



RĀRANGI TAKE AGENDA

Te Komiti Whakamauru Tūraru | Risk and Assurance Committee Meeting

**I hereby give notice that a Meeting of the Te Komiti Whakamauru
Tūraru | Risk and Assurance Committee will be held on:**

Te Rā | Date: Thursday, 21 November 2024

Te Wā | Time: 9.30am

**Te Wāhi | Location: Council Chamber
Ground Floor, 175 Rimu Road
Paraparaumu**

**Mark de Haast
Group Manager Corporate Services**

Kāpiti Coast District Council

Notice is hereby given that a meeting of the Te Komiti Whakamauru Tūraru | Risk and Assurance Committee will be held in the Council Chamber, Ground Floor, 175 Rimu Road, Paraparaumu, on Thursday 21 November 2024, 9.30am.

Te Komiti Whakamauru Tūraru | Risk and Assurance Committee Members

Mr David Shand	Chair
Mayor Janet Holborow	Member
Deputy Mayor Lawrence Kirby	Member
Cr Liz Koh	Member
Cr Jocelyn Prvanov	Member
Cr Glen Cooper	Member
Mr David Cochrane	Member

Te Raupapa Take | Order Of Business

1	Nau Mai Welcome	5
2	Karakia a te Kaunihera Council Blessing.....	5
3	Whakapāha Apologies.....	5
4	Te Tauākī o Te Whaitake ki ngā Mea o te Rārangi Take Declarations of Interest Relating to Items on the Agenda	5
5	He Wā Kōrero ki te Marea mō ngā Mea e Hāngai ana ki te Rārangi Take Public Speaking Time for Items Relating to the Agenda	5
6	Ngā Teputeihana Deputations.....	5
	Nil	
7	Ngā Take a ngā Mema Members' Business	5
8	He Kōrero Hou Updates.....	5
	Nil	
9	Pūrongo Reports.....	6
9.1	Quarterly Treasury Compliance.....	6
9.2	FY2024-25 Quarter 1 - Workplace Health, Safety and Wellbeing Report.....	19
9.3	Top 10 Organisational Risk Report.....	31
9.4	Legislative Compliance 1 July to 30 September 2024	70
9.5	Forward Work Programme to September 2025	97
9.6	EY Control Findings 2024-34 Long-term Plan Process.....	100
10	Te Whakaū i ngā Āmiki Confirmation of Minutes	118
10.1	Confirmation of Minutes	118
11	Te Whakaūnga o Ngā Āmiki Kāore e Wātea ki te Marea Confirmation of Public Excluded Minutes	126
	Nil	
12	Purongo Kāore e Wātea ki te Marea Public Excluded Reports.....	126
	Resolution to Exclude the Public	126
12.1	Litigation and External Investigations Report.....	126
13	Karakia whakamutunga Closing Karakia	127

1 NAU MAI | WELCOME**2 KARAKIA A TE KAUNIHERA | COUNCIL BLESSING**

I a mātou e whiriwhiri ana i ngā take kei mua i ō mātou aroaro *As we deliberate on the issues before us,*

E pono ana mātou ka kaha tonu ki te whakapau mahara huapai mō ngā hapori e mahi nei mātou. *We trust that we will reflect positively on the communities we serve.*

Me kaha hoki mātou katoa kia whaihua, kia tōtika tā mātou mahi, *Let us all seek to be effective and just,*

Ā, mā te māia, te tiro whakamua me te hihiri *So that with courage, vision and energy,*

Ka taea te arahi i roto i te kotahitanga me te aroha. *We provide positive leadership in a spirit of harmony and compassion.*

3 WHAKAPĀHA | APOLOGIES**4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE | DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

Notification from Elected Members of:

4.1 – any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting, and

4.2 – any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968

5 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA**6 NGĀ TEPUTEIHANA | DEPUTATIONS**

Nil

7 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

(a) Updates from the Chair

(b) Leave of Absence

(c) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)

8 HE KŌRERO HOU | UPDATES

Nil

9 PŪRONGO | REPORTS

9.1 QUARTERLY TREASURY COMPLIANCE

Kaituhi | Author: **Ian Georgeson, Chief Financial Officer**

Kaiwhakamana | Authoriser: **Steffi Haefeli, Acting Group Manager Corporate Services**

TE PŪTAKE | PURPOSE

- 1 This report provides confirmation to the Risk and Assurance Committee of the Council's compliance with its Treasury Management Policy (Policy) for the quarter ended 30 September 2024.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required for this report.

TE TUKU HAEPAPA | DELEGATION

- 3 The Risk and Assurance Committee (Committee) has the delegation to consider this matter under the section of Part C.3 of the Governance Structure and Delegations 2022-2025 Triennium which states: "*This committee is responsible for monitoring the Council's financial management, financial reporting mechanisms and framework, and risk and assurance function, ensuring the existence of sound internal systems.*"

TAUNAKITANGA | RECOMMENDATIONS

A. That the Risk and Assurance Committee:

- A.1 Receives and notes the "Treasury Dashboard Report" for the September 2024 Quarter, attached as Appendix 1.
- A.2 Notes the Council complied with all requirements of the Treasury Management Policy for the quarter ended 30 September 2024.

TŪĀPAPA | BACKGROUND

- 4 As part of the 2024/34 Long-term Plan process the Council adopted an updated Treasury Policy, to apply from July 2024. The objectives of the Policy are to control and manage borrowing costs, investment returns, liquidity requirements, and risks associated with treasury management activity.
- 5 The Council's objectives in relation to borrowings are to:
 - 5.1 minimise borrowing costs within approved risk parameters;
 - 5.2 prudently manage the Council's exposure to interest rate changes;
 - 5.3 ensure sufficient levels of liquidity to meet planned and unforeseen cash requirements;
 - 5.4 ensure that funding risks are managed by maintaining an appropriate spread of maturities;
 - 5.5 prudently manage the Council's credit exposures; and
 - 5.6 monitor and report on the risk and the performance of debt portfolios against predetermined limits and benchmarks.

HE KŌRERORERO | DISCUSSION

- 6 The Treasury Dashboard Report for the September 2024 quarter, as at Appendix 1 to this report, provides an economic overview and reports against Policy requirements. The dashboard has been developed with Bancorp, our Treasury advisers, and is in a style consistent with reporting produced for many of their council clients. We are able to tailor the content to meet any specific requirements we may have.
- 7 Policy compliance is reported as follows:
 - 7.1 Liquidity and funding risk
 - 7.1.1 Overall net debt / revenue within LGFA covenant 280% (page 9)
 - 7.1.2 Spread of debt maturities (page 4)
 - 7.1.3 Liquidity ratio (page 4)
 - 7.2 Interest rate risk
 - 7.2.1 Total fixed rate hedging and spread across maturity bands (page 5)
 - 7.3 Credit risk
 - 7.3.1 Counterparty exposure (page 9)
- 8 The Council complied with all policy requirements during the quarter.

He take | Issues

- 9 This report has a low level of significance under the Council's Significance and Engagement Policy).

Ngā kōwhiringa | Options

- 10 There are no options to be considered.

Mana whenua

- 11 There are no mana whenua considerations arising directly from this report.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 12 There are no climate change considerations within this report.

Ahumoni me ngā rawa | Financial and resourcing

- 13 There are no financial and resourcing considerations in addition to those already noted in this report.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 14 There are no legal and risk considerations arising from this report.

Ngā pānga ki ngā kaupapa here | Policy impact

- 15 There are no policy considerations in addition to those already noted in this report.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 16 An engagement plan is not required for this report.

Whakatairanga | Publicity

- 17 There are no publicity considerations arising from this report.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Treasury Dashboard Report [↓](#)



Treasury Dashboard Report

For the September 2024
Quarter



BANCORP
BANCORP TREASURY SERVICES LIMITED



Economic Commentary

2

Global (for the September 2024 quarter)

The US Federal Reserve ("Fed") began its cutting cycle on 18 September, lowering the Fed Funds rate by 50 basis-points ("bps") to a target range of 4.75% - 5.00%. The Federal Open Market Committee ("FOMC") indicated 2 more 25 bps cuts by the end of the year. Notably, the FOMC vote was 11-1 in favour of the 50bps cut, with Governor Michelle Bowman instead advocating for a 25bps cut, the first dissenting vote by a Fed governor since 2005. The post-meeting statement declared, *"The Committee has gained greater confidence that inflation is moving sustainably toward 2 percent, and judges that the risks to achieving its employment and inflation goals are roughly in balance,"* with Fed Chair Jerome Powell stating in a news conference that *"We're trying to achieve a situation where we restore price stability without the kind of painful increase in unemployment that has come sometimes with this inflation. That's what we're trying to do, and I think you could take today's action as a sign of our strong commitment to achieve that goal."*

Markets are now projecting the Fed Funds rate to fall to 4.00% by the end of the year, 3.00% by August 2025 and 2.75% by the end of 2025. The benchmark US 10-year Treasury bond rate opened the quarter at 4.47% which represented the high for the quarter, fell to a low of 3.60% on the day of the September Fed meeting, but subsequently retraced a little of the down move and finished September at 3.78%. This post Fed meeting increase demonstrates that the markets were expecting a 50bps cut, so it was a classic case of 'buy the rumour sell the fact'.

The Bank of England ("BoE") and Sweden's Riksbank cut their cash rates over August. Despite the ongoing weakness in the Chinese economy, the People's Bank of China ("PBoC"), after its July rate cuts, initially left its key interest rates unchanged in September. However, in late September the PBoC released a multitude of stimulus measures which included reducing a number of key interest rates to try boost its slowing economy.

Against the global rate-cutting trend, the Bank of Japan ("BoJ") remains an outlier and increased its cash rate by 15bps to 0.25%. The BoJ also intervened to support the yen, spending USD36.6bn in August following on from June's USD65.0bn of US dollar sales. This time it was helped by general US dollar weakness, which saw investors aggressively unwind yen sourced carry trades. Markets are not expecting any further BoJ rate hikes until December.

The Reserve Bank of Australia ("RBA") again left its cash rate unchanged at 4.35% at its 24 September meeting and implied no cuts until early 2025. The RBA reiterated its commitment to combating inflation while acknowledging the uncertain economic outlook. The unemployment rate was steady at 4.2%, with a positive employment change of 47,500 workers, better than the expected 26,400.

Economic Commentary

New Zealand (for the September 2024 quarter)

3

	OCR	90 day	2 years	3 years	5 years	7 years	10 years
30-Jun-24	5.50%	5.63%	4.80%	4.51%	4.38%	4.38%	4.46%
30-Sep-24	5.25%	4.87%	3.58%	3.47%	3.55%	3.70%	3.89%
Change	-0.25%	-0.76%	-1.22%	-1.04%	-0.83%	-0.68%	-0.57%

The Reserve Bank of New Zealand (“RBNZ”) cut the Official Cash Rate (“OCR”) by 25bps to 5.25% at its August *Monetary Policy Statement* as the central bank was, “*Confident inflation (will be) back in its target band*”. Following the MPS, at the Government’s Finance and Expenditure Select Committee, RBNZ Governor Adrian Orr emphasised the need for OCR cuts to address the weak economy, and reiterated the RBNZ’s commitment to controlling inflation stating, “*The current economic environment is weak (and the) economy is weaker than anticipated 6-months ago. We have strong control over the inflation story. There was no talk on committee of raising rates again. We are not done yet on inflation, but it’s definitely moving in the right direction. If inflation expectations are well anchored, we can look through some of the noise*”. There is no doubt that the economy warrants an accelerated cutting cycle, but it does raise the question of credibility given the RBNZ’s abrupt change in its outlook since the prior May MPS.

GDP fell in the June quarter by -0.2%, with an annual decrease of -0.5%, slightly better than forecasts of -0.4% and -0.6%, respectively. GDP per capita fell 0.5% in the second quarter and was down 2.7% for the year. Primary industries saw the greatest decline over the quarter, with a -1.6% drop. Goods-producing industries increased by 0.7% over the quarter, although with a -3.2% decrease over the year, manufacturing increasing by 1.9% over the quarter and a -4.3% decrease over the year. Services were overall flat over the quarter, with a 0.7% increase over the year.

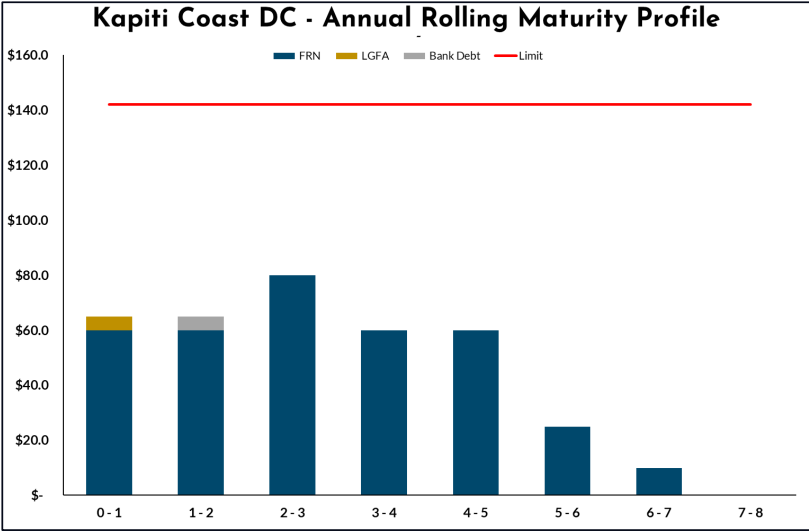
The current account deficit grew to \$27.8 billion in the year to June, or around 6.7% of GDP. This is slightly worse than the previous \$27.6 billion for the year to March. The deficit for the June quarter was \$7.2 billion, \$269 million more than the March quarter. The goods deficit widened by \$110 million to \$2.6 billion, as goods imports increased by \$183 million, led by transport equipment, while exports were up by \$74 million, led by meat and other commodities such as aluminium, wine, and fish. The services deficit narrowed by \$28 million to \$501 million over the quarter, with exports up \$127 million, led by transportation services, while imports increased \$99 million, led by New Zealanders spending while travelling overseas.

The weak GDP figures are expected to help reduce inflation, which the RBNZ is projecting to fall to 2.3% in the September 2024 year (currently it is 3.3%). Markets are pricing in a 100% probability of the OCR being at 5.00% in October 2024 and a 72% probability that it will be at 4.75%, while for November 2024 markets are pricing a 100% probability that the OCR will be at 4.50% and a 56% probability that it will be at 4.25%. By November 2025 markets are projecting it to have fallen to 2.75%.

Interest rate swap rates fell sharply over the quarter, even more so at the shorter end of the yield curve where the presumed future OCR cuts have more of an influence than at the longer end of the curve which is largely driven by moves in US and global bond rates. However the moves at the long end of the curve have still been significant driven by the moves in US and global bond yields. This flattening of the local yield curve reduces the benefit of forward start swaps compared to spot swaps but given the fall in spot swaps they are now providing more benefit than earlier in the year.

Funding

4



Debt
\$355.0m
External Drawn Debt

Term deposits + cash in bank + undrawn
bank facility and LGFA facility
\$97.08m

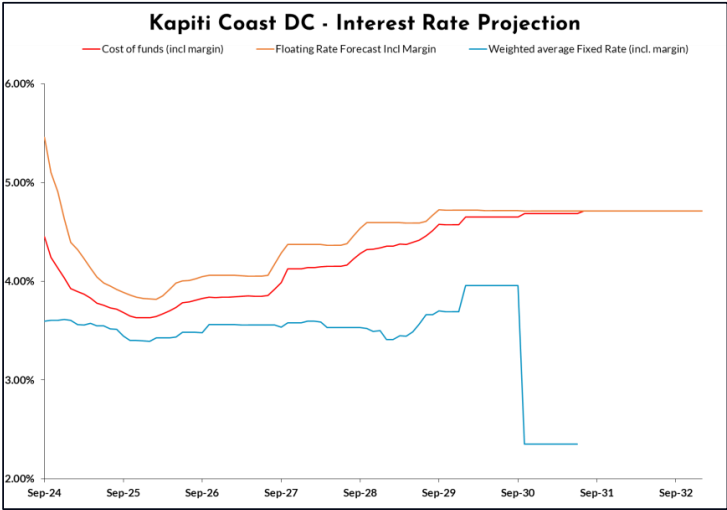
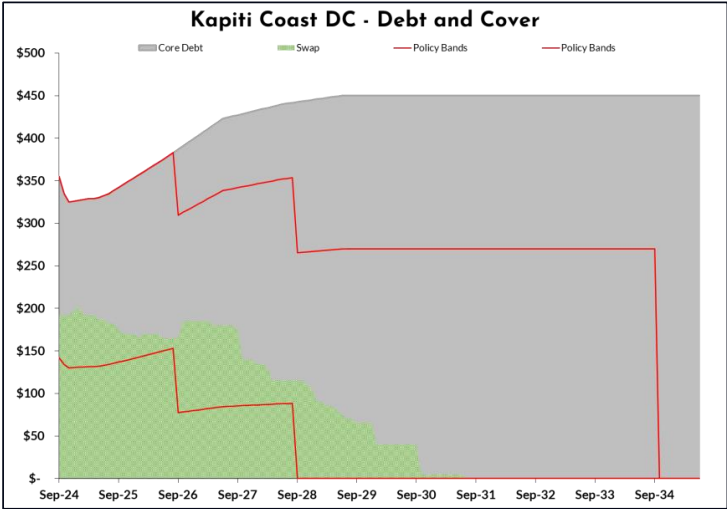
Liquidity ratio (must be >110%)
127.35%

Cost of Funds as at 30 September
4.43%

Policy Compliance	Compliant
Have all transactions been transacted in compliance with policy?	Yes
Is fixed interest rate cover within policy control limits?	Yes
Is the funding maturity profile within policy control limits?	Yes
Is liquidity within policy control limits?	Yes
Are counterparty exposures for financial investments within policy control limits	Yes
Are counterparty exposures for interest rate derivatives within policy control limits	Yes
Are financial covenants within policy limits	Yes

Interest Rate Risk Management

5



Current % of Debt Fixed	54.1%
Current % of Debt Floating	45.9%
Value of Fixed Rate (m)	\$192.0
Weighted Average Cost of Fixed Rate Instruments	3.01%
Weighted Average Cost of Fixed Rate Instruments (incl margin)	3.60%
Value of Forward Starting Cover	\$80.0
Weighted Average Cost of Forward Starting Cover	3.55%
Value of Floating Rate (m)	\$163.0
Current Floating Rate	4.87%
Current Floating Rate (incl margin)	5.46%
All Up Weighted Average Cost of Funds Including Margin	4.43%
Total Facilities In Place	\$365.0

Fixed Rate Hedging Bands			
	Minimum	Maximum	Policy
0 - 2 years	40%	100%	Compliant
2 - 4 years	25%	80%	Compliant
4 - 10 years	0%	60%	Compliant

LGFA Borrowing Rates

6

Listed below are the credit spreads and applicable interest rates as at the end of the September quarter for Commercial Paper (“CP”), Floating Rate Notes (“FRN”) and Fixed Rate Bonds (“FRB”), at which Kapiti Coast DC could source debt from the Local Government Funding Agency (“LGFA”) as at 30 September.

Maturity	Margin	FRN (or CP Rate)	FRB
3 month CP	0.15%	5.02%	N/A
6 month CP	0.15%	5.14%	N/A
April 2025	0.37%	5.24%	4.90%
April 2026	0.45%	5.32%	4.10%
April 2027	0.57%	5.44%	3.98%
May 2028	0.71%	5.58%	4.10%
April 2029	0.86%	5.73%	4.29%
May 2030	0.97%	5.84%	4.48%
May 2031	1.05%	5.92%	4.64%
April 2033	1.15%	6.02%	4.87%
May 2035	1.22%	6.09%	5.05%
April 2037	1.29%	6.16%	5.22%

KCDC Interest Rate Swaps

7

As of 30 September 2024, Kapiti Coast District Council had a notional amount of \$272 million in interest rate swaps.

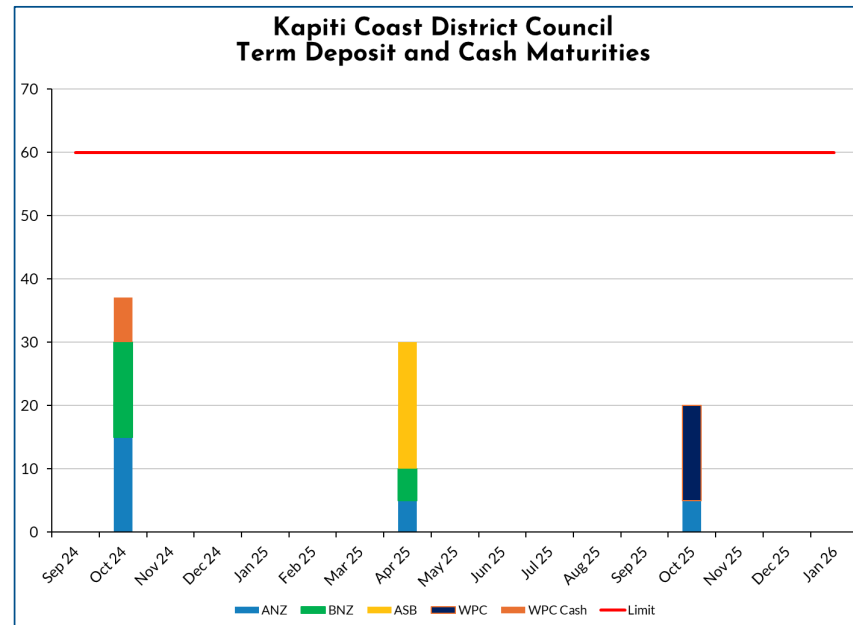
Instrument	Start	Maturity	Rate	Amount
Swap	15-Dec-16	15-Dec-24	3.80%	\$10,000,000
Swap	20-Jan-16	20-Jan-25	3.83%	\$10,000,000
Swap	22-Jan-19	10-Feb-25	3.88%	\$10,000,000
Swap	15-May-18	15-Apr-25	2.98%	\$10,000,000
Swap	20-Apr-17	21-Apr-25	3.51%	\$5,000,000
Swap	25-May-20	25-May-25	3.94%	\$5,000,000
Swap	8-Oct-20	8-Jul-25	4.14%	\$5,000,000
Swap	15-Sep-15	15-Sep-25	4.63%	\$7,000,000
Swap	8-Oct-20	8-Oct-25	4.45%	\$5,000,000
Swap	6-Apr-18	6-Jan-26	2.99%	\$5,000,000
Swap	15-May-18	16-Feb-26	3.25%	\$5,000,000
Swap	30-Aug-19	27-Feb-26	3.27%	\$5,000,000
Swap	29-Mar-21	29-Jun-26	1.09%	\$5,000,000
Swap	12-Jul-19	12-Apr-27	2.82%	\$5,000,000
Swap	15-Sep-22	15-Sep-27	3.81%	\$5,000,000
Swap	1-Oct-20	1-Oct-27	0.31%	\$5,000,000
Swap	7-Jul-20	7-Oct-27	0.61%	\$5,000,000
Swap	31-Aug-24	20-Oct-27	3.66%	\$25,000,000
Swap	15-Jul-21	15-Jan-28	2.57%	\$5,000,000
Swap	5-Mar-18	6-Mar-28	3.24%	\$5,000,000
Swap	20-Apr-25	20-Apr-28	3.39%	\$15,000,000
Swap	18-Feb-20	18-Nov-28	3.64%	\$5,000,000
Swap	19-Dec-18	19-Dec-28	2.76%	\$5,000,000
Swap	20-Jan-25	20-Jan-29	3.51%	\$15,000,000
Swap	27-Mar-19	27-Mar-29	2.21%	\$5,000,000
Swap	10-May-19	10-May-29	2.17%	\$5,000,000
Swap	15-Mar-21	15-Jun-29	1.82%	\$5,000,000
Swap	14-Jul-21	14-Jul-29	1.67%	\$5,000,000
Swap	16-Mar-20	15-Sep-29	2.62%	\$5,000,000
Swap	20-Feb-26	20-Jan-30	3.51%	\$15,000,000
Swap	24-Jan-20	24-Jan-30	1.65%	\$5,000,000
Swap	30-Jan-20	30-Jan-30	1.50%	\$5,000,000
Swap	20-Oct-26	20-Oct-30	3.65%	\$20,000,000
Swap	20-Dec-24	20-Oct-30	3.64%	\$15,000,000
Swap	15-Jul-21	15-Jul-31	1.82%	\$5,000,000
				\$272,000,000

Term Deposits and Cash

8

Start Date	Maturity	Amount (NZD)	Rate	Counterparty
30-Sep-24	1-Oct-24	\$7,083,499	N/A	WPC
15-Aug-23	21-Oct-24	\$5,000,000	6.45%	ANZ
15-Aug-23	21-Oct-24	\$5,000,000	6.50%	BNZ
13-Sep-23	21-Oct-24	\$5,000,000	6.45%	ANZ
13-Sep-23	21-Oct-24	\$5,000,000	6.75%	BNZ
9-Oct-23	21-Oct-24	\$5,000,000	6.65%	BNZ
31-Oct-23	21-Oct-24	\$5,000,000	6.55%	ANZ
30-Jan-24	15-Apr-25	\$10,000,000	6.19%	ASB
11-Mar-24	15-Apr-25	\$5,000,000	6.20%	ANZ
11-Mar-24	15-Apr-25	\$5,000,000	6.20%	BNZ
16-Apr-24	15-Apr-25	\$10,000,000	6.12%	ASB
15-Aug-24	20-Oct-25	\$5,000,000	5.20%	WPC
9-Sep-24	20-Oct-25	\$5,000,000	5.11%	ANZ
10-Sep-24	20-Oct-25	\$10,000,000	5.05%	WPC
		\$87,083,499	6.05%	

Note that 6.05% is the weighted average of the term deposits



Counterparty Exposure for Interest Rate Derivatives and Covenant Compliance

9

Counterparty	Limit	Compliant
ANZ	\$4,873,317	Yes
BNZ	\$5,173,694	Yes
Westpac	\$2,937,157	Yes
	\$12,984,168	

The maximum exposure for any one counterparty is \$10 million. Exposures calculated as follows:

Interest rate swaps/swaptions and interest rate option caps = MTM + 1% of FV per annum calculated on the average duration of the derivatives portfolio.

Borrowing Limit	Policy Limit	As at Sep 2024	Compliant
Net interest expense/Total Operating Income	< 20%	8.60%	Yes
Liquidity (total debt + total committed facilities + cash on hand)/total debt	> 110%	126.50%	Yes
Net External Debt/Total Operating Income	< 280%	199.00%	Yes

Disclaimer

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Statements and opinions contained in this report are given in good faith, but in its presentation, Bancorp has relied on primary sources for the information's accuracy and completeness. Bancorp does not imply, and it should not be construed, that it warrants the validity of the information. Moreover, our investigations have not been designed to verify the accuracy or reliability of any information supplied to us. It should be clearly understood that any financial projections given are illustrative only. The projections should not be taken as a promise or guarantee on the part of Bancorp. Bancorp accepts no liability for any actions taken or not taken on the basis of this information and it is not intended to provide the sole basis of any financial and/or business evaluation. Recipients of the information are required to rely on their own knowledge, investigations and judgements in any assessment of this information. Neither the whole nor any part of this information, nor any reference thereto, may be included in, with or attached to any document, circular, resolution, letter or statement without the prior written consent of Bancorp as to the form and content in which it appears.

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www.bancorp.co.nz

9.2 FY2024-25 QUARTER 1 - WORKPLACE HEALTH, SAFETY AND WELLBEING REPORT

Kaituhi | Author: **Kelly Newbold, Manager Health Safety and Wellbeing**

Kaiwhakamana | Authoriser: **Rach Wells, Group Manager People and Capability**

TE PŪTAKE | PURPOSE

- 1 This report presents the Workplace Health, Safety and Wellbeing Report for the period 1 July 2024 to 30 September 2024.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

- 2 Not required for this report.

TE TUKU HAE PAPA | DELEGATION

- 3 The Risk and Assurance Committee has delegated authority to consider this report under the following delegation in the Governance Structure, Section C 1.
 - Ensuring that the Council has in place a current and comprehensive risk management framework and making recommendations to the Council on risk mitigations,
 - Assisting Elected Members in the discharge of their responsibilities by ensuring compliance procedures are in place for all statutory requirements relating to their role,
 - Governance role in regard to the Health, Safety and Wellbeing Policy and Plan.

TAUNAKITANGA | RECOMMENDATIONS

- A. That the Risk and Assurance Committee notes the Health and Safety Quarterly Insights Report for the period 1 July 2024 to 30 September 2024 attached as Appendix One to this Report.

TŪĀPAPA | BACKGROUND

- 4 The quarterly Health, Safety and Wellbeing Report is intended to provide the Council with insights into initiatives and activities and their progress, as part of the Council's commitment to providing a safe and healthy place to work. The contents and any subsequent discussions arising from this report can support Officers to meet their due diligence obligations under the Health and Safety at Work Act (HSWA) 2015.
- 5 The timing of the Health and Safety Quarterly Reports does not prevent an 'as and when required' verbal update from the Chief Executive to the Mayor and Council regarding serious or high-profile risk events. Such events would be recorded and retrospectively included in the next available Quarterly Report.

