relevant business areas. This includes ensuring that all operational risks are effectively identified, managed, reviewed and updated regularly. • Report all risks with a residual risk rating of high and critical to the Group Manager and/or Business Risk and Procurement Manager for review. • Prioritise resources, time and budget to those risks rated high and very high; and implement appropriate risk controls or business improvement activities. • Facilitate the identification, management and monitoring of Council's Strategic and Operational Risks, ensuring Risk Management is incorporated into the planning and delivery of the Council's core strategic and business activities. • Undertake (at a minimum) a six-monthly review of the Corporate Risk Register, and the appropriateness of all Operational Risk ratings, priorities, controls and management plans. • Develop and monitor respective Group Risk Register/s and ensure the appropriateness of all associated risk ratings, priorities, controls and management plans. • Alongside the Business Risk and Procurement Manager, facilitate the delivery of the annual internal audit plan and activities, and appropriate corrective or business improvement activities within their group.
All Staff	<ul style="list-style-type: none"> • To maintain awareness of risks, risk management and processes associated with risk management. • Ensure compliance with the Risk Management Policy. • Apply risk management practices in all day-to-day business activities. This involves systematically identifying, assessing and treating risks in accordance with the Risk Management Framework. • Ensure that risk management reporting is appropriately undertaken and advise their Manager, or the Business Risk and Procurement Manager of any risks residually rated as high or critical or that they believe require attention.



Position	Roles and Responsibilities
	<ul style="list-style-type: none"> Maintain an awareness of current and potential/emerging risks that relate to their area of responsibility. Support the implementation of risk mitigation.

Appendix two

Risk Likelihood Table

Score	Rating	Probability	Frequency	Likelihood Criteria
5	Almost Certain	>90%	Frequency of more than once a year	<ul style="list-style-type: none"> Is expected to occur Definite probability
4	Likely	60% - 90%	Frequency of occurring once a year	<ul style="list-style-type: none"> Will probably occur
3	Moderate	20% - 60%	Frequency of occurring once every 5 years	<ul style="list-style-type: none"> Could occur
2	Unlikely	5 – 20%	Frequency of occurring once in 5 -10 years	<ul style="list-style-type: none"> Not generally expected to occur The event hasn't occurred, but could
1	Rare	<5%	Once every 20 – 50 years.	<ul style="list-style-type: none"> Exceptional circumstances Improbable Small chance of the event occurring Caused by events and/or conditions previously unseen



Appendix three

Risk Consequence Table

Risk consequence category	Negligible	Minor	Moderate	Major	Extreme
	1	2	3	4	5
People and Health and Safety	No injury/harm. A possible near miss.	Minor injury or harm. Medical treatment required	Moderate injury or harm. One or more persons require medical treatment.	Serious injury or harm.	One or more fatalities or permanent disability or injury.
Compliance and legal/statutory and regulatory	Negligible compliance breach. Able to be remedied without penalty or notification.	Minor compliance breaches resulting in corrective actions.	Moderate statutory or regulatory breaches resulting in formal investigation by regulatory body, Council liability and fines may be provided.	Major statutory or regulatory breaches and litigation. External investigation, litigation, fines and implications for Executive Team.	Very serious statutory or regulatory breaches and litigation Serious court enforcement, prosecution or judicial review.
Environmental	Brief, non-hazardous and short-term impact on localised natural environment or ecosystem. Minor short-term reversible damage to landscapes	Minor damage including temporary pollution or contamination of localised natural environment or ecosystem. Minor reversible damage to landscapes. Temporary reduction of one or more of species.	Widespread damage to local natural environment and ecosystems taking several years to recover and extensive restoration work. Localised reversible damage to landscapes. Moderate reduction of one or more species.	Long-term and significant damage to natural environment and ecosystems taking >5 years to recover and significant restorative work. Localised irreversible damage to landscapes. Significant reduction in one or more species.	Irreversible and extensive damage to significant natural environments and ecosystems. Widespread irreversible damage to landscapes. Permanent loss of one or more species.
Reputation and stakeholder relationship	External Reputation not affected. No effort or expense required to recover.	Adverse attention from community groups and district media – no more than 1 day.	Regional and district media attention short term (1-3 days). Partial loss of stakeholder confidence.	Nationwide media attention, more than 3 days. Significant reduction in stakeholder confidence.	Prolonged adverse national media attention. Significant long-term reduction in stakeholder confidence.



Risk consequence category	Negligible	Minor	Moderate	Major	Extreme
	1	2	3	4	5
			Negative association with CODC brand. little effort or expense required to recover.	Negative association with CODC brand. Requires effort or expense to recover and mitigate.	Potential statutory management intervention. Significant damage to CODC brand requiring urgent effort and expense to recover. Involves unplanned council time to address.
Financial	Less than 10% loss of revenue, increase in expense or liability.	Between 10% and 19% loss of revenue, increase in expense or liability.	Between 20% and 29% loss of revenue, increase in expense or liability.	Between 30% and 49% loss of revenue, increase in expense or liability.	Greater than 50% loss of revenue, increase in expense or liability.
Performance and Capability	A disruption to any service or activity that causes an inconvenience for less than 4 hours. (half a workday) Negligible performance impact.	Minor impact on the quality or delivery of services offered. Disruption to any service or activity lasting less than one day	Some impact on the quality or delivery of services offered. 1 critical service or numerous non-critical service activities which are undeliverable for a minimum of one week.	Considerable impact on the quality or delivery of services offered. Impedes the achievement of objectives. One or a number of critical activities are undeliverable for a period between 2-4 weeks.	Major impact on the quality or delivery of services or operation. Sustained inability to deliver core services. One or a number of critical services or activities are unavailable for a period of more than one month.
Assets and Infrastructure	Impairment of a non-critical asset which causes an inconvenience for less than 4 hours. Minor damage to an asset	Impairment of a non-critical asset which interrupts service delivery for less than 1 day. Damage to an asset	Damage to one or more critical assets which interrupts service delivery for at least 1 week. Damage to multiple assets	Extensive damage to one or more critical assets which interrupts service delivery for a month. Loss of an asset	Damage to multiple critical assets which interrupts service delivery for more than 1 month. Loss of multiple assets
IS Systems and Data	Non-critical systems or data	Loss of access to non-critical systems or data	Loss of access to critical systems	Loss of access to critical systems and data for	Loss of access to critical systems



Risk consequence category	Negligible	Minor	Moderate	Major	Extreme
	1	2	3	4	5
	interrupted for less than 4 hours.	for less than 1 day.	and/or data for at least 1 week.	between 2 to 4 weeks.	and data for more than 1 month.

Appendix four

Risk Matrix

Likelihood rating		Consequence rating				
		Negligible	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost certain	5	Medium	Medium	High	Critical	Critical
Likely	4	Low	Medium	High	High	Critical
Moderate	3	Low	Medium	Medium	High	Critical
Unlikely	2	Low	Low	Medium	High	High
Rare	1	Low	Low	Low	Medium	High

Likelihood rating		Consequence rating				
		Negligible	Minor	Moderate	Major	Extreme
		1	2	3	4	5
Almost certain	5	Medium (5)	High (10)	High (15)	Critical (20)	Critical (25)
Likely	4	Medium (4)	Medium (8)	High (12)	Critical (16)	Critical (20)
Moderate	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)



Unlikely	2	Low (2)	Medium (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Medium (4)	Medium (5)

Low	1 – 3
Medium	4 - 9
High	10 - 15
Critical	16 - 25

22.3.5 AUDIT NZ AND INTERNAL AUDIT UPDATE

Doc ID: 584113

1. Purpose

To consider an update on the status of the external and internal audit programme and any outstanding actions for completed internal and external audits.

Recommendations

That the report be received.

2. Discussion

Council has a legislative requirement to complete external audits of annual reports and the long-term plan through Audit New Zealand. Audit New Zealand complete a governance report on their findings and any recommendations for improvements. A schedule of actions is then created and allocated to staff to manage the completion of these recommendations.

The 2020-21 Audit New Zealand Management Report has been presented to the Audit and Risk Committee at an earlier meeting. There were six new recommendations, of which five are either completed, or pending Audit NZ to sign them off. In addition, Audit NZ identified four outstanding recommendations, of which three have been completed or closed, and one is in progress.

In addition to external audits, council carries out several internal audits annually to provide assurance over compliance and to mitigate business risks. For the 2021-22 financial year three audits have been carried out – information and records management and cyber security, along with a procurement audit. All three draft audits have been received and draft reports submitted to the September meeting.

Appendix 1 lists the outstanding tasks and any progress with the Audit NZ recommendations. Once the Committee have viewed the completed tasks these are removed from the schedule.

In addition, the internal audit programme is reviewed every three years to provide assurance over compliance and to mitigate business risks. In August 2020, Deloitte's recommended a four-year internal audit programme based on factors such as budgetary constraints, recently completed engagements and the current view of the risk landscape in the local government sector. This was then prioritised, and the Committee approved the programme of work as detailed below for the next four years (2021 – 2024) ending June 2024.

This programme will be reviewed at the December 2022 Audit and Risk Committee meeting, post the Council elections. This is to ensure this programme reflects the appropriate

priorities, and to consider whether the remaining items in red should be included in the next three-year programme.

Internal Audit Review Programme	FY 20-21	FY 21-22	FY 22-23	FY 23-24
Information and Records Management	x	✓		
Procurement		✓		
Cyber Security		✓		
Contract Management				✓
Capital Expenditure Planning and Monitoring			✓	
Health & Safety			✓	
Recruitment Review				✓
Environmental Management (including Sustainability)				
Business Continuity / Disaster Recovery				
Asset Management				
Benefits Realisation				
Legislative Compliance				

Red – denotes suggested alternative audit review options

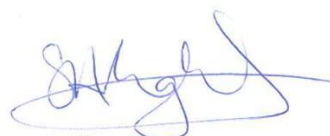
3. Attachments

Appendix 1 - Audit New Zealand - Audit Action Register [↓](#)

Appendix 2 - Draft Procurement Report - Deloitte [↓](#)

Report author:

Reviewed and authorised by:

Ann McDowall
Finance Manager
12/09/2022

Saskia Righarts
Group Manager – Business Support
13/09/2022

Audit NZ 2021 Management Report	Urgent	Necessary	Beneficial	Assigned	Estimated Completion	Status	Comments
Transfer and capitalisation of completed WIP (Work in Progress) to PPE (Property, Plant and Equipment) on a timely basis. Review of the depreciation policy	Management should expedite the process of transferring the completed WIP to PPE and should improve the processes of identifying completed projects.	Management should consider reviewing the useful lives of assets for the fully depreciated assets and for assets with depreciation rates outside the range specified in the accounting policy Management should consider updating the process to remove the risk of self-review when posting journal entries.		Finance Manager	30-Dec-22	Pending Audit NZ Review	Significant work has gone into this area and it is expected that Audit NZ will see this improvement in the 2021/22 Annual Report audit
				Finance Manager	30-Jun-22	Pending Audit NZ Review	A review of the assets and depreciation rates used, will be completed before 2021-22 year end, ensuring that any assets of no value are determined and written-off if no longer in use
Review of Journals				Finance Manager	30-Jun-22	Pending Audit NZ Review	This has since been rectified. The Finance Manager and Accountant check the monthly journals, overseeing that the work completed is accurate, so this matter has since been addressed.
Review of Bank reconciliations		Management should implement a process to ensure that bank reconciliations are reviewed in a timely manner		Finance Manager	30-Jun-22	Completed	There is a process that commenced in 2020-21 financial year. Accounts Payable Officer performs the end of month (EOM) reconciliations and emails through to the Accountant to review and sign off. This is usually done within the week on the EOM processes. We do not believe this is a justified concern
Update to the sensitive expenditure policy		The updates to good practice for sensitive expenditure from Office of the Auditor-General (OAG) guidelines can be incorporated into the sensitive expenditure policy.		Finance Manager	30-Jun-22	Completed	Noted and closed.
Broader Audit Risk assessments - Contract Management - Conflicts of interest - Asset management			Management should consider establishing a contract management policy, implementing the improvement recommendations from the valuers for asset management and ensuring that the members' interest declaration register is consistent with employee interest declaration register in terms of level of detail.	Finance Manager Governance	30-Jun-23	In progress	The Contract Administration Manual while used primarily in the infrastructure department, is a Council wide manual. This manual needs to be updated but requires capacity to do so. Conflict of Interest Register – Governance to review. Asset management – noted.
Audit NZ 2020 Management Report							
Development contributions revenue recognition	Recommendation is concluded to be outstanding as there were some transactions that were identified that should not have been recognised as revenue in the 2021 financial year			Finance Manager/ Activity Managers	Reviewed annually	Closed	Revenue is reviewed as part of the end of year process, but the success of the process is reliant on the information Finance receive from the relevant activity managers. There will always be the potential for an error, meaning this is noted and should be closed
Review of reconciliation of rates		We observe that the process has been established for an independent review and reconciliations are performed. However, evidence of review was not observed.		Finance Manager	Monthly process	Completed	Process revisited and implemented. Slight glitch due to changing staff - consistently reconciled monthly but a delay in signing off by the Finance Manager
IT Control Environment			A Digital Strategy has been developed. This includes roadmaps for the District Councils' key systems, cybersecurity strategy and Information System's programme of work. The other recommendations are yet to be implemented.	Information Services Manager	31-Jul-22	Completed	<ul style="list-style-type: none"> Digital and Information Strategy went live July 2022. Information Services Steering Group went live July 2022. Information Services Risk Management form part of the Information Services Activity Management Plan.
Audit NZ 2019 Management Report							
Third party acknowledgement of Council's security policies			Introduce a formal process whereby third parties such as IT vendors or other non staff acknowledges that they have received and read CODC's Security Policies and that they understand their responsibilities to comply with the policies.	Information Services Manager	Review June 2022	In progress	On-going The Access Agreement for Information Services Vendors and Non-CODC Staff is pending the setting-up of Council Active Directory to manage the accounts in relation to the agreements.



Central Otago District Council
Procurement Review – Draft Report
September 2022





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1. Executive Summary

1.1 Introduction

Central Otago District Council ("CODC" or "Council" or "you") has requested that Deloitte undertake a review of the processes and controls in place to manage its procurement activities.

The report captures the results of the fieldwork carried out between June to August 2022, in accordance with the terms in our engagement letter dated 13 May 2022.

1.2 Background

CODC procures a wide range of goods and services to support its activities and provide levels of service to ratepayers. In the 2020/21 year, CODC incurred operational spend of \$28.9m (excluding employee costs) across goods, services and construction. The majority of expenditure is in relation to roading, property and community halls, pools, parks and cemeteries, environmental services, and water and wastewater. This has increased year-on-year as CODC continues to invest in critical infrastructure (i.e. procurement is a sizeable and important activity). Therefore, it is important that CODC has effective processes in place to help ensure that procurement activities take place in a transparent and appropriate manner.

We understand that CODC engaged a consulting firm to review and refresh its Procurement Policy in 2020. A detailed policy was produced, which is made up of 62 pages covering the following three main sections:

- Objectives - outlining the goals of CODC's procurement activities and the principles that support them;
- Plan, Source, Manage - outlining best practices and approaches that staff can take in executing procurement activities during the lifecycle; and
- Governance – outlining the governance and reporting structures in supporting CODC's procurement activities.

1.3 Overall Conclusion

We acknowledge that management have recognised the need to improve the control environment over procurement activities and have discussed their perspectives on the shortcomings of the Procurement Policy developed in 2020 (i.e. that it is due for review and parameters of high value or high risk is not clearly defined in the policy). It is also pleasing to see that the contract owners that we have interacted with during the course of review were responsive and cooperative.

Our work has also identified a number of control weaknesses within the procurement lifecycle. Our key findings are outlined below in Section 1.5.

We reviewed the policy and identified a number of sections that require further improvement and refinement (refer to Section 3.3 for detailed findings). The policy appears to us as a relatively extensive document and management should consider the practicability of it. The policy should be fit for purpose, provide sufficient and clear guidelines for staff to refer to when making any procurement decisions. We found that the policy is not widely used and not referred to when the procurement activities are being executed, resulting in an inconsistency of approach and outputs.

The absence of the key role of Business and Risk Procurement Manager has also impacted the consistency in the way procurement activities are carried out throughout the business. This position has been advertised twice but has remained vacant since January 2022. Therefore, staff from other departments are required to carry out the procurement activities themselves and there is a lack of oversight from the Procurement team.

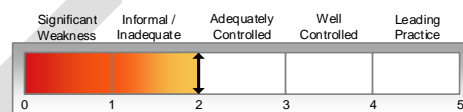
We also noted the geographical isolation of Central Otago. As a result, the number of suppliers available to CODC, especially for infrastructure projects, is limited. Despite these limitations, the overall control environment can be strengthened by ensuring robust procurement processes and controls are in place.

Based on our review of CODC's procurement activities, our overall conclusion and rating of the effectiveness of the control environment is that it is at the level of **Informal/Inadequate Controls** (as per the rating scale below). Each finding included in our report contributes to our overall assessment of the design and effectiveness of controls at the time of our review.

Overall Effectiveness

Informal/Inadequate Controls

The control environment exists but is informal or has important gaps and certain elements are below good practice or do not compare favourably to other models. The business is exposed to control failure and potential financial, operational and strategic impacts.

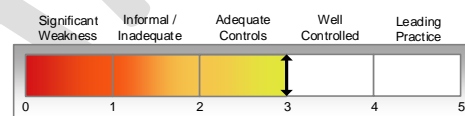


**Based on the Control Effectiveness Rating Scale as per Appendix A.*

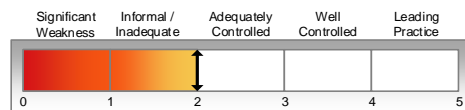
1.4 Control Objectives

Control Areas

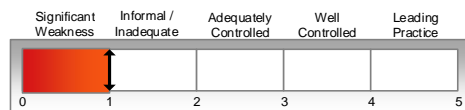
Procurement policies, manuals and procedures are clearly defined and are aligned with other CODC policies, strategy and good practice (such as the Government Procurement Rules and MBIE's Significant Service Contracts Framework).



Procurement process and decisions evidence policy compliance, robust procurement process and good practice.



Reporting on procurement activities is provided to management, such as information on the number, value and type being undertaken in each reporting period.



