

# Audit & Risk Subcommittee Agenda

## 24 February 2022



Meeting conducted in the Council Chamber, Lvl 2 Philip Laing House  
144 Rattray St, Dunedin - Councillors and participating staff only

Members of the public may view livestream on the [Otago Regional Council YouTube Channel](#)

### Members:

Cr Hilary Calvert (Chair)  
Mr Andrew Douglas (Independent member)  
Cr Kevin Malcolm  
Cr Andrew Noone  
Cr Kate Wilson

Senior Officer: Sarah Gardner, Chief Executive

Meeting Support: Liz Spector, Governance Support Officer

24 February 2022 01:00 PM

<b>Agenda Topic</b>	<b>Page</b>
1. APOLOGIES No apologies were received prior to publication of the agenda.	
2. PUBLIC FORUM No requests from members of the public to address the Audit and Risk Subcommittee were received prior to publication of the agenda.	
3. CONFIRMATION OF AGENDA Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.	
4. CONFLICT OF INTEREST Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.	
5. CONFIRMATION OF MINUTES The Subcommittee will consider minutes of the previous meeting as a true and accurate record, with or without changes.	3
5.1 <a href="#">Minutes of the 11 November 2021 Audit and Risk Subcommittee Meeting</a>	3
6. ACTIONS (Status of Subcommittee Resolutions) The Subcommittee will review outstanding actions for resolutions of the A&R Subcommittee	7
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7.1	<b>SAFETY AND WELLBEING REPORT</b>	8
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	This report is provided to receive Council's legislative Warrant of Fitness and Mandatory Documents Register.	
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	This paper outlines the proposed work programme to be covered at Audit and Risk Subcommittee meetings in the 2022 calendar year to ensure the responsibilities outlined in the Terms of Reference are fulfilled.	
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7.4	<b>CORPORATE POLICY OVERVIEW REPORT</b>	145
	This report provides an update of Council's organisational policies to the Audit and Risk Subcommittee.	
7.4.1	ORC Policy Table - Feb 2022	147
7.5	<b>QUARTERLY ACTIONS REGISTER UPDATE - NOV 2021</b>	150
	To discuss the November 2021 quarterly action list, with a view to consideration of the processes that ORC has in place, and to ensure that Local Government Act requirements are being met (as per the Governance, Communications and Engagement Committee referral).	
7.5.1	Quarterly Actions Register Update (OPEN) - November 2021	152
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8.	<b>RESOLUTION TO EXCLUDE THE PUBLIC</b>	160
	That the public be excluded from the following items under LGOIMA 48(1)(a):	
	<ul style="list-style-type: none"> <li>- Minutes of the 11/11/2021 public excluded portion of the Audit and Risk Subcommittee meeting</li> <li>- Wilding Conifer Contract Management</li> <li>- Managed Fund - 31/12/2021 Report</li> <li>- Risk Review</li> </ul>	
8.1	Public Excluded Reason and Grounds	160
9.	<b>CLOSURE</b>	



Minutes of a meeting of the Audit and  
Risk Subcommittee held in the Council  
Chamber on Thursday 11 November 2021,  
commencing at 1:00 PM

**Membership**

Cr Hilary Calvert *(Chairperson)*  
Mr Andrew Douglas *(Independent Member)*  
Cr Kevin Malcolm  
Cr Andrew Noone  
Cr Kate Wilson

**Welcome**

Chairperson Calvert welcomed Councillors, members of the public and staff to the meeting at 2:02pm. Staff present included Sarah Gardner (Chief Executive), Nick Donnelly (GM Corporate Services), Dianne Railton (Governance Support), and Sarah Munro (Manager Finance - Reporting).

## 1. APOLOGIES

**Resolution: Cr Calvert Moved, Cr Wilson Seconded:**

*That the apology for Cr Noone be accepted.*

**MOTION CARRIED**

## 2. PUBLIC FORUM

No public forum was held.

## 3. CONFIRMATION OF AGENDA

Cr Calvert requested that item 7.1 Vehicle Monitoring and Tracking be moved to the non-public Audit and Risk Subcommittee agenda under exclusion 7(2)(c)(ii), due to likely discussions relating to Human Resources and Health & Safety matters.

**Resolution: Cr Calvert Moved, Cr Wilson Seconded**

*That the staff report on Vehicle Monitoring and Tracking be considered in public excluded under LGOIMA Sec 7(2)(c)(ii).*

**MOTION CARRIED**

## 4. CONFLICT OF INTEREST

There were no conflicts of interest.

## 5. CONFIRMATION OF MINUTES

**Resolution: Cr Wilson Moved, Cr Malcolm Seconded**

*That the minutes of the (public portion of the) meeting held on 14 October 2021 be received and confirmed as a true and accurate record.*

**MOTION CARRIED**

## 6. ACTIONS (STATUS OF COMMITTEE RESOLUTIONS)

Status report on the resolutions of the Audit and Risk Subcommittee. Cr Calvert asked Mrs Gardner to pass on the Audit and Risk Subcommittee's thanks to those who have had input into the Risk Register.

## 7. MATTERS FOR CONSIDERATION

### 7.1. Vehicle Monitoring and Tracking

The Vehicle Monitoring and Tracking paper was considered in the Audit and Risk Subcommittee Public Excluded meeting.

## 8. RESOLUTION TO EXCLUDE THE PUBLIC

**Resolution: Cr Calvert Moved, Cr Wilson Seconded:**

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- Minutes of the public excluded Audit and Risk Subcommittee meeting held on 14 October 2021
- 3.1 Managed Fund - September 2021 Report - 7(2)(b)(ii); 7(2)(c)(i); 7(2)(h)
- 3.2 Audit Management Letter - Initial Response - 7(2)(c)(i)
- 7.1 Vehicle Monitoring and Tracking - 7(2)(c)(ii)

Cr Calvert also moved that Tom Phillips, Phil Borkin and Bruce Robertson (from JB Were) be permitted to attend the meeting electronically for the Managed Fund - September 2021 Report, due to their knowledge as the fund manager.

**MOTION CARRIED**

The general subject 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(1) for the passing of this resolution
<i>Minutes of the 14 October 2021</i>	To protect information where the making available of the information— would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section 7(2)(b)(ii); 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 – Section 7(2)(c)(i); To avoid prejudice to measures that prevent or mitigate material loss to members of the public – Section 7(2)(e); To maintain legal professional privilege – Section 7(2)(g); To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h) To prevent the disclosure or use of official information for improper gain or improper advantage – Section 7(2)(j)	
<i>3.1 Managed Fund – September 2021 Report</i>	To protect information where the making available of the information— would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section	Section 48(1)(a); Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any

	<p>7(2)(b)(ii)</p> <p>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 – Section 7(2)(c)(i);</p> <p>To maintain legal professional privilege – Section 7(2)(g);</p> <p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p>	<p>meeting only on 1 or more of the following grounds:</p> <p>(a) that the public conduct of the whole or 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,</p>
<p>3.2 Audit Management Letter – Initial Response</p>	<p>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 – Section 7(2)(c)(i);</p>	<p>Section 48(1)(a);</p> <p>Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds:</p> <p>(a) that the public conduct of the whole or 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,</p>