HE KŌRERORERO | DISCUSSION

- 6 This report provides a summary update on the Health, Safety and Wellbeing activities, and initiatives that are underway or planned to be undertaken during the 2024/2025 financial year, across policies, risk review, audits and assessments.
- 7 The insights report attached as Appendix One has changed from previous reporting formats to align with best practise reporting for Governance as set out in the updated "Health and Safety Governance: A Good Practice Guide" released by the Institute of Directors in July 2024.

He take | Issues

- 8 A recent people leader survey undertaken has shown that our Health and Safety Management System – Vault is not being optimised and in recent times there has been inconsistent training provided to staff and managers. A project is underway to determine if Vault is fit for purpose to meet our obligations under the Health and Safety at Work Act 2015.

Ngā kōwhiringa | Options

- 9 There are no options arising from this report.

Mana whenua

- 10 There are no mana whenua considerations arising from this report.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 11 There are no climate change considerations arising from this report.

Ahumoni me ngā rawa | Financial and resourcing

- 12 There are no financial or resourcing considerations arising from this report.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 13 There are no legal or organisational risks in addition to those noted in this report.

Ngā pānga ki ngā kaupapa here | Policy impact

- 14 There are 13 Health, Safety and Wellbeing related policies that are either under review or due to be reviewed in this financial year. These are detailed in the following table:

Table 1 – Health, Safety and Wellbeing Policies

Policy Name	Policy Description	Policy Review Due Date	Review Status
Corporate Policy Statement - Health and Safety	Statement from CEO to outlining Council's approach to H&S and expectations.	N/A	In progress
HR-21 Contractors Health and Safety Management	To set Council expectations of Contractors working on Council sites.	Jan 2025	In progress
HR-13-020 Health and Safety	Outlines Council's approach to managing H&S	Feb 2022	In progress
HR-13-018 Hazard Management	Aims to ensure the safety of Council employees, visitors and contractors required to work on or around its premises.		To be revoked when HR-13-020 H&S Policy Review Complete
HR-13-022 Working Alone or in Isolation	Outlines the H&S responsibilities of the Council, its managers and workers. It applies to those who may be required to work alone or in remote.	May 2020	
HR-24 Personal Protective Equipment	To ensure the provision of PPE where required to minimise the risk of harm.	2 year review cycle	
HR-030 Incident and Accident Management	To ensure all safety information about accidents, incidents, and near-misses are reported and investigated appropriately	Nov 2019	

HR-13-024 Smoke Free Workplace	To provide a smokefree environment that will assist to improve the health status of all those who undertake work for or visit Council workplaces.	Dec 2021	
HR-16-034 Care Register	Sets out the guidelines and parameters for the use, maintenance and review of the Care Register.	July 2020	Planned Q3
HR-16-035 Visitors	To ensure a safe environment for visitors at a Council workplace so they remain safe from harm or risk during that visit.	Dec 2021	Planned Q4
HR-16-044 Preventing and Responding to Workplace Bullying	To provide guidance for how to identify, report, address, and help prevent workplace bullying and other undesirable behaviour in our workplace.	Dec 2021	Planned Q3
HR-18 Return to Work	Aims to ensure good communication is established and maintained between the Council, employee, treatment provider, and ACC to facilitate a RTW programme	April 2011	Planned Q4
HR-13-015 Rehabilitation Management	Aims to ensure the early, safe and lasting return to work of Council employees following injury or illness.	May 2019	Planned Q4
HR-13-017 Staff Wellness	Provides information regarding the broad range of wellness initiatives offered to employees, encompassing both emotional and physical wellbeing.	Dec 2018	Planned Q3
HR-19 Vehicle User	To clarify the responsibilities of drivers when using Council vehicles, encourage and promote safe driving behaviours.	Feb 2023	Planned Q4
HR-19-041 Alcohol in the Workplace	Provides guidance for supplying and consuming alcohol at social events in Council workplaces or at Council-owned or controlled facilities.	May 2024	Planned Q4
HR-26 Drug and Alcohol	To ensure that all workers can work in an environment free of alcohol and drug use or abuse.	Mar 2021	Planned Q4
HR-13-016 Emergency Preparedness	To ensure Council has effective emergency plan to manage emergencies likely to occur across Council worksites.	Dec 2018	
HR-16 - Flexible Working Arrangements (FWA)	Policy to provide the process for flexible working arrangements including change in hours and location.	April 2019	In progress

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

- 15 Health, Safety and Wellbeing internal communication continues to increase through a range of internal channels.

Te mahere tūhono | Engagement planning

- 16 An engagement plan is not needed regarding this report.

Whakatairanga | Publicity

- 17 There are no publicity considerations regarding this report.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Q1 Health, Safety and Wellbeing Insights Report [↓](#)

Health, Safety and Wellbeing Quarterly Report – Quarter 1 (Q1)

1. Performance - How well is the organisation doing in meeting its safety objectives?

Q1 has seen the development of a two-year workplace health, safety and wellbeing work plan. Work is progressing well on the priority initiatives identified in Q1 of the workplan, key to success is ongoing staff involvement in the prioritised initiatives.

We saw a slight increase in contractor safety performance reports during Q1 with three events that had high potential for risk. These events support the decision to prioritise the review of the Contractor Health and Safety Management Policy commencing in Q1 ahead of other health and safety policies as the potential for harm is significant.

2. Assurance / verification - What is our assurance programme telling us?

This updated Risk and Assurance quarterly health and safety update report reflects the recommendations set out in the updated “Health and Safety Governance: A Good Practice Guide” released by the Institute of Directors in July 2024.

Seven overview audits were carried out during Q1 focusing on site specific safety documentation for works projects. These audits highlighted the need to have an in-depth health and safety audit programme as part of a continuous improvement cycle, work will begin in Q3 to develop this programme.

3. Risks - What does our risk profile look like?

There have been no notifications to WorkSafe NZ during Q1.

Events summarised in this report focus on those related to critical risks or where there was potential for significant harm or procedure breach.

Due diligence performance is an area that requires continuous improvement. The two-year work plan incorporates initiatives to improve in this area

We have seen an increase in poor behaviour and threats to staff during this period. These ongoing issues have triggered a review of the Trespass policy and procedures along with a review of the de-escalation training we provide staff.

4. Relationships - Are our most important relationships for Health and Safety maintained?

We retained the 16 Health and Safety Representatives (HSRs) during this period. Progress has been made to ensure staff who agreed to fulfil the HSR function earlier in the year receive the legislative required training (HSR Stage 1) before the end of the calendar year. To support the function a HSR handbook is being developed which will form a specific induction for HSRs to support the training they need to undertake.

Our net promoter score (NPS) for the Dr Paul Wood sessions during Mental Health Awareness Week showed a very positive response. The NPS is detailed further in this report.

5. Resources - Are we providing sufficient resources and are they matched to the Councils H&S needs?

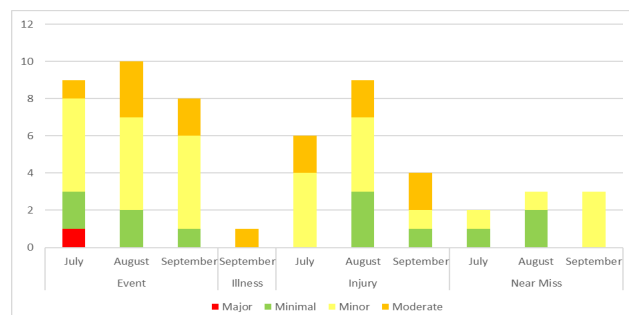
The Senior Advisor Health and Safety resigned from their position in September. Recruitment is underway to fulfil the role for a fixed term period while the people and capability (P&C) team conduct an operating model review to ensure all areas of P&C are fit for the future and performing well.

An internal review of the Health and Safety Reporting System (Vault) is underway to determine if the system can be better optimised to meet Councils needs or if Council should invest in a new system with better management and governance capabilities.

Quarter 1 Insights

1.0 Performance

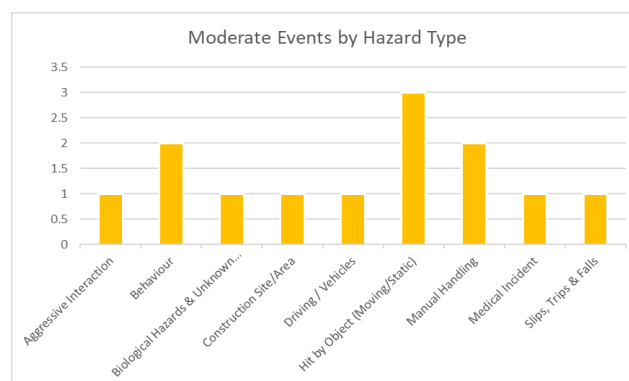
1.1 Incidents by potential or actual severity



The high potential incident that occurred in July related to a worker falling asleep at the wheel. The worker was put on leave until they were assessed by a GP.

A breakdown of hazard types for moderate severity events is shown on the next graph.

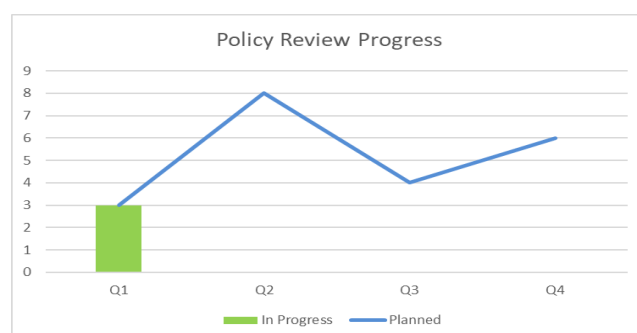
1.2 Moderate severity events by hazard type



Two moderate events resulted in injuries that were recorded as loss time injuries. One of these events was related to driving (separate incident to the high potential incident recorded above) and one related to manual handling.

1.3 Workplan

A two-year workplan has been developed, progress against the workplan progressed to plan in Q1. Moving into Q2 the main initiatives focus on continuation of policy reviews, finalising the H&S Induction Module, reviewing health and safety training needs across Council, building the safety capability in the EOC, and engaging with an external provider to conduct a risk assessment and advice of workplace vs public health and safety and the completion of a Safe Plus or equivalent health and safety audit.



Three health and safety related policies were prioritised in Q1 and are being updated.

Q1 workplan has focused on developing the workplan, along with identifying the required budget and resourcing needs.

2.0 Assurance / Verification

2.1 SiteWise

In 2022 Council decided that all contractors must be accredited to an acceptable standard through a pre-qualification system. The preferred method of pre-qualification accreditation is Sitewise, which provides the Council with a level of confidence that contractors had a robust Safety System in place.

102 of the contractors we use have been accredited and hold either a green or gold status. The average score for our contractors using site wise is 89% - which is above the national average of 84%.

The two-year period previously granted as an exemption when Sitewise was introduced to Council, replacing the previous system, has now expired. There are 36 contractors who we are no longer being used that have now been archived, and a further 7 (previously exempt under the 2-year period) we continue to work with to become Sitewise accredited.



2.2 Contractor Audits

Throughout August and September Health and Safety carried out seven audits to ascertain the level of documentation compliance on works projects. The audit showed that our larger works projects are consistently obtaining and signing off the required site-specific safety documentation, by contrast it showed that our smaller works projects struggle with documented compliance.

This discrepancy highlights the need for increased training and oversight in managing safety procedures for smaller projects. Moving forward, we will implement targeted support and resources to ensure that all projects, regardless of size, adhere to the same high standards of safety documentation.

A more in-depth health and safety audit programme will commence in 2025 once the permanent Senior Health and Safety Advisor role is sourced.

3.0 Risks

3.1 Adverse Customer Behaviour










Council staff and some of our Contractors have been experiencing ongoing adverse customer behaviour across the range of places we engage with the community including in person, over the telephone, email, and online. A small number of these customers have been trespassed in recent months. We have a zero-tolerance policy for people who display unreasonable behaviour towards staff and recently trespassed individuals from our Council premises.

To support our zero-tolerance approach, we are in the process of updating our trespass procedure and general communications approach for trespassed individuals. We also have several other actions in place to help mitigate the risk of Customer abuse or violence, these include:

- Signs in our public areas to remind people to be respectful
- Security presence at our Civic Building reception
- Reminder of zero tolerance and mitigations through the CE He kōrero ā-wiki (weekly wrap)
- De-escalation training for frontline staff. Training also recently provided to Elected Members.
- Introduction of a duress system in the Civic building.

3.2 Critical Risks

Council has nine agreed Critical Health and Safety Risks. The next step to be undertaken is to identify the agreed critical controls for each risk area, this work will progress in Q4 when it is expected the Health, Safety and Wellbeing team will be fully resourced.

Council's Critical Risk		
	Aggressive Interactions	 Hazardous Substances
	Biological Hazards and Unknown Organisms	 Psychological H&S
	Contractor Management	 Remote and Isolated working
	Driving	 Working with Animals
	Fatigue	

3.3 Significant Events

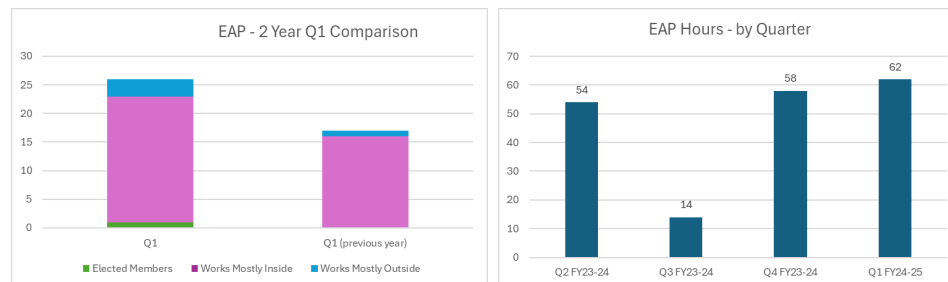
The following events occurred during quarter 1 with a moderate or higher actual or potential risk;

Date of Event	Event Type	Injury or damage	Summary	Corrective Actions	Status
5 July	Incident	Yes	Worker was driving within speed limit when they were hit by a vehicle exiting their driveway.	ACC and 7 days lost work time. Police were called and other driver was at fault	Closed
16 July	Near Miss	No	Worker fell asleep at the wheel of a Council vehicle.	Worker was stood down pending a medical review. Worker cleared to resume work.	Closed
17 Aug	Near Miss	No	9year old wearing an orange swim band holding onto inflatable in deep end called out he couldn't swim. Lifeguard pulled him to the pool edge.	Staff reminded that only those that have passed the deep end test can be issued an orange pass.	Closed
2 Sept	Incident	Yes	A regular customer suffered a heart attack while swimming.	Staff were offered ongoing counselling and support.	Closed
4&5 Sept	Incident	Yes	Overhead Lines were struck by plant.	Project Manager met with Contractor to discuss improvement actions.	Closed
3 Sept	Behaviour	No	Person found to be living in their bus that was stored at the depot as a towed vehicle. When requests were made for the person to leave Council property the individuals behaviour escalated resulting in Police being called.	Trespass notice issued. Bus removed from site. Due to ongoing poor behaviour and threats the trespass notice was extended to all Council sites.	Closed
5 Sept	Incident	No	Contractor's bobcat rolled while in use	Investigated by the Contractor. Contractor is now Sitewise accredited.	Closed
15 Sept	Behaviour	Yes	Customer in library purposely pushed a computer to the floor breaking it.	Police called. Damaged computer removed and glass cleaned up.	Closed
17 Sept	Injury	Yes	Wheel barrowing dirt and lifting outposts resulted in strained lower back requiring time off work.	Medical attention sought. Return to work plan implemented. Reminders on breaks and lifting techniques	Closed

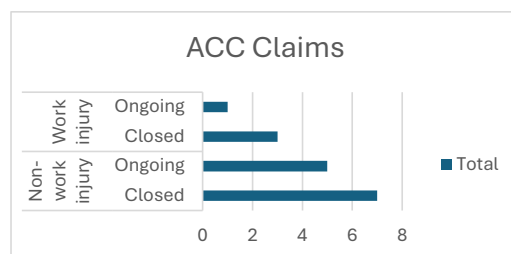
3.4 Wellbeing

Employee Assistance Programme

Q1 FY2024-25 has continued with a slight increase of use with staff affected by business unit reporting line changes and a group session following the death of a customer at the Coastlands Aquatics centre.



ACC



There is one work related case that remains open, this relates to the manual handling LTI, support is in place to gradually return to work.

The five remaining cases for non-work-related injuries are all under ACC Management, four have gradual return to work plans in place, and the final one has been deemed fully unfit for work until 13 November.

Health Monitoring

Row Labels	Passed	Passed with limitations
Asbestos	3	
Hearing Testing	26	14
Hepatitis A & B	5	
Tetanus	4	

Hearing Test results - 12 of the 14 passed with limitation results are minor changes. The other 2 have minor-moderate changes that require further diagnostic testing, reminders have been given to these staff on the importance of appropriate hearing protection.

4.0 Resources

4.1 Health, Safety and Wellbeing Team

The Senior Health and Safety Advisor resigned in September. Interim resourcing is being arranged while the People and Capability team undergo an operating model review. The resignation of the Senior Advisor provides an opportunity to reconsider the Councils health and safety needs and structure. It is anticipated that recruitment for the permanent roles will commence in February-March 2025.

Organisational Training – Lead Indicator

Type	Course	Total
General H&S	First Aid - Full	1
General H&S	First Aid - Refresher	12
General H&S	Resilience Workshop	13
Role Specific	Resuscitation Level 3	8

5.0 Relationships

5.1 Health and Safety Committee

The Health and Safety Committee meeting monthly to discuss health, safety and wellbeing issues and review incidents, near misses and hazards. Scheduled meetings were conducted with a quorum in July, August and September as planned.

The committee remains engaged and committed to leading in this space across Council.

Health and Safety Representatives (HSR)

HSR numbers have remained at 16 at the end of Quarter 1. However, recent structure changes moving Regulatory and Compliance staff to other Groups will mean we need to revisit the number of HSRs required and the split of health and safety representation groups.

Worker participation and engagement (WEPR)

We are purposefully creating opportunities for our people to be involved in the development of policies, processes and hazard management. One of these opportunities to engage with our staff is a piece of work underway to review our hybrid working principles. Other WEPR activities include staff involvement in developing a new health and safety induction module and reviewing the Contractor H&S Management policy. The content for the H&S induction module is nearing completion at which point it will move into building the e-learning module with a range of text, video, graphics and short quizzes.

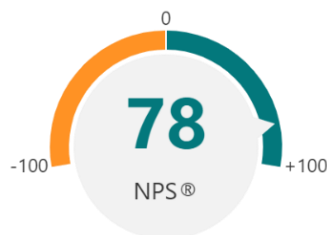
Mental Health Awareness Week

The Gallup survey conducted earlier this year showed a direct causal relationship between our kaimahi's mental health and wellbeing, and employee engagement. Mental Health Awareness Week (MHAW) was held in September, and we used this as an opportunity to work towards improving our mental health and wellbeing awareness and employee engagement.

To support this, this year we invited Dr Paul Wood to talk to staff. Throughout the day he ran 6 sessions to ensure all Council kaimahi and Elected Members had an opportunity to attend, with the final session of the day run in the evening so our staff could bring their whanau to the talk.



We ran two surveys with staff post Mental Health Awareness Week (MHAW). The first was to assess the benefits to staff of have an external speaker during the week.



The sessions run by Dr Paul Wood, had an overall NPS score of 78 which is exceptional.

Attendees consistently said their takeaway from the session was:

- Its okay to look after myself and my mental health
- Sharing and showing emotions isn't a weakness, it can be our greatest strength
- Stress is normal, use techniques to make small changes
- The mindset we have is powerful and can change our lives

3.47
Average Rating



3.34
Average Rating



The second survey focused on MHAW as a whole and delved into the Gallup Survey question asked earlier in the year about wellbeing. 38 staff responded to the survey.

3.47 was the average rating to "How effective do you find the mental health and wellbeing resources provided by the Council. 3.34 was the average rating when asked "To what degree have the Council's wellbeing and mental health initiatives positively impacted you?"

The information gathered through the survey will inform the development of a Wellbeing Plan in 2025.

6.0 Due Diligence

6.1 SLT Learning visits

Throughout August to October members of the Senior Leadership Team (SLT) went out and spent a day with the business. Whilst the purpose of this was not focussed on Health and Safety, it has an impact on health and safety outcomes when Leaders experiencing the perspective of our workers and the challenges, they face every day performing their role.

Rach, Group Manager People and Capability spent the day with Tony who rises ahead of the birds (3am) six days a week to help keep Kāpiti beautiful for us all to enjoy. The physical nature and risks of this mahi was a great example for our Senior Leaders to experience again.



6.2 Due Diligence activities

Part of an Officer's role on behalf of the PCBU (Person Conducting a Business or Undertaking) is to ensure a safe working environment and that Council has the necessary tools and resources to manage risk as far as is reasonably practicable. This is achieved in several ways

- At least one Group Manager attends each Health and Safety Committee meeting to ensure direct conversation between H&S Representatives and Senior Management.

- b. A H&S update is now provided to the SLT every Monday to bring attention to any significant incidents that have occurred, issues arising, along with positive observations and initiatives in progress or completed.

A two-year work plan has been developed outlining the key initiatives that will be prioritised. Three key initiatives included in the plan to support continuous improvement in health and safety governance and ensuring Officer duties are upheld will commence within this financial year. These are:

- Implement an Officer H&S Development Training Programme
- External audit of Health and Safety procedures and culture
- Development of a new CE Health and Safety Commitment Statement.

The new commitment statement will better reflect the CE's and organisations commitment to health, safety and wellbeing and will set the scene when reviewing and updating the remaining health and safety related policies.

9.3 TOP 10 ORGANISATIONAL RISK REPORT

Kaituhi | Author: **Nienke Itjeshorst, Lead Risk and Assurance Advisor**

Kaiwhakamana | Authoriser: **Mark de Haast, Group Manager Corporate Services**

TE PŪTAKE | PURPOSE

- 1 This report provides an update on the Top 10 Organisational Risks currently facing the organisation.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 Not required.

TE TUKU HAE PAPA | DELEGATION

- 3 The Risk and Assurance Committee has delegated authority to consider this matter in line with section C.3 of the Governance Structure and Delegations for the 2022-2025 triennium which state the committee has delegation to:
 - *Ensure that Council has in place a current and comprehensive risk management framework and making recommendations to the Council on risk mitigation.*

TAUNAKITANGA | RECOMMENDATIONS

- A. That the Risk and Assurance Committee receives and notes this report, including Appendix 1 to this report.

TŪĀPAPA | BACKGROUND

- 4 The Top 10 Organisational Risks are aimed at setting a clear direction for staff as to what the Senior Leadership Team (SLT) have identified as the highest areas of potential risk for the organisation to being able to successfully achieve its objectives.
- 5 “Risk” for the management of the council organisation is defined as:
 - a. the impact of uncertain events that can happen in the future on the planned objectives that SLT wants the organisation to deliver and/or achieve (short, medium and long term), and
 - b. includes strategic, reputational, regulatory, legal, security, change and operational risks.
- 6 The current Top 10 Organisational Risks are managed in a risk register in our Enterprise Risk Management software: Camms Risk. It is important to note that these risk listings are:
 - a. not ranked in order of severity,
 - b. capped at 10, to provide a clear focus for SLT and this Committee, and
 - c. not ‘set in stone,’ an emerging organisational risk can be brought forward to replace an existing risk when required and/or relevant.
- 7 Engagement on the organisational risk profile is through on-going conversations with SLT and activity managers about these risks, the controls to prevent or mitigate these risks and status of risk treatments that are underway to implement the controls to achieve the target risk level. These conversations ensure each risk is regularly reviewed providing assurance that the treatments are being conducted to further mitigate the risk.
- 8 The next table identifies the current Top 10 Organisational Risks.

Risk No.	Risk Title
ORG 1	Loss of life, serious injury or illness due to insufficient Health, Safety and Wellbeing management.
ORG 2	Failure to adequately maintain social licence.
ORG 3	Failure to give effect to Te Tiriti o Waitangi
ORG 4	Inadequate mitigation and adaptation responses to known and future climate change challenges.
ORG 5	Failure to achieve legislative obligations.
ORG 6	Inadequate management of the impacts of central government reform/change.
ORG 7	Inadequate safeguards against digital technology risks.
ORG 8	Failure to prudently manage Council's financial stability including fraudulent activity.
ORG 9	Failure to maintain business continuity for essential services and inadequate planning and preparedness for emergencies.
ORG 10	Inability to attract and retain sufficient capacity to deliver Council's objectives.

- 9 A list of *AS/NZ/ISO 3100:2018 Standard: Risk Management – Guidelines* definitions is included in the Heatmap Report on the last page.

HE KŌRERORERO | DISCUSSION

- 10 This report provides an update of the current Top 10 Organisational Risks. The associated Risk Heatmap Report (attached as Appendix 1 to this report), details how the organisation is treating and mitigating these risks, with progress updates against each of the individual risk treatments.

Changes to Top Organisational Risks

- 11 Two more risk workshops with the Senior Leadership Team were held in September and October 2024 with a focus on risk appetite and risk trend towards target risk. Risk consequence categories/ratings are currently being reviewed with SLT with a target completion date of February 2025.
- 12 All updates/changes to the Risk Heatmap Report (attached as Appendix 1 to this report), have been highlighted in blue font.

He take | Issues

- 13 There are no additional issues arising from this report.

Ngā kōwhiringa | Options

- 14 There are no options to be raised in this report.

Mana whenua

- 15 There are no mana whenua considerations in addition to those included in Appendix 1 to this report.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 16 There are no climate change considerations in addition to those included in Appendix 1 to this report.

Ahumoni me ngā rawa | Financial and resourcing

- 17 There are no financial and resourcing considerations in addition to those included in Appendix 1 to this report.

18 [Tūraru ā-Ture me te Whakahaere](#) | [Legal and Organisational Risk](#)

There are no further legal and risk considerations arising directly from this report.

[Ngā pānga ki ngā kaupapa here](#) | [Policy impact](#)

19 There are no further policy considerations arising from this report.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

[Te mahere tūhono](#) | [Engagement planning](#)

20 This matter has a low level of significance under the Council's Significance and Engagement Policy and no engagement is triggered.

[Whakatairanga](#) | [Publicity](#)

21 This report and appendices will be publicly available through the agenda for the Risk and Assurance Committee meeting.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Top 10 Organisational Risk Heatmap Report 21 November 2024 [↓](#)



Top 10 Organisational Risks - Heatmap Report

Camms.

21 November 2024

HEATMAP SUMMARY

The heatmap shown below presents a 'big picture' and concise view of all current Organisational Risks for Council. It enables you to see on one page how each risk is tracking from the current (revised) risk rating towards the target (future) risk rating. Council is aiming to achieve the target risk ratings using appropriate risk treatment. The risk treatments under each risk in this report provide more detail. The current risk rating was achieved by revising the initial risk rating, taking into consideration the existing risk controls.

Initial risk rating - The initial risk level without taking into consideration existing risk control measures
Current Risk Rating - The current risk level taking into consideration existing risk controls and their effectiveness
Target Risk Rating - The future risk level taking into consideration planned risk treatments, new and existing controls and their effectiveness
The target risk is often set at the same level as the Risk Appetite but can be set lower. Risk Appetite represents the level of risk Council is willing to accept when delivering on its objectives. The current Risk Appetite is Moderate.