1.5 Summary of Findings

Findings and Risk Rating	Very High	High	Moderate	Low	Process Improvements
Number of Findings	-	2	-	-	1

**The Risk Rating Scale is outlined in Appendix B.*

Detailed findings and recommendations are set out in Section 3 of this report. A summary of our findings is below.

We identified two **high** risk findings:

i) Inconsistencies in the implementation of policy and execution of procurement activities

Our sample testing of seven contracts identified a number of inconsistencies in the way the procurement activities were carried out. We have compared the actual procurement activities executed by CODC staff against the procurement flowchart in Appendix A of the Procurement Policy, which sets out the sequence of activities that should be performed. Six key issues were identified. They are summarised in the table below:

Issues identified (i.e. non-compliance with Procurement Policy)	Number of issues identified (out of 7 samples)	Percentage of total samples
No evidence of due diligence conducted over proposed procurement supplier	6	86%
No formal risk assessment conducted for the proposed procurement project	6	86%
No procurement plan prepared	5	71%
Policy and processes not fully being adhered due to time constraint	4	57%
No evidence of conflict of interest considerations and related forms not filled out prior to awarding the procurement contract	4	57%
Conflict of interests identified but not formally documented	2	29%

It is evident that our sample of procurement decisions did not comply with the Procurement Policy – the policy failures identified relate to the basic elements of good practice with respect to procurement. Given the number of issues, it is likely that this is a pervasive problem that is present across the full population of procurement decisions. This could result in reputational damage to CODC if the procurement decisions made are perceived to be unfair and it is unable to provide evidence to show fairness and transparency in its procurement processes. There is also a higher risk of fraudulent activity taking place if proper processes are not followed.

ii) Lack of monitoring, reporting and record keeping on procurement activities

The level of monitoring and reporting of procurement contracts varies across the different business departments within CODC. This is determined by the respective departments as they see fit. The lack of a consistent approach to monitoring and reporting means CODC is at risk of incurring expenditure that is not appropriate, and they may miss red flags relating to issues that could arise.

Documentation relating to procurement processes and contracts is not stored centrally (it is held by contract owners). As documents are not stored centrally, information could be lost which puts the Council at risk of reputational damage or financial loss if they are not able to produce the documentation supporting the reasoning for its procurement decisions.

1.6 Use of Report

We have prepared this report solely for the use of CODC. The report contains constructive suggestions to improve some practices, which we identified during our review procedures. These audit procedures are designed to identify control weaknesses but cannot be relied upon to identify all weaknesses. We would be pleased to discuss any items mentioned in this report and to review the corrective action implemented by management.

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Our assessments are based on observations from our review and collaboration of evidence undertaken in the time allocated. Assessments made by our team are matched against our expectations and best practice guidelines. This includes comparison with other similar processes we have assessed. This report offers recommendations for improvements and has considered the views of management, with whom these matters have been discussed.

Acknowledgement

We take this opportunity to thank all staff at CODC who have provided assistance during the course of the review.

David Seath

Partner
for Deloitte Limited
as trustee for the Deloitte Trading Trust

2. Approach and Work Performed

2.1 Objective and Scope

The objective of this review was to assess the design and operating effectiveness of processes and controls in place to manage the procurement activities of CODC. This included compliance with policies and frameworks regarding CODC's tendering processes and requirements, its delegation of authority processes and comparison with procurement good practice relating to the procurement lifecycle.

Our scope included assessing the design and implementation of processes relating to CODC's procurement activities. The following specific controls objectives were addressed:

- Procurement policies, manuals and procedures are clearly defined and are aligned with other CODC policies, strategy and good practice (such as the Government Procurement Rules and MBIE's Significant Service Contracts Framework). In particular, policies and procedures include:
 - When and what type of procurement process is required, such as open tender, closed tender and quote;
 - When expert, legal and independent advice/probity is required.
- Procurement process and decisions evidence policy compliance, robust procurement process and good practice. This includes:
 - Clear pre-procurement planning, market analysis and understanding of business need;
 - Appropriate preventative fraud controls, i.e. conflicts of interest checks, use of probity auditor and use and make-up of evaluation panel;
 - Appropriate procurement risk assessment; and
 - Selection of procurement approach, procurement process, tender/quote evaluation, challenge and decision;
- Reporting on procurement activities is provided to management, such as information on the number, value and type being undertaken in each reporting period.

2.2 Out of Scope

The following areas were out of scope for this review:

- Supplier and contract management, including administration (for example, entry and amendment of supplier details in the supplier Masterfile and drafting of contracts), monitoring and performance evaluation;
- Benchmarking and assessing CODC's procurement strategy and CODC-wide operating model;
- Completing a procurement fraud risk assessment;
- Assessing decision making and judgements applied in selection processes;
- Reviewing controls for raising purchase orders, approving of invoices and payments; and
- Assessing assurance over the reliability of information and reporting.

2.3 Approach

Our review was performed by completing the following:

- Understood relevant policies, systems and processes through discussions with key personnel, reviewed process and procedure documentation and observed as required;
- Identified any gaps in the procurement manual and provided good practice recommendations and guidance for improvement;
- Tested a sample of 7 mixed level procurement decisions to assess compliance with policies and good practice;

Central Otago District Council | Approach and Work Performed

- Identified any material risks based on our understanding of the relevant risks and existing management environment for mitigations;
- Validated any control/process gaps and effectiveness on issues identified;
- Discussed and recommended appropriate and practical solutions with key personnel; and
- Completed and distributed a draft and final report.

DRAFT

3. Detailed Findings

3.1 Inconsistencies in the implementation of policy and execution of procurement activities

Risk Rating	High
Ease of Fix	Medium
Observations	<p>We sample tested seven contracts with a range in value from \$0.13m to \$4m. We observed that not all the processes outlined in the Procurement Policy were followed and the approach was not consistently applied to each contract or procurement decision made. The following issues were identified:</p> <ul style="list-style-type: none"> • Due diligence checks over the proposed supplier was performed for only one of the contracts. While this is not explicitly stated as a requirement in the policy (which is also raised as an improvement point in Section 3.3 below), it is imperative that due diligence checks are undertaken before entering into a contract with any supplier. • A formal risk assessment was conducted for only one of the contracts. For this contract, the risk assessment includes identification of risks, the mitigation actions and each risk were assigned with a risk owner. This is expected to be included as part of the procurement plan based on the requirements in the procurement policy. • Five of the contracts did not have a procurement plan in place. This is a requirement of the procurement policy and should be the starting point for all future actions. Reasons given for the lack of a procurement plan were: <ul style="list-style-type: none"> ○ One of the five contracts did not have a procurement plan as the planning for the procurement started in 2018, which was before the policy came into effect. This contract was delayed since then and only signed in 2021. ○ For two of the contracts, plans were not developed due to time constraints, hence approval was sought directly from Council. We also note the risk assessments performed for these two contracts were focused on the risks and impacts of not approving the contract instead of considering the overall risks (e.g. cost / benefit analysis, indicative timeline vs potential delays) of the project. ○ For the remaining two contracts, there were no specific justification for the absence of procurement plan. • For four of the contracts, time constraints were the key reason provided by contract owners for not fully complying with the required processes outlined in the policy. • Only one of the contracts had a formal conflict of interest form filled out. Two other contracts had conflicts identified, and while these were managed, it was not formally documented. For the remaining four contracts, there was no evidence that potential conflicts of interest were considered. <p>We also note that direct source is one of the allowed procurement types set out in the procurement policy, where only a single supplier is asked to submit a tender for the contract opportunity, and it is not openly advertised. Three out of the seven contracts were sourced based on this method. The justification to support that this is the preferred and appropriate method should be included in the procurement plan, however, this is not always documented.</p>

Risks	<ul style="list-style-type: none"> Without due diligence and risk assessment being performed before awarding a procurement contract, Council may enter into a contract with an unreliable supplier who does not deliver with quality or is unable to meet its contractual obligations. There is a risk that Council may not be selecting the best option of a supplier that provides value for money services and one who acts in the best interests of the community if assessments are not sufficiently performed. When policy and processes are not followed, it could be perceived as suppliers being unfairly selected which could result in reputational damage to Council. There is a risk of fraudulent activity occurring when the required processes are not followed. Examples are: <ul style="list-style-type: none"> A staff member is a silent partner or owner in the supplier's organisation, and this is not appropriately identified and managed due to incomplete conflict of interest assessment. This may compromise the decisions made as staff may be bias and abuse his or her position to award contracts in exchange for personal gain. A fictitious company is set up by staff, it enters into a contract with CODC and is providing inferior quality supplies. Red flags are not identified earlier due to the lack of due diligence and risk assessment being performed. Staff may not feel obliged to prepare a procurement plan and follow the steps set out in the Procurement Policy if time constraints are viewed as an acceptable reason for allowing processes to be by-passed. Council may fail to provide evidence to show fairness and transparency in its procurement decisions if considerations are not formally documented.
Recommendations	<p>Management should consider if the current Procurement Policy is fit for purpose and feedback should be obtained from the users of the policy. There should be involvement from staff who currently perform procurement activities to get an understanding of why the policy is not fully complied with and to gather their inputs in improving the policy.</p> <p>Once the Procurement Policy has been updated, this should be circulated to all staff across the Council. All existing tools and templates (e.g. procurement plan) should be reviewed and circulated as well to ensure consistencies moving forward. Management needs to make sure that all staff who are involved in performing procurement activities are aware of the changes made and that they know who to reach out to if they have any questions regarding these.</p> <p>Regular trainings or workshops should also be conducted to refresh the understanding of the users of policy. Management needs to set and communicate clear expectations of the procurement activities that staff needs to perform and the consequences if policy and processes are not followed. This includes ensuring due diligence checks, risk assessments and procurement plans are completed, and conflicts of interest are appropriately identified and managed. All of this should be documented.</p>
Management Response	
Person Responsible	
Due By	

3.2 Lack of monitoring, reporting and record keeping on procurement activities

Risk Rating	High
Ease of Fix	Medium
Observations	<p>We found that the level of monitoring and reporting on procurement activities varies across the different business departments within CODC. Currently the contract owner is the person responsible for monitoring and overseeing the progress of procurement contracts. The frequency, detail and audience for any reporting is dependent on the reporting requirements of specific departments (i.e. there is no consistent and organisation wide approach).</p> <p>There is no formal reporting required from the Procurement team, to provide a summary of procurement decisions made and activities performed by all departments in the quarter or defined period to management or Council.</p> <p>There is also no central repository to store all information relating to the procurement activities performed. Contracts are retained by each contract owner, and they had to be contacted separately to obtain the information we required for this review.</p>
Risks	<ul style="list-style-type: none"> • Management and Council have lack of visibility over the procurement decisions made during the reporting period. This could lead to inappropriate spending being incurred. • Management may fail to identify any issues in relation to procurement processes if there is no established reporting to regularly assess performance. • The lack of formalised and regular monitoring and reporting of procurement activities limits CODC's ability to effectively manage it as management may not have sufficient information to decide the next course of action. • There is a risk to the completeness of information if documents are not centrally sorted within CODC. This could lead to loss of key data when the contract owner leaves the business. CODC may not be able to easily retrieve the contracts and information when needed due to poor record management.
Recommendations	<ul style="list-style-type: none"> • Discuss with each department to identify the key areas and performance measurements that should be communicated to management as part of regular reporting. Once these have been determined, ensure that each department is aware of their reporting responsibilities. Examples are: <ul style="list-style-type: none"> ○ Procurement costs incurred by the department over the total cost (%) – measures the department's performance over a period of time. ○ Lead time of each contract – measures the time taken from initiation of procurement activity up to signing of contract. • Determine the frequency and extent of reporting to management and Council, this should include the key information (e.g. options that are available, nature of contract and its values) that is required to make informed decisions. Consider incorporating the results of performance measurements reported by each department identified in examples above. • Perform an annual analysis to assess the supplier concentration (e.g. analysis by type of expenditure and by department) and apply a risk-based approach (e.g. one off transaction and low value expenditure) to identify any anomalies. This is on top of the current review of top 10 suppliers to ensure sufficient coverage and considerations are made to the entire population of expenditure incurred. • Explore the option of using Sentient software to manage and monitor procurement activities across all other departments.

Central Otago District Council | Detailed Findings

	<ul style="list-style-type: none">Set up a central repository where all the documentation regarding procurement activities is stored. Develop a checklist for staff to follow, outlining the documentation that is required to be maintained on the central repository.
Management Response	
Person Responsible	
Due By	

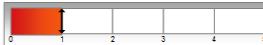

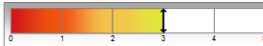
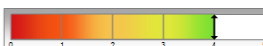
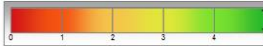
3.3 Improvements and review of the procurement policy required

Risk Rating	Process Improvement
Ease of Fix	Simple
Observations	<p>CODC's Procurement Policy is comprehensive and written in accordance with Government Procurement Rules and MBIE's Significant Service Contracts Framework. There is a total of 62 pages covering the objectives of the policy, how to plan, source and manage procurement activities and the governance of the policy. The policy was developed in 2020, approved by Council and became effective from 26 August 2020.</p> <p>From our review of the policy, it was noted that:</p> <ul style="list-style-type: none"> • The policy is due for review in August 2021. It is required to be reviewed 12 months after it was newly developed and every three years subsequently. The scheduled review in 2021 did not take place. • The use of a Probity Auditor (in page 8) and that they should be engaged when the procurement is deemed as high value, high risk or significant. The parameters are not clearly defined. • There is inconsistency within the policy, it is stated that a procurement plan is required for purchases valued at more than \$10,000 (in page 12). However, if following the flow chart (in page 32), it would indicate that a plan is only required for purchases valued at more than \$50,000. • The procurement policy includes a reference to Section 17A – Delivery of services of the Local Government Act 2002 and the need to consider reviewing this during the procurement planning phase (in page 35). This is less relevant at the early stage of procurement lifecycle but should be referred to at the monitoring phase instead. • There are incomplete sections in the policy which need to be updated. The section covering Pre-approved Suppliers (in page 22 & 39) does not have a list of panel suppliers or reference to where the information is located. There are also missing links or reference to Document ID in the Contract Register and Approval sections (in page 43 & 46). • There is no section describing the need and processes to carry out due diligence checks on potential suppliers before awarding them the contract. • There is no reference to any key personnel or contact point in the procurement policy. • The procurement flow chart (in page 32) setting out the procurement processes is low in resolution hence making it difficult to read.
Risks	<ul style="list-style-type: none"> • Incomplete or unclear policy will not provide sufficient guidance to staff, this could lead to inconsistencies of processes or outputs. • Without a clear guideline, procurement activities may not be performed and executed in line with CODC's expectations and principles. • Staff may not know who to seek clarification from when they have any questions about the policy or procurement processes if contact point details are not included.
Recommendations	<ul style="list-style-type: none"> • Replace the flowchart in the policy with a higher resolution copy. • Review CODC's obligations regarding section 17A reviews. This should be included at the monitoring phase. CODC should review all their existing service delivery contracts to ensure they are meeting their statutory obligations, in compliance with the Local Government Act 2022.

	<ul style="list-style-type: none"> • CODC should put together a list of pre-approved suppliers and include this as an appendix to the policy. This list should be regularly reviewed and if a supplier is found to be under performing, management to consider if it should be removed from the list. • Update the policy to include a section on due diligence and set out the steps that need to be undertaken. CODC should independently verify that a supplier: <ul style="list-style-type: none"> ○ is who they claim to be ○ has the financial ability to deliver ○ has the necessary capacity and capability to deliver over the life of the contract • Revisit the existing policy to make sure parameters are clearly defined, links or sections are updated and that it provides sufficient guidance to the users of policy (these should be implemented in line with recommendations raised in Section 3.1 above). • Assign the Procurement team or equivalent to be the key contact point to address any questions that staff may have in relation to the policy or execution of procurement activities. • Schedule a review of the policy by the Council.
Management Response	
Person Responsible	
Due By	

Appendix A – Control Effectiveness Rating Scale

The assessment of the entire control environment is based on our assessment of the processes as presented and the results of judgemental sample testing. The consolidated results of testing together with the appropriateness of control responses to risk form this assessment.

Description	Rating Scale Indicator
<p>1 <u>Significant Weakness</u></p> <p>The control environment either does not exist or is inadequate to manage risk related to process under review and is significantly below good practice and does not compare favourably to other models. The business is exposed to control failure and potential financial, operational and strategic impacts.</p>	
<p>2 <u>Informal/Inadequate Controls</u></p> <p>The control environment exists but is informal or has important gaps and certain elements are below good practice or do not compare favourably to other models. The business is exposed to control failure and potential financial, operational and strategic impacts.</p>	
<p>3 <u>Adequate Controls</u></p> <p>The control environment exists and we have detected some gaps and/or areas for improvement. The environment compares favourably to other models with room for improvement. The business could be exposed to control failure and potential financial and operational impacts.</p>	
<p>4 <u>Well Controlled</u></p> <p>The control environment exists and we have detected minimal gaps and/or areas for improvement. The environment compares favourably to other models. The business may be exposed to control failure and potential financial and operational impacts.</p>	
<p>5 <u>Leading Practice Controls</u></p> <p>The control environment exists and we have not detected gaps. Control applications and processes in existence exceeded better practice and are better than other models. The business is unlikely to be exposed to control failure and potential financial and operational impacts.</p>	

Appendix B – Risk Rating Scale

Risk Rating Scale

Each finding included in the report has been ranked on the basis of the risk we perceive the organisation to be exposed to.

Rating	Description
Very High	Issue represents a severe control weakness. This could cause or is causing severe disruption to process/service, or severe adverse effect on the ability to achieve objectives.
High	Issue represents a significant control weakness. This could cause or is causing significant disruption to process/service, or significant adverse effect on the ability to achieve objectives.
Moderate	Issue represents a moderate control weakness. This could cause or is causing some disruption to process/service. There may be a level of short-term tolerance due to compensating controls or remedial plans underway.
Low	Issue represents a minor control weakness. This could cause or is causing inefficiencies in process, or is a lack of formality in documentation or process.
Process Improvement	Observation represents an identified opportunity to improve process/service efficiency.

Ease of Fix Rating

Deloitte's estimation of the effort required to fix the finding raised is based on our previous experiences with resolving similar findings at similar organisations. This is intended as a guide only. You should undertake your own assessment to determine the actual level of effort required.