This resolution is made in reliance on [section 48\(1\)\(a\)](#) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by [section 6](#) or [section 7](#) of that Act or [section 6](#) or [section 7](#) or [section 9](#) of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

**9. CLOSURE**

There was no further business and Chairperson Calvert declared the meeting closed at 2:07pm.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date

**AUDIT & RISK SUBCOMMITTEE - OPEN ACTIONS OF RESOLUTIONS AT 24 FEB 2022**

Meeting Date	Item	Status	Action Required	Assignees	Action Taken	Date Due
13/05/2021	Risk Review Update	COMPLETED	Track documents/items marked as non-compliant as identified in the Warrant of Fitness and/or Mandatory Documents Register by adding an additional column in the register. RES AR21-104	General Manager Corporate Services and CFO, Legal Counsel	<b>28/07/2021 Peter Kelliher</b> - An additional column to track non-compliant documents/items will be added to the Annual Legislative Warrant of Fitness and Mandatory Documents Register which will be presented to the Audit & Risk Subcommittee early 2022. <b>13/02/2022 Nick Donnelly</b> - The Legislative WOF and MDR are included in agenda for the 24 Feb 2022 Audit and Risk meeting. Additional columns have been added as requested.	28/02/2022
14/10/2021	CS2137 Corporate Policy Overview	COMPLETED	Staff to develop a policy on contract management and bring back progress towards this to Audit and Risk Subcommittee early 2022. RES AR21-126	General Manager Corporate Services and CFO, Manager Finance - Reporting	<b>2/11/2021 Nick Donnelly</b> - This will be added to the agenda for the Policy Review Group to consider and progress will be reported back to A&R via the Policy updates from that group. <b>13/02/2022 Nick Donnelly</b> - Contract management is being added to the Procurement Policy and progress on amending this will be reported to the Audit and Risk Subcommittee as part of the Policy Update now included as a standing agenda item.	31/03/2022

### 7.1. GOV2205 Safety and Wellbeing Report

<b>Prepared for:</b>	Audit and Risk Subcommittee
<b>Report No.</b>	GOV2205
<b>Activity:</b>	Governance Report
<b>Author:</b>	Rebecca Webster, Team Leader Safety and Wellbeing
<b>Endorsed by:</b>	Amanda Vercoe, General Manager Governance, Culture and Customer
<b>Date:</b>	24 February 2022

#### PURPOSE

- [1] This report summarises progress towards the Safety and Wellbeing Team’s key strategic priorities and safety performance indicators for the period July 2021 – December 2021 (Quarter 1 & 2 FY 21/22). The report also summarises key areas of focus for the Safety and Wellbeing team for the 2021/22 financial year and beyond.
- [2] Refer to appendix 1 for a “Summary Table of Key Strategic Initiatives” which provides additional detail on key activities discussed in this report, and the expected targets/outcomes. Refer appendix 2 for the “Safety and Wellbeing Dashboard” covering information on ORC’s lag and lead performance indicators for Quarter 1 & 2 FY 21/22.

#### EXECUTIVE SUMMARY

- [3] ORC’s approach to Health, Safety and Wellbeing is continuing to develop and improve. Incident reporting has continued to increase due to ongoing staff engagement and support from HSRs (Health and Safety Representatives) who are raising awareness of the importance of reporting. The launch of the online safety management system in April 2022, will be the next big opportunity to make gains in this area.
- [4] Participation in training has increased, with a fantastic response from newly released training packages such as the “People & Safety 101 series” launched in October 2021 and the “Self - Safe” de-escalation training.
- [5] The first year of ORC’s Wellbeing programme was well received with feedback from staff that it is great to work at an organisation that supports and cares about its staff and puts effort into overall wellbeing.
- [6] Positive feedback was also received via ORC’s staff engagement survey that the Safety & Wellbeing team has been “making impressive steps to improve safety as well as supporting our team moving forward to implement solutions.” There is still significant work to be done to build ORC’s safety culture, however based on the evidence we are seeing, and feedback received, we are confident that we are on the right track.

#### RECOMMENDATION

*That the Subcommittee:*

- 1) **Notes this report.**



## DISCUSSION

- [7] Senior Leadership Development & Engagement  
The Executive Leadership Team (ELT) continue to develop and execute their due diligence responsibilities under the health and safety legislation and engage with their work groups to understand the key critical risks in their work areas. A particular upcoming focus for this work will be to work with the Executive to facilitate their demonstrable visible leadership to further integrate safety and wellbeing into the culture of ORC.
- [8] Manager Development & Engagement  
The safety component of the “People and Safety 101” series is due for completion in March 2022 with positive feedback and excellent participation. Participants reported that the sessions have been relevant with a great format for learning alongside peers. Managers have transferred activities such as identifying their top risks back to their teams. The series provides ongoing knowledge to Managers on their health and safety responsibilities. Ongoing sessions will be available for new starters, and there are plans to roll the sessions out to Team Leaders.
- [9] Employee Engagement  
The Health and Safety Committee (HSC) meets quarterly to discuss health and safety risks in their work areas and ideas for improvement. An HSR survey in December 2021 confirmed that the group felt it was meeting its objectives, which include contributing to raising the profile of health, safety and wellbeing at ORC and enabling staff to put health and safety at the forefront of what they do. Feedback received indicated that more awareness and education was still needed on reporting incidents and near misses, which is planned when the online safety management system is released (March/April 2022).
- [10] The focus for 2022 will be to further support the HSR group to contribute to the ongoing improvement of our health and safety management system and engage with their workgroups. HSR’s will be encouraged to attend annual refresher training to support them achieve this.
- [11] During the recent ORC Employee Engagement Survey, feedback from staff stating “I believe that the health and safety of employees is integral to “how we do things here”” increased from an average score of 75% (2019) to 83% in 2021. This steep increase indicates that staff feel engaged in matters relating to health, safety, and wellbeing, and demonstrates a commitment to and awareness of health and safety from both our leadership group and broader workforce. Survey assertion “I have the tools and resources I need to do my job safely and effectively” also reported a 2% increase from 2019 to 2021.
- [12] Staff Wellbeing  
The Fit for Future wellbeing programme included a variety of resources and initiatives designed in line with the 2021 programme objective ‘Create a healthy and resilient workforce by enabling and supporting our people to build healthy habits’. The programme was designed around ORC’s four wellbeing pillars: physical (tinana), community (whanaungatanga), financial (hinengaro), and mental (pūtea).