RISK SUMMARY

Organisational Risk

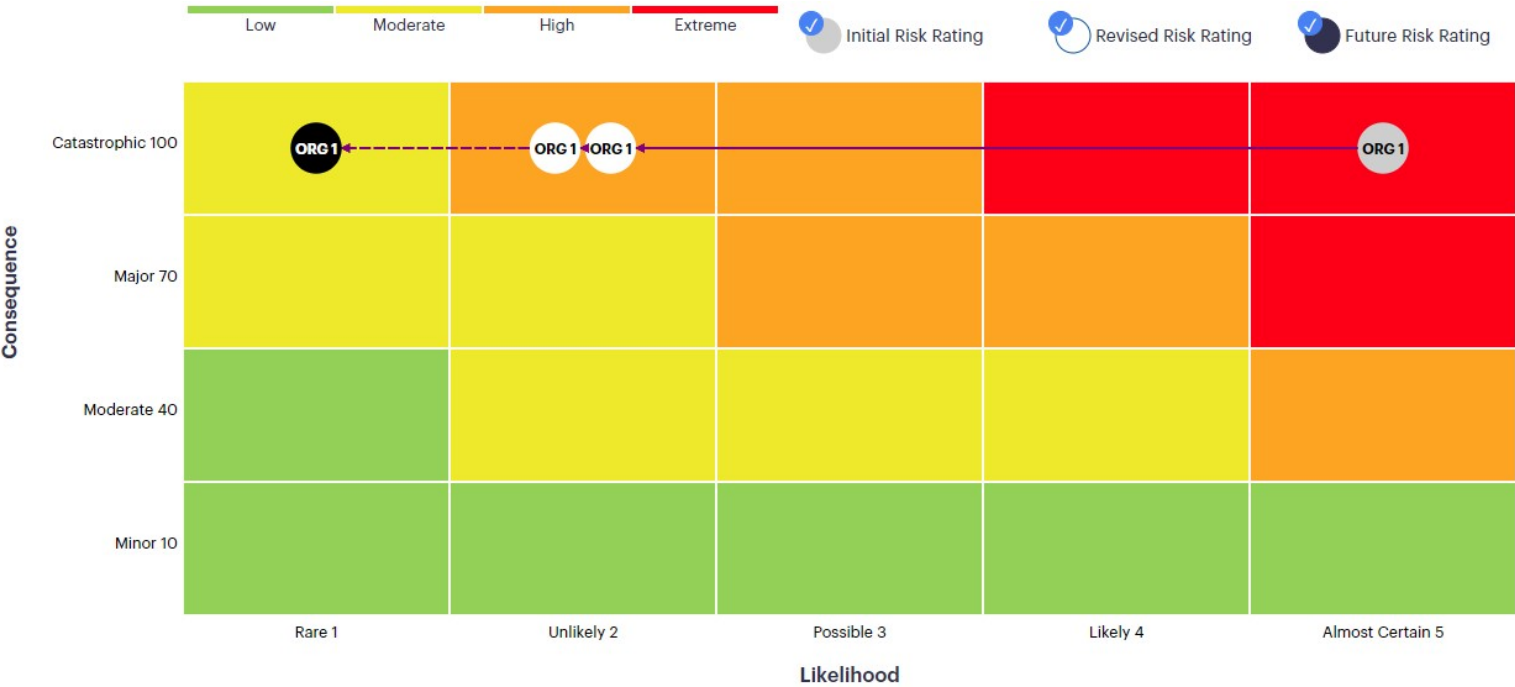
Risk Title	Last Report	Current	Target	Trend
ORG 1 - Loss of life, serious injury or illness due to insufficient Health, Safety and Wellbeing management	High	High	Moderate	↔
Risk Sponsor Comments: Council is committed to providing a healthy, safe working environment improved by a continuous improvement approach for learning opportunities and leadership development. Control effectiveness was reviewed for this report and control and treatments controls were added to increase effectiveness. There is currently no change in the trend towards target risk.				
ORG 2 - Failure to adequately maintain social licence	High	High	Moderate	↓
Risk Sponsor Comments: To maintain social licence means for our council that our community trusts us to make good decisions about how we spend ratepayer's money and invest in our district's future. Reviewing control effectiveness resulted in three further controls being considered effective. Due to increased effectiveness of controls and treatments underway, the current likelihood of this risk occurring was reviewed from 'likely' to 'possible', showing as a trending towards target.				
ORG 3 - Failure to give effect to Te Tiriti o Waitangi.	High	High	Moderate	↔
Risk Sponsor Comments: Should Council fail to give effect to its obligations of partnership under Te Tiriti o Waitangi with iwi, hapū and Māori, this poses a reputational and legal risk to Council and will impact on Council's ability to deliver on its Strategic Priorities. Developing cultural competency and building and nurturing relationships with iwi and Māori are essential, and this is the focus of an across organisation work programme delivered by the Iwi Partnerships Group. As the programme and risk controls are being established, there is no current change in risk trend.				
ORG 4 - Inadequate mitigation and adaptation responses to known and future climate change challenges	High	High	Moderate	↔
Risk Sponsor Comments: We are seeing increasing impacts of climate change and will need to continually increase our response to adapt to and mitigate climate change. This is a long-term response where Council is also advocating for action from others and influencing decision-makers.				
ORG 5 - Failure to achieve legislative obligations	Moderate	Moderate	Moderate	↔
Risk Sponsor Comments: There are significant controls in place and staff are acutely aware of the risks of not meeting their statutory obligations as part of their roles. Both the current and target risk rating operate at a moderate risk appetite level but currently at a different consequence rating. Most of the controls are considered effective, actions are place towards increasing internal alignment.				
ORG 6 - Inadequate management of the impacts of central government reform/change	High	High	Moderate	↔
Risk Sponsor Comments: This risk is evolving due to a second tranche of changes, now coming through. The next phase of change focuses on rebalancing the priority between growth and a resilient environment, and legislative change is pending. The widespread changes to central government entities and their roles, such as Kainga Ora, will have significant impact on how local level systems work and Council's involvement over time. Our priority for managing this risk will remain focused on influencing the central government agenda through engagements with Ministries and Departments, who are driving advice re these changes to highlight impacts at a local level. We are also advocating concerns directly to Ministers, and sharing lessons learnt with the Public Service Commission.				
ORG 7 - Inadequate safeguards against digital technology risks.	Moderate	Moderate	Moderate	↔
Risk Sponsor Comments: This risk was widened to digital technology risk and two controls have been added, with one considered effective and the other partially effective. As a result, there is no change to the current rating and operating at target risk level is maintained				

Kapiti Coast District Council

Heatmap Report

Risk Title	Last Report	Current	Target	Trend
ORG 8 - Failure to prudently manage Council's financial stability including fraudulent activity	Moderate	Moderate	Moderate	↔
Risk Sponsor Comments: More regular training and awareness of the fraud mitigation policy is under development as part of the development of an across council rolling education-programme. The majority of controls are effective, operating at target risk level is maintained.				
ORG 9 - Failure to maintain business continuity for essential services and inadequate planning and preparedness for emergencies.	Moderate	Moderate	Moderate	↔
Risk Sponsor Comments: Best practice asset management and business continuity remains a key area of focus. A high level of planning for emergencies across the 4'R's (reduction, readiness, response and recovery) is essential for Council in order to meets its statutory obligations and support the community in case of an emergency. Because business continuity risk is rated differently than Emergency Management risk, two risk Heatmaps have been included under ORG 9 in this report. The Moderate rating represents BCP risk.				
ORG 10 - Inability to attract and retain sufficient capacity to deliver Council's objectives	High	Moderate	Low	↓
Risk Sponsor Comments: Our Council is experiencing challenges in attracting and retaining suitably skilled and experienced staff. This challenge is also compounded through candidate remuneration expectations balanced against what the Council can afford to pay. Control effectiveness was reviewed, resulting in one more control considered effective and new risk treatments added. In light of controls and treatments implemented and underway, the current likelihood of the risk occurring was reviewed from 'almost certain' to 'possible', resulting in a downward trend of this risk towards target.				

ORG 1 - Loss of life, serious injury or illness due to insufficient Health, Safety and Wellbeing management

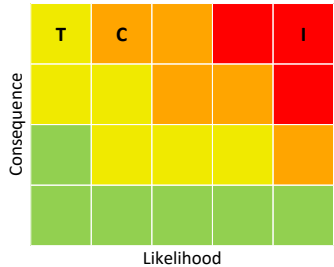


RISK OVERVIEW

Organisational Risk

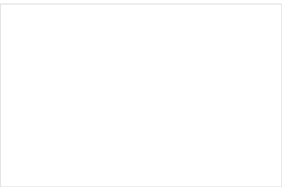
ORG 1	Loss of life, serious injury or illness due to insufficient Health, Safety and Wellbeing management			
Risk Categories: Health, Safety and Wellbeing - Safety and Wellbeing, Legal and Regulatory Compliance, Reputational and Stakeholder Relationship	Risk Sponsor: Chief Executive	Secondary Risk Sponsor(s): Senior Leadership Team (SLT)	Last Reviewed Date: 22 Oct, 2024	Next Review Date: 25 Feb, 2025

Individual Heatmap



- I Initial Risk Assessment
- C Current Risk Assessment
- T Target Risk Assessment

Effectiveness of control
C Partially Effective



Causes

- Complacency
- Failure to engage and listen to staff
- Ineffective consistent engagement and communication between staff and management
- Ineffective safeguards and/or process controls
- Insufficient levels of capability
- Lack of adherence of contractor management frameworks
- Lack of sharing information to enable lessons learnt
- Loss of balance between resourcing and expectations
- Personal circumstances of staff
- Poor health and safety processes
- Poor safety culture and/or behaviours

Risk Treatment: Accept,Take further action to modify impact / likelihood

Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(1) Continuing the risk-based approach / assessment focus on: asbestos, hazardous substances and contractor management.	Manager Health, Safety and Capability	Partially Effective	25 Feb, 2025
(2) Well-being initiatives for staff	GM People and Capability	Partially Effective	25 Feb, 2025
(3) H&S prequalification requirements for contractors.	Manager Health, Safety and Capability	Effective	25 Feb, 2025
(4) Employee Assistance Programme for Kapiti staff	GM People and Capability	Effective	25 Feb, 2025
(5) Consistent use of Health and safety management systems	GM People and Capability	Partially Effective	25 Feb, 2025
(6) Proactive modelling of good Health & Safety behaviours to promote well-being	GM People and Capability	Partially Effective	25 Feb, 2025








Consequences

- Absenteeism
- Financial penalties
- Injuries and/or fatalities
- Negative impact on psychological wellbeing
- Reduced resilience
- Reputational damage

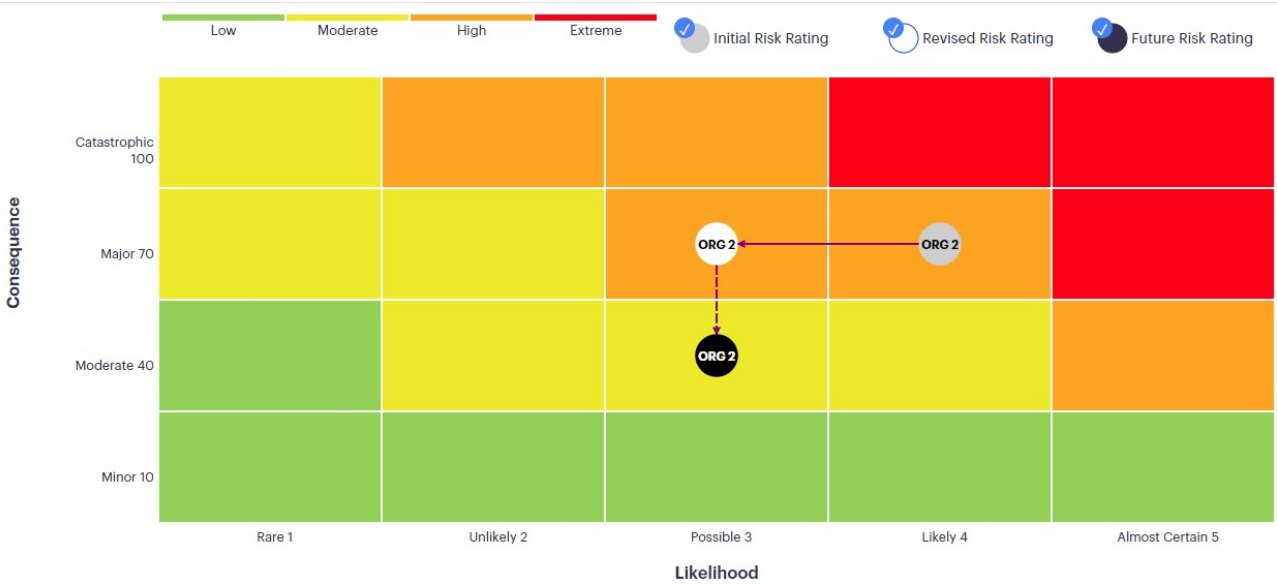
Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(7) Council Health and Safety Committee	GM People and Capability	Effective	25 Feb, 2025
(8) Health and Safety Policies	Manager Health, Safety and Capability	Partially Effective	25 Feb, 2025

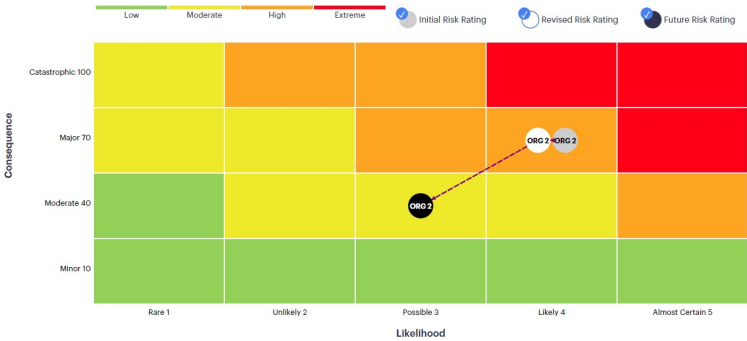
Current Risk Treatments

Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(1) Develop Asbestos Control Framework.	Manager Health, safety and Wellbeing	In Progress	25	30 Jun, 2025	 AMBER
Progress Comment: An asbestos handling framework for contractors will be developed setting out Council's standards for handling asbestos.					
(5) Develop a Vault training calendar for specified users and clear user guidance	Manager Health, Safety and Wellbeing	In Progress	20	28 Feb, 2025	 RED
Progress Comment: System is in place and well used but further training and user guidelines are needed to make the use of the system more effective for reporting across the business. The IT team is mapping all processes to optimise Vault usage. People leaders have been surveyed about usage and training requirements.					
(5) Health & Safety Induction	Manager Health, Safety and Wellbeing	In Progress	50	31 Jan, 2025	 GREEN
Progress Comment: A H&S Induction Module is under development that will include an annual refresher reminder for all staff to complete.					
(5) Organisational Health & Safety Audit	Manager Health, Safety and Wellbeing	Not Started	0	30 Jun, 2025	 N/A
Progress Comment: A full Health & Safety Audit will take place as part of this year's H&S Work programme and is planned to start on 1 March 2025.					
(5) Upgrade and extend Health & Safety systems.	Manager Health, Safety and Wellbeing	In Progress	40	30 Jun, 2025	 GREEN
Progress Comment: A Health & Safety Management Strategy and work programme will be developed, which will include H&S tools for delivery.					
(6) Project Safety Audits and reporting.	GM People and Capability	In Progress	55	31 Dec, 2024	 AMBER
Progress Comment: The Project Manager is responsible for is carrying our Safety Audits for their project and liaise with the contractor on any findings. A draft Audit Report has been completed and provided to the GM Infrastructure.					
(8) Health & Safety Policies review	GM People and Capability	In Progress	10	31 Dec, 2025	 GREEN
Progress Comment: The review of all existing H&S Policies is now underway.					

ORG 2 Failure to maintain social licence

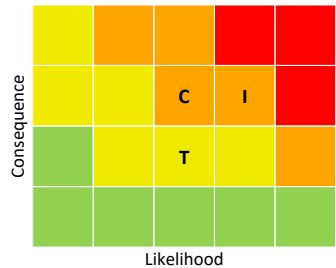


Heatmap 15 August Report



ORG 2 Failure to adequately maintain social licence				
Risk Categories: Reputational and Stakeholder Relationship - Reputation,Stakeholder Relationship, Assets & Infrastructure Resilience, Environmental Impact, Legal and Regulatory Compliance	Risk Sponsor: GM Customer & Community	Secondary Risk Sponsor(s): Senior Leadership Team (SLT)	Last Reviewed Date: 30 Oct, 2024	Next Review Date: 25 Feb, 2025

Individual Heatmap



- I Initial Risk Assessment
- C Current Risk Assessment
- T Target Risk Assessment

Effectiveness of control	
C	Partially Effective

Causes

- Inconsistent approaches to engagement and collaboration
- Lack of transparency and accountability
- Poor alignment with strategic priorities in decision-making (reports)
- Poor understanding of and responsiveness to community needs and expectations

Risk Treatment: Take further action to modify impact / likelihood

Consequences

- Decision makers lack mandate/confidence to act
- Lack of public confidence in and acceptance of Council decisions and advice
- Project and initiatives requiring community involvement or support take longer and cost more to deliver

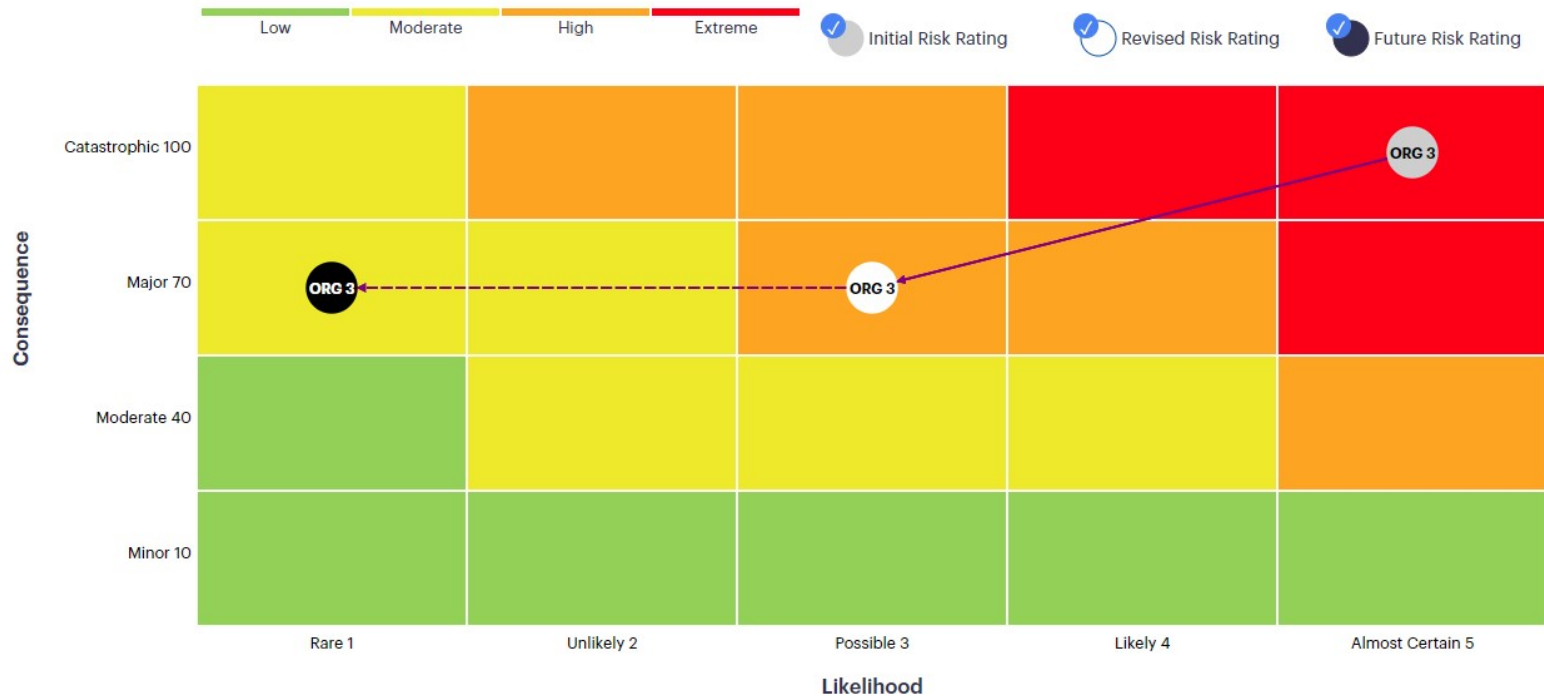
Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(1) Transparency and pro-active disclosure: LGOIMA requests published on the Council website, Council briefings open to the public	General Counsel	Effective	25 Feb, 2025
(2) Communication, Media and Social Media Policy 2021 implementation	Manager Communications and Engagement	Effective	25 Feb, 2025
(3) Adherence to Codes of Conduct by staff and by Elected Members	Senior Leadership Team (SLT)	Partially Effective	25 Feb, 2025
(4) Communication and Engagement Strategy implementation: Providing adequate opportunities for the public to understand and get involved in decision making.	Manager Communications and Engagement	Partially Effective	25 Feb, 2025
(5) Key (and Strategic) Partnerships	Manager Research and Policy	Partially Effective	25 Feb, 2025
(6) Continuous improvement programme to be agile and responsive to (changing) customer communication preferences and needs.	Manager Communications and Engagement	Effective	25 Feb, 2025
(7) Significance and Engagement Policy	Principal Advisor Corporate Services	Effective	25 Feb, 2025
(8) Investing in and lifting communications and engagement capability across the organisation.	Manager Communications and Engagement	Partially Effective	25 Feb, 2025

Current Risk Treatments

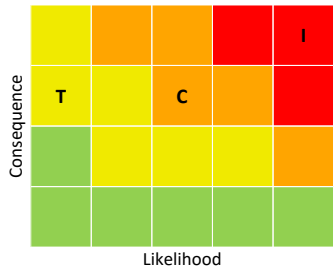
Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(4) Review Communication and Engagement Strategy.	Manager Communications and Engagement	In Progress	40	30 Jun, 2025	<div><div></div><div></div><div></div></div> GREEN
Progress Comment: Review is underway with draft pillars identified. External review of communications and engagement function and activities will be a key input into the strategy. Further workshops with key stakeholders are proposed for early 2025.					
(5) Establish a cross-organisation system for key partners engagement and reporting.	Manager Research and Policy	In Progress	40	30 Jun, 2025	<div><div></div><div></div><div></div></div> GREEN
Progress Comment: Work has started to develop a CRM (client relationship management systems) which will provide an overview of Key (and Strategic) relationships that support us to deliver on the Top 10 Priorities. Phase 1 of this work - setting up impact measures to measure engagement with (key) partners - has now been completed. Phase 2, identifying further partners and developing the system will now get underway.					

ORG 3 - Failure to give effect to Te Tiriti o Waitangi



ORG 3	Failure to give effect to Te Tiriti o Waitangi.			
Risk Categories: Reputational and Stakeholder Relationship, Assets & Infrastructure Resilience, Environmental Impact, Financial Exposure, Legal and Regulatory Compliance	Risk Sponsor: GM Iwi Partnerships	Secondary Risk Sponsor(s): Chief Executive	Last Reviewed Date: 22 Oct, 2024	Next Review Date: 25 Feb, 2025

Individual Heatmap



Effectiveness of control	
C	Partially Effective

Causes

- Inadequate cultural competency
- Inadequate capacity and capability to partner, collaborate and engage
- Failure to be a supportive partner to mana whenua iwi
- Inadequate support for resourcing of mana whenua iwi
- Miscommunication or No communication

Risk Treatment: Take further action to modify impact / likelihood

Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(1) Long Term Plan and other strategic and operational plans.	Senior Leadership Team (SLT)	Effective	25 Feb, 2025
(2) Organisational Te Ao Maori capability training	Manager Iwi Partnerships	Partially Effective	25 Feb, 2025
(3) Mana whenua representation in Council Governance Structure	GM Iwi Partnerships	Effective	25 Feb, 2025
(4) Funding for Iwi capacity	GM Iwi Partnerships	Partially Effective	25 Feb, 2025
(5) Memorandum of Partnership - Whakahoatanga Manatu	GM Iwi Partnerships	Partially Effective	25 Feb, 2025
(6) Te Whakaminenga o Kapiti work programme	GM Iwi Partnerships	Partially Effective	25 Feb, 2025

Current Risk Treatments

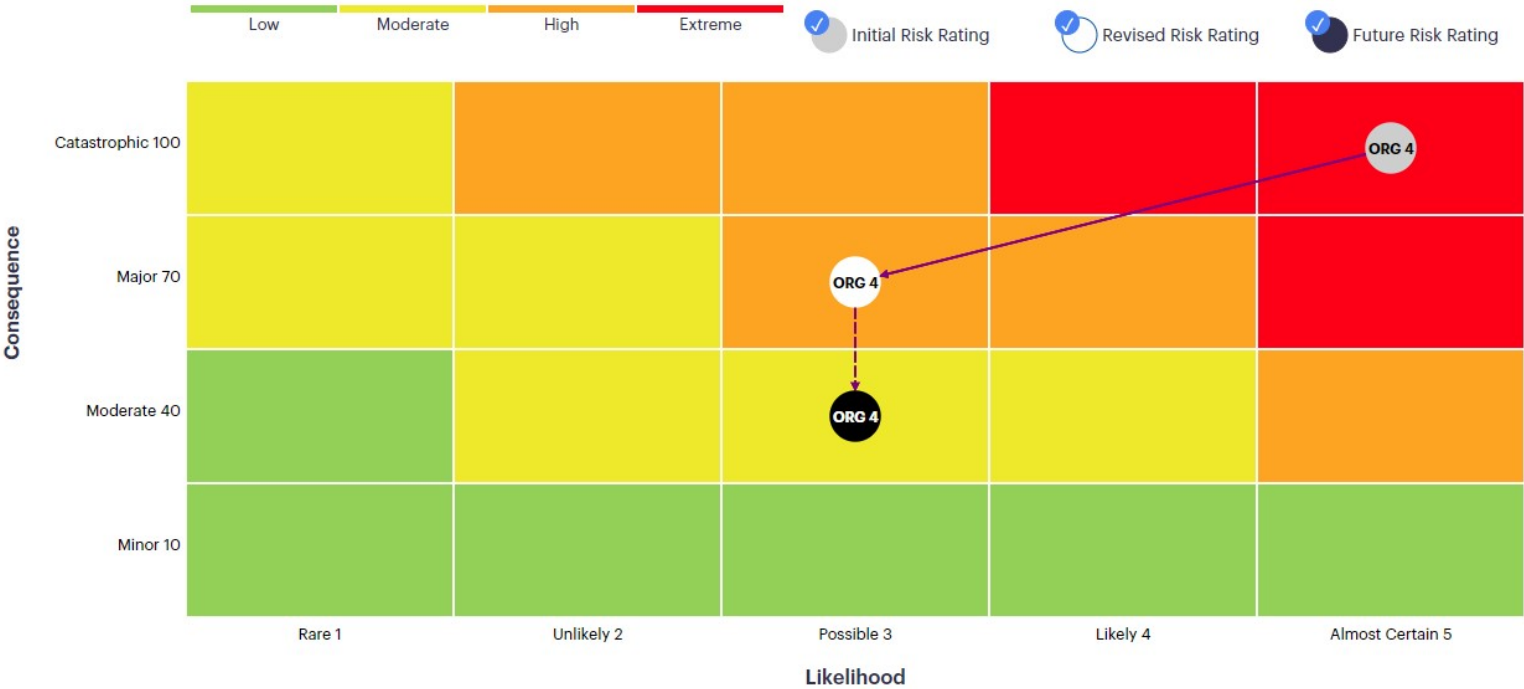
Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(1) Process and programme development for across organisation collaboration with the Iwi Partnerships Group.	Manager Iwi Partnerships	In Progress	30	30 Jun, 2025	GREEN
Progress Comment: Process Mapping of the Iwi Partnerships Team Activities commenced and a Kaupapa Kōrero process was established to support organisational collaboration with the IPT. Māori Economic Development Grants have been migrated to Smarty Grants system ahead of 2024/25 funding round.					
(2) Review of organisational cultural capability training	Manager Iwi Partnerships	In Progress	30	31 Mar, 2025	AMBER
Progress Comment: This review and programme development for cross organisation capability building is now underway					

Kapiti Coast District Council

Heatmap Report

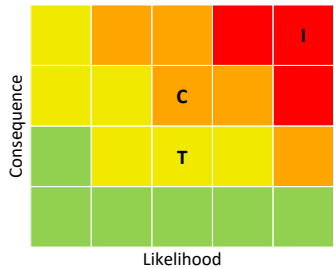
Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(4) Scoping aspirational and funding needs of iwi partners.	Manager Iwi Partnerships	In Progress	15	01 Jul, 2025	 RED
Progress Comment: In accordance with the LTP 2024, this work will be planned as part of Annual Plan 24/25 programme and budget development.					
(5) Work with our mana whenua iwi partners to review the Memorandum of Partnership and Te Whakaminega o Kapiti terms of reference	Principal Advisor Iwi Partnerships	In Progress	65	31 Mar, 2025	 AMBER
Progress Comment: The first workshop with elected members took place on 15 October with two more workshops planned before 15 December. Both Iwi partners and elected members were informed of the purpose, timing and intended outcomes.					
(6) TWoK Work Programme	Manager Iwi Partnerships	In Progress	40	30 Jun, 2025	 GREEN
Progress Comment: Regular meetings are scheduled with TWoK Chair to review current programme and delivery, commencing in October. The TWoK programme is to be framed under a kaupapa framework which aligns with mana whenua principles that support mana whenua vision for Kāpiti.					
(new) Regional collaboration.	Principal Advisor Iwi Partnerships	In Progress	80	31 Dec, 2024	 GREEN
Progress Comment: Regional collaboration meetings between Iwi Partnerships Teams are scheduled to start from 1 November.					