Rating	Description
Simple	There is a simple fix for this finding, which may involve minor system changes that require limited effort to implement or test, minor costs to resolve, or minor changes to system design or business processes. Estimated timeframe for fix to be implemented is within one to three months.
Medium	There is a moderately complex fix for this finding, which may involve some time to develop, implement and test, some cost to resolve, or some changes to system design or business processes. Estimated timeframe for fix to be implemented is within three to six months.
Complex	The solution is complex and may involve substantial time to develop, implement and test, substantial monetary cost to resolve, or substantial changes to system design or business processes. Estimated timeframe for fix to be implemented is in less than 12 to 18 months.

Statement of Responsibility

The procedures that we performed did not constitute an assurance engagement in accordance with New Zealand Standards for Assurance engagements, nor did it represent any form of audit under New Zealand Standards on Auditing, and consequently, no assurance conclusion or audit opinion is provided. The work was performed subject to the following limitations:

- Our assessments are based on observations from our review and sample testing undertaken in the time allocated. Assessments made by our team are matched against our expectations and best practice guidelines. This includes comparison with other similar processes we have assessed. This report offers recommendations for improvements and has taken into account the views of management, with whom these matters have been discussed.
- Because of the inherent limitations of any internal control structure, it is possible that errors or irregularities may occur and not be detected. The procedures were not designed to detect all weaknesses in control procedures as they were not performed continuously throughout the period and the tests performed are on a sample basis.
- Any projection of the evaluation of the control procedures to future periods is subject to the risk that the systems may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.
- The matters raised in the deliverable are only those which came to our attention during the course of performing our procedures and are not necessarily a comprehensive statement of all the weaknesses that exist or improvements that might be made. We cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect irregularities, including fraud. Accordingly, management should not rely on our deliverable to identify all weaknesses that may exist in the systems and procedures under examination, or potential instances of non-compliance that may exist.

We have prepared this report solely for the use of CODC. The report contains constructive suggestions to improve some practices which we identified in the course of our review procedures. These procedures are designed to identify control weaknesses but cannot be relied upon to identify all weaknesses. We would be pleased to discuss any items mentioned in this report and to review the corrective action implemented by management.

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22.3.6 HEALTH, SAFETY & WELLBEING REPORT

Doc ID: 592915

1. Purpose

To provide an update on health, safety and wellbeing performance at Central Otago District Council.

Recommendations

That the report be received.

2. Discussion

2.1 Reporting period

This report covers the period 1 April 2022- 31 July 2022.

2.2 Health, Safety and Wellbeing Advisor Summary

COVID-19 management has become less operationally significant. Council offices have returned to full capacity. Although there has been some operational pressure due to sickness absence, this leave has been managed through the business-as-usual leave management process.

Chemical and hazardous substances management have become a focal point during this reporting period. Health and Safety is working with activity managers to improve our oversight in this area. This is further explained in section 2.3.

There was a notifiable injury reported to WorkSafe during this reporting period. A worker cut a tendon in their hand while cutting hose pipe. The worker returned to work after two days' absence. This injury is summarised in section 2.4.4.

Council is seeking proposals from audit and assurance providers for a Health and Safety Management System audit planned for early 2023.

This report includes accessible descriptions of graphs.

2.3 Critical risk

This section sets out the steps taken to manage the risks that could cause serious harm or death during the reporting period.

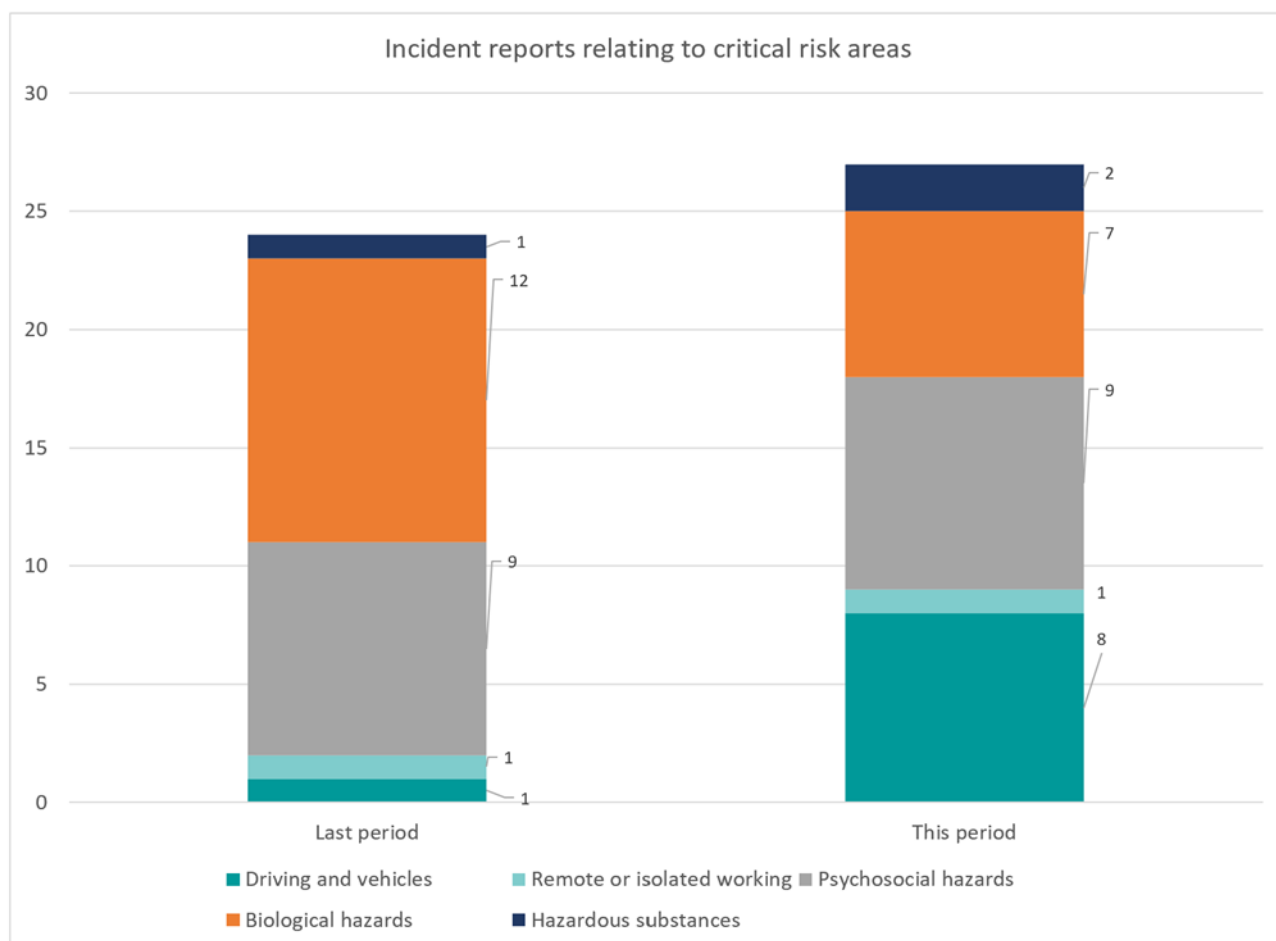
Critical risk	Existing controls	New or upcoming controls
Driving and vehicles	<ul style="list-style-type: none"> Vehicle user policy E-roads in fleet vehicles 5-star ANCAP rated vehicles Driver licencing and approval Fleet inductions Safe driver recognition 	<ul style="list-style-type: none"> Winter driving training held for new-to-district workers Role-specific risk assessments in progress
Remote or isolated working	<ul style="list-style-type: none"> Working from Home Policy Panic buttons and duress procedures Work plans Mobile phones Buddy/pair working procedures 	<ul style="list-style-type: none"> Lone worker app procurement in progress Lone, remote and isolated working policy in progress Role-specific risk assessments in progress
Psychosocial hazards	<ul style="list-style-type: none"> Employee Assistance Programme (EAP) Wellbeing programme Regular 1:1s and performance management guidance Training and development Equal Employment Opportunities (EEO), Discrimination, Harassment and Bullying Policy Performance management Policy Return to work/fit for work programme De-escalation training 	<ul style="list-style-type: none"> My Everyday Wellbeing – wellbeing platform and programme Role-specific risk assessments in progress
Biological hazards	<ul style="list-style-type: none"> High-risk vaccination programme Physical barriers and work environment planning Personal Protective Equipment (PPE) Voluntary vaccinations 	<ul style="list-style-type: none"> Health monitoring and occupational vaccination policy in research and draft phase Role-specific risk assessments in progress
Hazardous substances	<ul style="list-style-type: none"> Safety Data Sheets (SDS) Third-party reports for Aquatics plant room On-site storage is kept at minimum Pre-qualification checks for contractors Records of training are maintained Fire schemes updated with FENZ (chemical register) 	<ul style="list-style-type: none"> Reviewing onsite storage of hazardous substances by external consultant Condensed SDS development with peer review by external chemical consultant Suitable chemical training has been identified and scheduled Review of chemical registers across all

		<p>worksites (exc. evacuation scheme worksites where a register is already provided to FENZ)</p> <ul style="list-style-type: none"> • Site-specific safety plans are being completed by Water and Solid Waste teams • Scoping to update our Health and Safety Information System to allow centralised substance record keeping
--	--	--

Table 1. Critical risks register with new and current controls.

There were 45 incident reports submitted during the reporting period. 26 reports (58%) related to one or more areas of critical risk. Graph 1, below, illustrates how the reports are distributed across critical risk areas.

There was a marked increase in the number of reported incidents relating to driving or vehicles (+7 reports). These reports were made by contractors and employees.



Graph 1. Incident reports relating to critical risk areas comparing the last reporting period to this period. **Last period (Jan-Mar 22):** total reports (n=24): driving and vehicles (8), remote or isolated working (1), psychosocial hazards (9), biological hazards (12), hazardous substances (1). **This period (Apr-Jul 22):** total reports (n=26): driving and vehicles (8), remote or isolated working (1), psychosocial hazards (9), biological hazards (7), hazardous substances (2).

An incident report may be included in more than one critical risk area. Affected persons include employees, contractors and the public.

2.4 Occupational health

Flu vaccination

15% of staff (32) took up flu vaccination through council vaccination clinics between April and Jun 2022.

Early intervention

Council made two early-intervention referrals to occupational health providers during the reporting period. Early-intervention allows employees to address work-related pain or discomfort before it becomes an injury.

2.4 Incidents and injuries

There were 45 incident reports (-6) submitted during the reporting period.

There was one notifiable event during the reporting period. This laceration injury is outlined in section 2.4.4.

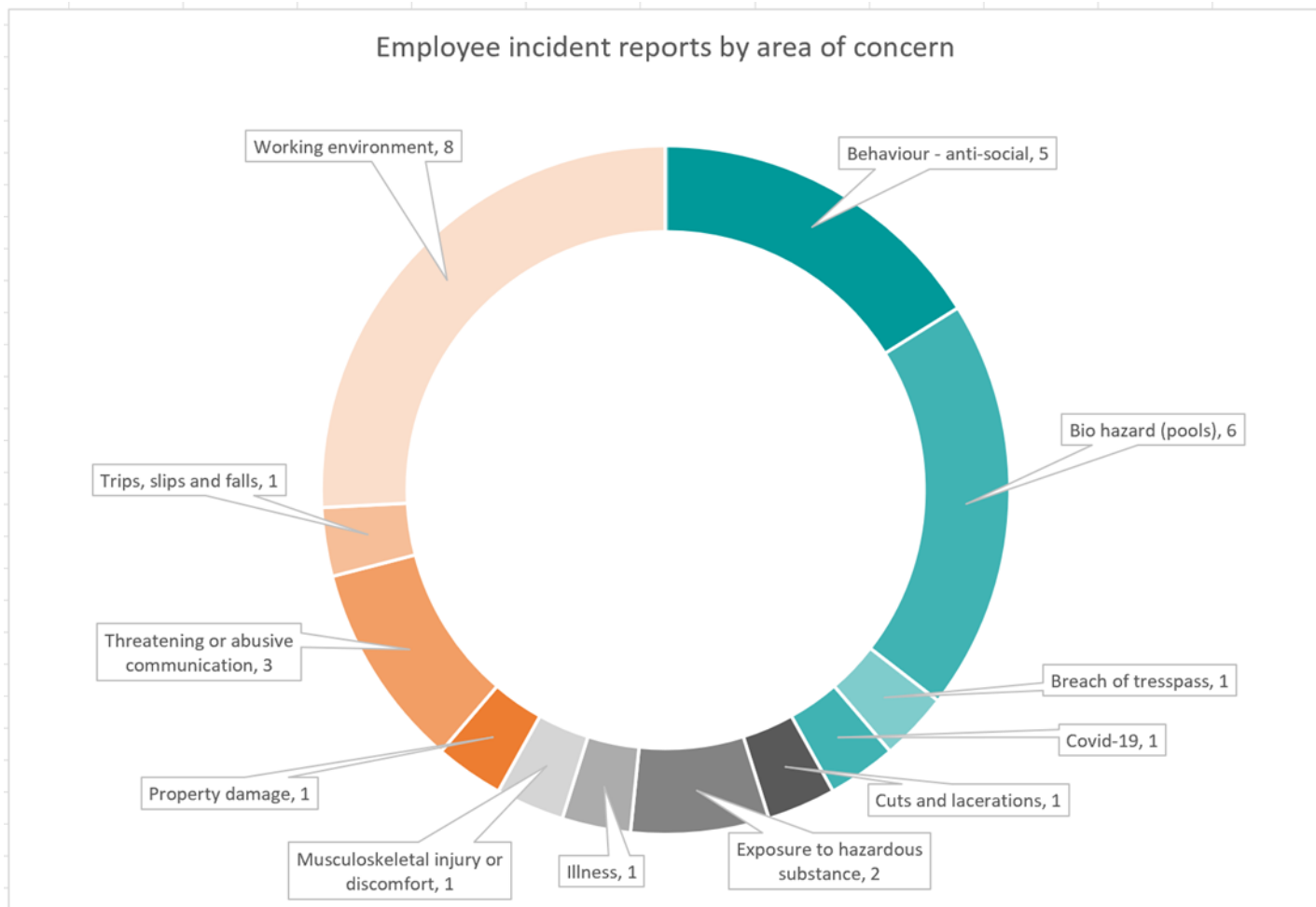
Severity rating	Business as Usual	Category 1	Category 2	Category 3
Risk consequence rating	Negligible or minor	Moderate	Major	Extreme
No. of incident reports	41	2	2	0

Table 2. Severity rating for all incident reports Apr-Jul 22.

2.4.1 Employee incidents

69% (31) of incident reports affected employees. Graph 2 shows the areas of concern employees are reporting.

Working environment had an increase in reports (+7 from last period). This category includes a series of reports of speeding in the Kelvin Street carpark by public. The Property and Roading teams are working together on a solution for this concern.



Graph 2. Employee incident reports by area of concern. Total reports (n=31). Behaviour – anti-social (5), biohazards (pools) (6), breach of trespass (1), Covid-19 (1), cuts and lacerations (1), exposure to hazardous substances (2), illness (1), musculoskeletal injuries or discomfort (1), property damage (1), threatening or abusive communication (3), trips, slips and falls (1), working environment (8).

Recordable injuries

Recordable injuries include all fatalities, lost time injuries (LTI), medical treatment injuries (MTI), restricted duties, first aid injuries (FAI) and non-treatment injuries.

There were four recordable injuries affecting employees during the reporting period.

Reporting period	Non-treatment injury	FAI	MTI	Restricted duties	LTI	Fatality	Total recordable injuries
July-Sept 21	2	1	0	0	0	0	3
Oct-Dec 21	5	1	2	0	0	0	8
Jan-Mar 22	1	0	0	0	0	0	1
Apr-Jul 22	1	0	0	1	2	0	4

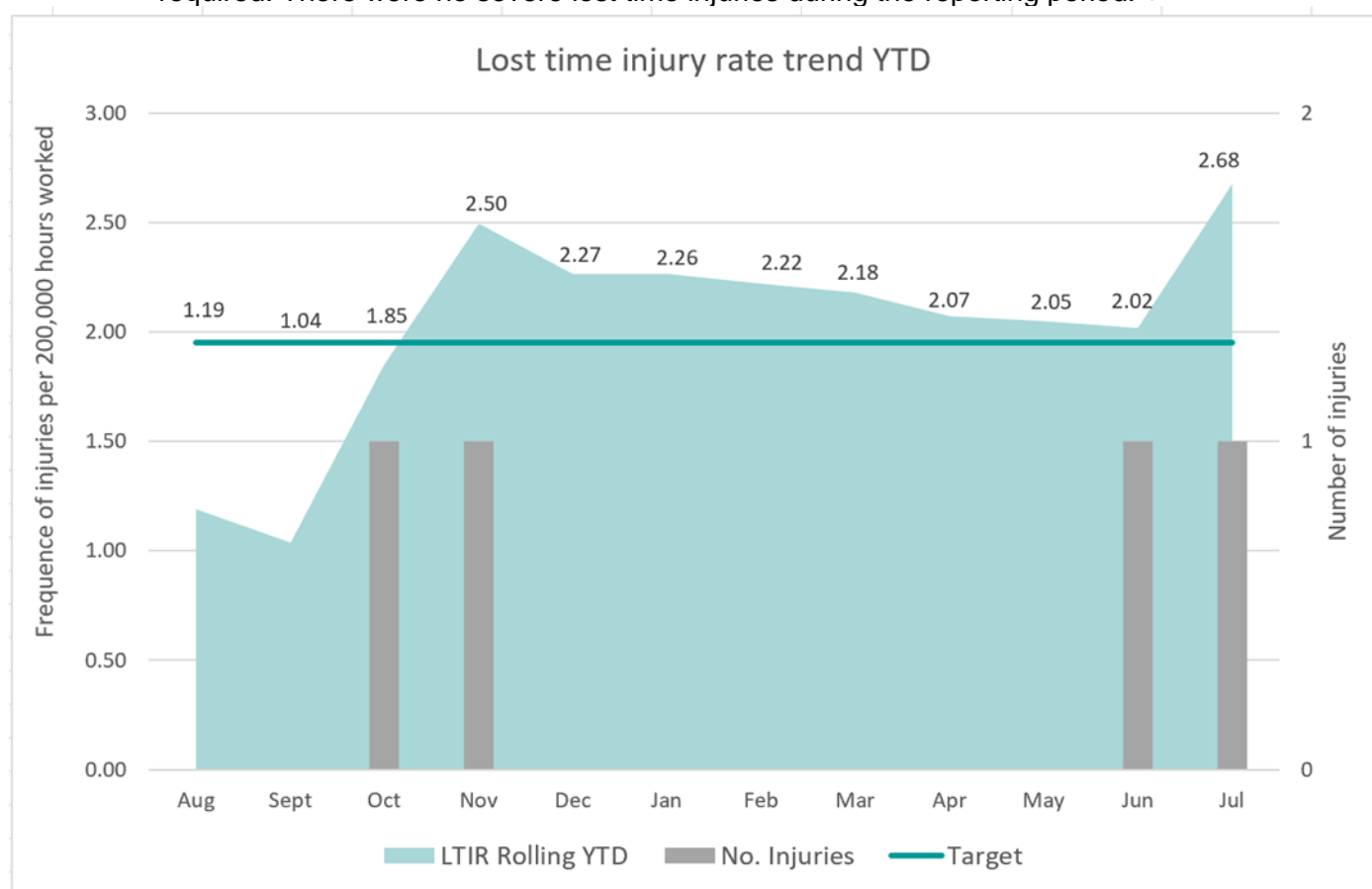
Table 3. Recordable injuries (employees). Note: the reporting period Apr-Jul 22 is one month longer than previous reports.