- [13] Quarter 1 - The mental wellbeing (taha hinengaro) initiative was launched with 42% of staff attending resilience workshops. Feedback from staff included “the resilience workshop provided practical resilience techniques to use in everyday life, and personal coping strategies that I can build on and improve.” “Take time” leave was utilized by 47% of staff. Feedback included “Take Time leave reinforces our organisational messaging that it’s been a tough couple of years and that we need to look out for ourselves and others.”
- [14] Quarter 2 - Financial wellbeing seminars were provided based around different financial topics. Feedback from staff was positive and additional seminars have been requested, feedback included “the financial education helped me make informed plans for my future
- [15] The programme had a successful first year as demonstrated by the results of a wellbeing survey with staff reporting: “I like the proactive ideas in making the ORC a great place to work”, “It’s great to work somewhere that appreciates and supports staff wellbeing”, and “Thanks to the organisation for putting so much into its staff.” Staff were asked to rate their top 5 valued initiatives which included: Take time leave (88%), Influenza vaccinations (50%), Wellbeing discounts (30%), mental resilience workshops (29%) and health seminars (12%).
- [16] Based on what staff reported they value, the objective for the 2022 Fit for Future wellbeing programme is “Enhance our workforce’s wellbeing holistically by providing support, education and connection”. It will continue to be centred around the ORC four pillars of wellbeing. Key activities planned in the 2022 programme include peer support programme, volunteering programme, and increased programme participation and engagement.
- [17] System and Process Improvement  
Policy and procedure updates continue with a focus on critical risks. Many policies have been completed (e.g., contractor safety, fatigue management, lone & remote working) and will be subject to annual review. The policies are effective, demonstrated by an increased staff awareness in reporting incidents of abuse as stated in the occupational violence policy, and increased use of the contractor pre-qualification process for new suppliers. Topics due to be completed are safe driving and working around water.
- [18] SHE Software has been selected as the vendor for our online safety management system. Work has commenced building the system which has been named “Haumarū” (te Reo Māori for “safe/risk free”), a name discussed with Aukaha and the HSC. The incident, near miss and hazard module will be implemented in April 2022, following staff training planned for March 2022.
- [19] Safety and Wellbeing Performance Reporting  
Refer appendix 2 for the “Safety and Wellbeing Dashboard” covering information on ORC’s lag and lead performance indicators for Quarter 1 & 2 FY 21/22. Overall reporting numbers for both staff and contractors were 32 for Quarter 1 and 29 for Quarter 2 which is consistent with previous Quarters. Customer aggression remained a trend with 16 incident reports total; ten vehicle-related (mostly bus-related); 12 slips & trips.

[20] ORC Staff - Quarter 1 resulted in 18 ORC staff reporting an incident/near miss with three hazards reported. One near miss was reported by a tenant on an ORC site. Quarter 2 resulted in 16 incidents/near misses and two hazards reported by ORC staff.

[21] Contractor incidents – there were a total of 10 incidents/near misses for contractors in Quarter 1. Most were public transport related which included four incidents of customer aggression. There were two incidents in the wilding pine programme and one aviation contractor. In Quarter 2 there were 14 incidents/near misses reported. Eight occurred on public transport (five due to customer abuse), two on the Wallaby Eradication Programme and four on the Wilding Pines Programme. Unfortunately, one of these was a subcontractor fatality due to a car accident near Queenstown in December 2021 which occurred whilst the contractor was working on the Wilding Pines Programme. This was reported to Worksafe however has not required an investigation; another driver was charged in relation to this incident. Driving is one of ORC’s critical risks and whilst this incident was outside of ORC’s or the contractor’s control, we are reviewing our staff driver training programme to ensure this meets the needs of staff who travel regionally and in the field.

[22] Table 2) Key Definitions for Incident/Near Miss Reporting

<b>Equipment</b>	All reported near miss or incidents relating to any equipment used in the workplace.
<b>Vehicles</b>	All reported near miss or incidents relating to vehicles or their use.
<b>Field Activities</b>	All reported near miss or incidents relating to activities undertaken in the field.
<b>Chairs/Desks</b>	All reported near miss or incidents relating to chairs, desks, or workstation ergonomics.
<b>Slips, Trips and Strains</b>	All reported near miss or incidents relating to slipping, tripping or strain injuries in the workplace (field or office).
<b>Environmental</b>	All reported near miss or incidents relating to the work environment, for example appropriate temperatures, or the psychological environment.

[23] Training and Development

There was a total of 76 training participants in Quarter 1 and 99 in Quarter 2. Training courses included first aid, safe driver training (4WD operation), de-escalation techniques and the Manager People and Safety 101 series.

[24] The de-escalation training has increased the awareness of the risk of aggression including verbal abuse from customers and members of the public, this has included the importance of reporting such incidents. Since implementing this training, ORC has seen an increase in reporting of incidents relating to customer aggression (nine incidents total reported in 2020 for ORC staff, 31 incidents in total for 2021 including 18 bus drivers as contractors and 18 ORC staff).

[25] Covid-19 Internal Response

In addition to business-as-usual Health and Safety activity, the Safety and Wellbeing team have worked with Council’s Continuity Management Team (CMT) on the internal response to COVID-19. This has included undertaking risk assessments with several managers and HSR’s to determine which roles may place staff at a high risk of exposure to COVID-19. This information is being used to assist in the decision-making for ORC’s COVID-19 Vaccination Policy, and Traffic Light Operating Framework. ORC has operated in line with Central Government advice and requirements for management of risks

relating to COVID-19, having taken a cautious and humanistic approach through all COVID-19 Alert Levels and the recently introduced COVID-19 Protection Framework (Traffic Light System).

- [26] The organisation is working to a 50% occupancy in all buildings in addition to vaccination to ensure business continuity where possible. As we are starting to see the impacts of the need to isolate in the community, where businesses are having to close, we consider this an important secondary defence against the challenges of COVID-19 infections or close contacts. The CMT continues to review the Safety Plan for the organisation in line with advice from Central Government.

### **OPTIONS**

- [27] N/A

### **CONSIDERATIONS**

#### **Strategic Framework and Policy Considerations**

- [28] ORC is compliant with government requirements regarding Covid-19 and has a Covid-19 policy and an internal ORC Covid Protection Framework in place.
- [29] ORC has a Health and Safety & Wellbeing Management system in place with relevant policies, procedures, and risk management framework subject to continuous improvement.
- [30] All staff have health and safety key performance indicators in their performance & development plans.

#### **Financial Considerations**

- [31] N/A

#### **Significance and Engagement**

- [32] N/A

#### **Legislative and Risk Considerations**

- [33] Critical Health and Safety Risk Projects  
Several projects are underway to address critical health and safety risks. Refer to appendix 1 for a "Summary Table of Key Strategic Initiatives" which provides additional detail on key activities.
- [34] Of note is the lone and remote worker project which aims to explore systems and technology to ensure the safety of field workers, for example to provide two-way communication when staff may be out of cell phone coverage. An initial business case was presented to ELT in June 2021 with support to proceed with the project. Risk assessments are currently underway with field-based teams to assess the need for a solution. It is expected that a third party will be engaged to supply a fit for purpose system and technology to address the risks associated with lone, remote, and isolated work.

[35] Contractor Safety

Contractor safety is a key focus for the Safety and Wellbeing team. The existing policy is currently under review with minor adjustments to be made to provide further clarity in some areas. Contractors/suppliers who carry some risk need to be pre-approved from a health and safety perspective prior to use. Overall improvements are being shown during monthly checks of contractor health and safety status, with a 50% pre-approval rate of medium to high-risk contractors in December 2021 compared to 29% in August 2021. The number of contractors used who meet the pre-approval criteria fluctuate monthly. A project is underway with the finance team to review all existing contractors/suppliers who do not meet health and safety requirements and remove them from our procurement system which is expected to address the issue of staff utilising contractors without updated safety information. The Team are also working with staff responsible for contractor engagement to ensure all contractors are pre-approved from a safety perspective prior to commencing work.