ORG 4 - Inadequate mitigation and adaptation responses to known and future climate change challenges



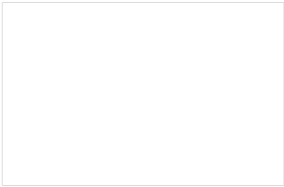
ORG 4 Inadequate mitigation and adaptation responses to known and future climate change challenges				
Risk Categories: Environmental Impact, Assets & Infrastructure Resilience, Health, Safety and Wellbeing, Reputational and Stakeholder Relationship	Risk Sponsor: G	Secondary Risk Sponsor(s): GM	Last Reviewed Date:	Next Review Date:
	M Strategy and Growth	Corporate Services,GM Customer & Community,GM Infrastructure and Asset Management,GM Iwi Partnerships	30 Oct, 2024	25 Feb, 2025

Individual Heatmap



- I Initial Risk Assessment
- C Current Risk Assessment
- T Target Risk Assessment

Effectiveness of control	
C	Partially Effective



Causes

- Failure to appropriately consider climate change in growth decisions
- Failure to consider climate change appropriately in BAU activities
- Inadequate consideration in Council strategies and plans
- Misalignment between Council's climate change strategies and operational activities
- Misalignment between national direction and appropriate local responses

Consequences

- Building consents liabilities
- Coastal erosion
- Disruption to core Infrastructure
- Economic development disruption to local businesses and community
- Environmental non-compliances due to discharge
- Property and assets losses/impacts
- Increased capital costs for resilient assets
- Increased wastewater overflow
- Loss of credit rating
- Loss of cultural taonga of significance
- Negative impacts on our resilience
- Reduced quality of land for use
- Reduced quality of wai (rivers, streams and ocean)

Risk Treatment: Take further action to modify impact / likelihood




Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(1) Deliver asset management and capital projects to make core infrastructure assets resilient to a changing climate.	GM Infrastructure and Asset Management	Effective	25 Feb, 2025
(2) Carbon Footprint and Emissions Reduction support across the organisation and internal and external education programmes.	Manager Climate Action and Connected Communities	Partially Effective	25 Feb, 2025
(3) Natural Catastrophe Insurance	GM Corporate Services	Effective	25 Feb, 2025
(4) Embed climate change thinking, planning and action into all council activities.	Manager Climate Action and Connected Communities	Effective	25 Feb, 2025
(5) Land Use Planning (Local and Regional projects) - to mitigate risks from increasing natural hazards and support emissions reductions through low carbon development.	Manager District Planning	Partially Effective	25 Feb, 2025
(6) Implement further 'direct emissions' reductions from Council's services delivery towards reaching the 2032 and 2040 targets	Manager Climate Action and Connected Communities	Partially Effective	25 Feb, 2025

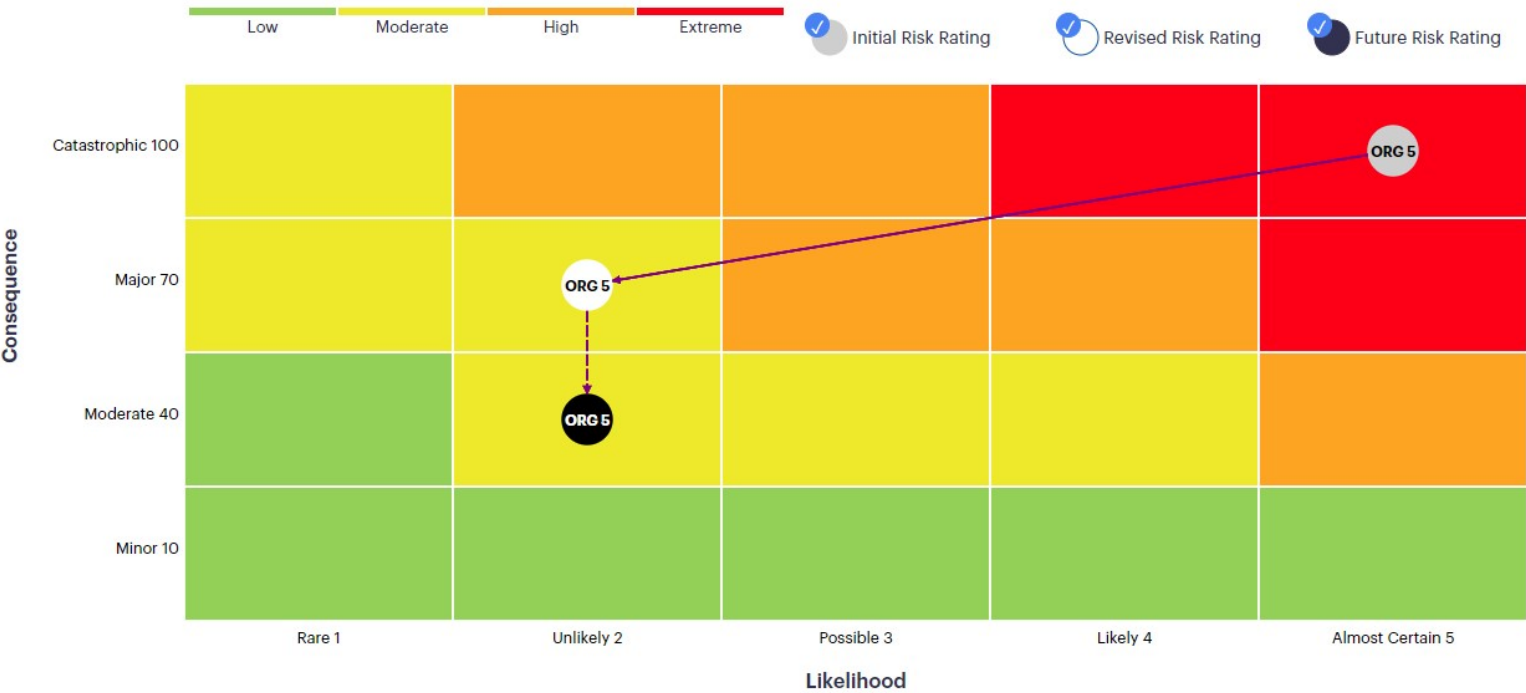
Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(7) Implement Climate Emergency Action framework and report through Climate Emergency Update Reports (LTP 2021)	Manager Climate Action and Connected Communities	Effective	25 Feb, 2025

Current Risk Treatments

Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(2) Independent audit of Council's emissions inventory	Manager Climate Action and Connected Communities	In Progress	75	28 Feb, 2025	 GREEN
Progress Comment: The audit of the emissions inventory for 2023/24 year was submitted to Toitū in October and the audit will take place on 14 November. Results will be presented to Council and the findings will be used to improve emissions data and reduction efforts across the organisation.					
(2) Internal and external Climate Education Programme	Manager Climate Action and Connected Communities	In Progress	30	30 Jun, 2025	 GREEN
Progress Comment: SLT provided direction for this work on 23 September. Development of the education programme is being finalised and delivery is proposed to commence in February 2025.					
(5) Progress coastal erosion district plan change	Manager District Planning	In Progress	15	31 Dec, 2026	 GREEN
Progress Comment: Council was briefed in September on the proposed approach for this work and upcoming changes in regional and national direction on natural hazard management. Plan change work has now started with evidence review, to be followed by analysis of existing plan provisions. A risk assessment presentation to Council from advocacy group is planned for November. Another workshop with Council is planned for December.					
(5) Progress flood risk plan change.	Manager District Planning	In Progress	5	31 Dec, 2025	 GREEN
Progress Comment: A workshop with Council is planned for December where the potential scope of the flood risk plan change will be discussed.					
(5) Takutai Kāpiti next steps	Manager District Planning	In Progress	15	30 Jun, 2025	 GREEN
Progress Comment: Council will be briefed on 14 November on the recommendations received from the CAP, including statutory and non-statutory recommendations.					
(6) Update Council's emissions reduction plan to meet Council's corporate emission targets.	Manager Climate Action and Connected Communities	In Progress	30	30 Jun, 2025	 GREEN
Progress Comment: This plan was submitted to Toitū as part of new target setting in July 2023. The updated plan will include finalising business cases and delivery approach for funded projects (Civic Solar Hub), developing proposals to progress unfunded projects (Electric Rubbish Truck) and improving support and communication with internal stakeholders around emissions reduction support.					
(new) Introduce a Climate Strategy	Manager Strategy	In Progress	65	31 Dec, 2024	 AMBER
Progress Comment: To account for changing context through upcoming RMA reform and consideration of Takutai Kāpiti next steps, options for further work on the strategy will be discussed with Council in November. Work continues with councillors and council teams on progressing relevant action supporting wider district action where appropriate.					

ORG 5 - Failure to achieve legislative obligations

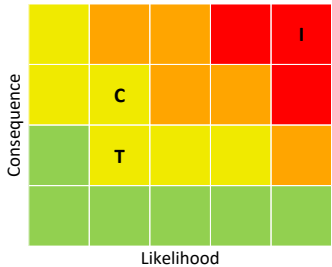


Kapiti Coast District Council

Heatmap Report

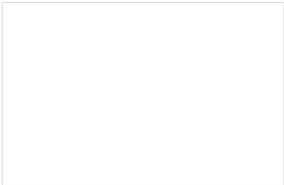
ORG 5 Failure to achieve legislative obligations				
Risk Categories: Legal and Regulatory Compliance, Reputational and Stakeholder Relationship		Risk Sponsor: GM Strategy and Growth	Secondary Risk Sponsor(s): GM Corporate Services, GM Customer & Community, GM Infrastructure and Asset Management	Last Reviewed Date: 30 Oct, 2024
				Next Review Date: 25 Feb, 2025

Individual Heatmap



- I Initial Risk Assessment
- C Current Risk Assessment
- T Target Risk Assessment

Effectiveness of control	
C	Effective



Causes

- Breach of internal policy or procedure
- Failure to provide or maintain safe infrastructure
- Insufficient analysis of available data
- Insufficient resourcing
- Misaligned policies
- Miscommunication or No communication
- Political decisions made against professional advice
- Political influence in operational matters
- Staff applying legislation incorrectly
- Staff providing incorrect advice to Council

Consequences

- Community impact
- Public safety impacted negatively
- Council liability
- Environmental impact
- Failed infrastructure
- Failure to adopt LTP / Annual Plans
- Financial exposure
- Legal consequences
- Loss of IANZ accreditation
- Loss of public confidence
- Loss of skilled and specialist staff
- Loss of staff due disciplinary action or termination
- Non-compliance with regulatory and legislative obligations
- Poor decision making
- Regulatory infringement
- Reputational damage

Risk Treatment: Accept, Take further action to modify impact / likelihood





Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(1) Compliance with Local Government Act 2002 and all other relevant legislation	Senior Leadership Team (SLT)	Effective	25 Feb, 2025
(2) Compliance with statutory standards and associated Annual Reports	GM Strategy and Growth	Effective	25 Feb, 2025
(3) Compliance Reports on sanitary services to Taumata Arowai.	GM Infrastructure and Asset Management	Effective	25 Feb, 2025
(4) Advice available from external legal service providers	General Counsel	Effective	25 Feb, 2025
(5) Internal legal counsel services	General Counsel	Effective	25 Feb, 2025
(6) Monitoring policy/legislative change announcements	Principal Advisor Strategy & Growth	Effective	25 Feb, 2025

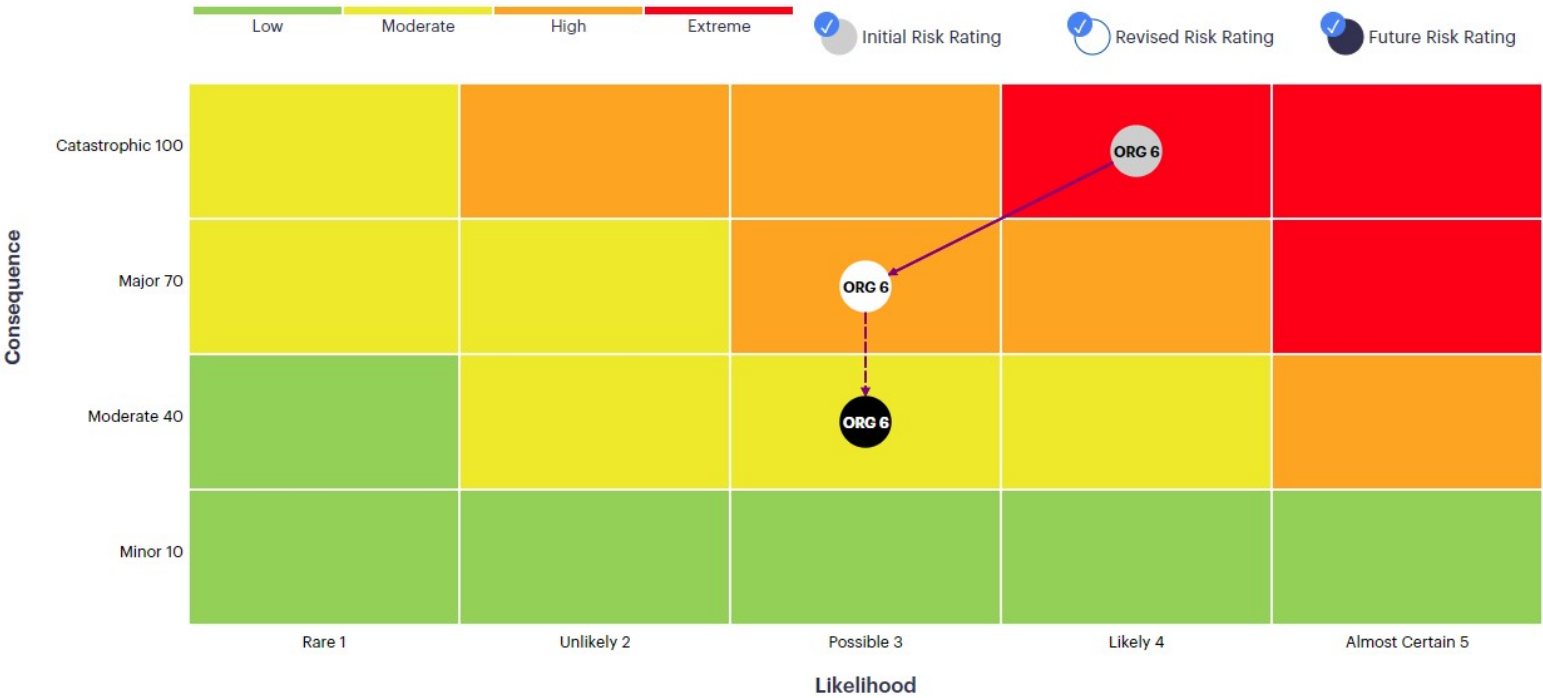
Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(7) Maintain building consent authority International Accreditation New Zealand (IANZ)	Manager Building	Effective	25 Feb, 2025
(8) Implement District Plan and other relevant land use planning legislation	Manager District Planning	Partially Effective	25 Feb, 2025
(9) Ensuring internal alignment for major projects (developments)	Director Strategic Development	Partially Effective	25 Feb, 2025
Training for staff to ensure that (new) legislative requirements are well understood by decision-makers (10)	Principal Advisor Strategy & Growth	Effective	25 Feb, 2025

Current Risk Treatments

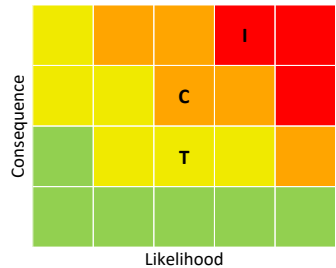
Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(10) Extending Government Regulatory training for staff. Progress Comment: 13 staff have completed the G-Reg training at the end of October. The next G-Reg training is planned to start in February 2025. For this cohort 4 staff members from the Infrastructure Group and Housing Team have enrolled.	Principal Advisor Strategy & Growth	Completed	100	31 Dec, 2024	 GREEN
(10) Promote a collaborative culture in the regulatory and technical decision-making process. Progress Comment: This is a treatment to support and improve peer-to-peer upskilling and across group collaboration. A Relationship Management plan was developed including a new meeting protocol. A number of meetings was set up and attended by managers and team leaders across the business with key partners in the regulatory process. Further work will continue considering internal changes.	Manager Resource Consents and Compliance	In Progress	70	31 Dec, 2024	 GREEN
(5) Implementation of the Legal Strategy Progress Comment: Continued to implement necessary changes required to deliver the internal Legal Strategy adopted in June 2024. The focus is now on onboarding new team members, as well as implementing the plan including actions such as external cost control, systems and process for intake of legal matters, service levels and alignment with the organisation.	General Counsel	In Progress	50	31 Dec, 2025	 GREEN
(9) Implement strategic project alignment for (land use) developments across the organisation. Progress Comment: Refine and clarify current processes in place for gaining strategic, technical, regulatory and risk alignment across the business for upcoming large developments. Quarterly Development Facilitation report to SLT has been established and SLT discussed the first report that covered upcoming developments, issues and opportunities. Regular activity managers meetings have been established and will be expanded following the implementation of the recent restructure.	Director Strategic Development	In Progress	75	31 Dec, 2024	 GREEN

ORG 6 - Inadequate management of the impact of central government reform/change



ORG 6 Inadequate management of the impacts of central government reform/change				
Risk Categories: Legal and Regulatory Compliance, Environmental Impact, Financial Exposure, Reputational and Stakeholder Relationship	Risk Sponsor: GM Strategy and Growth	Secondary Risk Sponsor(s): GM Customer & Community,GM Infrastructure and Asset Management,GM Iwi Partnerships	Last Reviewed Date: 30 Oct, 2024	Next Review Date: 25 Feb, 2025

Individual Heatmap



Causes

- Change in Government direction
- Inadequate regulatory impact statements affecting local government
- Government intervention
- Government timeframes for local government engagement

Consequences

- Organisational change
- Delays to work programmes
- Do-ability challenges in implementing national directive
- Financial exposure
- Increased costs
- Reprioritisation
- Reputational damage

Risk Treatment: Take further action to modify impact / likelihood

Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(1) Continued Waters Reform: develop and deliver Water Services Delivery Plan.	GM Infrastructure and Asset Management	Effective	25 Feb, 2025
(2) Established Health Sector Engagement (Iwi Maori Partnership Board) (IMPB)	GM Strategy and Growth	Effective	25 Feb, 2025
(3) Monitoring policy and legislative announcements to respond and prepare for change.	Manager Strategy	Effective	25 Feb, 2025
(4) Raising issues of concern for our community through formal processes (Health, Housing)	Manager Strategy	Partially Effective	25 Feb, 2025
(5) Regional and national collaboration, knowledge sharing and creating opportunities to influence decision-making.	Manager Strategy	Partially Effective	25 Feb, 2025
(6) Identify short to medium term high impact legislative changes to include budgets in Long Term Plans	Chief Financial Officer	Partially Effective	25 Feb, 2025

Current Risk Treatments

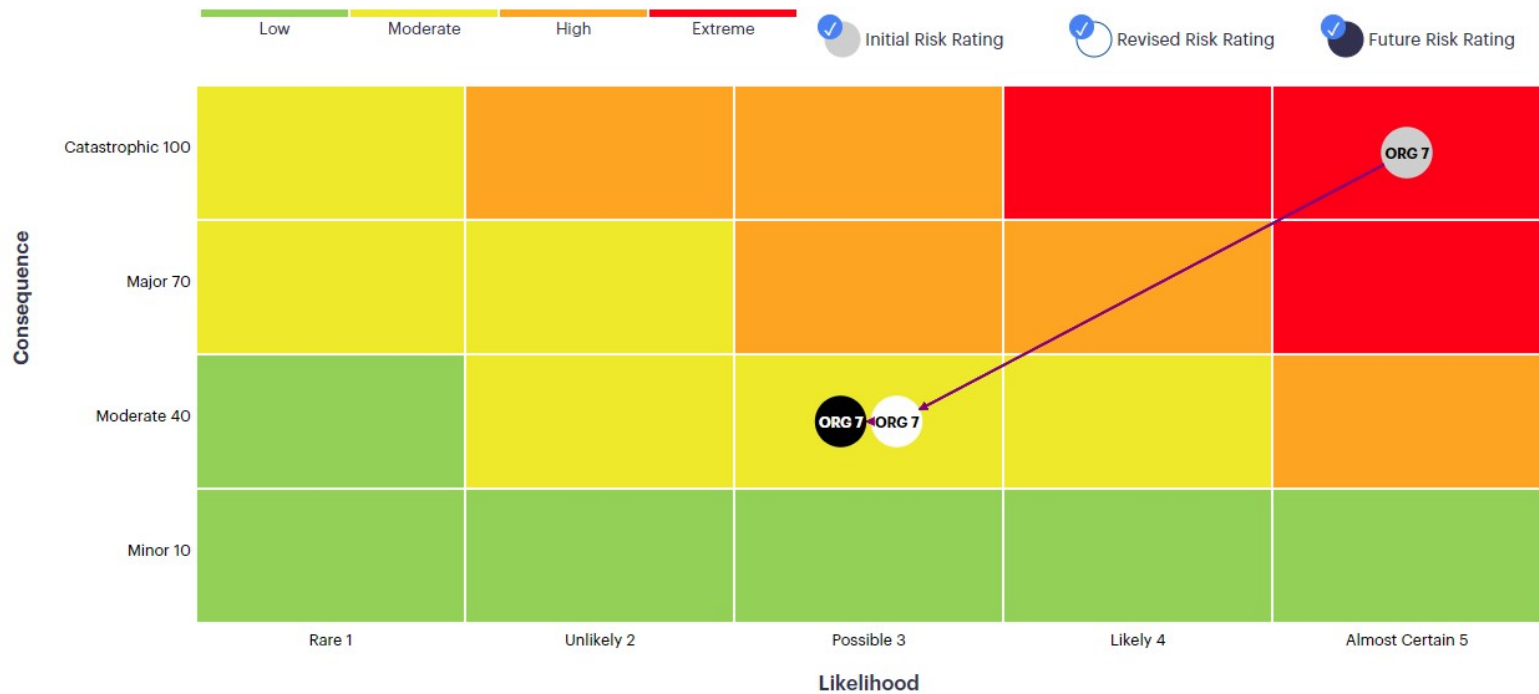
Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(4) Health Strategy Development	Manager Strategy	In Progress	80	31 Dec, 2024	<div><div></div><div></div><div></div><div></div><div></div></div> GREEN
Progress Comment: An update will be provided to Social Sustainability Committee on 5 November, engagement with key staff continues to be prioritised. KHAG is also engaging with stakeholders to establish a case for a polyclinic in Kāpiti.					
(5) Regional and national collaboration and knowledge sharing	Manager Strategy	In Progress	70	30 Jun, 2025	<div><div></div><div></div><div></div><div></div><div></div></div> GREEN

Kapiti Coast District Council

Heatmap Report

Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
Progress Comment: All relevant agencies have started work towards priority-development areas under the Wellington Region Leadership Committee work programme. Staff provided an update to the WR Leadership Group on progress and plans for 2025 for the Kāpiti PDA (Priority Development Area). Development of a common plan is now a priority through to 30 June 2025.					
(N) Scenario planning that will inform our short, medium and long term direction (includes input to LTP)	Manager Strategy	In Progress	10	30 Jun, 2026	<div><div></div><div></div><div></div><div></div></div> <div>GREEN</div>
Progress Comment: Through to June 2026, scenarios and implementation costs will be developed based on the Vision Kāpiti outcomes that were presented to Council in October. The timeframe to 2026 allows for local government elections in 2025.					

ORG 7 - Inadequate safeguards against digital technology risks

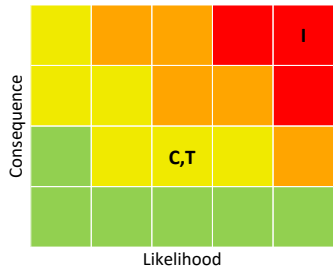


Kapiti Coast District Council

Heatmap Report

ORG 7	Inadequate safeguards against digital technology risks.		
Risk Categories: Information and Data Management, Financial Exposure, IT Systems and Processes, Reputational and Stakeholder Relationship	Risk Sponsor: GM Corporate Services	Last Reviewed Date: 29 Oct, 2024	Next Review Date: 25 Feb, 2025

Individual Heatmap



Causes

- Data breach
- Denial of service
- Inappropriate use
- Malicious code
- Phishing attack
- Poor physical security
- Ransomware
- Supplier being breached
- Unauthorised access
- Unpatched systems
- Zero-day attacks

Risk Treatment: Accept

Consequences

- Financial exposure
- Information leakage
- Legal consequences
- Privacy breaches
- Reputational damage
- Service disruption
- Theft of information

Current Controls

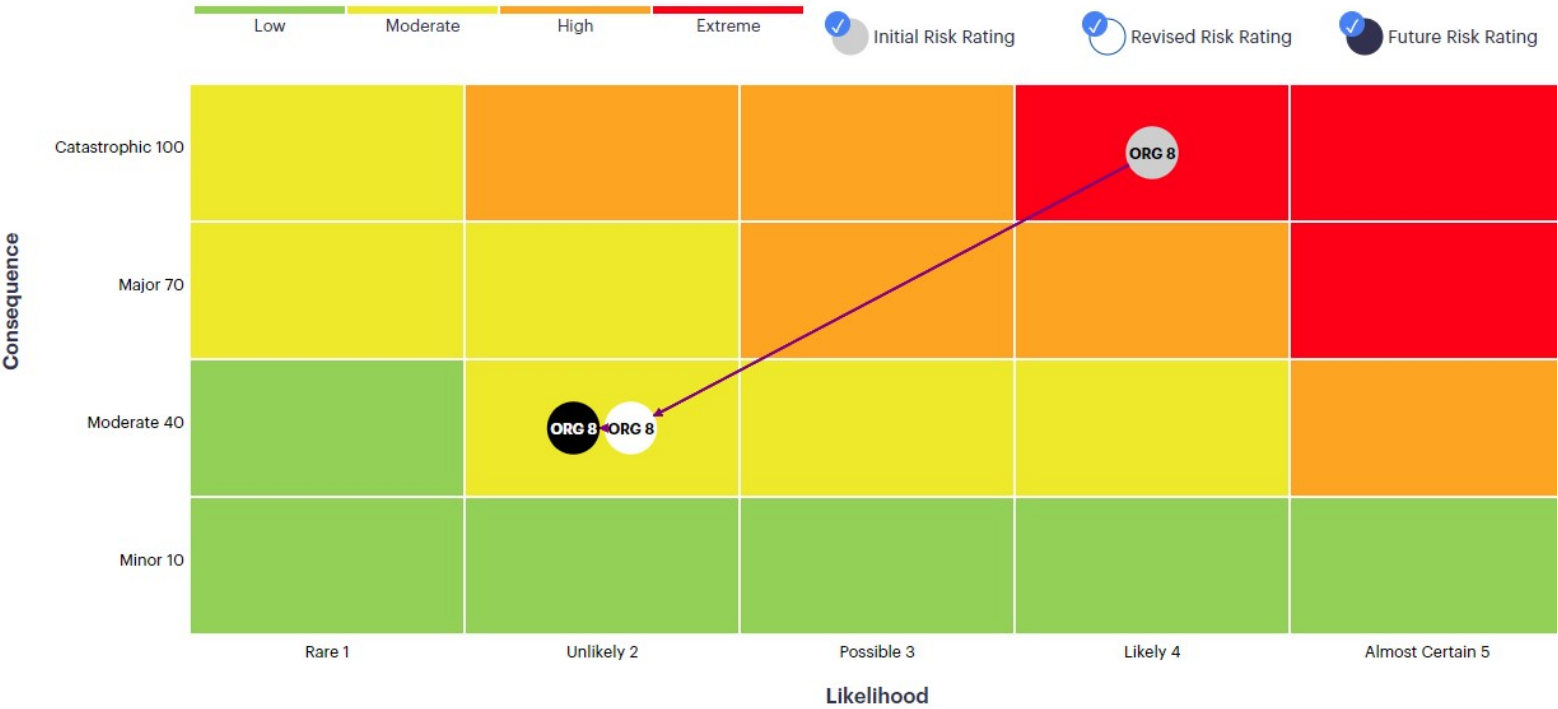
Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(1) Regular review of IT Disaster Recovery Plan (critical IT systems).	Chief Information Officer	Effective	25 Feb, 2025
(10) Office 365 Compliance Audits	Chief Information Officer	Effective	25 Feb, 2025
(2) Artificial Intelligence (AI) education and guidelines.	Chief Information Officer	Partially Effective	25 Feb, 2025
(3) Cyber Security Awareness Training	Chief Information Officer	Effective	25 Feb, 2025
(4) Annual independent cyber security audit	Chief Information Officer	Effective	25 Feb, 2025
(5) Software security patches	Chief Information Officer	Effective	25 Feb, 2025
(6) User Security Permissions (2 factor authentication, systems access, data access, physical access)	Chief Information Officer	Effective	25 Feb, 2025
(7) Security Incident Management System (SIEM) - pro-active monitoring of cyber security threats.	Chief Information Officer	Effective	25 Feb, 2025

Control Title	Control Owner	Control Effectiveness Rating	Review Date Control Next
(8) Quarterly testing of IT team response to cyber threats (team BCP)	Manager Information Technology	Effective	25 Feb, 2025
(9) Controlled processes for information sharing with third parties.	Chief Financial Officer	Effective	25 Feb, 2025

Current Risk Treatments

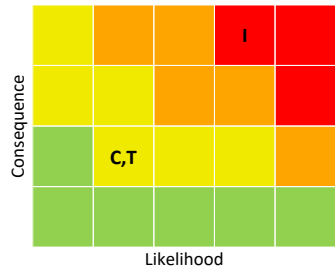
Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(2) AI education and guidelines	Chief Information Officer	In Progress	40	31 Dec, 2024	<div><div></div><div></div><div></div></div> RED
Progress Comment: AI Guidelines have been provided to staff. An AI Policy has been developed and will be presented to SLT.					
((NEW) Identify Access Management	Chief Information Officer	In Progress	10	25 Nov, 2024	<div><div></div><div></div><div></div></div> GREEN
Progress Comment: A process is underway to move to machine-log-in management where all specific user permissions are set up/restricted by the machine rather than by the working environment (domain).					