Lost time injury frequency rate

Lost time injury frequency rate only includes lost time injuries.

During the reporting period, Council's LTIR increased from 2.18 to 2.68. This is above the target of 1.95.

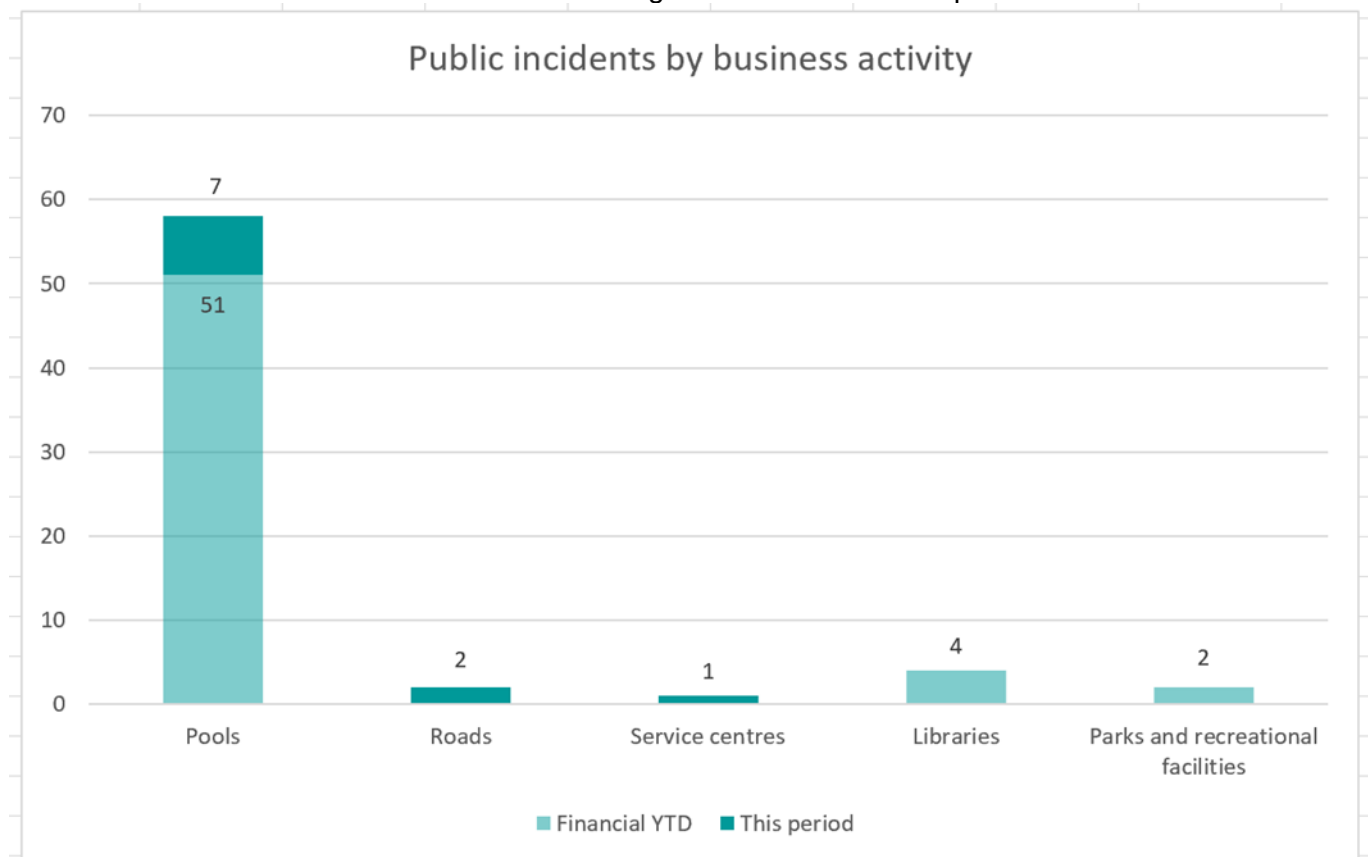
A severe lost time injury is an injury where more than 3 days absence from work is required. There were no severe lost time injuries during the reporting period. +



Graph 3. Lost time injury trends (rolling YTD). **Target (1.95):** Aug (1.19), Sep (1.04), Oct (1.85), Nov (2.50), Dec (2.27), Jan (2.26), Feb (2.22), Mar (2.18), Apr (2.07), May (2.05), Jun (2.02), Jul (2.68). There was 1 injury per month in Oct, Nov, Jun and Jul.

2.4.2 Public incidents

These incidents involve a Central Otago District Council workplace.



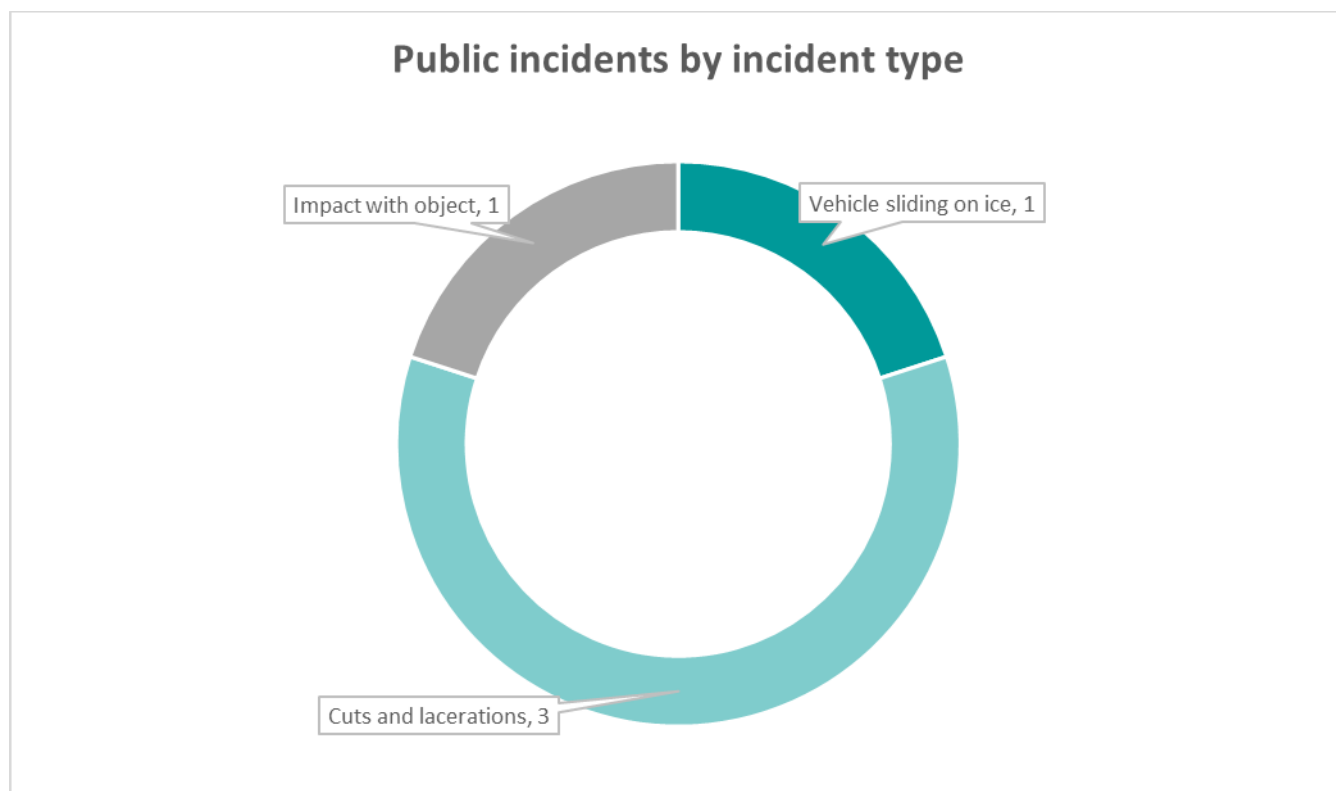
Graph 4. Public incidents by business activity. Year to date: pools (58), roads (2), service centres (1), libraries (4), parks and recreational facilities (2).

Public injuries

During the reporting period there were five injuries to members of the public. Graph 5 shows the types of injuries that are occurring.

Reporting period	Non-treatment injury	FAI	MTI	Fatality	Total recordable injuries
July-Sept 21	2	7	0	0	9
Oct-Dec 21	0	11	0	0	11
Jan-Mar 22	2	17	0	0	19
Apr-Jul 22	1	4	0	0	5

Table 4. Recordable injuries (public). The period Apr-Jul 22 is one month longer than previous reporting periods.



Graph 5. Public incidents by injury type. Total (n=5): vehicle sliding on ice (1), cuts and laceration (3), impact with object (1).

2.4.3 Contractor incidents

Contractors reported four incidents to Council during the reporting period. Two injuries, a near miss and one case of property damage.

2.4.4 Significant incidents summary

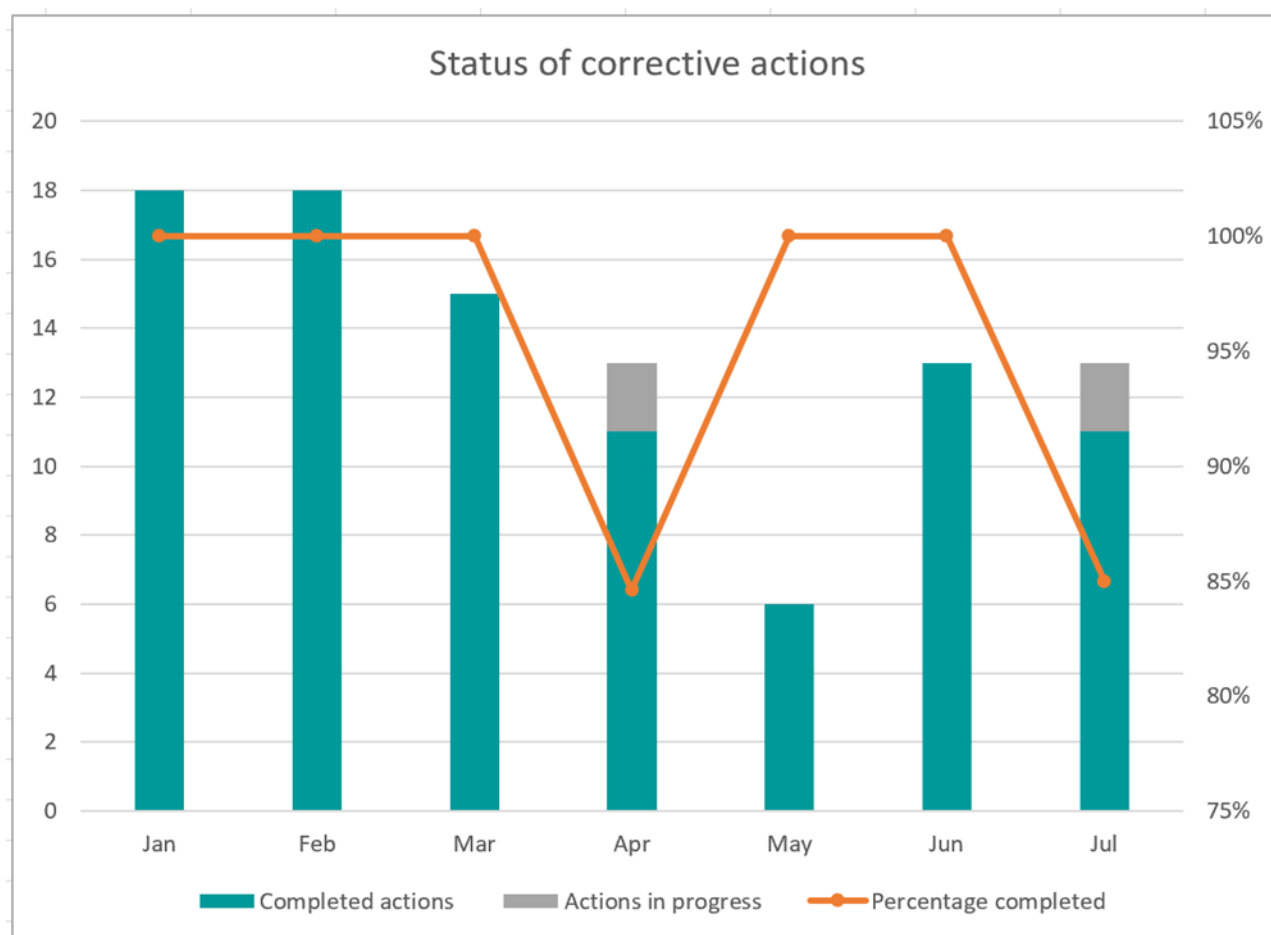
• Incident	• Findings and actions
<ul style="list-style-type: none"> • <u>Notifiable incident/Lost time injury</u> • Worker was cutting hosing with scissors resulting in a puncture wound and cut tendon, required emergency surgery • This incident was notifiable under "Serious lacerations that require immediate treatment" 	<ul style="list-style-type: none"> • First aid provided • Attended local medical centre and then to Dunedin for surgery • Worker has made four trips to hospital including day of injury • Worker off duty for two days (excluding day of injury) • Worker is currently undergoing physiotherapy • Failure to use PPE or suitable cutting equipment • Reviewed and provided equipment to that department • Reviewed our injury management procedures to make workers more aware of the support available to them
<ul style="list-style-type: none"> • <u>Lost time injury</u> • Worker became unwell while at work 	<ul style="list-style-type: none"> • First aid provided • Worker was taken to medical centre • Worker off duty for 1 day (excluding day they fell ill at work)
<ul style="list-style-type: none"> • <u>Restricted duties injury</u> 	<ul style="list-style-type: none"> • Lone worker was assisted by members of the public

<ul style="list-style-type: none"> Worker slipped on gravel while trying to assist a private vehicle rolling backwards resulting in ligament tear in knee 	<ul style="list-style-type: none"> Worker raised the alarm independently using mobile phone Emergency services attended and worker was taken to hospital by ambulance Health, Safety and Wellbeing Advisor attended to secure the workplace as there were no nearer team members Worker returned on restricted duties with no lost time
--	---

Table 5. Summary of significant incidents

2.4.5 Status of corrective actions

There are four corrective actions open during this reporting period.



Graph 6. Status of corrective actions. Jan 100% (18), Feb 100% (18), Mar 100% (15), Apr 85% (11 complete, 2 in progress), May 100% (6), Jun 100% (13), Jul 85% (11 complete, 2 in progress).

2.5 Contractor management

Contractor pre-qualification

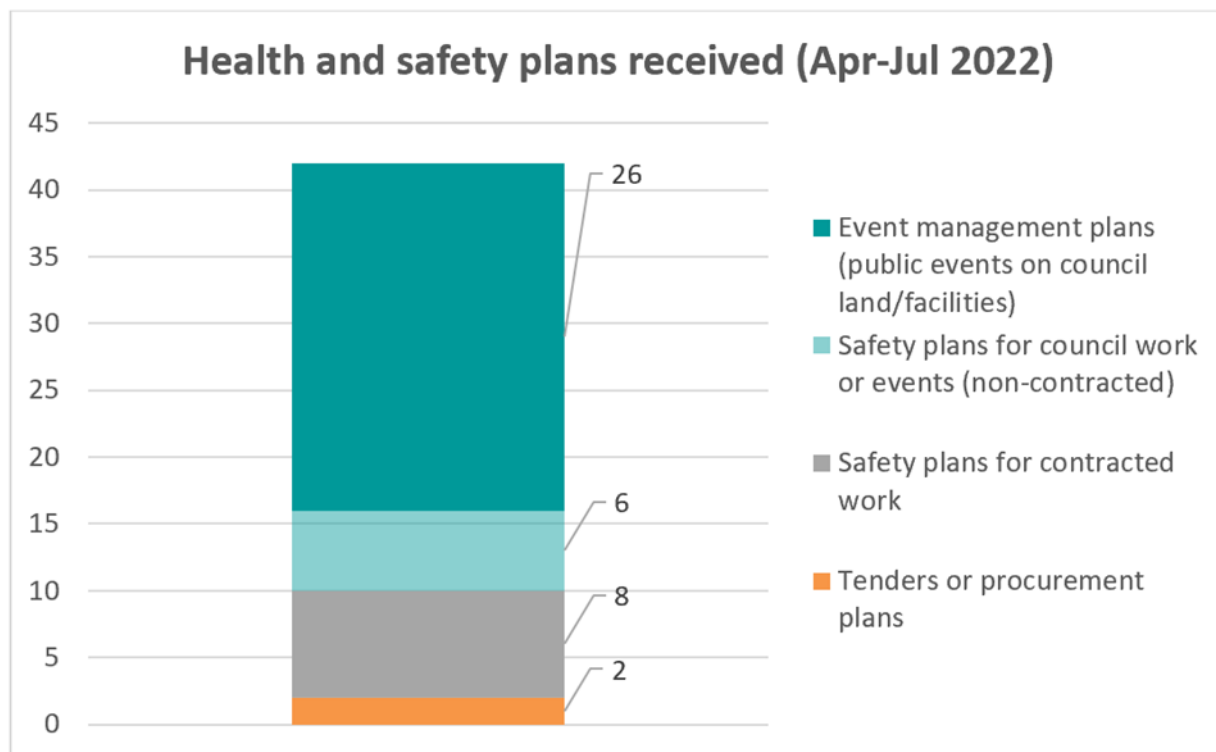
All contractors undertaking council work must provide evidence of health and safety systems pre-qualification before they can begin work.