### **Climate Change Considerations**

[36] N/A

### **Communications Considerations**

[37] In October 2021 a media statement was released by the Chief Executive regarding concerns for staff wellbeing due to aggression from customers and members of the public.

[38] On 10 February 2022 a media statement was released regarding ORC's vaccine pass mandate for customer services points from 12 February 2022.

[39] The Chief Executive has released further information to the media in January 2022 regarding incidents of aggression towards ORC staff, however no formal media release has been made.

### **NEXT STEPS**

[40] N/A

### **ATTACHMENTS**

1. Summary Table of Key Strategic Initiatives for Safety and Wellbeing [7.1.1 - 9 pages]
2. Safety and Wellbeing Dashboard Q1 and Q2 FY21-22 [7.1.2 - 1 page]

## Appendix 1) Summary of Key Strategic Initiatives for Safety and Wellbeing

Date reviewed: 2 February 2022

1: Upskill leadership to support legislative compliance and build capacity to lead safety and wellbeing				
Activity		Target/Outcome	Status	Expected Completion Date
1.1	ELT workshop provided by Dr Philip Voss from 'Leading Safety' covering due diligence	ELT awareness & understanding of due diligence responsibilities	Completed	March 2021
1.2	Follow up ELT workshop planned to be provided by Dr Philip Voss from 'Leading Safety' to discuss key learnings since first session and further opportunities for improvement	ELT awareness & understanding of due diligence responsibilities	Not started	TBC
1.3	"People and Safety 101" sessions for managers to be developed and implemented	Modules 1 & 2 of completed. Modules 3 & 4 taking place in Feb & March 2022. Feedback from Managers has been positive thus far with a high participation rate	In Progress	March 2022 (and ongoing)

2: Build employee engagement and participation				
Activity		Target/Outcome	Status	Expected Completion Date
2.1	Continue to support Health and Safety Representatives (HSR's) with annual training and development	All HSR's to be formally trained and understand their role as an HSR. There are 18 HSR's in total. All HSR's have been formally trained, apart from two new to the group who are booked in for training	In progress	Ongoing activity
2.2	Support the Health and Safety Committee (HSC) which allows for consultation and communication with work groups on safety and wellbeing issues	Maintain the HSC on a quarterly basis. A focus for 2022 will be supporting HSR's engage with their work groups and build their profile across ORC	In progress	Ongoing activity

2.3	Implementation of an HSR recognition program	A new "Safety & Wellbeing Champion" staff award was introduced in Dec 2021	In progress	Ongoing activity
2.4	Promote safety and wellbeing initiatives via a variety of methods including "sharing safety" communications on Jostle, hosting "lunch and learns" and "info sessions" on topics of interest	To increase staff awareness of the importance of safety and wellbeing across ORC, focus on positive safety behaviour and maximise participation at events	In progress	Ongoing activity
	New initiative includes "safety and wellbeing insights" where staff can report positive safety actions and behaviours	The engineering and environmental implementation teams were recognised in our "home team" newsletter for their success in the hazardous substances management project	In Progress	Ongoing activity

<b>3: Improve systems, tools, and processes to manage health, safety, and wellbeing more effectively</b>				
<b>Activity</b>		<b>Target/Outcome</b>	<b>Status</b>	<b>Expected Completion Date</b>
3.1	Procure an online safety management solution	SHE Software has been selected as the vendor for the online system	Completed	Aug 2021
3.2	Implement online safety management solution	"Go live" with online safety management system covering incident and hazard management	In Progress	April 2022
3.3	Implement online safety management solution	"Go live" with online safety management system additional components in a staged approach (risk management, audit, training)	In Progress	Ongoing until Dec 2023
3.4	Internal audit of all policies/procedures (note that this is subject to ongoing continuous improvement)	Internal audit of all policies/procedures complete with a priority list of new documents to be created	Completed	June 2021
3.5	Revision/update of all required health and safety policies/procedures (note that this is subject to ongoing continuous improvement and based on risk)	New/revised policies completed and released	In Progress	July 2022

4: Improve risk management with a focus on critical risks				
Activity		Target/Outcome	Status	Expected Completion Date
4.1	<u>Hazardous Substances Management</u>			
	Independent site audits to be completed	Site audits completed	Completed	Aug 2020
		All corrective actions from the audit have been completed	Completed	Sept 2021
	Hazardous Substances policy/procedure	Policy/procedure finalised and released	Completed	April 2021
	Staff training programme	Hazardous substances awareness training completed for all relevant staff (32 staff)	Completed	May 2021
	Site internal audit programme	Internal audit/site check programme in place	In progress	Ongoing activity
	Strategy towards elimination of hazardous substances for ORC staff	A review of corrective actions and ongoing risk management requirements took place with relevant teams in Sept 2021. Substance amounts at Cromwell, Taieri and Clutha have significantly reduced. To continue to support staff with steps towards elimination and outsourcing to contractors	In progress	Ongoing activity
4.2	<u>Pump Station Safety</u>			
	Initial site audits/review on selected pump stations (focus on falls prevention)	Independent review/audit completed	Completed	Jan 2021
	Implement revised systems for fall protection (harness system, training, safe work procedures)	Compliant fall protection systems in place at each pump station. Waipori (Taieri), and Kaitangata (Clutha) will be fitted first to ensure this is to systems	In progress	TBC



	Longer term goal to engineer out manual clearing of weed screens	are fit for purpose before the remaining sites are fitted out. Staff training, and SOPS to be completed. Project plan to be reviewed with Engineering team to confirm timeframes for completion  Use excavators where possible, re-engineer pump stations to remove requirement to manually clear weed screens (e.g. automated weed clearance)	In progress	TBC
	Confined space/restricted entry and hazardous spaces independent assessment and review August 2021	Support engineering team with independent review of confined/restricted entry & hazardous spaces  Support engineering team with implementing recommendations from independent audit (such as SOPs). Project plan to be reviewed with Engineering team to confirm timeframes for completion	Completed  In progress	August 2021  TBC
4.3	<u>Emergency Management</u>  Fire evacuation procedures for all sites to be updated in line with current Regulations  Emergency procedures in place for all sites covering other emergencies (earthquake, lockdown)  Creation of an emergency warden working group to track projects and support staff engagement	Compliant fire evacuation procedures in place, fire warden training completed for all sites. All sites completed apart from Oamaru which now requires a revision as identified in Jan 2022  Updated procedures for other emergencies to be put in place, with communication and training provided to staff as required. Emergency flip charts for all sites are being finalised  Emergency warden working group set up to meet quarterly, first meeting in March 2021	In progress  In progress  In progress	May 2022  April 2022  Ongoing activity