ORG 8 - Failure to prudently manage Council's financial stability including fraudulent activity



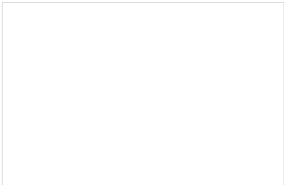
ORG 8 Failure to prudently manage Council’s financial stability including fraudulent activity			
Risk Categories: Financial Exposure, Reputational and Stakeholder Relationship		Risk Sponsor: GM Corporate Services	Next Review Date: 25 Feb, 2025
		Last Reviewed Date: 29 Oct, 2024	

Individual Heatmap



- I Initial Risk Assessment
- C Current Risk Assessment
- T Target Risk Assessment

Effectiveness of control	
C	Effective



Causes

- Cyber security attack
- Decreased revenue
- Inadequate financial controls
- Increased insurance premiums
- Inflation
- Lack of process controls
- Major government policy changes
- Rising costs

Risk Treatment: Take further action to modify impact / likelihood

Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
Code of conduct and Corporate Policies (1)	Senior Leadership Team (SLT)	Partially Effective	25 Feb, 2025
Council's Long-Term Plans and Annual Plans (2)	Senior Leadership Team (SLT)	Effective	25 Feb, 2025
Employee screening (3)	GM People and Capability	Effective	25 Feb, 2025
Enterprise Risk Management (4)	Manager Risk and Assurance	Effective	25 Feb, 2025
Financial External Audits (5)	Chief Financial Officer	Effective	25 Feb, 2025
Financial Internal verification processes (checks and balances) (6)	Chief Financial Officer	Effective	25 Feb, 2025
Financial management awareness training (7)	Chief Financial Officer	Partially Effective	25 Feb, 2025
Financial Policies (implementation and review) (8)	Chief Financial Officer	Partially Effective	25 Feb, 2025
Financial reporting (9)	Chief Financial Officer	Effective	25 Feb, 2025
Financial Strategy (10)	GM Corporate Services	Effective	25 Feb, 2025




Consequences

- Delays to work programmes
- Failure to meet legislative and statutory obligations
- Financial losses
- Legal consequences
- Reputational damage
- Service disruption

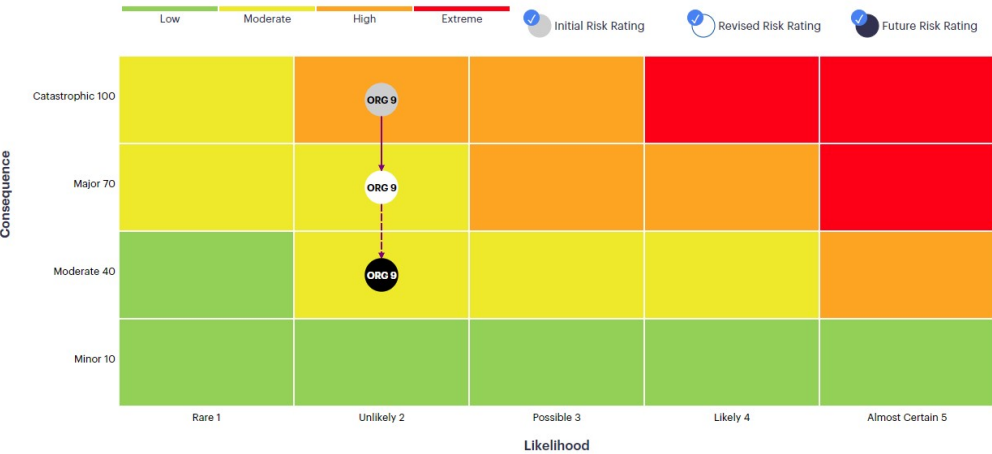
Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
Fraud and Corruption awareness training (11)	Manager Risk and Assurance	Partially Effective	25 Feb, 2025
Insurance and re-insurance of Council assets (12)	GM Corporate Services	Effective	25 Feb, 2025
Internal Audit work programme (13)	Manager Risk and Assurance	Effective	25 Feb, 2025
Mitigation of Fraud Policy (14)	Manager Risk and Assurance	Partially Effective	25 Feb, 2025
Procurement Policy and Manual implementation (15)	Chief Financial Officer	Partially Effective	25 Feb, 2025
Protected Disclosures Policy (16)	General Counsel	Partially Effective	25 Feb, 2025

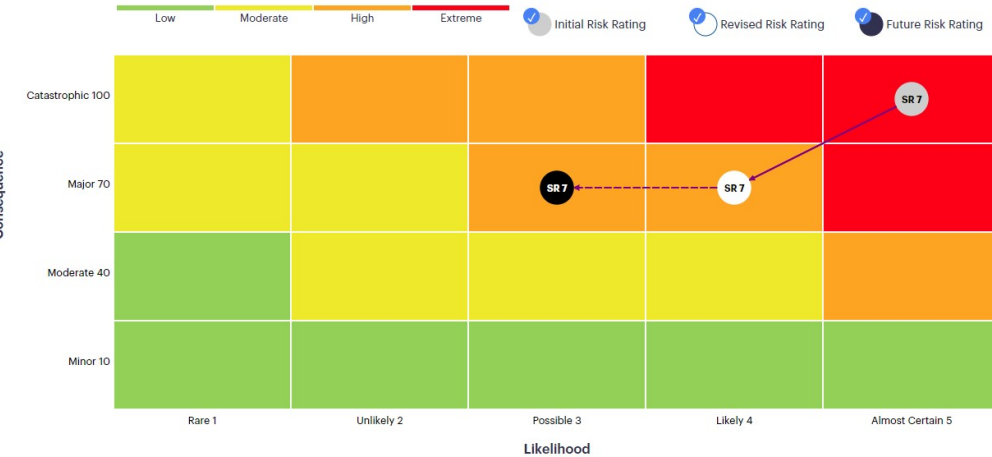
Current Risk Treatments

Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(3) Develop Fraud and Corruption awareness training module.	Manager Risk and Assurance	In Progress	80	29 Nov, 2024	 GREEN
Progress Comment: Fraud Awareness Week (17-23 Nov) will launch corporate wide Fraud Education. Material from the SFO Counter Fraud Center who are leading the Fraud Awareness campaign, will be used for internal communications and to finalise an internal training module that will become part of the staff education programme.					
(4) Review Protected Disclosures Policy	General Counsel	In Progress	80	31 Dec, 2024	 GREEN
Progress Comment: The internal audit of this policy was finalised and the policy has been updated in line with the recommendations, including procedures for receivers. The Policy is ready for SLT approval and publication.					
(6) Annual review of Conflicts of Interest (COI) register.	Manager Risk and Assurance	Completed	100	30 Jul, 2024	 GREEN
Progress Comment: This assurance activity now has 'Finalised' status with the draft internal audit report proceeding through the internal audit validation process.					
Develop and implement a staff education programme (14)	GM People and Capability	In Progress	60	30 Nov, 2024	 AMBER
Progress Comment: An education programme for Code of Compliance, Finance, Procurement, Legal and Iwi Partnerships is under development. The first new 'in person' induction session is in November, to be followed by the launch of an E-Ako module half November and further in-depth modules per subject					
Procurement Policy and Framework (12)	Chief Financial Officer	In Progress	80	31 Dec, 2024	 GREEN
Progress Comment: SLT will adopt the updated Procurement Strategy and Policy in December. The updated framework will go live in Q3 with workshops and staff training sessions.					

ORG 9 - Failure to maintain business continuity for essential services and inadequate planning and preparedness for emergencies.



Risk rating for Failure to maintain business continuity for essential services



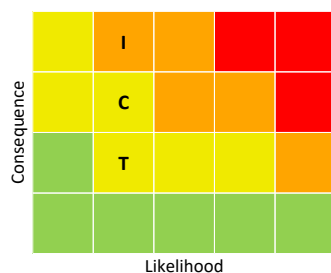
Risk rating for inadequate planning and preparedness for emergencies

Kapiti Coast District Council

Heatmap Report

ORG 9**Failure to maintain business continuity for essential services and inadequate planning and preparedness for emergencies.****Risk Categories:** Assets & Infrastructure

Resilience - Asset,Infrastructure,Supply chain disruption, Environmental Impact, Financial Exposure, Health, Safety and Wellbeing, IT Systems and Processes, Legal and Regulatory Compliance, Reputational and Stakeholder Relationship

Risk Sponsor: GM Infrastructure and Asset Management**Secondary Risk Sponsor(s):** GM Corporate Services,GM Customer & Community,GM Strategy and Growth**Last Reviewed Date:**
29 Oct, 2024**Next Review Date:**
25 Feb, 2025**Individual Heatmap**

- I Initial Risk Assessment
C Current Risk Assessment
T Target Risk Assessment

Effectiveness of control

C Partially Effective

Causes

- Civil Defence Emergency
- Cyber security attack
- Data breach
- Earthquakes
- Fire
- Flooding
- Natural catastrophe
- Network failure
- Pandemics

Consequences

- Homelessness
- Negative impact on Council and community resilience
- Public/staff harm
- Legal implications
- Customer dissatisfaction
- Failure to meet statutory requirements
- Delays to work programmes
- Disruption to core Infrastructure
- Failure to achieve business objectives
- Financial exposure
- Reputational damage
- Service disruption









Risk Treatment: Take further action to modify impact / likelihood**Current Controls**

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(1) Capital Programme Board to provide oversight over all (medium to large) capital projects.	GM Infrastructure and Asset Management	Effective	25 Feb, 2025
(2) Asset Management Planning and investing in resilient infrastructure.	Senior Leadership Team (SLT)	Partially Effective	25 Feb, 2025
(3) SLT maintains oversight of Asset Management Plans and work programmes	Senior Leadership Team (SLT)	Partially Effective	25 Feb, 2025
(4) Business Continuity Plans	Senior Leadership Team (SLT)	Partially Effective	25 Feb, 2025
(5) Resourcing, training, professionalisation and integration with WREMO and use of the CIMS model.	Manager Emergency Management	Partially Effective	25 Feb, 2025
(6) Sufficient emergency management staffing levels to provide better preparedness, response and recovery.	Manager Emergency Management	Partially Effective	25 Feb, 2025
(7) Kapiti Local Emergency Response Plans are up to date and joint operational readiness through KESCC is in place.	Manager Emergency Management	Partially Effective	25 Feb, 2025

Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(8) Continued Community Resilience Education Programmes delivered by in Kapiti by WREMO.	Manager Emergency Management	Effective	25 Feb, 2025
(9) Development of more comprehensive Recovery Planning.	GM Strategy and Growth	Partially Effective	25 Feb, 2025

Current Risk Treatments

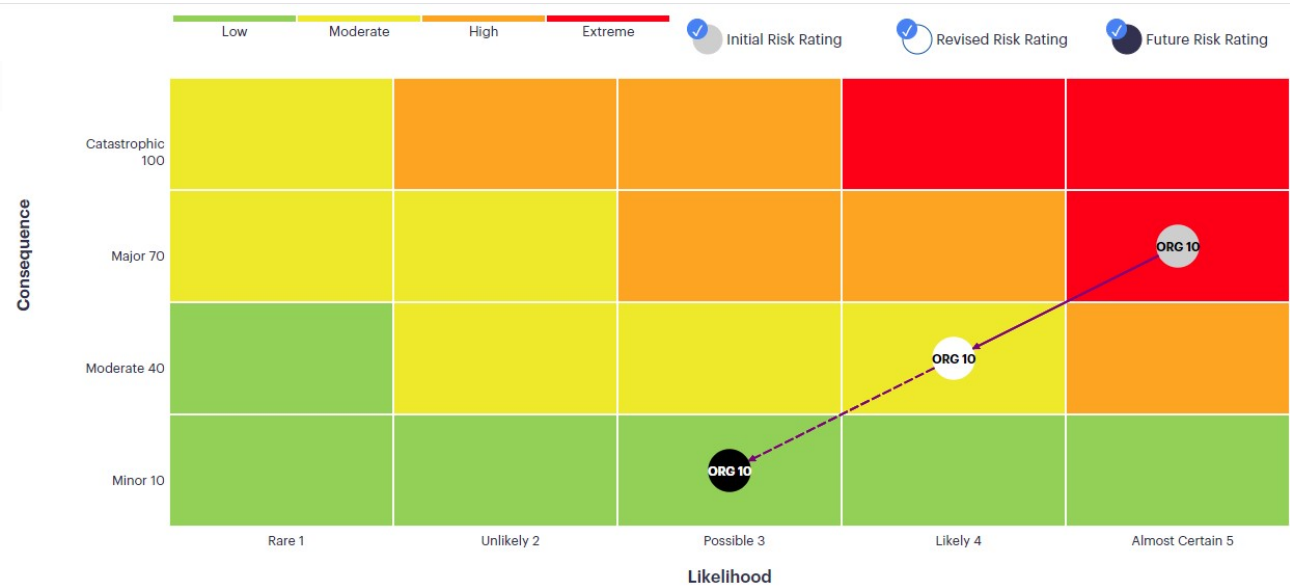
Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(3) Develop Asset Management Strategy including SLT review programme and RAC reporting cycle. Progress Comment: A DRAFT Asset Management Strategy has been completed that sets out the strategic approach to asset management across all services (in alignment with maturity score from IMMM (Int. Infrastructure Management Manual). An implementation plan including reporting cycles to SLT (every 6months) and RAC (once a year) will be developed.	GM Infrastructure and Asset Management	In Progress	80	31 Dec, 2024	 GREEN
(3) Share findings of external AMP audits with SLT (LTP cycle). Progress Comment: Feedback to SLT from EY Audit Findings on AMPs has been provided.	GM Infrastructure and Asset Management	Completed	100	30 Oct, 2024	 GREEN
(4) Review and update Corporate Services BCP's Progress Comment: Corporate Services BCP's review will get underway shortly.	Manager Risk and Assurance	In Progress	65	30 Nov, 2024	 AMBER
(4) Review and update Infrastructure BCP's Progress Comment: Infrastructure Services BCPs review is on hold due to recent organisational changes. It will get underway once the new team/role has been established in the Infrastructure and Asset Management Group.	GM Infrastructure and Asset Management	In Progress	20	01 Apr, 2025	 AMBER
(5) Professionalise EOC structure in order to build and retain capacity and capability. Progress Comment: All EOC staff payments have started in October. Four out of five Controllers have completed RRANZ Leadership training.	Manager Emergency Management	In Progress	50	31 Dec, 2025	 GREEN
(6) Increasing emergency staffing numbers. Progress Comment: TwTwo Foundations trainings were delivered with 33 staff trained since August	Manager Emergency Management	In Progress	25	31 Dec, 2025	 GREEN
(7) Kāpiti Local Emergency Response Plan development and implementation. Progress Comment: The draft local response plan is with Desk Leads for completion.	Manager Emergency Management	In Progress	80	30 Nov, 2024	 AMBER
(7) Work programme to enhance inter-agency collaboration locally (KESCC) and joint operational readiness Progress Comment: A joint meeting between Kapiti ESCC and Horowhenua ESCC took place in October including a tabletop exercise. Another joint meeting is planned for the first half of 2025.	Manager Emergency Management	In Progress	65	31 May, 2025	 GREEN

Kapiti Coast District Council

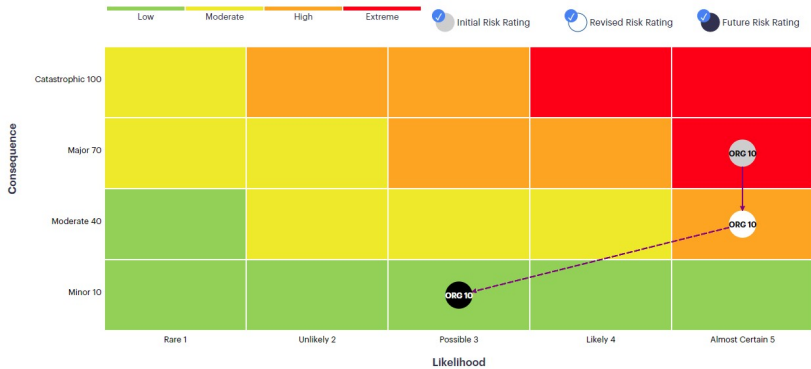
Heatmap Report

Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(8) Recovery Plan development.	Principal Advisor Strategy & Growth	In Progress	35	30 Jun, 2025	<div><div></div><div></div><div></div></div> GREEN
Progress Comment: Staff have been working with WREMO to implement a new regional recovery framework with Kāpiti as the first pilot district. Recovery Manager and three alternates have been appointed by WREMO. Regular meetings have started to align readiness, response and recovery planning.					

ORG 10 -Inability to attract and retain sufficient capacity to deliver Council's objectives



ORG 10 Heatmap 15 August report

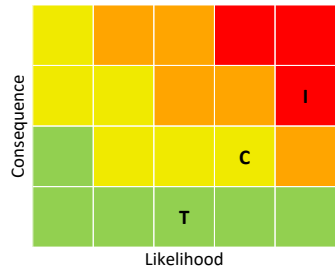


Kapiti Coast District Council

Heatmap Report

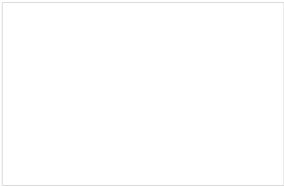
ORG 10Inability to attract and retain sufficient capacity to deliver Council’s objectives				
Risk Categories: Health, Safety and Wellbeing	Risk Sponsor: GM People and Capability	Secondary Risk Sponsor(s): Senior Leadership Team (SLT)	Last Reviewed Date: 30 Oct, 2024	Next Review Date: 25 Feb 2025

Individual Heatmap



- I Initial Risk Assessment
- C Current Risk Assessment
- T Target Risk Assessment

Effectiveness of control	
C	Partially Effective



Causes

- Competitive market
- Increased workload expectations
- Inflation
- Limited opportunities for career progression
- Significant family or life event

Consequences

- Corporate loss of institutional and intellectual knowledge
- Decreased staff welfare and mental health
- Delays to work programmes
- Failure to meet legislative and statutory obligations
- Increased costs
- Loss of skilled and specialist staff
- Lowering of staff morale
- Reputational damage

Risk Treatment: Take further action to modify impact / likelihood






Current Controls

Control Title	Control Owner	Control Effectiveness Rating	Control Next Review Date
(1) Engaging Contractors / Consultants for specific and short-term work delivery.	GM People and Capability	Effective	25 Feb, 2025
(2) Monitoring and reviewing job grades	GM People and Capability	Partially Effective	25 Feb, 2025
(3) Monitoring Remuneration trends	GM People and Capability	Effective	25 Feb, 2025
(4) Professional development opportunities	GM People and Capability	Partially Effective	25 Feb, 2025
(5) Regular staff engagement surveys and associated work programmes	GM People and Capability	Partially Effective	25 Feb, 2025
(6) Workforce and Succession Planning	GM People and Capability	Ineffective	25 Feb, 2025
(7) Reprioritisation of work programmes	Senior Leadership Team (SLT)	Partially Effective	25 Feb 2025
(8) People and Culture Strategy implementation	GM People and Capability	Partially Effective	25 Feb, 2025

Current Risk Treatments

Kapiti Coast District Council

Heatmap Report

Risk Treatment Title	Responsible Officer	Treatment Status	% Completed	End Date	Performance
(2) Grade relativity review	Manager Human Resources Service Delivery	In Progress	45	31 Dec, 2024	 AMBER
Progress Comment: The relativity review has started and high level outcomes have been discussed with SLT. The review proposal is now being finalised for approval.					
(4) Improve the digital systems for robust and timely performance management.	Manager Human Resources Service Delivery	In Progress	25	30 Jun, 2025	 GREEN
Progress Comment: A more planned and monitored approach is needed for regular performance reviews. This action has now been incorporated in the People & Capability work plan.					
(5) Engagement review	GM People and Capability	In Progress	30	01 Apr, 2025	 GREEN
Progress Comment: SLT is re-considering what kind of staff engagement is needed and fit for the organisation's future.					
(6) Building capability	Manager Payroll and Reporting	In Progress	30	31 Mar, 2025	 GREEN
Progress Comment: The team is building internal capability on workforce planning. A workshop workforce planning was attended in October and work will get underway across the business in Quarter 3.					
(8) Refresh the People & Capability Strategy	Manager Human Resources Service Delivery	In Progress	35	31 Dec, 2024	 AMBER
Progress Comment: The refresh of the strategy has started in a July hui with people leaders to develop a roadmap to deliver on this strategy. The refresh is progressing with further engagement with stakeholders underway discuss their needs.					

5. Definitions (ISO 31000:2018)

Term	Definition
Risk	The effect of uncertainty on achieving objectives. It can be positive, negative or both, and can create or result in opportunities and threats.
Risk Appetite	The amount of risk that Council is willing to pursue or retain to achieve its objectives.
Risk Assessment	The overall process of risk identification, risk analysis and risk evaluation.
Risk Tolerance	The threshold levels of risk exposure that, with appropriate approvals can be exceeded but when exceeded will trigger some form of response.
Risk Management	Coordinated activities to direct and control Councils uncertainties in relation to achieving objectives.
Risk Management Capability	The culture, practices, experience and application of risk management within Council.
Risk Management Guidance	A structured approach to identify, monitor and manage risk.
Risk Register	A record of information about identified risks and how they are being managed. There are three different types of registers, Strategic, Operational (Group) and Projects.
Initial Risk Rating	The current risk level without taking into consideration existing control measures.
Current Risk Rating	The current risk level taking into consideration existing risk controls.
Consequence	The outcome of an event which affects Council achieving its objectives.
Likelihood	The chance of something occurring.
Control	A measure that maintains and / or modifies the current risk rating

9.4 LEGISLATIVE COMPLIANCE 1 JULY TO 30 SEPTEMBER 2024

Kaituhi | Author: **Sarah Wattie, General Counsel**

Kaiwhakamana | Authoriser: **Steffi Haefeli, Acting Group Manager Corporate Services**

TE PŪTAKE | PURPOSE

- 1 The purpose of this report is to notify the committee of legislative non-compliance in the first quarter of the financial year, 1 July 2024 to 30 September 2024.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required.

TE TUKU HAE PAPA | DELEGATION

- 3 The Risk and Assurance Committee has delegated authority to consider this report under section C3 of the Governance Structure and Delegations document for the 2022-2025 triennium. These delegations include:
 - *ensuring that the Council has in place a current and comprehensive risk management framework and making recommendations to the Council on risk mitigation.*
 - *assisting elected members in the discharge of their responsibilities by ensuring compliance procedures are in place for all statutory requirements relating to their role.*

TAUNAKITANGA | RECOMMENDATIONS

- A. That the Risk and Assurance Committee notes legislative non-compliance for the first quarter of the financial year from 1 July 2024 to 30 September 2024 as outlined in Attachment 1 to this report.

TŪĀPAPA | BACKGROUND

- 4 Local government is governed by a complex statutory framework with the Council responsible for a range of legislative requirements. Legislative compliance is important to the Council carrying out its functions under the Local Government Act 2002 in a fair and effective manner that is accountable to the local community. Failure to achieve Council's legislative obligations has also been identified as one of the Council's top 10 risks.
- 5 Each quarter key Council staff responsible for the Council's compliance with legal obligations under different Acts are asked to complete a quarterly declaration of known non-compliance with legislative requirements and key assurance areas being privacy, procurement, authorised expenditure, cyber security and Local Government Official Information and Meetings Act 1987 (LGOIMA) requirements.
- 6 Council staff are asked to report against all applicable legislation. A legislative compliance schedule exists to assist staff in completing this declaration, set out in Attachment 2 to this report. The Council's external auditors have identified the following legislation and regulations where non-compliance could have a fundamental effect on operations:
 - Local Government Act 2002
 - Local Authorities (Members' Interests) Act 1968
 - Local Government (Rating) Act 2002
 - Local Government (Financial Reporting and Prudence) Regulations 2014
 - Building Act 2004
 - Resource Management Act 1991.

HE KŌRERORERO | DISCUSSION

- 7 This section sets out legislative compliance breaches for the first quarter of the financial year, 1 July 2024 to 30 September 2024, against all applicable legislation with risk ratings, corrective actions and status assigned for each breach. It also provides an assurance against key assurance areas outlined above being privacy, procurement, authorised expenditure, cyber security and LGOIMA.

Organisational Risk Levels

- 8 Organisational risks levels have been assigned to legislative compliance breaches reported to this Committee based on the Council's organisational risk framework. The risk levels are set out below, noting that the assigned Risk Levels in Attachment 1 account for an assessment of the risk and corrective actions taken together:

Organisational Risk Levels	
High	<ul style="list-style-type: none"> Matters and/or issues considered to be fundamental to the mitigation of material risk, maintenance of internal control or good corporate governance.
Moderate	<ul style="list-style-type: none"> Matters and/or issues considered to be of major importance to maintenance of internal control, good corporate governance, or best practice for processes.
Low	<ul style="list-style-type: none"> A weakness which does not seriously detract from the internal control framework.

Key Assurance Areas

- 9 The Risk and Assurance Committee has requested the following key assurance areas be reported on in addition to legislative compliance:
- Privacy breach:** A privacy breach is not meeting the requirements of the Privacy Act 2020 which may include releasing personal information to someone not authorised to receive it or using personal information in an unauthorised way.
 - Procurement breach:** A procurement or probity breach is a failure to follow the requirements of Council's procurement policy, which sets out the requirements for our staff to ensure they carry out procurement in a way that is transparent, accountable, impartial and equitable.
 - Unauthorised expenditure:** Unauthorised expenditure is expenditure that breaches Council's finance and purchasing policies, such as a staff member spending money without the appropriate financial delegation.
 - Cyber security breach:** A cyber security breach is a breach of Council's information security systems which may result in the disclosure of sensitive, personal or commercial information to persons who are not authorised to receive the information, including members of the public.
 - Local Government Official Information and Meetings Act 1987 (LGOIMA):** A breach of this act relates to failure to meet deadlines or requirements for official information requests, land information memorandum (LIM) requests, and transparency and notification requirements relating to Council, committee and community board meetings.
- 10 Confidential investigations are not included in this legislative compliance report and will be reported in public excluded where required.

11 **Table 1: Assurance against key risk areas**

Risk area	Description
Privacy	There were five privacy breaches reported in the period.
Procurement	There were no reported procurement breaches in the period.
Unauthorised expenditure	There was no reported unauthorised expenditure in the period.
Cyber security	There were no reported cyber security breaches in the period.
LGOIMA	There were no reported LGOIMA breaches in the period.

- 12 While there has been an increase in the number of privacy breaches reported (six in the last quarter and five this quarter), reporting of privacy breaches is encouraged by increased focus on legislative non-compliance. Privacy awareness continues to be a priority for Council. The Legal Services team arrange compliance training on key risk areas for the organisation. In relation to privacy this includes online privacy modules for all staff, Privacy Week activities and communication, and team-specific training.
- 13 Legislative compliance breaches for the first quarter of the financial year are set out in Attachment 1 to this report. These include ongoing breaches previously reported to this Committee, where staff are still working on mitigations.

He take | Issues

- 14 There are no issues for this report.

Ngā kōwhiringa | Options

- 15 There are no options required for this report.

Mana whenua

- 16 The Council has a partnership with local iwi and hapū on the Kāpiti Coast District represented by Te Rūnanga O Toa Rangātira, Ngā Hapū o Ōtaki and Āti Awa ki Whakarongotai Charitable Trust.
- 17 The Council's accountability to the community on legislative compliance extends to its partnership with iwi and commitments made to reflect the obligations under Te Tiriti o Waitangi, as well as other obligations to Māori, mana whenua and tangata whenua under the Local Government Act 2002, Resource Management Act 1987 and other legislation.

Panonitanga āhuarangi | Climate change

- 18 There are no climate change implications arising directly from this report.

Ahumoni me ngā rawa | Financial and resourcing

- 19 There are no financial implications arising directly from this report.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 20 Except for the issues noted in this report, there are no other legal or risk implications.

Ngā pānga ki ngā kaupapa here | Policy impact

- 21 There are no policy implications arising directly from this report.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

- 22 This report is for the purpose of providing information only and does not trigger the Council's Significance and Engagement policy.

Te mahere tūhono | Engagement planning

- 23 There is no requirement for engagement planning.

Whakatairanga | Publicity

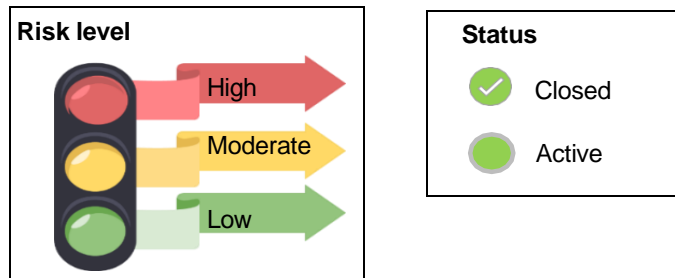
- 24 There are no additional publicity considerations arising directly from this report.