SiteWise is council's preferred pre-qualification provider, however contractors tendering for work may provide other pre-qualification certification as evidence of having health and safety systems in place.

Council uses the Tōtika cross-recognition platform to verify pre-qualification from other pre-qualification providers. Tōtika is working to create a common standard for health and safety pre-qualification assessment in New Zealand.

Breakdown of health and safety plans received by council

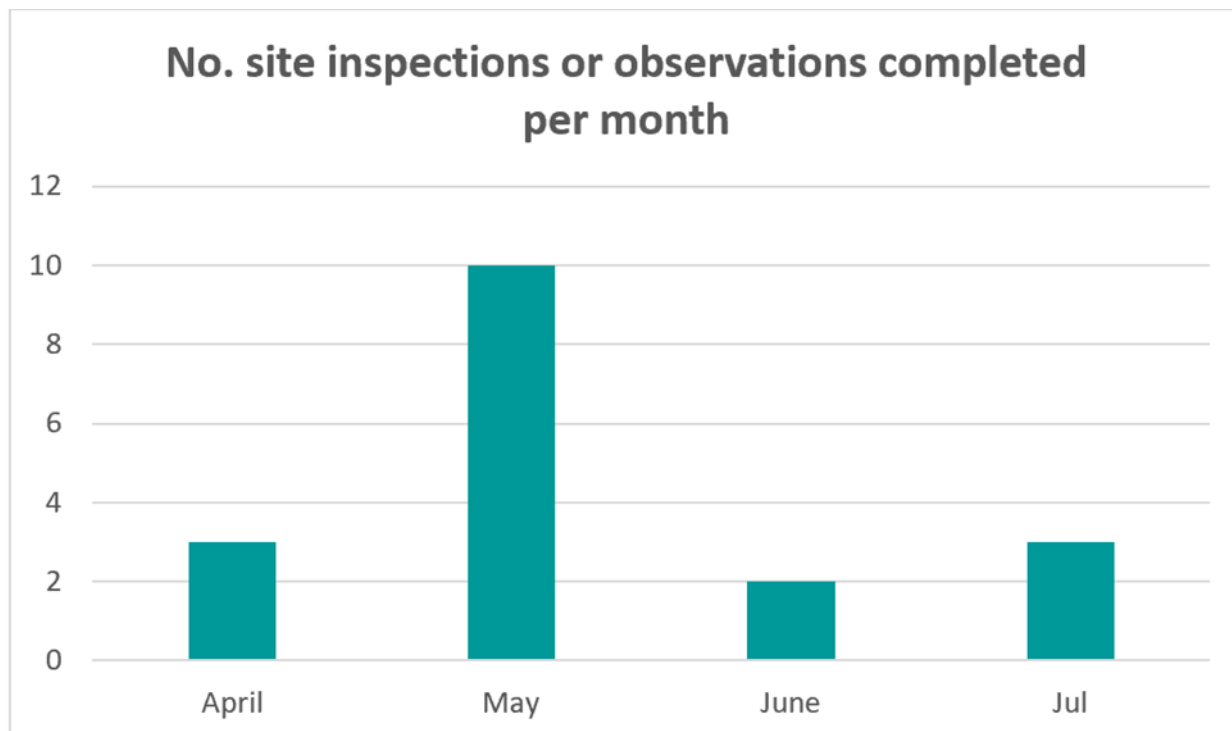
This section shows the types of health and safety plans being submitted to council. These plans are required for work or facilities bookings (in the case of events) in addition to contractor prequalification.



Graph 7. Health and safety plans received April-July 2022. Total safety plans received (n=46). Event management plans submitted for public events at council spaces or facilities (26). Safety plans submitted by contractors for contracted works (e.g. site-specific safety plans, job-safety analysis) (8). Safety plans completed by council staff for council work or events (non-contracted) (6). Tenders or procurement plans submitted as part of the tendering process (2).

Site observations and inspections

Part of council's assurance that contracted work is being carried out as agreed during procurement includes undertaking site observations and inspections. Graph 8 illustrates the site inspections/observations performed for major capital projects.



Graph 8. Number of site inspections or observations completed per month (Apr-Jul 2022). Apr (3), May (10), Jun (2), Jul (3).

2.6 Training and competency

This section sets out training completed during the reporting period and summarises the training and competency focus for the next quarter.

Regular training	April-July 2022
New staff inductions	13
First aid certificates (new and refresher)	16
Child protection and safeguarding	25
ConstructSafe / SiteSafe	16
De-escalation workshops	2
Health and safety representative training	9
Winter driving	6

Table 6. Training register excerpt

- Hazardous substances training has been identified as a development area for employees in council Aquatics facilities. Although these facilities have experienced handlers working directly with pool chemicals, training is valuable to all employees in workplaces where we store chemicals. The identified training ranges from Chemical Awareness in the Workplace e-learning modules to practical storage and handling courses (30 employees).
- De-escalation and situational safety (5 employees)

- Due diligence and safety governance training: local government elections and an executive restructure presents an opportunity to review health and safety governance training at officer level. Elected members induction is scheduled for October 2022. Training has been identified for executive team members.
- Critical event response desk-top exercises are scheduled for October 2022 for executive team members.
- Fire warden training scheduled for September and November 2022 (20 employees).

2.7 Wellbeing

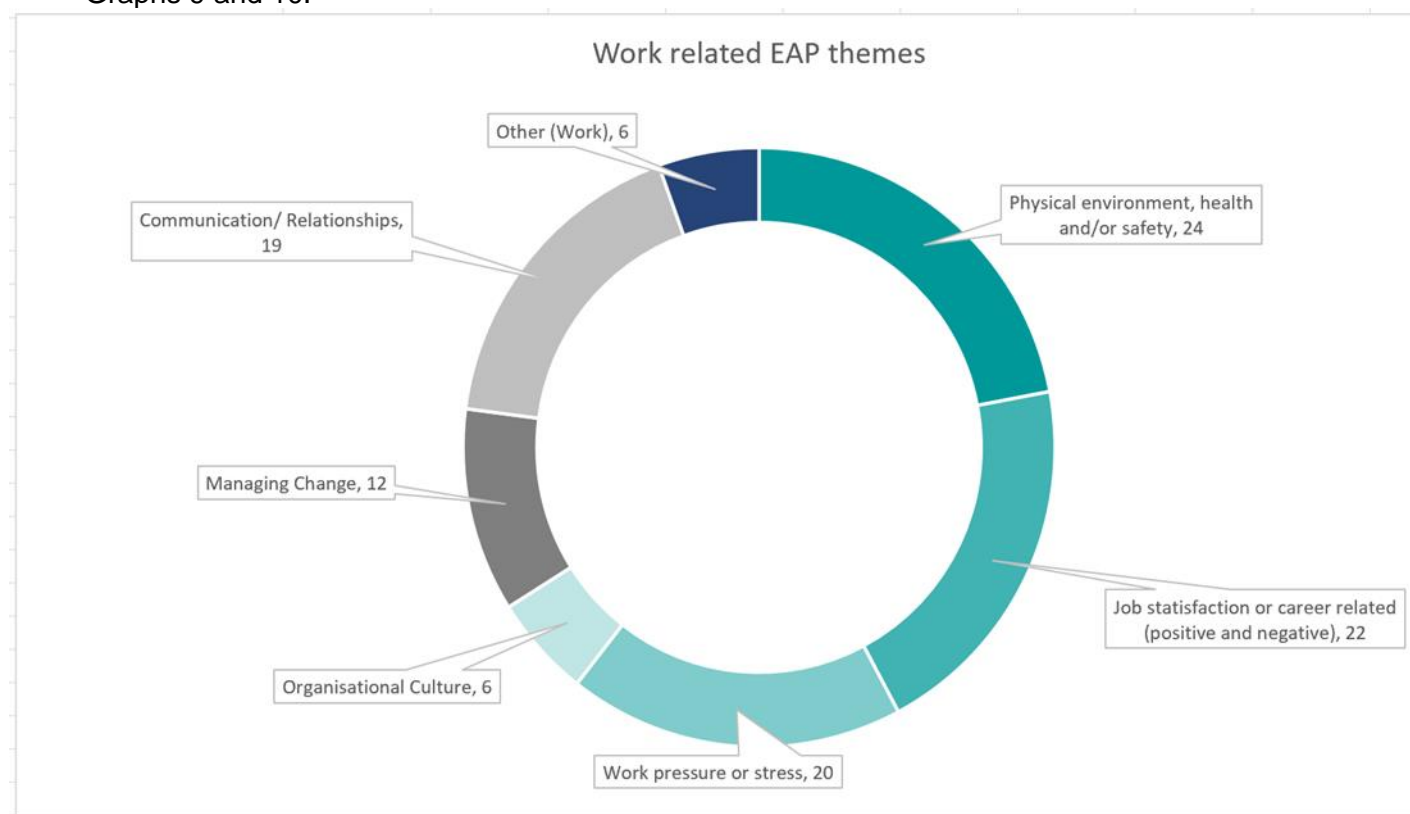
Wellbeing Key Performance Indicator development

Council wants to take a strategic approach to managing wellbeing. The People and Culture team has opened a project proposal to develop a three-year wellbeing strategy. Identifying and selecting appropriate key performance indicators will form part of this process.

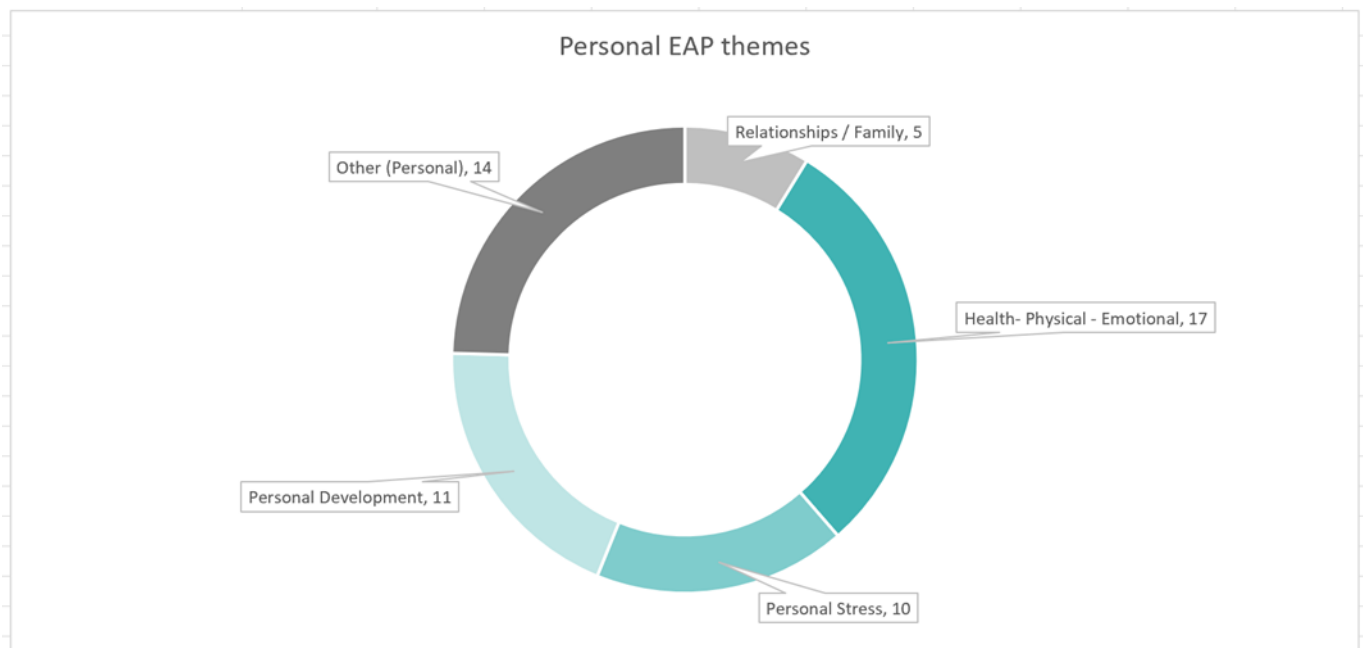
Council currently has two wellbeing indicators.

Indicator 1: No. employee sessions with EAP

During the period Apr-Jun 2022, 48 EAP sessions were held. Council does not receive the number of employees accessing the service. The key themes and concerns are illustrated at Graphs 9 and 10.



Graph 9. Key work-related themes from EAP. Physical environment, health and/or safety (24), job satisfaction or career (22), work pressure or stress (20), organisational culture (6), managing change (12), communication/relationships (19), other (6).



Graph 10. Key personal themes from EAP. relationships/family (5), health physical/emotional (17), personal development (11), other (14)

Where a theme occurs fewer than 5 times, it is grouped under other.

The Health and Safety Committee has selected the recurring theme of stress and work pressure management to focus their activities during the next quarter.

Indicator 2: Employee attendance at wellbeing events and activities and feedback from post activity surveys.

All-staff event

Council held an event for all employees on 10 August. This event was well received by employees. 76 employees responded to a post event survey. The overall approval rating for the event was 80%. 85% of respondents enjoyed keynote speaker Dr Tom Mulholland who spoke to employees about the importance of monitoring their health.

Financial wellbeing seminars

Council partners with BNZ to deliver financial wellbeing seminars to employees. Three seminars were held during the reporting period. 25 employees attended. The attendance rate is lower than 2021 seminars. This is attributed to changing employee event communications from all-staff emails to an intranet-based calendar.

Additional leave day for wellbeing

All workers were offered an additional day of leave to take between 1 April and 31 May 2022. Staff were encouraged to use the day to promote their health and wellbeing. The take up and response to this initiative was extremely positive.

My Everyday Wellbeing

On 10 August 2022, Council launched My Everyday Wellbeing. My Everyday Wellbeing is a self-service platform to enable staff to access evidence-based resources to support their health and wellbeing.

60% of council workers and elected members activated their accounts within seven days of launching the platform. My Everyday Wellbeing is paired with a programme of wellbeing activities that council staff can participate in over the next 12 months.

3. Attachments

Nil

Report author:

A handwritten signature in blue ink, appearing to read 'RENNIS'.

Rachel Ennis
Health, Safety and Wellbeing Officer
20/09/2022

Reviewed and authorised by:

A handwritten signature in black ink, appearing to be a stylized 'LF'.

Louise Fleck
Executive Manager - People and Culture
20/09/2022

22.3.7 DELEGATIONS UPDATE

Doc ID: 595614

1. Purpose

To note the update on the temporary delegations made by the Chief Executive Officer to new positions in the executive leadership team

Recommendations

That the report be received.

2. Discussion

Recently there has been a restructure of the executive leadership team. This has resulted in changes in titles and areas of responsibility across existing positions in the executive leadership team, and well as the establishment of new positions.

These changes have necessitated the need for the Chief Executive Officer to make four temporary written delegations under her authority to make sub delegations in order to keep the business effectively and efficiently operating (see final section of the attached register). The delegations of the new executive leadership team will be formally reviewed and amended when the new Council review and adopt the register of delegations. Given the higher value of these temporary written delegations it is prudent to inform this Committee for governance oversight.

The temporary written delegations (which expire when the new Council adopt the Register of delegations or at the end of February 2023, or whichever occurs earliest) are:

- The position of General Manager People and Culture is authorised to exercise all the delegations as set out in Council's delegation policy and accompanying staff manual for the position of 'Executive Manager People and Culture'.
- The position of Group Manager Business Support is authorised to exercise all the delegations as set out in Council's delegation policy and accompanying staff manual for the position of 'Executive Manager Corporate Services'.
- The position of Three Waters Director is authorised to exercise all the delegations as set out in Council's delegation policy and accompanying staff manual for the position of 'Executive Manager Infrastructure Services' as they relate to Three Waters budgets, contracts or activities. The delegations as they apply to roading and environmental services transfer to the position of 'Executive Manager Planning and Environment'.
- The Executive Manager Planning and Environment is authorised to exercise all the delegations as set out in Council's delegation policy and accompanying staff manual for the position of 'Executive Manager Infrastructure Services' as they relate to roading and environmental engineering budgets, contracts or activities. The


delegations as they apply to three waters transfer to the position of 'Three Waters Director'.

3. Attachments

Appendix 1 - Register of Delegations to Community Boards, Portfolios, Committees, and the Chief Executive Officer [↓](#)

Report author:

Reviewed and authorised by:



Saskia Righarts
Group Manager - Business Support
14/09/2022



Louise van der Voort
Acting Chief Executive Officer
20/09/2022



Register of Delegations to Community Boards, Portfolios, Committees and the Chief Executive Officer

As at 11 August 2021

www.codc.govt.nz

A WORLD OF DIFFERENCE



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PART I - INTRODUCTION

Philosophy

1. The statutory function of Council is to lead and guide the good management of the District by determining primary goals and objectives, by setting strategies and policies for their achievement and encouraging this through the considered use of committees and the appointment of skilled staff.
2. Elected members as individuals have no statutory authority. Their role is therefore closely linked to meetings of the Council and its Committees allowing issues to be raised, debated and resolved.
3. The task of putting Council's policies to work is the responsibility of the Chief Executive Officer acting through Council staff. The Council, committees and community boards then monitor progress towards any objective. They do this not by putting each staff action under the microscope, but rather by seeing that key milestones are met.
4. These are best translated into action when the Council is planning and reviewing its plans and policies. When it comes to day to day matters, the Council's Chief Executive Officer and staff are in the best position to immediately resolve any individual problems. When necessary, a problem may be referred to the Council, a community board or a committee for consideration, along with all the options and implications of any policy changes.
5. The Council has therefore adopted a philosophy of delegation to the lowest competent level. This achieves the best use of the skills of Councillors and officers, minimises costs, develops effective managers and minimises bureaucratic interference in the lives of the residents of the Central Otago district.