4.4	<p><u>Occupational Violence and Aggression (OVA)</u></p> <p>OVA policy, procedure to be finalised</p> <p>Pilot training programme in de-escalation and tactical communication to be completed</p> <p>Training programme in de-escalation and tactical communication to be rolled out to relevant staff</p>	<p>Finalisation and release of policy/procedure</p> <p>Successful pilot completed with positive feedback</p> <p>86 staff have completed de-escalation training and 35 staff have completed duress response training. This training will be provided ongoing</p>	<p>Completed</p> <p>Completed</p> <p>In progress</p>	<p>June 2021</p> <p>Sept 2020</p> <p>Nov 2021 (an ongoing)</p>
4.5	<p><u>Fatigue Management</u></p> <p>Policy for fatigue management and supporting guidance to be finalised</p> <p>Staff education session on personal fatigue management (run by EAP Services)</p> <p>Manager/team leader info sessions on fatigue management policy</p> <p>“At risk” hours reporting to be created for manager oversight on trends for staff working hours</p>	<p>Fatigue policy and toolbox finalised and released</p> <p>Approx. 70 attendees in the online session on 8/6/2021 with positive feedback</p> <p>Good attendance at 2 x info sessions with attendance from 30 managers/team leaders</p> <p>Manager use of “at-risk hours” report to ensure that risk factors for staff fatigue are identified and managed</p>	<p>Completed</p> <p>Completed</p> <p>Completed</p> <p>In progress</p>	<p>May 2021</p> <p>June 2021</p> <p>June 2021</p> <p>TBC</p>
4.6	<p><u>Lone, Remote and Isolated Workers</u></p> <p>Lone, remote, and isolated worker policy updated</p> <p>Exploring options for new technology to assist with lone worker management</p>	<p>Finalisation and release of updated lone worker policy</p> <p>Project underway to conduct risk assessments and undertake a further needs analysis of lone working with field-based teams</p>	<p>Completed</p> <p>In progress</p>	<p>June 2021</p> <p>June 2022</p>

4.7	<p><u>Mental Health</u></p> <p>Mental health to form a key component of the wellbeing programme</p> <p>Communication to staff about staying mentally health and well, including CE updates, promotion of mental health awareness week, availability of EAP</p> <p>Supporting staff to achieve a work life balance to support mental health and wellbeing</p> <p>Plans for manager/team leader mental health first aid training</p>	<p>Quarter one FY 21/22 to focus on mental wellbeing with staff education sessions on resilience. Good attendance (65 staff)</p> <p>Staff to remain informed on the importance of maintaining good mental health and provided access to information and support</p> <p>Ongoing support of agile/flexible working arrangements for staff</p> <p>Exploring options for mental health education and training to be implemented Q4 FY 21/22. People and Safety team completing mental health first aid training in March 2022</p>	<p>Completed</p> <p>In progress</p> <p>In progress</p> <p>Not started</p>	<p>Sept 2021</p> <p>Ongoing activity</p> <p>Ongoing activity</p> <p>TBC</p>
4.8	<p><u>Operation of a Vehicle</u></p> <p>Advanced/defensive driver training completed for all relevant staff (e.g. field workers)</p> <p>Safe driving policy to be created focussed on safe driver behaviour</p> <p>Overspeed reports available to managers to identify staff who are speeding, exploring options for improved</p>	<p>All field staff skilled in defensive driving and 4WD as required, to be refreshed every 3 years</p> <p>Currently reviewing safe driving training needs all staff across ORC to ensure training is effective and captures all relevant staff</p> <p>Safe driving policy to be finalised and released, in conjunction with the vehicle use policy</p> <p>Managers to review overspeed reports and address any speeding behaviours directly with staff involved</p>	<p>In progress</p> <p>In progress</p> <p>In progress</p> <p>In progress</p>	<p>Ongoing Activity</p> <p>June 2022</p> <p>TBC</p> <p>Ongoing Activity</p>

	<p>reporting (note that this requires a review of providers of vehicle monitoring)</p> <p>Exploring options for speed warning devices in vehicles</p>	<p>Review of in-vehicle options to warn staff of speeding behaviours, with the aim of improving safe driver behaviour.</p> <p>There are currently there are no suitable options available via the existing provider (Smartrack). Options will need to be further explored when vehicle tracking providers are next under review</p>	<p>Completed</p> <p>Not started</p>	<p>August 2021</p> <p>TBC</p>
4.9	<p><u>Health Monitoring Programme</u></p> <p>Health and exposure monitoring programme and policy being developed to support legislative requirements</p> <p>Required health testing to be completed for staff exposed to specific hazards and risks</p>	<p>Exploring health monitoring needs with field-based work groups</p> <p>Health monitoring policy to be finalised and communicated</p> <p>Field workers exposed to hazardous substances now subject to annual lung function and respirator fit testing</p>	<p>In progress</p> <p>Not started</p> <p>In progress</p>	<p>Ongoing Activity</p> <p>June 2022</p> <p>Ongoing Activity</p>

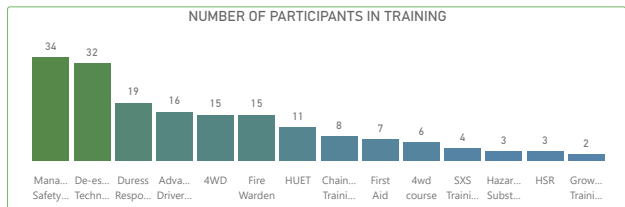
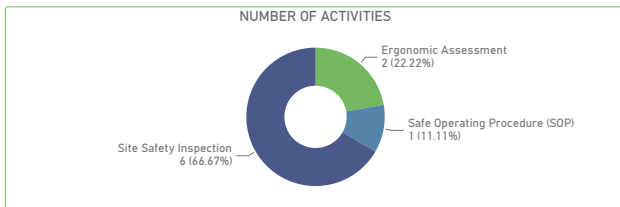
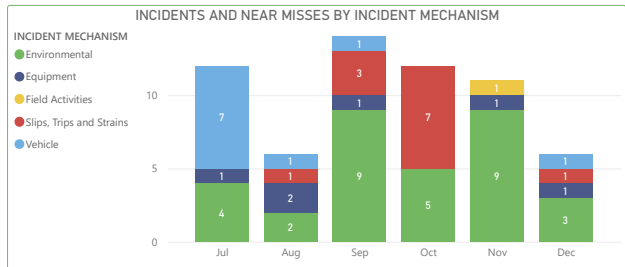
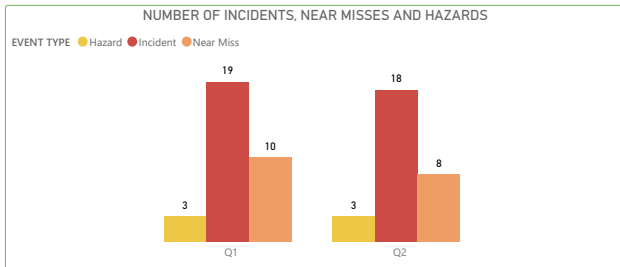
<b>5: Improve Contractor Safety</b>				
<b>Activity</b>		<b>Target/Outcome</b>	<b>Status</b>	<b>Expected Completion Date</b>
5.1	Contractor health and safety policy/procedure to be revised	New policy/procedure finalised and released in Nov 2020. Currently under revision and new version to be released	In Progress	May 2022
5.2	Staff training/communication regarding contractor safety process	Safety incorporated into "Contracts 101" sessions hosted by the legal team  Staff training/info sessions on contractor safety procedures planned	Completed  Not started	June 2021  Dec 2022
5.3	Internal audit of adherence to policy/procedure, contractor spot H&S assurance checks	Monthly audits on contractor H&S approval status. Aim for 100% adherence to contractor H&S pre-qualification requirements (currently 50%)	In Progress	Ongoing activity