NGĀ ĀPITI HANGA | ATTACHMENTS





1. Legislative Compliance Breaches and Updates 1 July 2024 to 30 September 2024 [↓](#)
2. Legislative Compliance Schedule [↓](#)


Attachment 1: Legislative compliance breaches 1 July to 30 September 2024

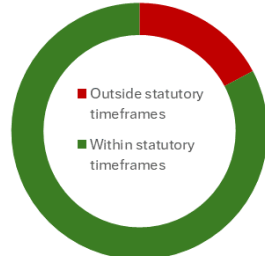

Note: This report is presented in a two-part format: Part A: New Matters and Part B: Previously Reported Matters: (updates are in yellow)

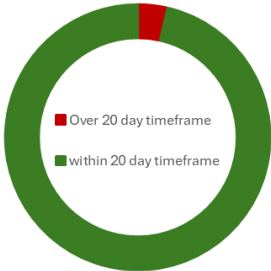
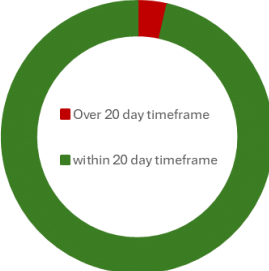
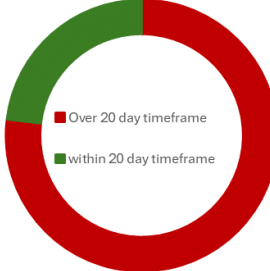




Part A - New matters							
Ref	Non-compliance description	Group(s)	Breach Type	Date Received	Corrective Action	Risk Level	Current Status
A-1	A recruitment document was saved in the HR file of another staff member.	People and Capability	Privacy	Q1 2425	Q1 2425 <ul style="list-style-type: none"> Other staff member identified issue and did not open the document. Document resaved in correct location. Privacy officer notified. This was an error and the staff member was aware of their error and Privacy Act obligations. <ul style="list-style-type: none"> Ongoing privacy training to be delivered as part of existing legislative compliance training programme. 	Low	Complete ✓
A-2	Customer was flagged in Magiq as name and address information to be withheld and having protected status under the Domestic Violence Act. The flag did not pull through to other systems and customer was emailed with another person copied in.	Regulatory and Environment	Privacy	Q1 2425	Q1 2425 <ul style="list-style-type: none"> Issue identified as a result of complaint by customer. Privacy Officer notified. Process change to include extra manual check in Magiq and warning added to file. Privacy Officer has emailed customer to advise of process change and to apologise. 	Low	Complete ✓
A-3	Email sent to 72 hall users without using BCC.	Infrastructure and Asset Management	Privacy	Q1 24/25	Q1 24/25 <ul style="list-style-type: none"> Privacy Officer notified. Email sent to recipients requesting deletion of the email and a new email was sent. 	Low	Complete ✓


Part A - New matters							
Ref	Non-compliance description	Group(s)	Breach Type	Date Received	Corrective Action	Risk Level	Current Status
					<ul style="list-style-type: none"> This was an error which has been discussed with the staff member. Ongoing privacy training to be delivered as part of existing legislative compliance training programme. 		
A-4	A police-vetting form that had someone else's full name, date of birth and address on it was accidentally sent to a candidate.	People and Capability	Privacy	Q1 24/25	Q1 24/25 <ul style="list-style-type: none"> The information sent was full name, date of birth and address. Privacy Officer notified. The candidate was notified, and they confirmed that the email had been deleted. This was an error which has been discussed with the staff member. Ongoing privacy training to be delivered as part of existing legislative compliance training programme. 	Low	Complete 
A-5	A staff member sent LGOIMA response including customer's name and email sent to the wrong requestor.	Corporate Services	Privacy	Q1 24/25	Q1 24/25 <ul style="list-style-type: none"> Person in receipt of response requested to delete document. Privacy Officer notified. This was an error which has been discussed with the staff member. Ongoing privacy training to be delivered as part of existing legislative compliance training programme. 	Low	Complete 
A-6	Email with information regarding a trespass sent to a person at an external organisation with the same first name of a staff member instead of correct internal recipient.	Customer and Community	Privacy	Q1 24/25	Q1 24/25 <ul style="list-style-type: none"> Person in receipt of response requested to delete document. Privacy Officer notified. This was an error which has been discussed with the staff member. Ongoing privacy training to be delivered as part of existing legislative compliance training programme. 	Low	Complete 
A-7	We are currently not meeting our obligations under the National Policy Statement for Freshwater Management 2020 (NPS)	Customer and Community	National Policy Statement for	Q1 24/25	Q1 24/25 <ul style="list-style-type: none"> While the NPS has come into effect, we are waiting on Greater Wellington Regional Council (GWRC) to provide direction on what 	Low	Active 


Part A - New matters							
Ref	Non-compliance description	Group(s)	Breach Type	Date Received	Corrective Action	Risk Level	Current Status
			Freshwater Management 2020 (as amended in January 2024)		<p>is required. The NPS provides for an implementation period.</p> <ul style="list-style-type: none"> – To give full effect to the NPS it would entail a districtwide assessment of all natural wetlands. Current resourcing limitations mean our obligations are only partially met. – Current approach is reactive and when staff encounter potential natural wetlands on Council controlled properties, they work alongside GWRC to delineate and put in place site specific measures to prevent degradation. 		
	In the payroll space there have been six instances of incorrect pay around leave entitlements or allowances.	People and Capability	Wages Protection Act 1983	Q1 24/25	<p>Q1 24/25</p> <ul style="list-style-type: none"> – Council failed to meet its obligations relating to allowances paid to five employees with respect to their allowances. – Carried out manual calculations and made one-off payments to the individuals to resolve. – There was also one incident regarding an ACC repayment. When employees are absent from work and on ACC we continue to pay the individual and are reimbursed directly from ACC. Due to the rate calculations ACC use it sometimes means the reimbursement to Council is greater than what the employee is usually entitled to depending on the length of time someone is on ACC and their return-to-work plan. Payroll monitor the individuals on ACC, to make these corrections to pay as early as possible but there will always be a slight delay in correcting these given the changes in rates and gradual return-to-work plan some individuals are on. – Non-compliances are resolved, but we continue to look at process improvement around consistency of agreements, improved time sheeting practices, education of both employees and approving managers. 	Low	Complete 

Part A - New matters							
Ref	Non-compliance description	Group(s)	Breach Type	Date Received	Corrective Action	Risk Level	Current Status
	<p>During this period council failed to meet its statutory obligations for issuing all Resource Consents within the 20-working day statutory timeframe.</p> <p><i>10/58 Resource Consents did not meet the 20-day timeframe. In relation to this:</i></p> <ul style="list-style-type: none"> – 83% issued on time – Average processing days - 18 – Five applications took between 21 and 30 days to process – Four applications took between 31 and 60 days to process <p>One application took more than 60 days to process.</p> <p>Causes for the non-compliance was attributed to internal delays due to staff sickness and staff shortages across the council.</p> <p>The one application that took more than 60 days was due to human error. The application was left on "Further information" as the planner missed the information that was provided in an email with the potential impacting the customer's ability to start work.</p>	Regulatory and Environment	Resource Management Act	Q1 24/25	<p>Q1 24/25</p> <p>The following actions have been taken to address non-compliance:</p> <ul style="list-style-type: none"> – Additional training has been provided to address human error aspect. – Applications that have been on hold for a long time are reviewed more regularly. – S37 timeframe extensions are requested when providing draft conditions to the applicant to review. – Competing demands on technical staff will mean there is always a risk of breaches of these statutory timeframes. – Team Leaders are carefully monitoring timeframes and workflow to minimise risk <p>The following graph illustrates non-compliance</p> <p>Resource Consents Processed Q1 24/25</p> 	Low	Complete 

Part A - New matters							
Ref	Non-compliance description	Group(s)	Breach Type	Date Received	Corrective Action	Risk Level	Current Status
	<p>During this period council failed to meet its statutory obligations for issuing all building consents, code compliance certificates (CCC) and certificates of acceptance (COA) within the 20-working day statutory timeframe.</p> <p><i>9/248 building consents did not meet the 20-day timeframe.</i></p> <ul style="list-style-type: none"> – 96.37% issued on time. – Average processing days -10. <p><i>7/195 CCCs were granted over the 20-day timeframe.</i></p> <ul style="list-style-type: none"> – 96.44% issued on time. – Average processing day - 6. <p><i>10/13 COAs were resolved outside of the 20-day timeframe.</i></p> <ul style="list-style-type: none"> – 23.08% issued on time. <p>Causes for the non-compliance are attributed to IT and human error and lack of availability of trained staff due to sickness and other work. Potential impacts could range from inability to start work through to delays with selling a property due to delays with issuing a CCC or COA.</p>	Regulatory and Environment	Building Act	Q1 24/25	<p>Q1 24/25</p> <p>The following actions have been taken to address non-compliance:</p> <ul style="list-style-type: none"> – Additional training has been provided to address the human error aspect and Digital Solutions fixed the issues that caused IT delays. – Competing demands on technical staff will mean there is always a risk of breaches of these statutory timeframes. – Council mainly issues COAs when people have undertaken illegal building work and decide they want to sell and then need to get the non-consented work tidied up. <p>The primary reason was lack of resource to respond to these requests as we focused on ensuring building consents and CCCs were issued on time.</p> <p>The below graphs illustrate non-compliances:</p>	Low	Complete ✓
	<div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <p>Building Consents Granted</p>  <p>■ Over 20 day timeframe ■ within 20 day timeframe</p> </div> <div style="text-align: center;"> <p>CCCs Granted</p>  <p>■ Over 20 day timeframe ■ within 20 day timeframe</p> </div> <div style="text-align: center;"> <p>COAs Granted</p>  <p>■ Over 20 day timeframe ■ within 20 day timeframe</p> </div> </div>						

Part B - Previously reported matters							
Ref	Non-compliance description	Group	Breach Type	Date Received	Corrective Action (Update for this meeting highlighted in yellow)	Risk Level	Current Status
B-1	Given we have volumetric water charges, we are not able to fully comply with the Local Government (Rating) Act 2002 that requires the Council to fully assess each property's total rates for the rating year.	Corporate Services	Rating	2014	Q4 22/23 <ul style="list-style-type: none"> Compliance not possible given we have volumetric water charges. 	Low	Active 
B-2	<p>Under section 35(2A) of the RMA each local authority is required to complete a review and publish the results of the efficiency and effectiveness of policies, rules, or other methods in its policy statement or its plan.</p> <p>The coastal hazard provisions were withdrawn in 2014, following which a suite of litigation ensued, and a suite of provisions from the 1999 Operative District Plan have continued to apply since that time. Accordingly, it could be determined that these provisions are overdue for s35 review. This issue is not a surprise for Council, who are aware of the issue and work programme is underway through Takutai Kāpiti.</p>	Strategy and Growth	District Plan	Q4 22/23	Q4 22/23 <ul style="list-style-type: none"> To address the suggested non-compliance, Council is currently scoping a section 35 review of those provisions. Q1 23/24 <ul style="list-style-type: none"> Technically we have not met requirements around updating the operative district plans chapters on coastal hazards (required every 10 years). Due to previous litigation on this matter, and an agreement to undertake community engagement work via Takutai Kāpiti which will not finish until May 2024, we will not complete the district plan change until 2025/26. Our district is not alone in these challenges. The community disagrees with guidance provided by the Ministry for the Environment (MfE) on coastal hazard identification. In October, we have written to the MfE and Department of Conservation about the issues and asked them to clarify expectations for local authorities. Q2 23/24 <ul style="list-style-type: none"> MfE and DOC provided useful clarification which is available on the Council website. Takutai Kāpiti continues to make significant progress towards a final set of recommendations, which include recommendations intended to inform Council's approach to a future coastal plan change, to be received by Council (at a June 2024 meeting). 	Low	Active 

Part B - Previously reported matters							
Ref	Non-compliance description	Group	Breach Type	Date Received	Corrective Action (Update for this meeting highlighted in yellow)	Risk Level	Current Status
					<ul style="list-style-type: none"> The Section 35 Review will be completed in 2024 in time to incorporate any necessary changes into the coastal plan change, which is expected to be publicly notified in mid-2025. <p>Q4 23/24</p> <ul style="list-style-type: none"> The Coastal Advisory Panel's Recommendation Report was received by Council was received by Council at the June 2024 meeting. A procurement process was initiated for expert district planning services to review the coastal environment chapter (and related provisions) of the District Plan. We anticipate engaging the preferred planning provider, procuring other supporting expert services, and formally initiating work on the coastal environment plan change in Q1 24/25. <p>Q1 24/25</p> <ul style="list-style-type: none"> Council has completed a procurement process for expert planning services and has engaged a professional planner to undertake this work. 		
	The period for completing the Dangerous and Insanitary Buildings Policy review is now beyond the five years identified in section 132(4) of the Building Act 1994. The current policy was adopted in May 2018, which means it was due for review in May 2023.	Strategy and Growth	Building Act	Q4 23/24	<p>Q4 23/24</p> <ul style="list-style-type: none"> Section 132 (5) identifies that the Policy does not cease to have effect because it is being reviewed. The Dangerous and Insanitary Buildings Policy is currently under review. An internal review had previously been completed but additional changes are now sought from MBIE requiring consultation. The review and consultation on the Policy has been added to the Policy Work Programme in May and due to be completed by the end of this year. 	Low	Active 

Part B - Previously reported matters							
Ref	Non-compliance description	Group	Breach Type	Date Received	Corrective Action (Update for this meeting highlighted in yellow)	Risk Level	Current Status
					Q1 24/25 <ul style="list-style-type: none"> Work on the review continues with public consultation on the draft policy and hearings completed. The next step is for Council to consider and adopt a revised policy. 		
	Breach of Council's resource consent for Otaki Wastewater Treatment Plant (WGN160002) due to elevated diagnostic reference levels (DRL) of dissolved reactive phosphorous (DRP).	Infrastructure Services	Resource Consent	Initially raised in 2019	Q1 24/25 <ul style="list-style-type: none"> Although this non-compliance was deemed as closed there is a further update regarding the Consent to Discharge Treated Wastewater from the Plant to Land (LDTA) and Contaminants to Air. A non-compliance with Condition 17(d)/DRP limit exceedance (Condition 21) has been reported to GWRC this quarter. Council is still working on the improvement programme including the aeration lagoon lining and aerator upgrade/LDTA upgrades. The consent approval for this work is with GWRC. 	Low	Active 

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
Accident Compensation Act 2001 Arts	All Sections	Administration of internal systems in compliance with the Act and the requirements of the Accident Compensation Corporation. Maintain a system of Accident and Hazard reporting. Administration of claims.
Amusement Devices Regulations 1978	All Regulations	Process applications for permits. Administering permits for amusement devices pursuant to Regulation 11. Inspection of device as per Regulation 11(2,3).
Animal Welfare Act 1999	All Sections	Ensure compliance with all relevant provisions.
Arts Council of New Zealand Toi Aotearoa Act 2014	Section 24	No current Community Arts Council. Administration for Community Council. Reporting to and between the Council and the Community Arts Council.
Biosecurity Act 1993	All Sections	Ensure Council carries out all such functions as the Act requires to the standard required by the Act.
Building (Accreditation of Building Consent Authorities) Regulations 2006	All Regulations	Ensure compliance with the standards as an accredited building consent authority.
Building Act 2004 and Building Regulations 1992	All Sections and Regulations particularly Regulation 3 Schedule 1 Sections 17, 108, 114, 116B, 120, 128A, 133AI, 133AM, 164, 223 and 363 and Subpart 7A	Ensure that the Building Code is complied with. Administration of Act including: 1. Administration of Building Consents. 2. Issuing PIMs, Code Compliance certificates, compliance schedules and warrants of fitness. 3. Keeping records. 4. Monitoring and compliance. 5. Fixing charges. 6. Dealing with Dangerous and Insanitary buildings. s17 - Ensure all building work done to a Council building complies with the building code where a building consent is not required. S108 - Annually supply the Building Team with a building warrant of fitness for all Council buildings that have a compliance schedule. s114 - Give notice to the Building Team of any change of use of a Council building. s116B - Do not allow a Council building to be used if it is insanitary or has inadequate means of escape from fire. s120 - Display notices or signs visible from outside Council building(s) that access provision is made for persons with disabilities, if this is required. s128A - Comply with notice requiring work or restricting entry to a "dangerous" or

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
		<p>"insanitary" Council building.</p> <p>s133AI - Provide engineering assessment to the Building Team if requested for Council building(s).</p> <p>s133AM - Comply with deadline for seismic work in respect of Council building(s).</p> <p>s164 - Ensure Council complies with any notice to fix issued to it.</p> <p>s223 - Give reasonable assistance to a building inspector inspecting a Council building.</p> <p>s.363 "Area of responsibility"</p> <ul style="list-style-type: none"> - obtain building consents for all work done on Council buildings if building consent required - keep building or part of building closed if no code compliance certificate or certificate of public use has been issued for building or part of building where building work occurred - penalty for non-compliance of maximum fine \$20,000. <p>Subpart 7A—Special provisions for residential pools</p> <ul style="list-style-type: none"> - Administration of Building Consents for swimming pools. - Investigation and enforcement regarding residential pools.
Building Research Levy Act 1969	Relevant Sections	Ensure compliance with provisions relating to levies.
Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967	All Regulations particularly Regulations 3-5	<p>Ensure compliance with regulations.</p> <p>Ensure monuments are only removed after regulated notice given.</p> <p>Administration and management of Cemeteries.</p>
Burial and Cremation Act 1964	Sections 5-21, Section 46AA Section 50 Section 52(2) Section 18	<p>Ensure Cemetery managed with the powers granted by the Sections.</p> <p>Ensure a certificate of cause of death or a coroner's certificate is always provided before a burial is done (including for assisted dying).</p> <p>Keep a register of all burials</p> <p>Ensure Council complies with any notice issued on behalf of the Minister of Health or a Health Protection Officer.</p> <p>All money received in respect of cemetery separately accounted for and only used for management and improvement of cemeteries under Council control.</p>
Bylaws Act 1910	Section 12 - Section 23	Ensure all bylaws adopted by the Council comply with the requirements of this Act.
Camping Grounds Regulations 1985	All Regulations	<p>Ensure that all camping grounds are conducted in compliance with the regulations.</p> <p>Regularly inspect all camping grounds in the District.</p>
Child Support Act 1991	Section 154	Administration of deductions for child support.
Children's Act 2014	Part 3	Obligations, regulations, and requirements for safety checks of staff working with children.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
Civil Defence Emergency Management Act 2002	All of Act, Section 64 specific to Council roles, Section 12, Section 17	Together with the Regional Council, establish a Civil Defence Emergency Management Group. Duty to plan and provide for civil defence emergency management within the district, and ensure it is able to function to the fullest extent during and after an emergency. Member of Civil Defence Emergency Management Group (CDEM), and undertake the roles of these groups as set out in Act.
Construction Contracts Act 2002	Relevant Sections	Retention of monies in separate bank account and quarterly report too suppliers re retention balance.
COVID-19 Recovery (Fast-track Consenting) Act 2020	Transitional powers	Ensure compliance with transitional provisions.
Credit Contracts and Consumer Finance Act 2003	All Sections	Ensure compliance with all relevant provisions.
Criminal Procedure Act 2011	All Sections	Ensure compliance with all relevant provisions.
Dog Control Act 1996	Relevant Sections	Ensure bylaws and policies enacted under an Act complies with the legislative requirements of that Act. Administration of Act, including: 1. Formulation and review of policy on dogs and bylaws. 2. Licensing of dogs. 3. Fees. 4. Enforcement action.
Electricity Act 1992	Section 24, Section 24A, Section 32	Ensure that where works are to be carried out by an electricity operator, Council imposes any necessary conditions on the work having regard to the matters in Section 24A of the Act. Ensure that where an application is made to carry out works in the road, Council recovers its reasonable costs and expenses for work done including processing the notice of works and supervising the work undertaken. Administration of the act to require works of electricity operator to be moved if required.
Employment Relations Act 2000	All Sections	Ensure compliance with the Act. Ensure correct breaks. Ensure correct wages/salary information supplied to Payroll. Allow staff who are union delegates to take reasonable time to represent employees in accordance with the Act. Ensure compliance with whistleblower provisions, must not retaliate against a whistleblower (Sections 110B and 103(1)(k)) Preparation and administration of contracts of employment.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
Environmental Health Officers Qualifications Regulations 1993	All Regulations	Ensure Environmental Health Officers hold appropriate qualifications.
Family Violence Regulations 2019	All Regulations, Regulations 13 to 24	To restrict applicants name from public registers, namely, Rating and Valuation rolls, Electoral Roll, Dog Register, Building Records (as set out in Schedule 3). To promptly and helpfully dispose of applications and to restrict applicant's name from public registers and decide applications for public registers to ensure identifying information relating to a protected person is not published.
Fees and Travelling Allowances Act 1951	All Sections	Administration and payment of travelling expenses for members.
Fencing Act 1978	All Sections - particularly Section 16	Administration of claims for a contribution to boundary fences in accordance with the Act.
Fire and Emergency Act 2017	Relevant Sections	Ensure bylaws and policies enacted under an Act complies with the legislative requirements of that Act.
Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018	All Regulations	Ensure compliance with the Act in regard to Council property. Check to ensure compliance with the requirements when processing building consents before issuing Code Compliance Certificates. Investigate complaints and take enforcement action if necessary.
Food Act 2014	Section 19, Section 33, Section 35 - Section 72, Section 137, Section 173 - Section 197, Section 200, Section 205	Undertake territorial authority role in food safety Undertake any additional functions delegated to territorial authorities by Chief Executive Registration authority for food control plans Verification functions and activities Collection and setting of fees for registration, verification and compliance and monitoring activities. Carrying out enforcement and regulatory responsibilities.
Food Regulations 2015	Regulation 42 - 44, Regulation 13	Process applications for exemption from registration and monitoring of exemption premises. Exercise powers of recognized evaluators. Ensure that all premises required to be registered are. Conduct all necessary evaluations for the purpose of registration. Investigate complaints and, where necessary, take enforcement action. Check food handling, food safety, condition of premises and conduct of workers.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
		Note amendment where new businesses can now request extension of time to fulfil verification obligations (Reg 94A). Ensure Plunge Café in compliance with OSH legislation.
Freedom Camping Act 2011	Part 2, Section 32 - 41	No Bylaw at present. Ensure bylaws and policies enacted under an Act complies with the legislative requirements of that Act. Power to make freedom camping bylaws restricting or prohibiting areas of freedom camping in district with approval by Council. If a Bylaw is made, review bylaws no later than 5 years after made, and review within 10 years after initial review. Appoint enforcement officers to enforce bylaws under the Act.
Gambling Act 2003	All Sections, particularly Sections 100 to 103.	Ensure bylaws and policies enacted under an Act complies with the legislative requirements of that Act. Ensure the Council has a class 4 venue policy and ensure compliance with requirements regarding the adoption and review of the class 4 venue policy. Ensure compliance with requirements when considering and determining application for territorial authority consent.
Gas Act 1992	All Sections	Ensure compliance with all relevant provisions relating to works.
Goods and Services Tax Act 1985	All Sections	Accounting for GST to IRD in accordance with the requirements of the Act. Ensure the administration of GST returns
Government Rooding Powers Act 1989	All Sections	Ensure compliance with all relevant provisions.
Hazardous Substances and New Organisms Act 1996	All Sections - Section 97, Section 100	Licensing of premises used for the storage of dangerous goods. Administration of enforcement: 1. Ensure provisions of the Act are enforced in the district. 2. Appoint enforcement officers.
Health (Burial) Regulations 1946	All Sections	Administer and maintain register of Funeral Directors in compliance with these regulations. Administer and maintain register of Funeral Directors in compliance with these regulations. If mortuary is re-erected/repared/alterd, then ensure it is not used as a mortuary until a certificate of fitness has been granted and produced to Council
Health (Hairdressers) Regulations 1980	All Regulations	Process applications for exemption from registration and monitoring of exemption premises. Exercise powers of local authority inspectors. Ensure that all premises required to be registered are.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
		Conduct all necessary inspections for the purpose of registration. Investigate complaints and, where necessary, take enforcement action
Health (Infectious and Notifiable Diseases) Regulations 2016	All Regulations	Ensure compliance with reporting provisions.
Health (Registration of Premises) Regulations 1966	All Regulations	Maintain an adequate system for administration of licences.
Health Act 1956	Section 23 Section 25 Section 28 Section 69S Section 116I	<p>Appoint Environmental Health Officer to administer the Council's obligations under this Act.</p> <p>Do inspections of district to identify nuisances, conditions likely to be injurious to health or offensive and arrange abatement or removal of such.</p> <p>In accordance with Director General enforce Health Regulations</p> <p>Promote bylaws for purposes of Health Act and for the protection of public health</p> <p>Provide Medical Officer of Health with reports as required.</p> <p>To provide sanitary waterworks, drainage works, wastewater works and works for the disposal of wastewater, and works for the collection and disposal of refuse, soil, and other offensive matter, including sanitary conveniences for the use of the public if requisitioned by the Director General under the Health Act 1956.</p> <p>To comply with a direction from the Director General of Health regarding fluoridation of drinking water.</p> <p>Provide sanitary swimming pools and dressing sheds.</p>
Health and Safety at Work Act 2015	All Sections Part 2, Part 3	<p>Ensure adequate system in place for the recording and notification of accidents or hazards. Keep a register of accidents.</p> <p>Ensure that Council's duty as employer, principal and/or controller of workplace is satisfied.</p> <p>The following are the responsibility of all managers:</p> <ol style="list-style-type: none"> 1. To ensure safety of employees (including contractors, subcontractors, their employees, volunteers, and the public generally) in the workplace you control. 2. To identify hazards in all of Council's workplaces. 3. To eliminate, isolate or minimize significant hazards in the workplace you control. 4. To monitor in the workplace you control. 5. To keep your staff informed and to train and supervise them. 6. To ensure that Council's duty as an employer, as a controller of a place of work and as a principal are fulfilled in the workplace you control. 7. To ensure accidents and serious harm are recorded and notified wherever they are if you know about them.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
		<p>Ensure that Council's duty as employer, principal and/or controller of workplace is satisfied in the workplace you control.</p> <p>Ensure that Council's duty as employer, principal and/or controller of workplace is satisfied including consulting with contractors and subcontractors and other entities whose duties overlap:</p> <ul style="list-style-type: none"> - eliminating or minimizing risks in your area as far as reasonably practicable - ensure health and safety of workers and visitors as far as reasonably practicable - do not put others at risk - provide training - ensure safe handling of plant, substances and structures. <p>Recording and notification of accidents that affect your staff or occur in the workplace you control.</p> <p>Protect the accident site if it is in the workplace you control. If it is not in the workplace, you control and you are the first manager on the scene, protect the site until the appropriate manager is able to take steps to control it.</p> <p>Duty to engage with workers - see Sections 58-60.</p> <p>Encourage worker participation in improving work health and safety.</p> <p>Ensure that processes are in place to enable Council to comply with worker engagement, participation, and representation.</p> <p>Ensure managers are aware of and must not be involved in adverse, coercive, or misleading conduct as defined in the Health and Safety at Work Act 2015 Sections 88 and 92.</p>
Health and Safety at Work (Asbestos) Regulations 2016	All Regulations	Ensure compliance with all relevant provisions.
Health and Safety at Work (Worker Engagement, Participation, and Representation) Regulations 2016	All Regulations	Ensure compliance with all relevant provisions.
Health and Safety at Work (Rates of Funding Levy) Regulations 2016	All Regulations	Ensure compliance with all relevant provisions.
Health and Safety at Work (Hazardous Substances) Regulations 2017	All Regulations	Ensure compliance with all relevant provisions.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
Health and Safety at Work (General Risk and Workplace Management) Regulations 2016	All Regulations	Ensure compliance with all relevant provisions.
Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999	All Regulations	Ensure compliance with all relevant provisions.
Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999	All Regulations	Ensure compliance with all relevant provisions.
Health and Safety in Employment Regulations 1995	All Regulations	Ensure compliance with all relevant provisions.
Heavy Motor Vehicle Regulations 1974	All Sections	1. Vehicles must comply with regulations including obtaining Certificate of Fitness. 2. Drivers of vehicles must have a heavy traffic licence.
Heritage New Zealand Pouhere Taonga Act 2014	All Sections Section 74 Section 76 Section 97	Administration of the Act in respect of any heritage buildings owned by Council. <ul style="list-style-type: none"> – Ensure that action is taken to assist in the conservation and protection of a heritage area in accordance with any recommendation received. – Ensure a list of historic places, historic areas, wāhi tūpuna, wāhi tapu, and wāhi tapu areas entered on the New Zealand Heritage List is available for public inspection during business hours. – Administer the payment of any contributions to Heritage New Zealand Pouhere Taonga
Holidays Act 2003	All Sections	To ensure that employees receive the holidays they are entitled to and ensure that employees are paid for the holidays they are entitled to.
Housing Improvement Regulations 1947	All Sections	Ensure compliance with all relevant provisions.
Human Rights Act 1993	All Sections - particularly Section 21, Section 66, Section 62A	Ensure that no discriminatory practices arise. 1. Do not discriminate on the following grounds: <ul style="list-style-type: none"> - sex - pregnancy - childbirth