General Principles of Delegation

6. The Council's powers, functions and duties are all prescribed either expressly or implicitly by various Acts of Parliament or Regulations. These set a framework within which the Council must operate.
7. Where Council is empowered by legislation to carry out a decision-making function, the decision to act must be by way of resolution of the full Council, unless otherwise provided in the legislation, or where the decision to act has lawfully been delegated to a committee, subcommittee, community board or officer.
8. Without delegation, the operation of the Council and its administration would not be effective, efficient or timely in delivering services. Delegation to officers generally implements the basic principle that elected members make policy and officers implement that policy.

The Legal Situation

9. Council's principal authority to delegate derives from Schedule 7, clause 32(2) of the Local Government Act 2002, which states:

 “(2) *Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise of the local authority (after consultation with the committee or body or person) of any power or duty specified in sub clause (1).*”

Sub clause 32(1) states:

“Unless expressly provided otherwise in this Act or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority’s business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties or powers except” The exceptions are set out in paragraph 44.

Operative Date

10. This Policy will come into effect on 14 April 2020 and will continue in force until revoked by the Council.

All earlier policies that conflict with or duplicate any provision in this Policy are revoked as from 14 April 2020.

PART II - GENERAL MATTERS OF DELEGATION

The Meaning of Delegation

11. Delegation means the assignment of a power, function or duty of action to another, together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.
12. Decisions made by any community board or committee pursuant to this delegation may be acted on without further reference to the Council.

Delegation by Exception

13. The Council has adopted the principle of delegation by exception. This means that all the powers of the Council are delegated to community boards, committees or the Chief Executive Officer unless a specific exception applies.

The exceptions are set out in Part III of this register.

14. Subject to the exceptions, the Central Otago District Council delegates to community boards, committees and standing committees all the powers, functions and duties relating to the scope and activity allocated to them, including the power to convene extraordinary meetings in terms of clause 22, Schedule 7 of the Local Government Act 2002.

Delegations to Community Boards

15. A community board may, at any time, refer any matter to Council for direction and/or determination.
16. Council cannot override a community board decision made pursuant to a delegation and consistent with Council policy. If the Council wishes to reduce the role of the community board it must *effectively* consult with that board first.
17. Each community board will select its own chair and deputy at the first meeting of its electoral term.

Delegations to Committees

18. Any standing or special committee may, at any time, refer any matter to Council for direction and/or determination.
19. The Mayor has the right to determine the structure of committees and appoint the Chair but this can be changed by resolution of Council (s41A(4)(b) LGA).

Delegations to Special Committees and Subcommittees

20. Special committees and subcommittees will have only the powers, functions and duties specifically given to them by the Council or a standing committee.

Sub-delegations to be in Writing and Recorded

21. Every sub-delegation will be in writing and will clearly define the nature, purpose and limitation of the power, function or duty delegated.
22. Every sub-delegation will be recorded in a manual kept for that purpose by the Chief Executive Officer.

Term of Delegation

23. Unless any delegation is stated to be for a defined term, it will continue until revoked by the delegator or the Council or withdrawn by operation of law.

Delegation to Office

24. Unless stated otherwise, every delegation is to a committee or office and will be unaffected by changes in the membership of a committee or the holder of an office.

Reporting Decisions

25. Every committee will report decisions taken under delegated authority in minutes submitted to the next available meeting of the Council, unless the committee is made up of the full Council.
26. Decisions taken by officers under delegated authority will be reported:
 - a) when:
 - i) a regular report is a condition of the delegation; or
 - ii) where any legislation requires reporting in a particular way; or
 - iii) where the decision is one of a class which the Council has directed should be reported; or
 - iv) where the Council, for any reason, should be aware of the decision;
 - b) as a regular comparison of performance against budget and approved plans:
 - i) a quarterly report on financial out-turn;
 - ii) each year an Annual Report in accordance with section 98 and Schedule 10 of the Local Government Act 2002.

Sub-delegation

27. Powers, functions and duties granted by the Council to a committee may be sub-delegated, by resolution of that committee, to a Council officer and that sub-delegation will be in writing.
28. Delegations to officers will be made to the Chief Executive Officer, who may delegate a power, function or duty to another officer or subcommittee of officers. As well as the discretionary delegations made under this register, there are provisions in various Acts applying to the Council which provide for powers, duties and functions to be exercised directly by specified staff.
29. Officers (other than the Chief Executive Officer) may not delegate powers and functions given to them. They may appoint working parties or other officers to advise them.

Call-Up Procedure

30. Nothing in this Register will limit the power of a delegator to exercise a duty, power or function concurrently with, or in substitution for, a delegatee.
31. Except in exceptional circumstances, a delegator should not:
- a) if the Council, act without the advice of a Standing Committee, appropriate Community Board Chairperson or the Chief Executive Officer;
 - b) if a Community Board, act without consultation with the appropriate portfolio lead or the Chief Executive Officer;
 - c) if the Chief Executive Officer, act without the advice of the appropriate officer.
32. The Mayor may, on behalf of the Council, 'call up' to the Council any matter which has been delegated by the Council, other than one delegated to a Community Board and acted on in accordance with Council Policy. The delegatee will then take no further action on that matter until the Council has either:
- a) decided that the matter should be referred back to the delegatee (with directions if any); or
 - b) determined the matter.
33. In calling up any matter to the Council the Mayor should consult with the chairperson of the relevant Committee or Community Board involved, and the Chief Executive Officer.
34. A delegatee may, rather than make a decision, refer a matter back to the delegator with a suitable recommendation. The delegator will then decide the matter.
35. Community Boards and Committees of Council cannot act contrary to policies of the Council and in particular the Council's Long Term Plan (LTP).

Appeals

36. Every person affected by the decision of a delegatee may appeal that decision:
- a) in the case of a decision by an officer, to the Chief Executive Officer; or
 - b) in the case of a decision by the Chief Executive Officer or Committee, to the Council.
37. The Chief Executive Officer and the Council will not generally overrule a decision of delegatee unless:
- a) it breaches some policy set by the Council; or,
 - b) some material fact was overlooked or misinterpreted; or,
 - c) it contains serious implications for the Council of which the delegatee was unaware; or,
 - d) it is manifestly wrong.

Policy and Fact

38. In making a decision every delegatee will consider:
- a) any policy established by the Council;
 - b) the facts relevant to a matter.

39. If the facts relevant to any matter do not support a decision consistent with a Council policy, the delegatee should submit the matter to the Council with a suitable explanation and recommendation.

Estimates and Expenditure

40. The Chief Executive Officer may vary any sum or sums making up cost centre detail where:
- a) the net expenditure/surplus in that activity cost centre is not altered; and
 - b) the change is to allow for the more effective management of that activity in accordance with the LTP or Annual Plan.

Use of Council Seal and Authority to Sign

41. The Chief Executive Officer will be responsible for custody of the Council's seal and maintain records as to its use.
42. The seal may be attached to all documents that must be executed in this way by the Council. It will be attached, however, only when:
- a) the Council or a Committee has authorised the transaction involved; or
 - b) the transaction involved has been authorised by an officer under delegated authority.
43. The seal will be affixed in the presence of one person from each of the following groups:
- a) the Mayor or any elected member of the Council;
 - b) the Chief Executive Officer (or any other officer authorised by the Chief Executive Officer).

PART III - COUNCIL

44. The following matters CANNOT be delegated by Council (Schedule 7, clause 32(1) of the Local Government Act 2002):

The power to:

- make a rate;
- make a bylaw;
- borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan (LTP);
- adopt a LTP, Annual Plan or Annual Report;
- appoint a Chief Executive Officer;
- adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the LTP or developed for the purposes of the Local Governance Statement;
- adopt a remuneration and employment policy

45. Additionally:

- Recommendations made to Council by the Ombudsman under section 32 of the Local Government Official Information and Meetings Act 1987 may not be delegated.
- Under section 12 of the Fencing of Swimming Pools Act 1987, the Council's powers and functions may only be delegated to a Committee comprising only members of the Council.

46. Council reserves the following powers and functions to itself:

- dismissal of the Chief Executive Officer;
- any proposal to promote legislation;
- overall budgetary control of the total operations of Council;
- stopping of roads (section 319(h) of the Local Government Act 1974);
- acquisition or holding of shares or interests in a body corporate, partnership, joint venture or other association of persons;
- the co-ordination of advice from Committees and Community Boards in respect of the Annual Plan and LTP process, and the determination of the funding and priorities derived from that for rates setting and other funding purposes;
- the right to appeal decisions of external bodies;
- proposals for the remuneration of elected members;
- proposals for a change to the political structure of Council, delegations to officers, the size of Council, the nature of wards and communities, and representation for wards and communities.

PART IV - DELEGATIONS TO COMMUNITY BOARDS

Introduction

47. Community Boards are established under section 49 of the Local Government Act 2002 ("the Act") and exercise such powers as are delegated to them by the Council (section 53 of the Act).
48. Boards are NOT Committees of Council. They are separate legal entities. Section 51 of the Act states:
- "A community board -*
- (a) is an unincorporated body; and*
- (b) is not a local authority; and*
- (c) is not a Committee of the relevant territorial authority"*
49. Community Boards, under section 53(3) of the Act cannot:
- acquire, hold or dispose of property;
 - appoint, suspend or remove staff.

COMMUNITY BOARDS

REPORTING TO: Council

CONSTITUTION:

Vincent Community Board	Four directly elected representatives and three appointees
Cromwell Community Board	Four directly elected representatives and three appointees
Teviot Valley Community Board	Four directly elected representatives and one appointee
Maniototo Community Board	Four directly elected representatives and one appointee

MEETING FREQUENCY: Every six weeks or as required

OBJECTIVES:

(Local Government Act, 2002 - section 52)

1. To represent, and act as an advocate for, the interests of its community.
2. To consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the Community Board.
3. To maintain an overview of services provided by the territorial authority within the community.
4. To prepare an annual submission to the territorial authority for expenditure within the community.
5. To communicate with community organisations and special interest groups within the community.
6. To undertake any other responsibilities that are delegated to it by the territorial authority.

POWER TO ACT:

The Council delegates to the Community Boards the following functions, duties, powers and discretions, as they apply to their respective ward(s), subject to any delegation made by the Council on a "district-wide" basis:

1. In relation to bridging, financially assisted and unassisted roading programmes, the authority to make recommendations to the Council on priorities for works within the Community Board Ward(s).
2. In relation to non-financially assisted roading works, the power to determine appropriate works programmes, provided that the works are funded from the Community Board's own resources.
3. The general provision (including maintenance and upgrading as required) of parks, reserves, public recreational facilities, cemeteries, community centres and public halls.
4. The provision and maintenance of such other works, facilities, and amenities in the Community Board Ward(s) as the Board sees fit in line with Council policy and the new purpose statement.
5. Monitor and take such action as necessary to ensure the adequacy of traffic activity (including temporary road closures, naming of streets and so on) in line with Council policy.

6. Provide input to the Council's Revenue and Financing Policy, Annual Plan and Long Term Plan.
7. Monitor the Community Board's budget and make such alterations as are necessary during the course of the fiscal year.
8. Make grants and donations.
9. Negotiate the acquisition and disposal of Council property within the Community Board's jurisdiction, subject to any property transactions being formally approved by the Council.
10. Approval of fees and charges relating to ward services.

Limitations on Authority

11. The Community Board's "power to act", pursuant to this delegation, is limited to matters which relate *solely* to the Ward.
12. The Community Board has a responsibility to ensure that its policies, actions and decisions are always within the overall strategic plans, policy guidelines and priority programmes adopted by the Council. Whenever this is either not possible or in the circumstances of the case not felt to be desirable, the Community Board's decision will be by way of a recommendation to the Council.
13. Before making any decision pursuant to these delegated functions, duties and powers, the Community Board will satisfy itself (where appropriate) that adequate provision has been made in the approved estimates for the proposed works.

Power to Advise

14. Community Boards will be asked to advise Council in relation to the provision of library services within their ward(s).

COMMITTEES AND SUB-COMMITTEES OF COMMUNITY BOARDS

VINCENT COMMUNITY BOARD

- Manorburn Recreation Reserve Committee
- Omakau Recreation Reserve Committee

MANIOTOTO COMMUNITY BOARD

- Patearoa Recreation Reserve Committee
- Taieri Lake Recreation Reserve Committee

TEVIOT VALLEY COMMUNITY BOARD

- Teviot Valley Walkways Committee

COMMUNITY BOARD APPOINTEES TO EXTERNAL COMMITTEES

Community Boards (on behalf of Council) may appoint one or more members or other persons to Committees outside of Council to act as representatives of that Community Board. Community Board representative(s) are appointed to each of the following Committees:

VINCENT COMMUNITY BOARD

- Alexandra Community House Trust – 1 liaison
- Alexandra Council for Social Services – 1 liaison
- Alexandra District Museum Inc (Central Stories) – 1 representative
- Alexandra Blossom Festival Committee – The Chair and 1 other representative
- Alexandra and Districts Youth Trust – 1 liaison
- Clyde Community Centre Committee – 1 representative
- Clyde Community Plan Group – 1 representative (plus 1 community representative)
- Clyde Historical Museum Committee – 1 representative
- Keep Alexandra-Clyde Beautiful Society – 1 representative
- Ophir Welfare Association Committee – 1 liaison
- Promote Alexandra Inc – 1 liaison
- St Bathans Area Community Association Inc – 1 representative

CROMWELL COMMUNITY BOARD

- Bannockburn Community Centre Management Committee Inc – 1 liaison
- Bannockburn Recreation Reserve Management Committee Inc – 1 liaison
- Cromwell and Districts Community Trust – 1 liaison
- Cromwell District Museum – 1 liaison
- Cromwell Resource Centre Trust – 5 representatives as per the Trust Deed
- Cromwell Youth Trust – 1 liaison
- Central Otago Sports Turf Trust – 2 representatives as per the Trust Deed
- Old Cromwell Incorporated – 1 representative as per the Trust Deed
- Lowburn Hall Committee – 1 liaison
- Pisa District Community Group – 1 liaison
- Ripponvale Hall Committee - 1 liaison
- Tarras Community Plan Group – 1 liaison
- Tarras Hall Committee – 1 liaison
- The Community Board Chair can appoint two members to the Cromwell College Charitable Trust in the case of retirement or replacement of a member as per the Trust Deed

TEVIOT VALLEY COMMUNITY BOARD

- I and H McPhail Charitable Trust – 2 representatives
- Ida MacDonald Charitable Trust – 2 representatives
- Roxburgh and District Medical Services Trust – 1 representative
- Roxburgh Cemetery Trustee Committee – 1 representative
- Roxburgh Entertainment Centre and Improvement Committee – 1 representative
- Teviot Museum Committee – 1 representative
- Teviot Prospects – 1 representative
- Tuapeka County Bursary Fund Committee – 1 representative
- Roxburgh Swimming Pool Redevelopment Committee – 1 representative

MANIOTOTO COMMUNITY BOARD

- Design and Location of the Sun for the Interplanetary Cycle Trail Working Group – 1 representative
 - Maniototo Community Arts Council – 1 representative
 - Maniototo Ice Rink Committee – 1 representative
 - Maniototo Promotions Group – 1 representative
 - Patearoa Water Scheme Liaison Committee – 1 representative
-
- A liaison appointment will require an elected member to keep in contact with the organisation.
 - A representative will be required to attend the meetings of the organisation.
 - If an elected member is given voting rights at the organisation's meeting, the minutes of that group should then be put on a future agenda of the Community Board's agenda.
 - An elected member who has voting rights on external committees will need to exercise caution so that no conflicts of interest arise. This can be managed by declaring an interest and not voting on particular items, either at the external committee or at the Board or Council meeting.

PART V - DELEGATIONS TO COMMITTEES OF COUNCIL

STANDING COMMITTEES

AUDIT AND RISK COMMITTEE

REPORTING TO:	Council
CONSTITUTION:	Mayor, three Councillors plus an independent representative as the Chair
QUORUM:	No less than three members of the Committee, including the independent Chair
MEETING FREQUENCY:	Three times per year and then as and when required

OBJECTIVE:

To provide governance and oversight in the areas of audit and risk to ensure systems and practices are of a standard to provide assurance that there is sufficient risk identification and mitigation in place.

SCOPE OF ACTIVITY:

The Committee will review, evaluate and feed back to Council on a broad range of matters including:

- Internal and external audits
- External financial reporting
- Oversight of the preparation of the Long Term Plan, Annual Plan and Annual Report
- Financial and non-financial risk management
- Internal systems and controls
- Strategic management and operational performance
- Policy review, for policies within the scope of the Committee
- Appointment of an external committee member
- Appointment of the Audit and Risk Chair and Deputy Chair
- Legislative compliance
- Oversight of unbudgeted legal claims or other proceedings other than those which relate to employment matters.

POWER TO ACT:

The Committee can report to and make recommendations to Council on matters and proposals relevant to risk management and internal control practices.

SPECIAL COMMITTEES**EXECUTIVE COMMITTEE**

REPORTING TO:	Council
CONSTITUTION:	Mayor (Chairperson) Deputy Mayor Councillor from each Board (four members) except the ward represented by the Deputy Mayor
MEETING FREQUENCY:	As required
SUBSTITUTIONS:	The Chief Executive Officer to arrange appropriate substitutes as and when required
QUORUM:	No less than three members of the Committee

OBJECTIVE:

To deal with Council, Committee and Community Board issues that require immediate response.

SCOPE OF ACTIVITY:

Any matters relating to Council, Committee and Community functions.

POWER TO ACT:

1. Any of the Council's powers, functions and duties when an immediate response is required.
2. Providing guidance, when sought from time to time by the Chief Executive Officer, on specific or general matters.
3. Accepting tenders other than the lowest tender, where the work is estimated at more than \$100,000, or where the lowest acceptable tender is higher than the budget for the work (above \$100,000).
4. Undertake Chief Executive Officer performance planning and associated review with Chief Executive.
5. The selection of elected members of Council (and Community Boards if appropriate) to form working parties to undertake research and make submissions, as is deemed appropriate from time to time by the Council.