<b>6. Improve Staff Learning and Development</b>				
<b>Activity</b>		<b>Target/Outcome</b>	<b>Status</b>	<b>Expected Completion Date</b>
6.1	Health and Safety Representatives (HSR's) training	All HSR's formally trained (2-day course)	Completed (and ongoing)	Oct 2020
6.2	Key health and safety training requirements for staff to be determined (note this is subject to continuous improvement)	High level Health and Safety training calendar completed, updated annually	Completed	June 2021
6.3	Training needs analysis (TNA) to be undertaken	TNA to be completed for field-based roles to determine training requirements	In progress	Dec 2022

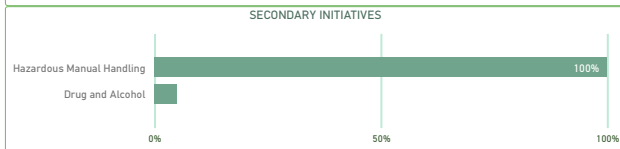
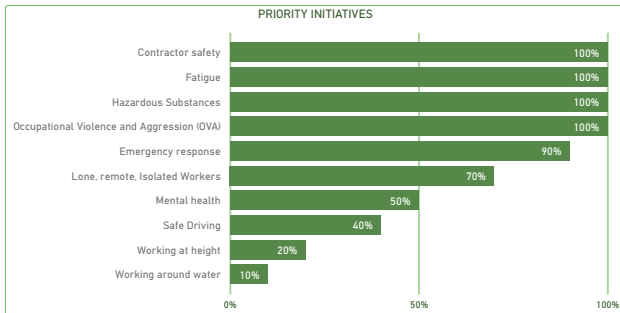
<b>7: Implement a Staff Wellbeing Programme</b>				
<b>Activity</b>		<b>Target/Outcome</b>	<b>Status</b>	<b>Expected Completion Date</b>
7.1	Create a wellbeing policy	Wellbeing policy finalised and released, will be subject to annual review	Completed	Sept 2020
7.2	“Fit for Future” wellbeing programme for 2021 created	Programme launch completed, subject to annual review	Completed	Dec 2020
7.3	Wellbeing programme to be implemented with quarterly themes	Maximise participation in wellbeing activities. Attendance was the greatest for take time leave (47.5% of staff); resilience education sessions (42%) and financial wellbeing sessions (26.7%). A focus for 2022 will be to increase participation in the programme	In progress	Ongoing activity
7.4	Review/evaluation of programme	Programme has been reviewed with a staff survey, very positive feedback received from all who participated with staff requesting more resources and education on mental health	Completed	Dec 2021

**ORC SAFETY AND WELLBEING DASHBOARD**

2019-20	2020-21	2021-22
Q1	Q2	Q3
Contractor	ORC Staff Member	Other



**Progress on Risk Management Activities**



Key	Explanation
0-20%	Early stages of planning (e.g. audits of requirements, staff surveys, data collection)
20-40%	Development has started (creation of policies, procedures, supporting tools such as risk assessments; reviewing control measures)
40-60%	Development in progress and on track (consultation has commenced on policies, procedures supporting tools/resources, recommended control measures; establishing staff training needs)
60-80%	Development in final stages of consultation and refinement
80-100%	Completed (Risk management process finalised, communication to staff complete, training plans & mechanisms for review in place)

**Wellbeing Initiatives**

Initiative	Completion Date
Sleep and Fatigue Info Session	June 2021
Spotlight on Health: Men's & Women's Health Seminars	July 2021
Mental Wellbeing: Resilience Workshops	August 2021
Money Week	August 2021
Mental Health Awareness Week	September 2021
Financial Wellbeing: BNZ and PocketSmith Seminars	October 2021
Breat Cancer Awareness Month: Breast Health Seminar	October 2021

## 7.2. A&R2201 Legislative Compliance and Mandatory Documents Register

**Prepared for:** Audit and Risk Subcommittee  
**Report No.** A&R2201  
**Activity:** Governance Report  
**Author:** Peter Kelliher, Legal Counsel  
**Endorsed by:** Nick Donnelly, General Manager Corporate Services  
**Date:** 14 February 2022

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### PURPOSE

[1] To receive Council's legislative Warrant of Fitness and Mandatory Documents Register.

### EXECUTIVE SUMMARY

[2] Otago Regional Council staff have prepared the 2021 legislative Warrant of Fitness as a tool to review and monitor performance against the legislative framework and identify areas where improvement or action is required.

[3] In addition to the Warrant of Fitness, a Mandatory Documents Register has been prepared which provides a list of:

- a. Legislation and regulations that Regional Authorities are subject to; and
- b. All documents that a Regional Authority must produce under an Act or legislative instrument (such as a long-term plan).

### RECOMMENDATION

*That the Audit and Risk Subcommittee:*

1) **Notes this report.**

### BACKGROUND

[4] The Otago Regional Council (Council) is a creature of statute and derives its functions, duties, and responsibilities from a range of Acts, Regulations, and other legislative instruments.

[5] Council must ensure it is compliant with these instruments. To do so, it must periodically review its performance against these instruments to ensure ongoing compliance.

### DISCUSSION

[6] A legislative compliance framework is required to reduce the risk of consequences for the Council, such as:

- a. Loss of reputation
- b. Loss of accreditation
- c. Civil and criminal proceedings
- d. Investigation and censure from monitoring bodies (e.g., The Ombudsman, Auditor General, Minister of Local Government, Minister for the Environment).



- [7] The legislative Warrant of Fitness (WoF) provides a snapshot of Council’s current position. The WoF is a tool to identify areas where improvement or action is required.
- [8] The WoF sets out:
- a. The key Acts and other legal obligations or requirement.
  - b. The general elements which have a duty or compliance requirement.
  - c. The member of staff responsible for each element, and/or any delegations under legislation.
  - d. The process is to make sure Council is in compliance.
  - e. Whether Council complies with the requirements or not.
- [9] For reporting on compliance, legislation has been grouped into seven key functions of Council.
- [10] Every effort has been made to identify the key legislation which staff and others are likely to encounter in the normal course of their employment. The list of statutes and other obligations which are set out in the WoF are not exhaustive – but are reviewed annually.
- [11] A matter that is “non-compliant” does not necessarily mean all facets of the matter do not comply with the legislation or best practice.
- [12] The grades applied (i.e., compliant/non-compliant) are based on information provided by staff and, where applicable, evidence of process/procedures. The WoF does not include verification of the information provided by staff or checking whether the processes/procedures have been followed.
- [13] In 2020, the Society of Local Government Managers (SOLGM) published a Mandatory Documents Register which provided an overview of documents that are required by legislation to be produced by local government organisations.
- [14] Council staff adapted this register to produce the attached Mandatory Documents Register (“MDR”) document that is specific to Regional Council matters.
- [15] The MDR provides a list of:
- a. legislation and regulations that Regional Authorities are subject to, and
  - b. documents that a Regional Authority must produce under an Act or legislative instrument (such as a long-term plan).
- [16] The MDR does not include obligations under the general law, such as administration of GST or for other legal entities.
- [17] The coverage of the MDR is restricted to the list of public Acts in Appendix One and the list of legislative instruments in Appendix Two. This reflects the need to manage both the sheer number and length of public Acts affecting Councils and the importance of the accuracy of this Register. Requirements under local Acts and private Acts are out of scope for this register.
- [18] Like the WoF, the MDR includes comment on whether the document is compliant based on information provided by staff.