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
		<ul style="list-style-type: none"> - marital status - surviving spouse or partner - party to a dissolved marriage or civil union - religious belief - ethical belief which includes religious belief (lack of a religious belief) - colour - race - ethnic or national origins - disability (including psychiatric illness, reliance on a disability assist dog, wheelchair or other remedial means) - age (person 16 years or more) - political opinion - employment status (unemployed, or on a benefit of ACC entitlement) - family status - sexual orientation. <p>Victimisation of whistleblowers prohibited. Unlawful to treat adversely any person suspected or assumed to be a person affected by domestic violence. Any complaints are dealt with under the appropriate policy.</p>
Impounding Act 1955	All Sections	<p>Establishment and maintenance of a public Pound Appointment of Pound Keeper Administration of Pound including recording and setting of fees and charges Dealing with trespassing stock, straying, or wandering stock</p>
Income Tax (Fringe Benefit Tax, Interest on Loans) Regulations 1995	All Regulations	All regulations as employer.
Income Tax Act 2007	All Sections	<ol style="list-style-type: none"> 1. Administration of PAYE tax including calculation, deduction from wages/salaries and accounting to IRD. 2. Accounting for Fringe Benefit Tax to IRD in accordance with requirements of the Act.
Infrastructure Funding and Financing Act 2020	Sections relating to levies.	Ensure compliance with provisions relating to levies.
Juries Act 1981	Section 30 Section 32A	<p>Administration of wages whilst on jury service. Ensuring employee is not prejudiced for attending jury service.</p>
Kiwisaver Act 2006	All Sections	Administration of Kiwisaver in regard to payroll.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
Land Act 1948	Section 168	Expenditure of funds on the maintenance or embellishment of any public reserve (whether owned by the Council or not) for the benefit of the residents.
Land Drainage Act 1908	All Sections	Ensure compliance with all relevant provisions relating to maintenance of drains and watercourses and drainage works.
Land Transport (Road User) Rule 2004	All Regulations	Ensure all parking restrictions are adopted by resolution of Council. All parking restrictions under the Land Transport Act 1998 and referred to in the Council's Traffic Bylaw must, in accordance with Section 22(AB) of the Land Transport Act 1998 be adopted by Council resolution. Ensure that any new parking restrictions are adopted by Council resolution. The process includes notifying nearby residents. Maintain and review Traffic Bylaw. Enforcement of parking restrictions and other stationary vehicle offences.
Land Transport Act 1998	Part 10 Sections 138-141 Section 42A Sections 128D and 128E, Sections 251 and 253N Section 72	Administer infringement offence system for parking offences. Ensure compliance with functions in relation to the appointment of parking wardens, and the exercise of parking warden powers. Ensure compliance with functions relating to the storage and disposal of motor vehicles. Keep Council's bylaws as to the use of roads under review and arrange for amendment when new bylaws required.
Land Transport Management Act 2003	Section 7B, Section 27	Administer any responsibilities transferred to the Council from the Regional Council under this Act. Ensure any interest that a local authority has in a public transport service to which this Section applies must be held in a CCO
Land Transport Rule: Setting of Speed Limits 2022	All Sections	Record speed limits in national speed limit register and revoke Bylaws that previously set speed limits. Prepare speed management plan and ensure it is reviewed every three years.
Litter Act 1979	All Sections	Supervision of litter control officers (Section 5) Investigation and enforcement of litter offences. Provide and maintain rubbish bins as is necessary to keep areas free from litter
Local Authorities (Members' Interests) Act 1968	Subpart 3 of Part 4	To ensure that contracts entered into by Council with members do not exceed the maximum without prior Audit approval. Ensure there is a register of pecuniary interests of members that complies with the requirements in Section 54A and that a summary of the information in the register is publicly available.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
		Appoint a Registrar to compile the register and provide advice and guidance to elected members on their obligations.
Local Electoral Act 2001	All Sections	Administration of Act including compilation of roll and conduct of elections. Review membership on basis of election three yearly. Conduct elections three yearly.
Local Electoral Regulations 2001	All Sections	Ensure that local elections are conducted in accordance with these requirements
Local Government Members (2023/24) Determination 2023	All Sections	Ensure that salaries and allowances are paid to members in accordance with this determination.
Local Government (Financial Reporting and Prudence Regulations) 2014	All Sections	Ensure compliance with all relevant provisions. Administration of financial reporting.
Local Government (Rating) Act 2002	All Sections	Ensure that the administration of rates is in accordance with this Act.
Local Government Act 1974	All Sections including. Part 21 (Roads) Part 39 (Prevention of fires), Sections 647, 648	Ensure compliance with all relevant provisions. Maintain Council roading system in compliance with this part. Ensure fire hydrants and water pipes maintained so water is available for firefighting.
Local Government Act 2002	All Sections Sections 124-128 Sections 14(d) and 81	Ensure compliance with all relevant provisions. Ensure compliance with Council requirements to make assessments of drinking water, wastewater, and sanitary services and to ensure communities have safe drinking water.
Local Government Act 2002	All Sections Sections 199A and 199B, Schedule 13A Sections 14(d) and 81	Ensure compliance and preparation of: 1. Long Term Plan 2. Annual Plan 3. Annual Report 4. Corporate Policies 5. Statutory Policies including Significance and Engagement Policy Ensure Council complies with statutory deadlines for processing applications for reconsideration or objections to levy of Development Contributions.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
		Ensure that the Council provides opportunities for Māori to contribute to its decision-making processes.
Local Government Act 2002	All Sections	Ensure compliance with all relevant provisions. Ensure compliance and preparation of corporate policies.
Local Government Act 2002	Section 200 Sections 100-120	Ensure compliance with requirements relating to development contributions, including: 1. limitations applying to requirement for development contributions (Section 200). 2. the requirement for a schedule of assets for which development contributions will be used (Section 201A). Ensure compliance with all relevant provisions including ensuring all required financial policies are in place.
Local Government Act 2002	Sections 207A-207F	Ensure compliance with requirements relating to development agreements.
Local Government Members (2023/24) Determination 2023 – expires 30 June 2024 with this determination.	All Sections	Ensure that salaries and allowances are paid to members in accordance with this determination.
Local Government Official Information and Meetings Act 1987	All Sections Parts 1-6 Section 44A Part 7	Ensure compliance with all relevant provisions. Satisfying requests for information (except if good reason for withholding the information exists). Ensure Land Information Memorandum include the information required under Section 44A. Providing information in a timely manner when requested, to enable responses to LGOIMA requests within the required timeframes. Ensure requirements for Council meetings are met, including requirements for public notification of meetings, agendas and conduct of meetings.
Minimum Wage Act 1983	All Sections	Compliance with requirements for minimum wages.
National Animal Identification and Tracing Act 2012	Relevant Sections	Ensure compliance with all relevant provisions.
New Zealand Bill of Rights Act 1990	All Sections	Ensure compliance with NZBORA, including - 1. Rights relating to the life and security of the person; 2. Democratic and civil rights; 3. Non-discrimination and minority rights; 4. search, arrest, and detention rights
New Zealand Library Association Act 1939	All Sections	Administer the requirements of the Act if member of the association.
Ombudsman Act 1975	All Sections	Ensure compliance with all relevant provisions.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
Parental leave and Employment Protection Act 1987	All Sections	Administration of payroll parental leave. Ensure Council's obligations as employer are met in respect of all applications made for parental leave.
Privacy Act 2020	All Sections	Ensure Council's compliance with Act in respect of: 1. Observance of information privacy principals and public register privacy principals. 2. That a privacy officer is appointed and trained. 3. Satisfying requests for personal information (except if good reason for withholding such information exists) and for correcting personal information. 4. All privacy breaches are reported.
Privacy Regulations 2020	All Regulations	1. Ensure compliance with Regulations regarding serving documents. 2. Procedure for giving public notice of notifiable privacy breach."
Property Law Act 2007	All Sections	Ensure compliance with all relevant provisions.
Prostitution Reform Act 2003	Section 15	Consideration of resource consents in relation to businesses of prostitution.
Protected Disclosures (Protection of Whistleblowers) Act 2022	All Sections	Ensure compliance as a Receiver under the Act.
Psychoactive Substances Act 2013	Relevant Sections	Ensure bylaws and policies enacted under an Act complies with the legislative requirements of that Act.
Public Records Act 2005	All Sections, particularly Sections 17 and 18.	Ensure that the classes of materials listed are not destroyed except with the prior approval of Chief Archivist. Maintain full and accurate records of the Council's affairs, in accordance with normal, prudent business practice, including the records of any matter that is contracted out to an independent contractor.
Public Works Act 1981	All Sections Sections 17-39 Sections 40-42	Ensure compliance with all relevant provisions. Ensure compliance with Act when acquiring land under the Act. Ensure compliance with this Act when disposing of land no longer required for a public work.
Racing Industry Act 2020	Relevant Sections	Ensure bylaws and policies enacted under an Act complies with the legislative requirements of that Act.
Railways Act 2005	Section 83	Railway crossings are to be maintained by Council and/or Kiwi Rail in accordance with their respective obligations under this Act.
Rates Rebate Act 1973	All Sections	Process applications for rebate and grant all qualifying applications. Give information about the rebate to those who may be entitled to make an application.
Rating Valuations Act 1998	All Sections	Ensure that valuation and rating rolls are maintained in compliance with the Act.

LEGISLATION	PART/SECTION/REGULATION	AREA OF RESPONSIBILITY
Reserves Act 1977	All Sections	Ensure that all land that is subject to this Act is administered in compliance with the Acts requirements.
Residential Tenancies Act 1986	All Sections	Ensure that requirements of the Act are complied with.
Resource Management Act 1991	All Sections including 104. Sections 6(e), 7(a) and 8, subpart 2 of Part 5	<p>Ensure that requirements of the Act are complied with.</p> <p>Investigation and administration of subdivision or land use consent applications for compliance with Council's Land Development Minimum Requirements and Subdivision and Development Principles and Requirements, 2012.</p> <p>Ensure compliance with resource consents relating to discharge management of transfer stations and three closed landfills.</p> <p>Enforcement and infringements under relevant provisions of the Act.</p> <p>Administration of Act, including:</p> <ol style="list-style-type: none"> 1. Reviews of District Plan and preparation of resulting plan changes (particularly Sections 73 to 77M, Section 77T, Section 79, Schedule 1, and Schedule 3A). 2. Carrying out procedures for making plan changes operative (Clause 20, Schedule 1). 3. Fix fees and charges (Section 36 to 36AA). 4. Maintain records, gather information and monitor (particularly, Sections 35 to 35A). 5. Processing of private plan change applications (particularly, Part 2 of Schedule 1). 6. Carrying out process in relation to notices of requirement for designations (Part 8). 7. Ensure that the Council provides opportunities for Māori to contribute to its decision-making processes.
Sale and Supply of Alcohol (Fees) Regulations 2013	All Regulations	Ensure compliance with all relevant provisions
Sale and Supply of Alcohol Act 2012	All Sections Sections 186-200	<p>Administration of hearings for the Kapiti District Licensing Committee.</p> <p>Performance the functions and exercise the powers of Secretary of the Kapiti District Licensing Committee.</p> <p>Administration of the Act for Kapiti's District Licensing Committee, including:</p> <ol style="list-style-type: none"> 1. Process applications for licenses and managers certificates. 2. Conducting inspections and making reports. 3. Maintaining records. 4. Investigating complaints and liaising with Police over enforcement.
Sale and Supply of Alcohol Regulations 2013	All Regulations	Ensure compliance with all relevant provisions.
Secret Commissions Act 1910	All Sections	Advise members at least three yearly, of their personal obligations and the Auditor-General's ability to surcharge them personally in some circumstances.

LEGISLATION	PART/SECTION/ REGULATION	AREA OF RESPONSIBILITY
Shop Trading Hours Act 1990	Relevant Sections	Ensure bylaws and policies enacted under an Act complies with the legislative requirements of that Act.
Smokefree Environments and Regulated Products Act 1990	Part 1	Ensure no Council employee smokes or vapes in a Council workplace or vehicle.
Statutory Land Charges Registration Act 1928	All Sections	Ensure compliance with all relevant provisions.
Summary Proceeding Act 1957	Section 87, 88,103	Administration of attachment order for unpaid fines. Ensure compliance with all relevant provisions.
Telecommunications Act 2001	All Sections	Ensure compliance with all relevant provisions relating to works.
Traffic Regulations 1976	All Sections	1. Enforcement of parking restrictions and other stationary vehicle offences. 2. Maintenance and review of traffic bylaws.
Trespass Act 1980	All Sections	Ensure compliance with the Act.
Unit Titles Act 2010	All Sections	Ensure compliance with all relevant provisions.
Urban Development Act 2020	Sections relating to levies.	Ensure compliance with provisions relating to levies.
Utilities Access Act 2010	All Sections	Ensure compliance with Code established under this Act.
Volunteers Employment Protection Act 1973	All Sections	Administration of voluntary and military service in regard to payroll.
Wages Protection Act 1983	All Sections	Ensure payroll system operates without infringing the requirements and obligations imposed by this Act.
Walking Access Act 2008	All Sections	1. Ensure compliance with the Act where Council is appointed as the controlling authority of walkways. 2. Make Bylaws for maintenance of walkways or conditions of use of walkways
Waste Minimisation Act 2008	All Sections	Ensure compliance with all relevant provisions.
Wild Animal Control Act 1977	Part 4, Section 30 -31	To ensure that any destruction of wild animals in the District is undertaken in accordance with a plan approved by the Minister. Administration of Act including the decision to apply funds to the destruction of wild animals.

9.5 FORWARD WORK PROGRAMME TO SEPTEMBER 2025

Kaituhi | Author: **Mark de Haast, Group Manager Corporate Services**

Kaiwhakamana | Authoriser: **Steffi Haefeli, Acting Group Manager Corporate Services**

TE PŪTAKE | PURPOSE

- 1 This report seeks agreement to the forward work programme for the Risk and Assurance Committee to September 2025.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required for this report.

TE TUKU HAEPAPA | DELEGATION

- 3 The Risk and Assurance Committee (Committee) has the delegation to consider this matter under the section of Part C.3 of the Governance Structure and Delegations 2022-2025 and set its annual work programme which contains matters relating to the committee's purpose:

"This committee is responsible for monitoring the Council's financial management, financial reporting mechanisms and framework, and risk and assurance function, ensuring the existence of sound internal systems."

TAUNAKITANGA | RECOMMENDATIONS

- A. That the Risk and Assurance Committee approves its Forward Work Programme to September 2025 as set out in Appendix 1 to this report.

TŪĀPAPA | BACKGROUND

- 4 Under Council's Standing Orders, the Chief Executive has the responsibility for approving the Committee agenda items, this report provides an opportunity for the Committee to discuss and endorse its work programme going forward which will shape the items to be discussed at future meetings.

HE KŌRERORERO | DISCUSSION

- 5 The forward work programme for the Risk and Assurance Committee, as developed by the Group Manager Corporate Services, is attached in Appendix 1 to this report.

He take | Issues

- 6 The establishment and presentation of the forward work programme is in accordance with the Office of the Auditor General's best practice guidance. This approach is used by other councils throughout New Zealand.
- 7 That same best practice also provides for the Committee to review its forward work programme at each subsequent meeting to ensure it remains relevant and can be adapted as necessary.

Ngā kōwhiringa | Options

- 8 The Committee can consider and, if necessary, make amendments to the forward work programme attached as Appendix 1 to this report.

Mana whenua

- 9 Whilst this report does not directly affect mana whenua, any such considerations will be included where appropriate in other reports presented to the Committee as part of the approved work programme.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 10 There are no climate change considerations for this report.

Ahumoni me ngā rawa | Financial and resourcing

- 11 There are no additional financial considerations for this report.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 12 There are no legal considerations or risks for this report.

Ngā pānga ki ngā kaupapa here | Policy impact

- 13 There is no impact on existing Council policies.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT**Te mahere tūhono | Engagement planning**

- 14 No engagement planning is required for this report.

Whakatairanga | Publicity

- 15 The approved forward work programme will be publicised through the publication of the agenda and minutes of this Risk and Assurance meeting.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Forward Work Programme to September 2025 [📄](#)

Risk and Assurance Committee - Forward Work Programme

Area of Work (as per OAG) and Lead	21 November 2024	11 March 2025	29 July 2025	11 September 2025
Forward work programme <i>GM, Corporate Services</i>	Work Programme	Work Programme	Work Programme	
Assurance Internal Audit <i>GM, Corporate Services</i>	Internal Audit activities update	Internal Audit activities update	Internal Audit activities update	
Ernst & Young Control Findings <i>GM, Corporate Services</i>	Progress Update for the year ended 30 June 2024	Progress Update for the year ended 30 June 2024	Progress Update for the year ended 30 June 2024	
Enterprise Risk Top 10 Organisational Risks <i>GM, Corporate Services</i>	Top 10 Organisational Risk Report	Top 10 Organisational Risk Report	Top 10 Organisational Risk Report	
Health, Safety and Wellbeing <i>GM, People and Capability</i>	Health and Safety Quarterly Report: July to Sept 2024	Health and Safety Quarterly Report: Oct to Dec 2024	Health and Safety Quarterly Report: January to June 2025	
Annual report <i>GM, Corporate Services</i>				<ul style="list-style-type: none"> • Draft Annual Report 2024/25 • Audit Closing Report • EY Control Findings
Annual budget 2023/24 <i>GM, Corporate Services</i>	Quarterly Treasury Compliance July to September 2024	Quarterly Treasury Compliance Oct to Dec 2024	Quarterly Treasury Compliance January to June 2025	
Legal Risk <i>GM, Corporate Services</i>	Litigation and External Investigations	Litigation and External Investigations	Litigation and External Investigations	
	Legislative Compliance July to September 2024	Legislative Compliance Oct to Dec 2024	Legislative Compliance January to June 2025	
Emergency Management <i>GM, Infrastructure and Asset Mgmt</i>		Emergency Management Updates	Emergency Management Updates	
Long-term Plan <i>GM, Corporate Services</i>	EY Control Findings 2024-34 LTP			
Capital Programmes <i>Infrastructure and Asset Mgmt</i>	Capital Programme Update			

9.6 EY CONTROL FINDINGS 2024-34 LONG-TERM PLAN PROCESS

Kaituhi | Author: Sharon Foss, Manager Risk and Assurance
Kaiwhakamana | Authoriser: Steffi Haefeli, Acting Group Manager Corporate Services

TE PŪTAKE | PURPOSE

- 1 This report summarises the matters identified by Council’s Auditors, Ernst and Young (EY) during their audit of the Long-Term Plan 2024-34 and outlines how the matters raised will be addressed.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 Not required.

TE TUKU HAEPAPA | DELEGATION

- 3 The Risk and Assurance Committee has the delegated authority to consider this matter in line with section C.3 of the Governance Structure and Delegations for the 2022-2025 triennium which state the committee has the delegation to:
- Review and maintain the internal control framework
 - Obtain from external auditors any information relevant to Council’s financial statements and assess whether appropriate action has been taken by management in response to the above.

TAUNAKITANGA | RECOMMENDATIONS

- A. That the Risk and Assurance Committee receives this report and notes that management accepts the Ernst & Young Long-term Plan 2024-34 Report on Control Findings.

TŪĀPAPA | BACKGROUND

- 4 EY, in their role as Council’s external auditors, reviewed the process used to develop the Long-Term Plan for 2024-34 and associated Consultation Document. Their input acts as Council’s ‘fourth line of defence’ and is valuable feedback for the development of Council’s processes when preparing the next Long-Term Plan. EY have shared their observations, attached as Appendix 1 to this report, directly with management, which was a useful opportunity to hear directly from the auditors on areas for improvement when developing the next Long-Term Plan. They also acknowledged the hard work and dedication of the Council team involved in the process.
- 5 Each observation made by EY is attributed a risk ranking. The ranking system for the Long-Term Plan audit uses an amended risk descriptor and definition to that previously used by Council’s auditors in order to reflect the three-year cycle. The rankings are noted below:

Ernst & Young – Risk Ranking System for Long-Term Plan Audit	
High: needs significant improvement	These recommendations relate to a serious weakness which exposes the Council to a material extent in terms of achievement of Council’s objectives, key performance measures or may otherwise impair the Council’s reputation.
Moderate: needs substantial improvement	A control weakness, which can undermine the system of internal control and/or operational efficiency and should therefore be addressed.
Low: needs some improvement	A weakness which does not seriously detract from the system of internal control and/or operational effectiveness/efficiency, but which should nevertheless be addressed by management.

HE KŌRERORERO | DISCUSSION

- 6 The management letter presents six findings that highlight weaknesses in Council's first line of defence (controls). The findings highlighted key areas for improvement, such as the forecasting model, processes and procedures used for the development of the consultation document, the content of the Long-Term Plan document and other significant matters that will be helpful for future Long-Term Plan processes.
- 7 The process of EY issuing a report on control findings is an opportunity for Council's external assurance provider to assist Council to improve preparation for the next Long-Term Plan. The six control findings and recommendations from EY have been accepted in full and are noted below:

Risk Ranking	EY No.	Long Term Plan 2024-34 Control Findings	Status as at 7 November 2024	
			EY finding	Council response
Moderate	2.1.1	Overall project management and timetabling	New	Accepted
Moderate	2.1.2	Consultation issues, providing the right debate and the readability of the consultation document	New	Accepted
Moderate	2.1.3	Infrastructure Strategy and Finance Strategy	New	Accepted
Low	2.2.1	Approach to finance modelling	New	Accepted
Low	2.2.2	Regular maintenance of asset management plans and linkage to forecasting documents	New	Accepted
Low	2.2.3	Key project costing	New	Accepted

- 8 The Group Manager Corporate Services will maintain corporate oversight of how the control findings provided by EY are considered and resolved in preparation for the next Long-Term Plan.
- 9 These actions will be incorporated into the 2027-37 Long-Term Plan scope and will be reported on alongside other EY control findings to this Committee. EY have commented that they will consider progress as part of the audit for the 2027-37 Long-Term Plan.

He take | Issues

- 10 There are no additional issues arising from this report.

Ngā kōwhiringa | Options

- 11 There are no options arising from this report.

Mana whenua

- 12 There are no tangata whenua considerations arising from this report and mana whenua have not been consulted in relation to this report – as it is procedural.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 13 There are no climate change issues arising from this report.

Ahumoni me ngā rawa | Financial and resourcing

- 14 There are no financial considerations in addition to those already discussed in this report.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 15 There are no legal and risk issues arising directly from this report. The control findings reflect corrective measures recommended to strengthen Council's first line of defence in relation to its Long-Term Plan processes. None of the findings have been considered as high risk.

Ngā pānga ki ngā kaupapa here | Policy impact

- 16 There are no policy considerations in relation to this report.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT**Te mahere tūhono | Engagement planning**

- 17 The report has a low level of significance under the Council's Significance and Engagement Policy and no engagement is triggered.

Whakatairanga | Publicity

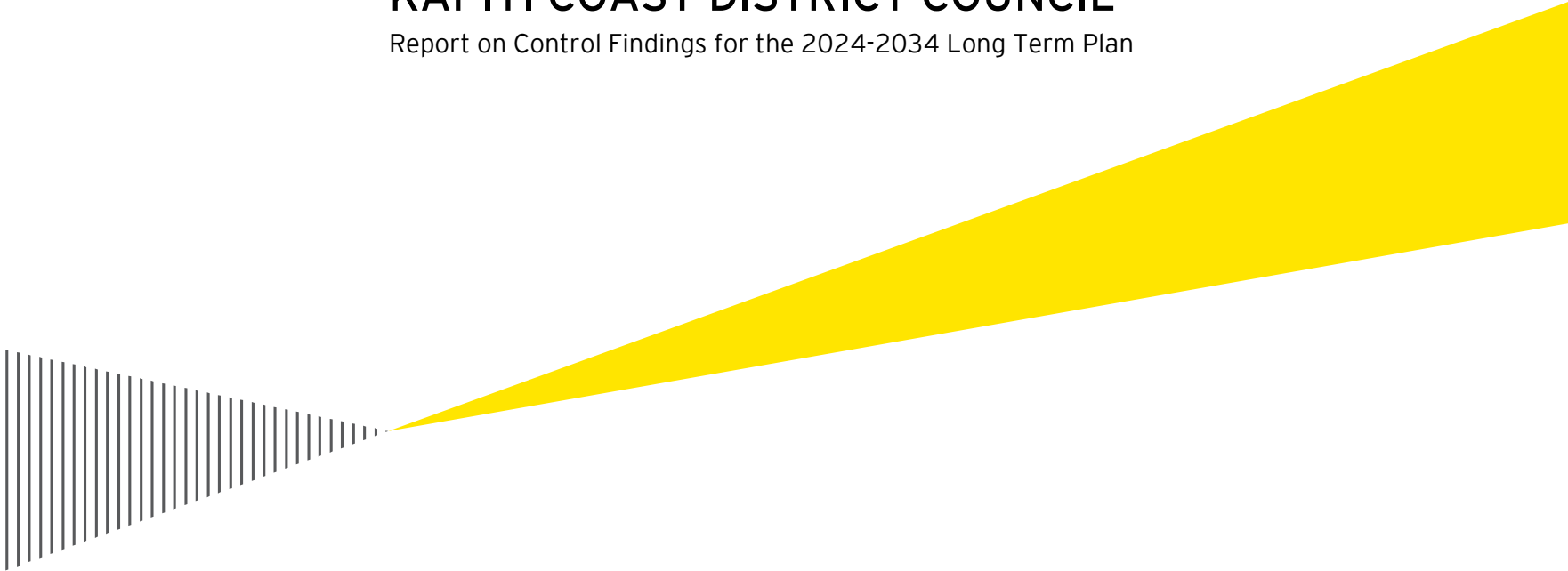
- 18 This report and appendices will be publicly available through the agenda for the Risk and Assurance Committee meeting.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. EY Report to Management for the LTP 2024-34 [↓](#)

KAPITI COAST DISTRICT COUNCIL

Report on Control Findings for the 2024-2034 Long Term Plan





06 November 2024

Mark de Haast
General Manager – Corporate Services
Kapiti Coast District Council
Private Bag 60601
Paraparaumu

Dear Mark

Report on findings for the 2024-2034 Long Term Plan process

During 2024 we completed our audit of the Council's Consultation Document ("CD" and the Long-Term Plan ("LTP") for the 2024 to 2034 period. Following the completion of our work and discussions with management and members of the Council we decided it was appropriate to take the opportunity to raise with management matters that will require consideration as a part of the future annual planning and the preparation of future LTP's. Whilst we acknowledge that the next LTP is some time away, it is appropriate to provide you with comments on the processes and procedures applied by Kapiti Coast District Council ("the Council") during the development and completion of the CD and ultimately the LTP.

This management letter includes all matters and issues arising from our audit findings that we consider appropriate for review by management for consideration during the development of future LTP's. The matters included in this report principally relate to the development of the CD and ultimately the LTP. A number of significant matters arose during the development of the CD and the LTP, particularly relating to the forecasting model that we consider Council need to focus on for all future planning work.

We wish to express our appreciation for the courtesies and co-operation extended to our representatives during the course of their work. In particular we would like to express our appreciation to Sheryl Garvin and Jing Zhou for their work in assisting the co-ordination of our audit work.

We acknowledge the long-term plan process is a significant undertaking, and notable amounts of time and effort was needed to engage with the community and Council, draft documents and support the audit process.

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We appreciate that there were a number of challenges along the way that needed to be worked through including changes to the project team, a reduced level of continuity of personnel since the last long-term plan and generally high workloads as a result of changed Government initiatives or upcoming changes across the sector that needed to be given consideration. We appreciate the positive approach that was taken to these challenges and the manner in which we were incorporated in the process and given the opportunity to provide input along the way.

Our audit was completed in compliance with international auditing standards and the Office of the Auditor-General's LTP audit methodology. Our audit was designed to enable us to issue an opinion on the CD and the LTP and hence they have not been designed for the purposes of making detailed improvement recommendations. As a result, our procedures would not necessarily disclose all weaknesses in Council's LTP development process.

If you have any questions or comments, please do not hesitate to call me on 027 489 9693 or contact me on sam.nicolle@nz.ey.com.

Yours faithfully

Sam Nicolle
Partner

EY | i

Contents

1. Overview 1

1.1 Overview of Risk Ranking System..... 1

1.2 Summary of Recommendations and Risk Rankings 2

1.3 Disclaimer 2

2. Observations 3

2.1 Moderate Risk Category Issues..... 3

2.2 Low Risk Category Issues 9

1. Overview

1.1 Overview of Risk Ranking System

High Needs significant improvement	These recommendations relate to a serious weakness which exposes the Council to a material extent in terms of achievement of Council's objectives, key performance measures or may otherwise impair the Council's reputation.
Moderate Needs substantial improvement	A control weakness, which can undermine the system of internal control and/or operational efficiency and should therefore be addressed.
Low Needs some improvement	A weakness which does not seriously detract from the system of internal control and/or operational effectiveness/efficiency but which should nevertheless be addressed by management.