ASSESSMENT COMMITTEE

REPORTING TO:	Council
CONSTITUTION:	Two Councillors plus the following community representatives:
For Creative Communities Funding:	One representative from each Community Arts Council within the district One representative from the Roxburgh community One representative from Tangata Whenua
For Sport New Zealand Funding:	One representative from Sport Central One representative from Teviot Valley (Sports Coordinator from Roxburgh Area School) One representative from Maniototo Area School (Sports Coordinator/Deputy Principal) One independent Community Representative One representative from Tangata Whenua
MEETING FREQUENCY:	March and September each year for Creative Communities and November each year for Sport New Zealand.
SUBSTITUTIONS:	The Chief Executive Officer to arrange appropriate substitutes as and when required

OBJECTIVE:

To manage and distribute funds allocated to the Central Otago District Council by national funding organisations for the purpose of supporting worthy projects within the Central Otago district, in accordance with national funding criteria and in a manner that best meets the needs of Central Otago's local communities.

SCOPE OF ACTIVITY:

1. Allocate *Creative Communities New Zealand* and *Sport New Zealand* funds to worthy applicants, in accordance with Creative New Zealand and Sport New Zealand funding criteria and in a manner that best meets the needs of the local communities within the Central Otago district;

Note: Non-elected members are included in the Assessment Committee to provide representation and input from the respective 'communities of interest' throughout the district. Nominations for these positions are forwarded to Council for appointment.

2. Consider applications for funds from the Central Otago District Council.

POWER TO ACT:

Disbursement of funds from Creative Communities and Sport New Zealand.

POWER TO RECOMMEND:

Allocation of grants from District Funds.

HEARINGS PANEL

Reporting to: Council

Meeting Frequency: Monthly or as required

OBJECTIVE:

To consider and execute decisions relating to designations, reviews, objections, and applications for resource consent.

SCOPE OF ACTIVITY:

Any matters relating to resource consent applications or approvals pertaining to those functions of the Resource Management Act 1991 that have not been delegated to the Chief Executive Officer.

POWER TO ACT:

The Council delegates to the Hearings Panel all regulatory powers, functions and duties (with the exception of issues within the specific responsibility of another standing, special or joint committee of the Council) as follows:

1. Unless specifically excluded by legislation, all of its powers, duties and discretions under the Resource Management Act 1991 but only where those matters have not been delegated to the Chief Executive Officer.
2. Notwithstanding clause 1 above, the Hearings Panel may refer any matter to the Council for its direction on the matter or for its determination of the matter.
3. Notwithstanding clause 1 above, the Chief Executive Officer may refer any matter to the Hearings Panel for its direction on the matter or for its determination of the matter.

Designations

(Section references are taken from the Resource Management Act 1991):

4. The power to consider a requirement and submission made in response to it and to make a recommendation to the requiring authority in terms of section 171.
5. To consider a requirement to alter a designation in terms of section 181.
6. Amend the District Plan to remove a designation and to advise the Otago Regional Council accordingly in terms of section 182.
7. The fixing of a longer period for the expiry of a designation in terms of section 184.

Heritage Orders

8. The consideration of a requirement by a heritage protection authority and all submissions lodged with respect to such requirement and the making of a recommendation to the heritage protection authority in terms of section 191.

9. The alteration of a heritage order from the requirement of a heritage protection authority in terms of section 192.
10. The removal of a heritage order from the District Plan and providing advice to the Otago Regional Council of this removal in terms of section 196.

Resource Consents:

(Section references are taken from the Resource Management Act 1991):

11. To jointly hear, with one or more other consent authorities, applications for resource consents (section 102).
12. To decide on reasonable grounds whether or not it is appropriate for a joint decision on jointly heard applications (section 102).
13. To determine whether two or more applications for the same proposal are sufficiently unrelated so that it is unnecessary to hear and decide the applications together (section 103).
14. To arrange the commencement date, time and venue of a resource consent application hearing and any submissions to such application (section 101).
15. When considering an application for a resource consent, the Hearings Panel shall have regard for the terms of section 104 (this includes land use and subdivision applications).
16. To decide whether to grant or not grant a resource consent. Upon granting consent, the decision must take into account any conditions or terms in sections 104 and 105.
17. To determine the proceedings for any hearing, in keeping with sections 39-42.

Lapsing of Consents

(This section applies only to those consents granted by the Hearings Panel)

18. The holder of a Resource Consent may apply to the Hearings Panel for the change or cancellation of any condition in the consent (other than conditions relating its duration) subject to the conditions outlined in section 127.
19. The Hearings Panel may change any condition in the consent (other than conditions relating its duration), subject to the conditions outlined in section 132.

Objections to Decisions

20. To consider objections lodged in terms of section 357 to decisions issued by the Chief Executive Officer.

Plan Changes

21. Hearing of submissions to variations to the District Plan and Plan changes, pursuant to Section 34 of the Act.

Dog Control

22. To consider objections in terms of Section 31(3) and 33B of the Dog Control Act 1996.

Health Registration of Premises

23. To consider and make decisions on the revocation of registration of registered premises under the Health (Registration of Premises) Regulations 1966.

Reserves Act 1977

24. To consider and make decisions on objections and submissions in terms of leases, licences, easements and reserve classifications under sections 16(4), 24(2)(b), 24A(2)(c), 48(2), 54(2), 56(2), 58A(2), 73(4) and 74(3) of the Reserves Act 1977.

In addition to the above matters, the Chair of the Hearings Panel has delegation as follows:

25. All non-complying activities where:
- a. The application is non-notified; and
 - b. Where necessary, has the consent of the affected parties; and
 - c. The applicant has not requested to be heard; **or**
 - d. Where the application is notified; and
 - e. There are no submissions; and
 - f. The applicant has not requested to be heard.
26. To consider a requirement to alter a designation in terms of section 181.
27. Amend the District Plan to remove a designation and to advise the Otago Regional Council accordingly in terms of section 182.

DISTRICT LICENSING COMMITTEE

The District Licensing Committee has all the powers conferred on it by or under the Sale and Supply of Alcohol Act 2012 or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.

The District Licensing Committee's functions are:

- (a) to consider and determine applications for licences and manager's certificates; and
- (b) to consider and determine applications for renewal of licences and manager's certificates; and
- (c) to consider and determine applications for temporary authority (d) to consider and determine applications for the variation, suspension, or cancellation of special licences; and
- (e) to consider and determine applications for the variation of licences (other than special licences) unless the application is brought under [section 280](#) of the Sale and Supply of Alcohol Act 2012; and
- (f) with the leave of the chairperson for the licensing authority, to refer applications to the licensing authority; and
- (g) to conduct inquiries and to make reports as may be required of it by the licensing authority under [section 175](#) of the Sale and Supply of Alcohol Act 2012; and
- (h) any other functions conferred on licensing committees by or under the Act or any other enactment.

JOINT COMMITTEES

Otago Civil Defence Emergency Management Group Terms of Reference

Constitution

Pursuant to section 12 of the Civil Defence Emergency Management Act 2002, the Otago Civil Defence Emergency Management Group is constituted as a joint standing committee under section 114S of the Local Government Act 1974 (a joint committee under section 30 of Schedule 7 of the Local Government Act 2002) by resolutions adopted by:

- Central Otago District Council
- Clutha District Council
- Dunedin City Council
- Otago Regional Council
- Queenstown Lakes District Council
- Waitaki District Council

Membership

Each local authority listed above is a member of the Otago Civil Defence Emergency Management Group. Each member is represented on the joint committee by the Mayor/Chairperson, or by an elected person from that authority who has delegated authority to act for the member.

Chairperson

The Otago Civil Defence Emergency Management Group shall appoint one of the representatives of its members as chairperson, and one of its members as deputy chairperson. Each will hold office for such period as agreed by the Group, but only so long as those persons remain a representative of a member of the Group.

Purpose

The Otago Civil Defence Emergency Management Group has the purpose and all of the functions, powers and obligations of a civil defence emergency management group as defined by the Civil Defence Emergency Management Act 2002 and subsequent amendments. Section 17 of the Civil Defence Emergency Management Act 2002 defines the function of a group and each of its members that, in summary, require it to:

- Identify, assess and manage relevant hazards and risks;
- Ensure provision of trained and competent personnel, an appropriate organisational structure and the necessary services and resources for effective civil defence emergency management in its area;
- Respond to and manage the adverse effects of emergencies;
- Carry out recovery activities;
- Assist other civil defence emergency management groups when requested;
- Promote public awareness of and compliance with the Civil Defence Emergency Management Act and legislative provisions relevant to the purpose of the Act;
- Develop, approve, implement, monitor and review a civil defence emergency management group plan;
- Participate in the development of the national civil defence emergency management strategy and the national civil defence emergency management plan.
- Promote civil defence emergency management in its area that is consistent with the purpose of the Civil Defence Emergency Management Act 2002.

Meetings

The Otago Civil Defence Emergency Management Group shall meet quarterly and as required with the location for meetings rotating among member authorities.

Quorum

The quorum of the Otago Civil Defence Emergency Management Group shall be three members.

Delegations

The Otago Civil Defence Emergency Management Group shall have all the delegated authorities that may be given by each member Council, including authority to fulfil the powers, obligations and functions of the Group as specified in the Civil Defence Emergency Management Act 2002, authority to appoint subcommittees, and authority to sub-delegate any authority able by law to be delegated.

Subcommittee

A subcommittee of all members of the Otago Civil Defence Emergency Management Group may be formed and given full delegated authority to carry out the functions, obligations and powers of the Group under the Civil Defence Emergency Management Act 2002 pursuant to section 114P(2) of the Local Government Act 1974 and section 30(2) schedule 7 of the Local Government Act 2002. Any meeting will transact routine business and not commit members to any major financial expenditure.

Standing Orders

The current Standing Orders of the Otago Regional Council shall govern the conduct of the meetings, except that order papers and agenda papers shall be sent to every member no less than five working days before the meeting.

Notwithstanding anything in the Civil Defence Emergency Management Act or Standing Orders, adequate notice shall be given of all matters to be discussed at a meeting of the Group. Where a matter of significance is to be considered, where practicable, prior written notice of the background to that matter must be given in sufficient time to allow for consultation with each member.

Administering Authority

The Otago Regional Council as the administering authority shall provide administrative and leadership of the Group.

Reporting

The Group will report to each member.

Continuance of Joint Standing Committee

The Otago Civil Defence Emergency Management Group shall not be discharged by a triennial election, but appointments of representatives of members shall be confirmed or new appointments made by each council following each election.

PART VI – PORTFOLIOS

Introduction

Council has decided to complement its governance structure through the establishment of portfolio areas and the appointment of portfolio leads. Portfolios do not have specific decision-making delegations; however, portfolio leads are responsible for leading specific policy areas and will act as the issue-specific spokespersons for those areas.

The role of portfolio leads is detailed below:

- Ensure progress is made towards the Council's strategic priorities and projects within their portfolio responsibilities.
- Play a strategic and policy leadership role in their area of responsibility assisting the council to meet its strategic objectives.
- Enhance relationships with key stakeholders.
- Act as the Council's spokesperson and point of contact for those activities within their portfolio responsibility.
- Collaborate with other portfolio leads where objectives are shared.
- Work effectively with council officers.
- Attend any advisory groups or external appointments made and ensure an alternative is available if they cannot attend projects and activities.
- As far as possible, attend council launches of new activities and projects in their area of responsibility.
- Meet regularly with the Mayor, Deputy Mayor, Chief Executive and senior staff.
- Keep the Mayor informed of emerging issues.
- Maintain a no-surprises approach for elected members and staff.
- Raise issues of Council performance with assigned executive leadership staff member in the first instance, following up with the Mayor and Chief Executive if necessary.
- Facilitate informal policy discussion between elected members, public and officials on matters within their responsibility.

The following portfolios have been established:

- Sustainable Practices
- Three Waters and Waste
- Economic Development and Community Facilities
- Rooding
- Planning and Regulatory

Details of these are provided on the following pages.

SUSTAINABLE PRACTICES PORTFOLIO

Portfolio Lead: Mayor Tim Cadogan
Deputies: Councillors Nigel McKinlay and Cheryl Laws

Objectives:

To provide leadership and advice to policy decision-making, oversight and governance in relation to waste minimisation, recycling, carbon footprint reduction and solid waste disposal, and funding of programmes for these activities.

Scope of Activity:

Any matters that relate to the areas of Council service delivery operations in relation to waste minimisation, recycling, carbon footprint reduction and solid waste disposal.

Providing leadership and advice in relation to:

- Waste minimisation, recycling, carbon footprint reduction initiatives.
- The development, review and implementation of environmental strategies and policies, and monitoring compliance with existing environmental policies.
- Asset Management Plans, Levels of Service, and Forward Programmes in relation to waste minimisation, recycling and carbon footprint reduction and funding for these activities.
- Environmental sustainability initiatives and funding for these.
- Policy issues in relation to waste minimisation, recycling and carbon footprint reduction.
- Leading submissions to Central and Regional Government on environmental legislation, policies and strategies. (*Note: where timing constraints apply, submissions can be approved by majority consensus via email, for formal ratification at the next meeting of Council.*)
- Liaison with the Otago Mayoral Forum on regional recycling plant development.

THREE WATERS AND WASTE PORTFOLIO

Portfolio Lead: Cr Nigel McKinlay
Deputy: Cr Cheryl Laws

Objectives:

To provide leadership and advice for policy decision making, oversight and governance for water, wastewater and stormwater and waste disposal and funding of programmes for these activities.

Scope of Activity

Any matters that relate to the areas of Council's service delivery operations generally described as water, wastewater and stormwater and waste disposal.

Providing leadership and advice in relation to:

- Asset Management Plans Forward Programmes in respect to water, waste water and stormwater and waste disposal.
- Levels of service for water, wastewater and stormwater and waste disposal and recommend funding of that service.
- Improvement programmes and recommend funding for that work.
- Three Water strategies.
- Three Water policies.
- Three Water Bylaws for adoption by Council.
- Three Waters issues where these are not covered by adopted strategies and policies.
- Leading submissions to changes in legislation, Government strategies, and policies related to Three Waters. (*Note: where timing constraints apply, submissions can be approved by majority consensus via email, for formal ratification at the next meeting of Council.*)
- Liaison with Ministry of Health regarding Three Water issues that affect Central Otago.
- Compliance with requirements for Ministry of Health funding of Three Water activities.
- Policy issues, on water, wastewater and stormwater and waste disposal.
- Dealings with other councils regarding solid waste disposal.

ECONOMIC DEVELOPMENT AND COMMUNITY FACILITIES PORTFOLIO

Portfolio Lead: Cr Stephen Jeffery
Deputy: Cr Tamah Alley

Objectives:

To provide leadership and advice for policy decision making, oversight and governance to enable the sustainable development of the Central Otago economy and to contribute to regional economic development strategies.

To provide leadership and advice for policy decision-making as to the standard of parks and recreational facilities including swimming pools, libraries, museums and visitor centres.

Scope of Activity:

Generally, any matters that concern Council interests in facilitation of the economy, and operation of community facilities.

Providing leadership and advice in relation to:

- All of Council's powers, functions and duties relating to the facilitation of business, economic strategies for the Central Otago community (except in relation to those areas of operations falling within the specific purview of Community Boards).
- Ensuring that there is appropriate economic development content and direction in the Council's Long Term Plan
- Identifying projects and initiatives that will support the economic development strategy.
- Providing information on trends in the economy that enable Council to anticipate demands and adjust investment programmes and policy frameworks to suit.
- Liaison and cooperation with other economic development agencies.
- Asset management plans, levels of service, and forward programmes in respect to public utilities, including parks and recreational facilities, swimming pools, libraries, visitor centres, public toilets, property, community facilities and aerodromes and recommend funding for these activities.
- Strategy and policy issues on public utilities, including parks and recreational facilities, swimming pools, libraries, visitor centres, public toilets, property, community facilities and aerodromes.
- Any matters that relate to the area of the Council's service delivery operation generally described as parks and recreation, libraries and visitor centres.
- The governance of all aspect of the joint library service.
- Leading submissions to changes in legislation, Government strategies, and policies related to Economic or Community Development. (*Note: where timing constraints apply, submissions can be approved by majority consensus via email, for formal ratification at the next meeting of Council.*)

PLANNING AND REGULATORY PORTFOLIO

Portfolio Lead: Cr Neil Gillespie
Deputy: Cr Ian Cooney

Objective:

To provide leadership and advice to support the maintenance and development of all specified facilities and services detailed in accordance with goals and objectives set by the Council.

Scope of Activity:

Any matters relating to the Resource Management Act 1992 1991, the Building Act 2004, Amusement Devices Regulations 1978, the Hazardous Substances and New Organisms Act 1996, the Sale of Alcohol Act 2012, the Psychoactive Substances Act 2013, the Smoke-free Environments Act 1990, Food Act 2014, Gambling Act 2003, the Racing Act 2003, the Dog Control Act 1996. Regulatory By-Laws and associated matters relating to that legislation.

This includes but is not limited to matters relating to public health inspection, building inspection, heritage orders, dangerous goods/hazardous substance inspections, plumbing and drainage inspection, animal and dog control, liquor licensing, gambling, psychoactive substances and any other areas or issues of an inspectorial and/or regulatory nature applying throughout the Central Otago District.

Initiation or variations to the District Plan and Plan changes.

Providing leadership and advice on:

- All those matters associated or derived from the scope of the portfolio above.
- The initiation or variations to the District Plan and resulting Plan changes.
- Unless specifically excluded by legislation, all Council's powers, duties and discretions under the Resource Management Act 1991, but only where those matters have not been delegated to the Chief Executive Officer or the Hearings Panel.
- Leading submissions on government legislation, national policy statements, regional policy statements, regional plans and adjoining territorial local authorities' district plans. (*Note: where timing constraints apply, submissions can be approved by majority consensus via email, for formal ratification at the next meeting of Council.*)

ROADING PORTFOLIO

Portfolio Lead: Cr Stu Duncan
Deputy: Cr Tracy Paterson

Objective:

To provide advice and leadership for policy decision making for roading, transport and associated funding programmes.

Scope of Activity:

Any matters that relate to those areas of the Council's service delivery operations generally described as roading and transportation.