1.2 Summary of Recommendations and Risk Rankings

The following table summarises the key issues identified for improvement during the course of our audit work and their risk ranking:

	High Needs significant improvement	Moderate Needs substantial improvement	Low Needs some improvement
2.1.1 Overall Project Management and timetabling	-	✓	-
2.1.2 Consultation issues, providing the right debate and the readability of the CD	-	✓	-
2.1.3 Infrastructure Strategy and Finance Strategy	-	✓	-
2.2.1 Approach to Finance Modelling	-	-	✓
2.2.2 Regular Maintenance of Asset Management Plans and Linkage to Forecasting Documents	-	-	✓
2.2.3 Key project costing	-	-	✓
Total	0	3	3

1.3 Disclaimer

The issues identified within this report are only those found within the course of the audit of the 2024-2034 LTP and its associated Consultation Document. Recommendations and the issues identified are intended solely for the use of Council's management and the council itself. We disclaim any assumption of responsibility for any reliance on this report, to any person other than Council or for any purpose other than that for which it was prepared.

2. Observations

2.1 Moderate Risk Category Issues

2.1.1 Overall Project Management and timetabling	
Observation	<p>When performing the audit of the Consultation document and LTP 2024-34 there were significant delays in providing requested information to EY. With these we had to reset the timelines often. Apart from this we received multiple versions of the following key elements of the CD and LTP.</p> <ul style="list-style-type: none">▶ Consultation document▶ LTP document▶ Financial Strategy▶ Infrastructure strategy▶ Finance Model▶ Capex budget <p>The connectivity between the Infrastructure Strategy, asset management plans and Council's financial models was not maintained and updated as the financial model was developed. This disconnection presented risks to the integrity of the modelling and caused delays as documents required re-alignment late in the project.</p> <p>Ultimately, this required a level of re-work and introduced a greater risk of error due to condensed timings. The late receipt of work papers and the draft Consultation document and LTP impacted the efficiency of the LTP process and led to significantly more time being spent on the LTP by both Council and EY staff. If key documents and elements of the model had been prepared at appropriate intervals in line with the initially set LTP timetables, efficiencies would have been gained by all parties.</p> <p>The reasons for this were varied and fell both within and outside of the control of management. It is our view that the key matters that reduced the Council's likelihood of achieving its project plan or recovering lost time once behind its schedule included:</p> <ul style="list-style-type: none">▶ Given the resources available and the amount of work to be done Management had an optimistic timeline, which placed significant pressure on a small number of key Council personnel. Council reset its LTP timetable on several occasions as Council struggled to complete the various elements of the long-term plan within the initial time frames.▶ Council timeline did allow for sufficient self-review time when determining the timetable for preparers. This resulted in elements or versions of the financial model being used for decision making or being provided to the audit team for consideration. Ultimately this cost the team more time in re-work.▶ No contingency time was allowed in Council's timeline. As a result, any slippage in completing work, especially key components such as the financial model, flowed directly to the overall timeline. The benefit of providing

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EY | 3

	<p>contingency buffers in a major project timeline where nothing is expected to happen is that this time can be utilised during the project to bring a projects timeline back on track. The provision of contingency timeframes within project plans allows for management to take stock of where the overall project is at and, if necessary, allow key project tasks to catch up on expected milestones as necessary.</p> <ul style="list-style-type: none"> ▶ Given the limited number of staff involved in the development of the forecasting model the time required to fully develop the assumptions, inputs and outputs of the model, and assure the integrity of the draft models was, in hindsight, optimistic. ▶ There were multiple changes to the key consultation matters resulting numerous updates to the costing of key consultation issues, financial modelling, infrastructure and financial strategy and consultation and long-term plan. These changes partly occurred due to changing circumstances of the local government environment but also affordability challenges. <p>All of these matters contributed to the delay in the production of the Consultation Document, LTP and underlying supporting documents.</p> <p>The late receipt/version changes of work papers and the draft Consultation document and LTP impacted the efficiency of the audit process and led to significantly more time being spent on the LTP by both Council and EY staff. If key documents and elements of the model had been received at appropriate intervals in line with the initially set LTP timetables, efficiencies would have been gained by all parties.</p>
Recommendation	<p>We accept the LTP process is complex given the size and scale of the reporting teams maintained by many small to medium sized Councils. We recommend that Council take this years' LTP process and examine where opportunities for further improvements are available.</p> <p>We would expect that the most significant gains can be achieved through the setting a more realistic timetable and focusing a broader number of Council staff to the project team with a focus on achieving the expected timeline. For complex projects such as the LTP specific periods of contingency time should be established and where necessary major project fieldwork should be brought forward to allow for these contingency periods to be included in the overall planning timetable.</p> <p>All segments of Council should also collectively work to develop the LTP process, and an increased focus and consideration should be given to bringing key items forward. For instance, Council workshops required to provide key guidance to the direction of the planning should take place early so that Council planning can proceed towards finalisation of an overall document.</p> <p>Finally, we encourage KCDC to establish an internal review process and plan in advance to mitigate these delays. In addition, management should allocate sufficient time for the audit process. This helps in scheduling audit activities without disrupting regular business operations, through careful planning, management can review the LTP processes, and financial statements beforehand. This ensures that everything is accurate and compliant and identify areas for improvements.</p>
Management Response	<p>Management accepts audit findings and recommendation. A review of the LTP process will be carried out, with work starting on core elements early in the triennium, potentially as early as the induction process. The benefits expected to</p>

	flow from the new financial reporting and budgeting tools (anticipated live date of 1 July 2025) will enable further improvement to financial modelling processes, including accuracy and integration between rates and financials. Improvement of the process will include consideration of appropriate resourcing.
Responsibility	Corporate Services

2.1.2 Consultation issues, providing the right debate and the readability of the CD	
Observation	<p>The purpose of the Long-Term Plan Consultation Document is to identify and explain to the people of the district, significant and other important choices facing Council and the district and the consequence of these choices.</p> <p>Our examination of the consultation document identified a number of matters relevant to compliance achieving its purpose as defined in Section 93B of the Local Government Act 2002.</p> <p>The drat consultation document was amended multiple times, with each amendment requiring a considerable change to the key consultation issues.</p> <p>The first draft of the CD was prepared prior to finalising draft financial, and infrastructure strategies. It included the following three consultation items:</p> <ul style="list-style-type: none">▶ Funding approach to the increased costs to deliver the three waters services following the change of direction from central government on the three waters reform.▶ Approach to provide sustainable housing for older people through the establishment of a community housing provider or transferring the housing portfolio to existing community housing providers.▶ Providing a \$1.9m grant to Ngā Manu Trust to develop tourist hub in the Ngā Manu nature reserve. <p>The second draft of the CD added two further consultation items, whilst removing the consultation issue for the Ngā Manu visitor centre funding. The additional matters included for consultation were:</p> <ul style="list-style-type: none">▶ establishing a \$5m annual rates contribution to a self-insurance fund to increase Council resilience to major events and to potentially lower the insurance premium in the future.▶ implementation of a rapid debt repayment programme which will see average rates increases of 11% between years 2 to 10 and debt reducing from \$234m current net debt to \$16m net debt at the end of the LTP period. <p>The third draft included an additional option of increasing the rates by 9% and holding debt level at the end of the LTP period.</p> <p>Despite these changes, we noted the initial explanation provided for the self-insurance and the debt reduction did not adequately explain:</p>

	<ul style="list-style-type: none"> ▶ the reasoning for choosing the debt repayment period. ▶ the optimum levels of debt and factors considered in reaching this view. ▶ how Council has considered the affordability of proposals to ratepayers and how realistic it is to assume it will collect such rates increases. ▶ why Council deemed the self-imposed debt limits as ideal. ▶ the impact the self-insurance fund will have on ongoing insurance premium and the level of insurance coverage available. ▶ what other avenues Council considered before embarking on the proposed options such as changes to the level of service or cost cutting initiatives implemented to lower the debt burden. ▶ the initial debt reduction options included in the CD presented a binary choice of either increasing rates by 11% annually over the period of the LTP or to not pursue any debt reduction programme. Consequently, we recommended Council consider including additional options for the debt repayment to provide more choice to ratepayers ▶ The financial modelling for the 10-year LTP period shows steady investments in infrastructure assets. The forecasted annual capital expenditure is broadly in line the level forecasted during the previous LTP. The initial forecast rates increases were significantly above those forecast in the previous LTP. These increases were designed to fund additional capital spend and to reduce debt and create the self-insurance fund. Given the significance of the planned rates increases these matters should have been prominent in the draft consultation document including how the proposals put forward by Council achieve intergenerational equity and affordability of rates. <p>The final CD was updated to address rates affordability considerations, by proposing moderate rates increases of 6-8% over the LTP period. In addition, Council abandoned self-insurance fund due to uncertainty of this and the disadvantages/risks of having a self-insurance fund are not clear to rate payers.</p> <p>A key element of the intent of the Consultation Document is to discuss key issues and to provide the likely impact on debt levels, and levels of service of the options that Council is proposing.</p> <p>The risk is that the Consultation document is effective at telling a story but does not fulfil the legislative requirements designed to enable effective community engagement and consultation.</p> <p>These concerns were communicated to Council throughout the audit to allow for amendments to be made in order to achieve an adequate standard for consultation with ratepayers. However, this meant significant progressive amendments to the consultation document at late stage of the audit process.</p>
Recommendation	<p>We recommend Council specifically task senior executives or Councillors to assess the LTP “right story / right debate” against key criteria as a part of the LTP’s development process. Council should also design the right debate / big issues early in the LTP process to provide adequate time to scrutinise the options available style, but clearly articulate what is Council’s preferred option and what has been included in the draft LTP for consultation.</p>

	<p>Prior to the next LTP Council should review other Council's consultation documents as benchmarks to assess strengths and weaknesses in their own document to provide a basis for change and improvement.</p> <p>We suggest Council explicitly assess rates affordability before making key decisions. This helps to build the trust and confidence in the Council's decision-making processes among residents, ensure a stable and predictable revenue stream for the Council. By actively considering residents' ability to pay in rates setting, Council may lower the risk of delinquencies or defaults on rates.</p>
Management Response	Management accepts the audit finding and recommendation and commits to establishment of a consultation document oversight committee of elected members and SLT to consider the right debate/story within the context of legislative compliance, significance, and affordability.
Responsibility	Corporate Services

2.1.3 Infrastructure Strategy and Finance Strategy	
Observation	<p>One of the key building blocks for developing a LTP is information on the current condition and state of a Council's key infrastructure assets. The majority of Council's spending relates to maintaining, renewing and upgrading core infrastructure assets. Therefore, Council is required to prepare an Infrastructure strategy to identify significant infrastructure issues for the Council over the next 30 years and the principal options for managing those issues and implications of those options. Consequently, it sets the scene for the future of Council infrastructure over the next 30 years and beyond.</p> <p>Through our review we noted the first version of the infrastructure strategy did not include all the elements required by the Local Government Act 2002 as the strategy was developed prior to completing the financial strategy. This resulted in the strategy not been clearly linked to the financial strategy.</p> <p>In contrast, the first version of the financial strategy clearly outlined plans for rates and debt level over the long-term plan period, however it lacked discussion on the impacts and how realistic the proposed options for reducing debt and setting up self-insurance in terms of affordability and intergenerational equity.</p> <p>Both strategies also did not include discussions of factors such as balanced budget and financial prudence. The linkage through to the infrastructure strategy and other key documents was also missing.</p> <p>Deficiencies in these strategies can lead to,</p> <ul style="list-style-type: none">▶ Ineffective decision making▶ Disruptions in operations▶ Overestimate/underestimate the funding requirements. <p>Subsequently, we received updated strategies which incorporated our feedback. Whilst the Infrastructure and financial strategy were progressively updated for its contents to be adequate for the purpose of the consultation document, our</p>

	expectation is that the initial drafts be used as a basis for broader planning will cover these core matters and look more strategically into the future.
Recommendation	<p>Whenever the Infrastructure Strategy and Finance Strategy are being re-assessed, Council should focus on the most relevant issues they have, lessons learnt from pervious LTPs, use most the latest underlying supporting data.</p> <p>Given the importance of underlying infrastructure asset data to the accuracy of Council's forecasts we recommend maintaining the Asset Management Plans and Rates Policies in line with the Infrastructure and Finance strategy.</p>
Management Response	Management accepts the audit finding and recommendation and commits to early review of foundation elements of the LTP (including financial and infrastructure strategies, AMPs, and key policies) in anticipation of the 27-37 LTP.
Responsibility	Corporate Services

2.2 Low Risk Category Issues

2.2.1 Approach to Finance Modelling	
Observation	<p>Council uses MagiQ software as the modelling tool to prepare some of the forecast financial information. The statements of comprehensive revenue and expenses and funding impact statements are modelled within this system. However, due to system limitations the balance sheets, statements of changes in equity and statements of cash flows are prepared manually using spreadsheets.</p> <p>Spreadsheets are also used for preparing the financial prudence benchmarks and other information relating to the Consultation/LTP Document.</p> <p>Completing financial modelling manually in excel is more time consuming and there is a greater risk of human errors.</p>
Recommendation	<p>We recommend management consider completing more modelling in MagiQ and understand this is currently being investigated</p>
Management Response	<p>Management accepts the audit finding and recommendation. The new financial modelling and reporting solution is expected to go live on 1 July 2025.</p>
Responsibility	<p>Corporate Services</p>

2.2.2 Regular Maintenance of Asset Management Plans and Linkage to Forecasting Documents	
Observation	<p>During the course of our detailed LTP audit work we undertook reviews of a number of key documents and their associated underlying information relating to Councils significant asset base. These documents included:</p> <ul style="list-style-type: none">▶ Three Waters (Water Supply, Wastewater, and Stormwater)▶ Land transport▶ Coastal▶ Parks and open spaces <p>The key to the Council being in a position to consult with the public is that it maintains a strong understanding of its underlying infrastructure. Asset and activity management plans underpin this understanding.</p> <p>We assessed that Council maintains adequate levels of underlying information enabling appropriate cost estimates to be made for expected maintenance, renewals and capital works costs. However, Council did not prepare an asset management plan for the three waters as council was relying on "Entity G", the water services reform to provide KCDC</p>

	<p>specific AMPs. However, upon cancellation of the planned reforms, KCDC was provided incomplete summary of the three waters AMP. To address this issue KCDC engaged AECOM in January 2024 to prepare a comprehensive AMP for their three waters. AECOM was expected to finalise the AMP early April (i.e. after Council issued its Consultation Document)</p> <p>When reviewing council's three water asset management plans, we noted several outdated areas in the AMP. For example, asset condition information, asset condition rating reliability and service performance measures. Without up-to-date asset management plans, the Council may not adequately anticipate or address infrastructure deterioration.</p> <p>This can lead to increased maintenance costs, decreased asset reliability, and potentially unsafe conditions for residents. In addition, this may underestimate or overestimate the funding required for infrastructure maintenance and renewal.</p> <p>In addition, the AMPs for Land Transport, Parks & Open Spaces and Coastal Management had not been updated to reflect changes to financial forecasts.</p> <p>Whilst these were subsequently updated at the end of LTP process to reflect the final forecasts, the timing and level of change adversely impacts an efficient long-term plan process.</p>
Recommendation	<p>Council should maintain up to date AMPs as it commences the annual and long-term planning process as AMPs are key inputs and underlying information for effective planning.</p> <p>Council should also ensure, AMPs includes essential information such as asset location, condition, condition rating, reliability, cost, depreciation method, revaluation frequency and planned renewals and upgrades. This should include review and approval of AMPs by relevant business owners.</p> <p>The linkage between AMPs, forecasted financial models and Infrastructure and financial strategy should be grounded in the forecast costs included in the AMPs and reflected in the financial models. This should be validated in the long-term plan modelling process.</p>
Management Response	Management accepts the audit finding and recommendation and commits to earlier update and peer review of AMPs to ensure alignment with financial modelling.
Responsibility	Corporate Services

2.2.3 Key project costing	
Observation	<p>We have reviewed the forecasted capital expenditure programs, examining a sample of significant projects to understand the forecast costing methodology applied and test the veracity of cost estimates. Within this we sought to assess the risk of significant pricing inaccuracies in the capital expenditure programme and ultimately the potential for a flow on impact on the asset depreciation and revaluation movements for the 10 year LTP. Our review of significant projects identified the following areas for improvement:</p> <ul style="list-style-type: none">▶ There were no adequate controls and oversight over the integrity of the business units budgets included in the financial forecast.

	<p>► Key project costings and supporting documentation was of variable quality. There were several instances that the provided supporting document doesn't match the capex budget requiring updates by Council. Underlying supporting documents for older projects were not readily available causing delays in the LTP audit.</p> <p>Inaccurate budgeting information can hinder effective decision-making by management and may lead to incorrect forecasting for capital projects and related funding.</p>
Recommendation	We recommend Council established quality control procedures over its budgetary process and where practical for all significant projects a ground up costing should be completed with quantitative information being maintained to support the costings estimates.
Management Response	Management accepts the audit finding and recommendation and commits to improving quality assurance of budget forecasts for projects.
Responsibility	Corporate Services

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10 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES**10.1 CONFIRMATION OF MINUTES**

Author: Maria Cameron, Advisor Governance

Authoriser: Mark de Haast, Group Manager Corporate Services

Taunakitanga | Recommendations

That the minutes of the Risk and Assurance Committee meeting of 15 October 2024 be accepted as a true and correct record.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Unconfirmed Minutes of Risk and Assurance Committee Meeting 15 October 2024 [↓](#)

RISK AND ASSURANCE COMMITTEE MEETING MINUTES

15 OCTOBER 2024

**MINUTES OF KAPITI COAST DISTRICT COUNCIL
RISK AND ASSURANCE COMMITTEE MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON TUESDAY, 15 OCTOBER 2024 AT 9.31AM**

PRESENT: Mr David Shand (Chair), Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Cr Liz Koh, Cr Jocelyn Prvanov, Cr Glen Cooper, Mr David Cochrane

IN ATTENDANCE: Mr Bernie Randall, Mr Richard Mansell, Mr Cam Butler, Mr Bede Laracy, Cr Martin Halliday, Cr Sophie Handford, Mr Mark de Haast, Mr Darren Edwards, Ms Hara Adams, Ms Kris Pervan, Mr Brendan Owens, Ms Kate Coutts, Ms Anna Smith, Ms Jessica Mackman, Ms Sharon Foss, Ms Sheryl Gavin (via Zoom), Mr Ian Georgeson, Mr Michael Parrish, Mr Sam Nicolle (External - EY)

1 NAU MAI | WELCOME

The Chair welcomed everyone to the meeting.

2 KARAKIA A TE KAUNIHERA | COUNCIL BLESSING

The Chair read the Council blessing.

3 WHAKAPĀHA | APOLOGIES

There were no apologies for the meeting.

**4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE |
DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

There were no declarations of interest relating to items on the agenda.

**5 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE
RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE
AGENDA**

There were no public speakers at the meeting.

6 NGĀ TEPUTEIHANA | DEPUTATIONS

There were no deputations scheduled on the agenda.

7 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) There were no updates provided by the Chair.
- (b) There were no requests for a Leave of Absence.
- (c) There were no Matters of an Urgent Nature raised.

8 HE KŌRERO HOU | UPDATES

There were no updates scheduled on the agenda.

RISK AND ASSURANCE COMMITTEE MEETING MINUTES

15 OCTOBER 2024

9 PŪRONGO | REPORTS**9.1 DRAFT ANNUAL REPORT 2023/24**

Mark de Haast, Group Manager Corporate Services introduced the report, and alongside Darren Edwards, Chief Executive, answered members' questions.

The Chair brought Item 9.2 *Audit Close Report for the Year Ended 30 June 2024* forward in the meeting.

9.2 AUDIT CLOSE REPORT FOR THE YEAR ENDED 30 JUNE 2024

Sam Nicolle, Partner at EY, spoke to the report and answered members' questions.

COMMITTEE RESOLUTION RAC2024/45

Moved: Deputy Mayor Lawrence Kirby

Seconder: Mayor Janet Holborow

- A. That the Risk and Assurance Committee receives and notes this report including Appendix 1 to this report.

CARRIED

Cr Jocelyn Prvanov left the meeting at 10.01am and returned to the meeting at 10.03am.

The Chair brought Item 9.3 *EY Control Findings for Year Ended 30 June 2024* forward in the meeting.

9.3 EY CONTROL FINDINGS FOR YEAR ENDED 30 JUNE 2024

Sam Nicolle, Partner at EY, and Mark de Haast, Group Manager Corporate Services spoke to the report and answered members' questions.

COMMITTEE RESOLUTION RAC2024/46

Moved: Mr David Shand

Seconder: Deputy Mayor Lawrence Kirby

That the Risk and Assurance Committee:

- A. **Receives** this report, including Ernst & Young's Report on Control Findings for the year ended 30 June 2024, attached as Appendix 1 to this report, and
- B. **Notes** that:
- B.1 regular progress updates against the Control Findings will be provided; and
- B.2 Ernst & Young will re-assess these Control Findings when they complete their audit for the financial year ended 30 June 2025.

CARRIED

The Chair moved Item 9.1 *Draft Annual Report 2023/24* from an earlier part of the meeting.

9.1 DRAFT ANNUAL REPORT 2023/24

Ian Georgeson, Acting Chief Financial Officer spoke to the report and matters raised regarding Item 9.1 earlier in the meeting, and alongside Darren Edwards, Chief Executive, Mark de Haast, Group Manager Corporate Services, and Hara Adams, Group Manager Iwi Partnerships answered members' questions.

RISK AND ASSURANCE COMMITTEE MEETING MINUTES

15 OCTOBER 2024

Mayor Janet Holborow left the meeting at 10.20am and returned to the meeting at 10.22am.

Cr Glen Cooper left the meeting at 10.55am and returned to the meeting at 10.56am.

The meeting adjourned at 11.06am and reconvened at 11.18am.

Cr Jocelyn Prvanov moved further recommendations *D*, *E*, and *F* to the Council Officer recommendations within Item 9.1 Draft Annual Report 2023/24.

MOTION

Moved: Cr Jocelyn Prvanov

Seconder: Cr Glen Cooper

The Risk and Assurance Committee:

- D. **Recommends** that all Elected Members' attendances at their respective Committees are recorded in the Annual Report 2023/24.
- E. **Recommends** that all Appointed Members' attendances at their respective Committees are recorded in the Annual Report 2023/24.
- F. **Recommends** that the Governance Funding for Mana Whenua and the Non-Elected Members Fees Framework funding is detailed in the Annual Report 2023/24.

Mayor Janet Holborow moved an amendment to recommendations *D*, *E* and *F* moved by Cr Jocelyn Prvanov and seconded by Cr Glen Cooper. The recommendations were debated, and put:

AMENDMENT

Moved: Mayor Janet Holborow

Seconder: Deputy Mayor Lawrence Kirby

The Risk and Assurance Committee:

- D. **Recommends** that all Councillors' attendances at their respective Committees are recorded in the Annual Report 2023/24.

For: Mr David Shand, Mr David Cochrane, Mayor Janet Holborow and Deputy Mayor Lawrence Kirby

Against: Crs Glen Cooper, Liz Koh, and Jocelyn Prvanov

CARRIED 4/3

The amendment became the new substantive motion, which was then put:

COMMITTEE RESOLUTION RAC2024/47

Moved: Cr Jocelyn Prvanov

Seconder: Cr Glen Cooper

The Risk and Assurance Committee:

- D. **Recommends** that all Councillors' attendances at their respective Committees are recorded in the Annual Report 2023/24.

For: Mr David Shand, Mr David Cochrane, Mayor Janet Holborow and Deputy Mayor Lawrence Kirby

Against: Crs Liz Koh, Jocelyn Prvanov and Glen Cooper

CARRIED 4/3

RISK AND ASSURANCE COMMITTEE MEETING MINUTES

15 OCTOBER 2024

The amendment to recommendation *E* was put:

AMENDMENT

Moved: Mayor Janet Holborow
Seconded: Deputy Mayor Lawrence Kirby

The Risk and Assurance Committee:

- E. **Recommends** that all Appointed Members' attendances at their respective Committees are recorded in the Annual Report 2024/25.

For: Mayor Janet Holborow and Deputy Mayor Lawrence Kirby

Against: Mr David Cochrane, Crs Glen Cooper, Liz Koh, and Jocelyn Prvanov

LOST 2/4

The Chair, David Shand abstained from voting.

The amendment to recommendation *E* was lost, therefore the original motion moved by Cr Jocelyn Prvanov and seconded by Cr Glen Cooper was put:

COMMITTEE RESOLUTION RAC2024/48

Moved: Cr Jocelyn Prvanov
Seconded: Cr Glen Cooper

The Risk and Assurance Committee:

- E. **Recommends** that all Appointed Members attendances at their respective Committees are recorded in the Annual Report 2023/24.

For: Mr David Cochrane and Crs Liz Koh, Jocelyn Prvanov, and Glen Cooper

Against: Mayor Janet Holborow

Abstained: Mr David Shand and Deputy Mayor Lawrence Kirby

CARRIED 4/1

The amendment to recommendation *F* was put:

AMENDMENT

Moved: Mayor Janet Holborow
Seconded: Deputy Mayor Lawrence Kirby

The Risk and Assurance Committee:

- F. **Recommends** that the Governance Funding for Mana Whenua and the Non-Elected Members Fees Framework funding is detailed in the Annual Report 2024/25.

For: Mr David Shand, Mr David Cochrane, Mayor Janet Holborow and Deputy Mayor Lawrence Kirby

Against: Crs Glen Cooper, Liz Koh, and Jocelyn Prvanov

CARRIED 4/3

RISK AND ASSURANCE COMMITTEE MEETING MINUTES

15 OCTOBER 2024

The amendment became the new substantive motion, which was then put:

COMMITTEE RESOLUTION RAC2024/49

Moved: Cr Jocelyn Prvanov

Seconder: Cr Glen Cooper

That the Risk and Assurance Committee:

- F. **Recommends** that the Governance Funding for Mana Whenua and the Non-Elected Members Fees Framework funding is detailed in the Annual Report 2024/25.

For: Mr David Cochrane, Deputy Mayor Lawrence Kirby, Crs Liz Koh, Jocelyn Prvanov and Glen Cooper

Against: Mayor Janet Holborow

Abstained: Mr David Shand

CARRIED 5/1

Officer recommendations within Item 9.1 *Draft Annual Report 2023/24* were put:

COMMITTEE RESOLUTION RAC2024/50

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Liz Koh

The Risk and Assurance Committee:

- A. **Notes and receives** this report, including Appendix 1 and 2 to this report.
- B. **Recommends** the draft Annual Report 2023/24 and the draft Summary Annual Report 2023/24 be provided for consideration and adoption by Council on 31 October 2024.
- C. **Delegates** authority to the Chief Executive and Chair of the Risk and Assurance Committee to make minor editorial changes to the draft Annual Report 2023/24 and its summary prior to being submitted to Council for adoption.

CARRIED

The Chair moved Item 9.2 *Audit Close Report for the Year Ended 30 June 2024* and Item 9.3 *EY Control Findings for Year Ended 30 June 2024* forward in the meeting.

10 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES**10.1 CONFIRMATION OF MINUTES****COMMITTEE RESOLUTION RAC2024/51**

Moved: Mr David Shand

Seconder: Cr Liz Koh

That the minutes of the Risk and Assurance Committee meeting of 15 August 2024 be accepted as a true and correct record, with an amendment to the minutes section of Item 9.8 *Forward Work Programme 2024/25*.

CARRIED

RISK AND ASSURANCE COMMITTEE MEETING MINUTES

15 OCTOBER 2024

11 TE WHAKAŪNGA O NGĀ ĀMIKI KĀORE E WĀTEA KI TE MAREA | CONFIRMATION OF PUBLIC EXCLUDED MINUTES

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION RAC2024/52

Moved: Mayor Janet Holborow

Seconder: Mr David Cochrane

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered.

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(1) 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
11.1 - Confirmation of Public Excluded Minutes	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 7(2)(c)(i) - 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 to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	Section 48(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

CARRIED

The Te Komiti Whakamauru Tūraru | Risk and Assurance Committee meeting went into public excluded session at 12.05pm.

RISK AND ASSURANCE COMMITTEE MEETING MINUTES

15 OCTOBER 2024

MOVE OUT OF PUBLIC EXCLUDE BUSINESS**COMMITTEE RESOLUTION RAC2024/54**

Moved: Mayor Janet Holborow

Seconder: Deputy Mayor Lawrence Kirby

That the meeting moves out of public exclude business.

CARRIED

The Te Komiti Whakamauru Tūraru | Risk and Assurance Committee meeting came out of the public excluded session at 12.07pm.

123 KARAKIA WHAKAMUTUNGA | CLOSING KARAKIA

The Chair closed the meeting with karakia.

The Te Komiti Whakamauru Tūraru | Risk and Assurance Committee meeting closed at 12.07pm.

.....
HEAMANA | CHAIRPERSON

11 TE WHAKAŪNGA O NGĀ ĀMIKI KĀORE E WĀTEA KI TE MAREA | CONFIRMATION OF PUBLIC EXCLUDED MINUTES

Nil

12 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered.

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(1) 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
12.1 - Litigation and External Investigations Report	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 7(2)(c)(i) - 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 to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	Section 48(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

13 KARAKIA WHAKAMUTUNGA | CLOSING KARAKIA