Providing leadership and advice on:

- Approval of roading and transportation activity management plans
- Levels of service for roading, and recommend funding for that service
- Improvement programmes and recommend funding for that work
- Roding Hierarchy Policy and exceptions to this policy
- Road strategies
- Roding policies
- Roding Bylaws for adoption by Council
- Roding regulatory issues where these are not covered by adopted strategies and policies
- Leading submissions to changes in legislation, Government strategies, and policies related to transportation. (*Note: where timing constraints apply, submissions can be approved by majority consensus via email, for formal ratification at the next meeting of Council.*)
- Input into the Regional Land Transport Strategy
- Liaison with New Zealand Transport Agency (NZTA) Highway Network Operations Group regarding state highway matters which affect Central Otago
- Compliance with requirements for NZTA funding of roading and transportation activities
- The Portfolio Lead shall also be Council representative to the Regional Land Transport Committee

PART VII - COUNCIL REPRESENTATION ON EXTERNAL COMMITTEES

Council may appoint one or more members from time to time to committees outside of Council. These appointees act as representatives of the Council.

Elected member(s) of the Central Otago District Council is/are nominated at the beginning of each triennial term to serve as Council representatives on each of the following Committees:

- a) Otago Regional Transport Committee – one representative
- b) Central Otago Health Incorporated – one representative
- c) Otago Museum Trust - a Clutha District Council nominee
- d) Alexandra District Museum Inc. (Central Stories) – one representative
- e) Central Otago Wilding Conifer Control Group – one representative
- f) Maniototo Curling International – one representative

An elected member who has voting rights on external committees will need to exercise caution so that no conflicts of interest arise. This can be managed by declaring an interest and not voting on particular items, either at the external committee or at the Board or Council meeting.

PART VIII – DELEGATIONS TO STAFF

THE CHIEF EXECUTIVE OFFICER

Functions

50. Section 42 of the Local Government Act 2002 states:

- “(1) *A local authority must, in accordance with clauses 33 and 34 of Schedule 7, appoint a Chief Executive Officer.*
- (2) *A Chief Executive Officer appointed under subsection (1) is responsible to his or her local authority for -*
- (a) implementing the decisions of the local authority; and*
 - (b) providing advice to members of the local authority and to its community boards, if any; and*
 - (c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and*
 - (d) ensuring the effective and efficient management of the activities of the local authority; and*
 - (e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and*
 - (f) providing leadership for the staff of the local authority; and*
 - (g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and*
 - (h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).*
- (3) *A Chief Executive Officer appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority -*
- (a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and*
 - (b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.*
- (4) *For the purposes of any other Act, a Chief Executive Officer appointed under this section is the principal administrative officer of the local authority. ”*

51. Clause 33, Schedule 7 of the Act states:

“Appointment of Chief Executive Officer

The local authority must, in making an appointment under section 42, have regard to the need to appoint a person who will -

- (a) discharge the specific responsibilities placed on the appointee; and*
- (b) imbue the employees of the local authority with a spirit of service to the community; and*
- (c) promote efficiency in the local authority; and*
- (d) be a responsible manager; and*
- (e) maintain appropriate standards of integrity and conduct among the employees of the local authority; and*
- (f) ensure that the local authority is a good employer; and*
- (g) promote equal employment opportunities. ”*

Delegations to Chief Executive Officer

52. The Chief Executive Officer is delegated all the powers, functions and duties necessary for the management of the Council's activities and the implementation of Council policy in order to fulfil his or her responsibilities, except:
- a) those reserved to the Council under Part III; and
 - b) any other power, function or duty reserved to the Council or a committee under this Register.
53. The authority delegated to the Chief Executive Officer may be delegated to any other officer of the Council. Every delegation by the Chief Executive Officer will be in writing and suitably recorded. Every delegation by the Chief Executive Officer may be withdrawn or amended or made subject to conditions in this manner.
54. In the case of power to enter into financial commitments the Chief Executive Officer may delegate authority:
- a) Up to a value of \$500,000 to members of the Executive Team for any individual transaction;
 - b) to other staff positions up to a value of \$50,000 for any individual transaction.

Variation to budget

55. The Chief Executive may vary the constituent sums which make up a budget where:
- a) The relevant Executive Manager and the Chief Executive Officer confirm that the variation will be funded entirely from savings made on other sums within the same budget; and
 - b) The variation will allow the area concerned to better achieve the purpose or purposes for which the budget was adopted.

Budget means the sum represented by any item contained in a *significant* activity of the budgets adopted by Council for the financial year contained in the Long-term Plan or Annual Plan.

Employment of Staff

56. Under Section 42(g) and (h) of the Local Government Act 2002 the Chief Executive Officer is responsible to the Council for employing the staff of the Council and negotiating their terms of employment. This includes delegated responsibility to arrange staff structure to achieve plans and performance measures of Council within financial constraints of planned budget result.

Contracts, Tenders, Purchasing, Sale of Assets and Services

57. The Chief Executive Officer may, subject to any policy established by the Council and within the approved Annual Plan and Long-term Plan, accept, negotiate or decline contracts, tenders, purchasing agreements or any other arrangements for:
- a) the sale, purchase, leasing or exchange of real property;
 - b) the employment of staff, consultants or advisers;
 - c) the supply of goods, services, plant, capital items or other assets (excluding real property) to the Council;

- d) the provision of services by the Council and the sale, leasing or disposal of goods, plant, capital items (excluding real property) or other assets owned by the Council;
- e) the settlement of claims for compensation;
- f) easements, right of way, caveats, registrable interests and similar minor dealings with property.

In exercising this delegated authority, the Chief Executive Officer may delegate to the following people providing the sum of the life of the contract does not exceed the Executive Managers financial delegation:

- Executive Manager - Corporate Services
- Executive Manager – People and Culture
- Executive Manager – Infrastructure Services
- Executive Manager – Planning and Environment

58. In exercising this delegated authority, the Chief Executive Officer must comply with:
- a) any policy adopted by the Council affecting the matters dealt with in clause 56;
 - b) budget requirements;
 - c) the obligation to report decisions in accordance with clause 26.
59. The Chief Executive Officer has authority to execute all documents required to be executed by the Council, other than those required to be executed under seal. In the Chief Executive Officer's absence, the Acting Chief Executive Officer has delegated authority to execute these documents.
60. All administrative and operational functions, powers and duties under the Resource Management Act, other than those excluded in section 34A of that Act, and other than those delegated to a Standing or Special Committee, unless that Committee so delegates, are delegated to the Chief Executive Officer.
61. The Chief Executive Officer may, in relation to the District Plan, grant the following consents:
- All controlled discretionary and discretionary (restricted) activities where:
- a) the application is non-notified; and
 - b) where necessary, has the consent of the affected parties; and
 - c) the applicant has not requested to be heard; or
 - d) where the application is notified; and
 - e) there are no submissions; and
 - f) the applicant has not requested to be heard.
62. A Resource Consent lapses after five years from its date of commencement or after the expiry of such shorter or longer period as was expressly provided for in the consent. If the consent was granted by the Hearings Panel, the Chief Executive Officer may permit a longer period with an expiry of a resource consent, in terms of sections 125 and 126.
63. When a consent granted by the Hearings Panel is not continuously exercised over a two-year period, the Chief Executive Officer may cancel that consent by written notice, subject to conditions listed in section 126.
64. Legalisation of Road Reserves
Ability to accept road reserves legalising current formed roads through the tenure review process.
65. Appointment of commissioners to consider and execute decisions relating to designations, reviews, objections and applications for and changes to resource consent.

66. To provide the consent of the requiring authority pursuant to Section 176 of the Resource Management Act 1991, to undertake any activity on land that is designated.
67. The Chief Executive may change any condition in a resource consent (other than conditions relating to its duration) subject to conditions outlined in Section 132.
68. The Chief Executive may nominate Local Controllers and refer such nominations to the Otago Civil Defence Emergency Management Group.

Oaths and Declarations

69. The Chief Executive Officer may make and take any declaration or oath as requested in relation to the Council.
70. Any Council officer may certify as to any state of affairs within their jurisdiction and knowledge.

Minor Property Dealings

71. The Chief Executive Officer may grant or decline consent to minor dealings with the Council's property, subject to any reasonable terms and conditions. This includes consent to the registration, variation and discharge of mortgages, easements, leases and subleases, caveats and other documents and similar dealings.

Operating Hours/Conditions of Use

72. The Chief Executive Officer may determine the operating hours of any facility, being at all times mindful of the public interest and any Council policy or resolution.

Reserves

73. The Property and Facilities Manager or Parks and Recreation Manager may temporarily prohibit the use of any reserve or other property under their responsibility and exercise any power granted to Council under Part II, III and V of the Reserves Act 1977 in regard to such reserves.

Roads

74. The Council's Roading staff may exercise any power granted to the Council in regard to the construction, repair, alteration, layout, occupation and use of roads, footpaths, verges and vehicle crossings, including but not limited to those under the Local Government Act 1974, the Transit New Zealand Act 1989, the Public Works Act 1989, the Heavy Motor Vehicle Regulations 1974, the Resource Management Act; and Regulations made there under, except where any power is reserved to the Council or a Committee of Council, or where more specific delegations of this manual apply.

Bylaws

75. Any member of the Executive Team, or warranted or authorised officer, may administer and exercise all powers granted under bylaws regarding the activities within the District in relation to their specific area of responsibility, and may authorise prosecutions and actions under any

bylaw (after advising the Chief Executive Officer of the intention to commence such actions and prosecutions).

Other Legal Actions

76. The Chief Executive Officer may approve all unbudgeted legal claims or other proceedings, such as the authorisation to undertake settling actions and prosecutions taken against Council, where it is in the CEO's opinion that such settlement best protects Council's interest, up to a value of \$500,000. Where claims or other legal proceedings are likely to exceed \$500,000, the CEO is required to communicate with relevant elected members prior to entering into mediation.

The Chief Executive Officer may delegate to council officers the authority to represent Central Otago District Council in legal claims or other proceedings.

Confidential settlements, other than those which relate to employment matters, shall be presented in a separate report to the Audit and Risk Committee or any other council body as appropriate.

Authorised Officer Delegations and Warrants

77. Staff are delegated as follows and will be provided with warrants as or if required (the Council may appoint other members of staff, contractors or other appropriate people to warranted positions from time to time):
- A "Ranger" for the purpose of the Reserves Act 1977: Parks and Recreation Manager, Property and Facilities Manager, Property and Facilities Officer (PFO) and Executive Manager, Planning and Environment.
 - All Planning and Environment inspectorial staff holding the qualification of "Environmental Health Officer" or "Food Act Auditor" are enabled to administer the duties related to that designation as set out in the Health Act 1956 and the Food Act 2014.
 - All Planning and Environment staff for enforcement under the Resource Management Act 1991. An "Inspector" for the purpose of the Sale and Supply of Alcohol Act 2012.
 - An "Authorised Officer" for the purpose of the General Bylaws 2008.
 - A "Dog Control Officer" for the purpose of the Dog Control Act 1996.
 - A "Dog Control Ranger" for the purpose of the Dog Control Act 1996.

Litter Act 1968

78. The powers granted to officers under the Litter Act 1968 may be exercised by the warranted officers from time to time.

Health Act

79. The Executive Manager, Planning and Environment may exercise any powers granted to the Council and authorise prosecutions where appropriate in regard to public health, including, but not limited to, those under the Local Government Act 2002; the Health Act 1956; the Food Act 1981; the Burial and Cremations Act 1964; the Resource Management Act 1991; and regulations made there under.

Dangerous Goods Act

80. Inspectors qualified to be Dangerous Goods Inspectors and warranted may exercise any power granted under the Dangerous Goods Act and regulations made there under.

Resource Management Act 1991

81. Council has approved the RMA delegations, as outlined in the Statutory, Regulatory and Other Delegations to Officers section of the Staff Delegations Manual.

Affected Party - Resource Consent Applications

84. The Executive Manager, Infrastructure Services or Manager, Planning and Environment are delegated to decide on those applications received from the Otago Regional Council.

Temporary Road Closures

85. The Executive Manager, Infrastructure Services or the Roading Manager, with the assistance of any PFO, may exercise any power to impose temporary restrictions in regard to traffic and restrict vehicular access of any kind on roads within the district granted under and in accordance with the Local Government Act 2002 and the Transport Act 1962 and all regulations made there under.

Civil Defence and Emergency Management

86. During the period of a civil defence emergency the appropriate delegations made under the Civil Defence Emergency Management Act 2002 and the Central Otago District Council Civil Defence Plan shall be adhered to.

Sale and Supply of Alcohol (Fees) Regulations 2013

87. The Chief Executive assign a fees category to premises that is 1 level lower than the fees category in Section 6 of the Regulation
88. The Chief Executive Officer has the power pursuant to Regulation 16(4) of the Sale and Supply of Alcohol (fees) Regulations 2013 in the period 18 December 2013 and 1 July 2014, to waive annual fees payable for an on-licence, off-licence, or club licence issued under the Sale of Liquor Act 1989 if the annual fee is payable before 1 July 2014.
89. The Executive Manager, Planning and Environment determines that a fee be charged for a special licence in terms of Section 10 of the Regulations that is 1 class below the class of the licence that is issued, but not less than the fee payable for a class 3 special licence.
90. The Executive Manager, Planning and Environment is authorised to sign correspondence, licences, certificates and decisions; including any licences subject to the criteria in Section 105 of the Sale and Supply of Alcohol Act 2012; "for and on behalf of" the Secretary as defined by Section 102 of the Act, but is not to assume the position of Secretary.

Abandoned Vehicles

91. The Executive Manager, Infrastructure Services, the Executive Manager, Planning and Environment, may exercise any power granted to Council relating to the impounding of any abandoned motor vehicle on roads which come under the Council's authority.

Paper Roads

92. The Executive Manager, Infrastructure Services may provide consent to form a paper road when all affected and interested parties are in agreement.

Building Consent Authority

93. Building Control functions are carried out by Building Control staff in accordance with Council's Quality Assurance Manual, staff job descriptions and warrants of appointment.

SUB-DELEGATIONS FROM THE CHIEF EXECUTIVE OFFICER

The authority delegated to the Chief Executive, may be delegated to any other officer of the Council or a subcommittee of officers. Every delegation will be in writing and suitably recorded. Every delegation may be withdrawn or amended or made subject to conditions in the same manner. A delegation manual will be maintained by the Chief Executive Officer for this purpose.

6 CHAIR'S REPORT

22.3.8 CHAIR'S REPORT

Doc ID: 595648

1. Purpose

To consider the Chair's report.

Recommendations

That the report be received.

2. Attachments

Nil

7 MEMBERS' REPORTS

22.3.9 MEMBERS' REPORTS

Doc ID: 595647

1. Purpose

To consider the members' reports.

Recommendations

That the reports be received.

2. Attachments

Nil

8 STATUS REPORTS

22.3.10 SEPTEMBER 2022 GOVERNANCE REPORT

Doc ID: 595650

1. Purpose

To report on items of general interest, consider the Audit and Risk Committee's forward work programme and the current status report updates.

Recommendations

That the report be received.

2. Discussion

Forward Work Programme

The Audit and Risk Committee's forward work programme has been included for information (appendix 1).

3. Attachments

Appendix 1 - Audit and Risk Forward Work Plan [↓](#)

Report author:

Reviewed and authorised by:



Wayne McEnteer
Governance Manager
14/09/2022

Saskia Righarts
Group Manager - Business Support
15/09/2022

Updated 24 May 2022

Audit and Risk
Forward Work Programme 2022 - 2023

Area of work and Lead Department	Reason for work	Committee's role (decision and/or direction)	Expected timeframes Highlight the month(s) this is expected to come to Audit and Risk in 2022/23											
			Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Long-term Plan 2021/31														
Long-term Plan Chief Advisor/Executive Manager - Corporate Services	Oversight of the preparation of the Long-term Plan.	Direction required: Direction on timeline and progress. To make recommendations to Council on matters and proposals relevant to risk management and internal review practices.	Not applicable until 2024/34 LTP is being prepared											
Annual Report														
Annual Report Executive Manager - Corporate Services	Oversight of the preparation of the Annual Report.	Direction required: For the Committee to recommend to Council that they adopt the 2020-2021 Annual Report subject to any changes the Committee may identify.			R									
Governance Reports														
Audit Management Reports Executive Manager - Corporate Services	Oversight of management reports post external audits	Direction required: Overseeing the progress of key recommendations arising from the audits.			R			R		R				R
Internal Audits														
Internal Audits Executive Managers / Business Risk and Procurement Advisor	Reviewing the internal audit programme of work (3 yearly) and the actions arising from those audits.	Direction required: Direction on timeline and progress. Identifying the key risks and actions arising from the audits.			R			R		R				R
Policy Reviews														
Policy Reviews Senior Strategy Advisor	Oversight of Council's policy renewal schedule and reviewing relevant updated and new policies.	Direction required: Provide feedback on policies and recommend for approval and implementation. Review policy schedule to ensure timelines are being achieved.			R			R		R				R
2022 Annual Plan														
2022 Annual Plan Executive Manager - Corporate Services	Oversight of the preparation of the Annual Plan (may include verbal update).	Direction required: Direction on timeline and progress. To make recommendations to Council on matters and proposals relevant to risk management and internal review practices.						V		V				

Updated 24 May 2022

Area of work and Lead Department	Reason for work	Committee’s role (decision and/or direction)	Expected timeframes Highlight the month(s) this is expected to come to Audit and Risk in 2022/23											
			Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Litigation Update														
Litigation Updates Business Risk and Procurement Advisor	Oversight of Council's litigation register.	Direction required: Keeping an oversight of litigation that the Council is either involved in, or potentially involved in, to understand any risk.			R			R		R				R
Legislative Compliance Update														
Legislative Compliance Update Senior Strategy Advisor	Annual oversight of Central Otago District Council's compliance against relevant legislative requirements.	Direction required: Keeping an oversight that Council is meeting its legislative requirements.			R									

Key – R = recommendation , U = update, V = verbal update

9 DATE OF THE NEXT MEETING

The date of the next scheduled meeting is 2 December 2022.

10 RESOLUTION TO EXCLUDE THE PUBLIC

Recommendations

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
Confidential Minutes of Ordinary Committee Meeting	<p>s7(2)(c)(ii) - the withholding of the information is necessary to protect 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 otherwise to damage the public interest</p> <p>s7(2)(d) - the withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
22.3.11 - Review of the draft non-audited Annual Report 2021/22	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
22.3.12 - Cybersecurity, Information and Records Management, and Privacy update	s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

22.3.13 - Water Services Update on Compliance Status	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
22.3.14 - Draft procurement audit	s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
22.3.15 - Strategic Risk Register	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
22.3.16 - Litigation Register	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
22.3.17 - September 2022 Confidential Governance Report	s7(2)(d) - the withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7