[19] The MDR complements and should be read alongside Council's Annual Legislative Compliance WoF which also includes documents/processes that may not be required by legislation but for which it is best practice to have written documented processes or policies.

[20] The Council's MDR is included as an attachment to this report.

[21] An additional column to track non-compliant documents/items from 2020 has been added to the Legislative Compliance WoF and MDR as requested by the Audit & Risk Subcommittee.

[22] This will be the final annual Legislative Compliance WoF and MDR, as Council is replacing these documents with an IT-based Legislative Compliance Solution.

[23] In late 2021, Council sought proposals for the solution through the Government Electronic Tendering Service. Proposals have been received but as at the date of this report, the procurement process is not yet complete.

## **CONSIDERATIONS**

### **Strategic Framework and Policy Considerations**

[24] There are no policy considerations arising from this report.

### **Financial Considerations**

[25] There are no financial implications associated with this report.

### **Significance and Engagement Considerations**

[26] No matters in this report trigger the Council's significance policy or require additional or specific consultation.

### **Legislative and Risk Considerations**

[27] It is important that Council has an appropriate system in place to identify any areas of risk of non-compliance so that these can be addressed before they cause issues.

### **Climate Change Considerations**

[28] There are no climate change considerations associated with this report.

### **Communications Considerations**

[29] There are no communication considerations associated with this report.

## **ATTACHMENTS**

1. Legislative Warrant of Fitness 9 February 2022 [7.2.1 - 35 pages]
2. ORC Mandatory Document Register 9 February 2022 [7.2.2 - 79 pages]

**Legislative Warrant of Fitness – 2021**

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**Council as a good employer**

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Criminal Records (Clean Slate) Act 2004</b> The Criminal Records (Clean Slate) Act establishes a clean slate regime that enables eligible individuals to conceal their criminal record in some circumstances.</p>	<p>Compliance with the prohibition to ask or require a person to disregard the effect of the clean slate scheme when answering a question about their criminal records. It is an offence to require or request an individual to disregard the effect of the clean slate and disclose, or give consent to the disclosure of his or her criminal record</p>	<p>Manager People and Safety</p>	<p>Y</p>	<p>The processes where this is relevant is in the application for employment &amp; police checks</p>	<p>Y</p>	<p>The requirements of the Act are met in Council's application process and during criminal conviction checks</p>	
<p><b>Employment Relations Act 2000</b> This Act covers the negotiation of employment agreements and procedures for employment relations problems. It is integral to the function of the Council as an employer</p>	<p>Compliance with legislative requirements regarding employment agreements, bargaining, union membership, personal grievance processes, record keeping etc</p>	<p>Manager People and Safety</p>	<p>Y</p>	<p>Collective and Individual Employment Agreements  Storage of Employee Records Policy (in draft)  Processes - Staff requests for flexible hours, review process.</p>	<p>Y</p>	<p>The requirements of this Act are met - HR ensures compliance with all Individual and Collective Employment Agreements, and legislative requirements.</p>	
<p><b>Equal Pay Act 1972</b> This Act enables the elimination and prevention of gender discrimination in</p>	<p>Rates paid to male or female staff (with the same (or substantially similar) skills,</p>	<p>Manager People and Safety</p>	<p>Y</p>	<p>Equal Opportunities policy  Remuneration Policy  Job Sizing system</p>	<p>Y</p>	<p>The job sizing or slotting system is used to evaluate most positions at Council.</p>	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
remuneration rates in all sectors of paid employment	responsibilities and service) are consistent					This system determines what rates are paid for positions and is read alongside the ORC Remuneration Policy.	
<b>Health and Safety at Work Act 2015</b> An Act relating to the health and safety of employees and other people at work, to promote health and safety management by employers	Compliance with the requirements of as person conducting a business or undertaking under the Health and Safety at Work Act 2015.	Manager People and Safety  CE, General Managers and staff also have statutory duties under the Act	Undertake all the duties and functions of an officer of the ORC as a person conducting a business or undertaking under the Health and Safety at Work Act 2015	H&S Committee  H&S Policies, Procedures and systems  Paper based H&S reporting system – transitioning to online safety management system.	Y	Current health and safety management system in accordance with the Act.  H & S Committee.  Reporting undertaken in accordance with the Act	
<b>Holiday Act 2003</b> The purpose of this Act is to promote balance between work and other aspects of employees’ lives and, to that end, to provide employees with minimum entitlements to annual holidays, public holidays, sick leave and Bereavement leave	As an employer, the Council must ensure that its employment contracts comply with the legislation and employees and allowed leave accordingly.  All required records are kept of this.	Manager People and Safety	Y	Leave Policy Individual and Collective Employment agreements	Y	HR ensures compliance with the Holiday Act and Individual and Collective Employment Agreements.	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Human Rights Act 1993</b> This Act governs the protection of human rights in New Zealand. It is applicable to the Council in employment and the provision of access to the disabled.</p>	<p>Compliance with requirement not to discriminate based on a prohibited ground *</p> <p>*Prohibited Grounds: Discrimination on the basis of gender, pregnancy and childbirth, marital status, religious ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment or family status, sexual orientation.</p>	<p>Manager People and Safety</p> <p>Manager Transport</p>	<p>No delegation required as Council is not exercising a power under legislation.</p>	<p>rps, Working Better Together Policy (bullying and harassment policy), Recruitment and Selection Policy, Performance Management and Disciplinary Policy and Procedures</p> <p>Transport – no specific policy/process but number of requirements in the Regional Public Transport Plan (“RPTP”)</p> <p>Administration of the Total Mobility Scheme</p>	<p>Y</p>	<p>HR ensures compliance with the Human Rights Act.</p> <p>Various policies are in place.</p> <p>RPTP – Section 5.2.7 of the RPTP Considers the needs of the transport-disadvantaged in the Otago region.</p> <p>Page 55: “Ensure that all infrastructure is accessible to disabled people and the transport disadvantaged”</p>	
<p><b>Injury Prevention, Rehabilitation and Compensation Act 2001.</b> This Act regulates the area of accident compensation coverage</p>	<p>Comply with obligations as an employer for the payment of levies and premiums</p>	<p>Manager People and Safety</p> <p>Manager Finance - Reporting</p>	<p>Y</p>	<p>Council has a login to the ACC website to trace our injuries.</p>	<p>Y</p>	<p>H&amp;S team works alongside employees, finance (responsible for payment of levies etc).</p> <p>Council performed an ACC review in March 2021 at the start of the tax year. This review is completed on an annual basis in March at the start of each year.</p>	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
						Council still has a login to the ACC website to review any claims if required.	
<p><b>Kiwi Saver Act 2006</b> This Act is to encourage a long-term savings habit and asset accumulation by individuals for retirement. The Act aims to increase individuals' well-being and financial independence, particularly in retirement, and to provide retirement benefits.</p>	<p>Provision of employees with information packs, meet enrolment requirements for employees, compulsory contributions and tax credit entitlements etc.</p>	<p>Manager People and Safety Manager Finance - Reporting</p>	<p>No delegation required as Council is not exercising a power under legislation</p>	<p>Employee payroll start form  Kiwisaver employee information sheet  Kiwisaver information – existing staff wanting to join  Cease KiwiSaver  Compulsory Employer Contribution</p>	Y	<p>Staff manually link a person in Kiwisaver. If we do not put a Kiwisaver line in Pay Global, results in a pop up with a warning checking whether or not the person needs to be added.</p>	
<p><b>Local Government Act 2002</b> This Act sets out the requirements of Council to be a good employer, and certain disclosure requirements regarding employee salaries in its Annual Reporting.</p>	<p>Compliance with requirement to be a good employer and other reporting requirements under this legislation.  42 Chief Executive A chief executive appointed under subsection (1) is responsible to his or her local authority for—</p>	<p>Manager People and Safety  Manager Finance - Reporting</p>	<p>Council has delegations under the LGA but not specifically in relation to employment. The Local Government Act 2002 specifically identifies the CE as the</p>	<p>There are a number of policies that relate to Council being a good employer such as: Remuneration Policy, Equal Employment Opportunities Policy, Good Employer Policy, Working Better Together Policy (bullying and harassment policy), Recruitment and Selection Policy, Performance</p>	Y	<p>This information is included in the annual report.</p>	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
	<p>(c)ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and</p> <p>(g)employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and (h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).</p>		<p>employer of Council staff. S42 of the Act provides authority for the CE to comply with legislation</p>	<p>Management and Disciplinary Policy and Procedures, Training and Development Policy (in draft), Domestic Violence Policy.</p> <p>Appointment approvals take place as per the ORC delegations of authority matrix.</p>			
<p><b>Minimum Wage Act 1983</b> The Act provides for minimum wage rates for adults and for youth workers to be paid. The Minister has</p>	<p>Compliance with minimum wage rates.</p>	<p>Manager People and Safety</p>	<p>No delegation required as Council is not exercising a power under the legislation</p>	<p>Y - Process - Process payroll end of tax year</p> <p>Individual and Collective Employment Agreements</p>	<p>Y</p>	<p>Council’s Individual and collective agreements exceed the requirements in the Act.</p> <p>Pay Global (payroll system) has a warning for minimum wage rates that warns Council staff if we try and pay a</p>	



Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
discretion to set the minimum wage order						person less than the current minimum wage.	
<b>Parental Leave and Employment Protection Act 1987</b> Prescribes the minimum entitlement with respect to parental leave for male and female employees and protects employees during pregnancy and parental leave.	Comply with the requirements regarding parental leave under this legislation	Manager People and Safety	No delegation required as Council is not exercising a power under the legislation	Leave Management Policy, Working Better Together Policy (bullying and harassment policy), Collective and Individual Employment Agreements, Parental Leave Policy	Y	Requirements are met as outlined in Council's employee parental leave policy/process	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Protected Disclosures Act 2000</b> An employee of the Council (including a former employee and a person working under contract of services) may disclose information about serious wrongdoing in or by the organisation which the employee believes on reasonable grounds to be true or likely to be true and the purpose is to enable investigation of the allegations and the employee wishes the disclosure to be protected</p>	<p>Compliance with the requirements regarding protection of employees, advising staff of Council’s protected disclosures policy as required by legislation.</p>	<p>Legal Counsel</p>	<p>No delegation required as Council is not exercising a power under the legislation</p>	<p>New Protected Disclosures (whistleblower) policy</p>	<p>Y</p>	<p>There were no protected disclosures in the 2020/21 financial year.</p> <p>Note: The Protected Disclosures (Protection of Whistleblowers) Bill, a bill to replace the Protected Disclosures Act 2000, is currently before Parliament.</p>	
<p><b>Smokefree and Regulated Products Act 1990</b> The Act commenced on 11 November 2020, amending the Smokefree</p>	<p>Employers must ensure that no smoking or vaping takes place in the workplace (with specific exceptions outlined in the Act)</p>	<p>Manager People and Safety</p>	<p>No delegation required as Council is not exercising a power under the legislation</p>	<p>Smoke and Vape free Policy (including ORC vehicles) also covered in Health and Safety Induction process.</p>	<p>Y</p>	<p>Compliance is monitored by Managers.</p>	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
Environments Act 1990. The Act requires smokefree and vapefree indoor workplaces.							
<b>Waitangi Day Act 1976</b> The Act prescribes the observance of Waitangi Day as a public holiday.	Observance of Waitangi Day as a public holiday.	Manager People and Safety	No delegation required as Council is not exercising a power under the legislation	Leave Policy  Individual and Collective Employment Agreements	Y	HR ensures compliance with the Holidays Act and Individual and Collective Employment Agreements.	
<b>Wages Protection Act 1983</b> This legislation restricts the ability of an employer to deduct money from an employee's wages.	Comply with restrictions on making deductions from employee wages.	Manager People and Safety  Manager Finance - Reporting	No delegation required as Council is not exercising a power under the legislation	Individual and Collective Employment Agreements.  Form for Union deductions  Instructions from staff members that wants to change payroll deductions sought in writing  Induction packs for new staff	Y	HR ensures compliance with legislation and Individual and Collective Employment Agreements.  All deductions are included on the Payroll audit report which is reviewed by both payroll approvers every fortnight back to supporting documentation. Either approval from the employee or in the case of the IRD of ministry of justice signed ministry letters must be reviewed.	
<b>The Domestic Violence – Victim's Protection Act 2018</b> Adds legal protections in the workplace for	Compliance with employees' rights to take 10 days of paid domestic violence leave, ask for short term flexible	Manager People and Safety	Y	Compliance with employees' rights to take 10 days of paid domestic violence leave	Y		

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
people affected by domestic violence	working arrangements and not be treated adversely in the workplace because they might have experienced domestic violence.			Domestic Violence Policy  Request for flexible working hours form  Leave application process/Leave Management Policy  Flexible Working Policy			

**Council as a landlord and land owner**

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Otago Regional Council (Kuriwao Endowment Lands) Act 1994</b>                      Act confirms vesting of land to the Council                      Redefines purpose for which land is held by Council                      Recognises existing leases in land</p>	<p>Statutory process to be followed when selling and leasing land in this area</p>	<p>Legal Counsel</p>	<p>Y</p>	<p>Financial transactions authorised by General Manager Corporate Services</p>	<p>Y</p>	<p>No properties were sold in 2021.                       Two properties are currently going through the freeholding process.</p>	
<p><b>Fencing Act 1978</b>                      This Act sets out the rights and obligations of property owners when fencing common boundaries.</p>	<p>Compliance with Council’s obligations under the legislation as a property owner</p>	<p>Manager Support Services</p>	<p>Y</p>	<p>No specific process – issues dealt with as they arise in accordance with the Act</p>	<p>Y</p>		
<p><b>Property Law Act 2007</b>                      This act sets out various laws regarding leases.</p>	<p>Compliance with obligations under the Act – the area most commonly dealt with is obligations around commercial leases and rural licences.</p>	<p>Manager Support Services                       Manager Engineering</p>	<p>Y</p>	<p>No specific process – leases and renewals follow statutory process</p>	<p>Y</p>	<p>Council has approximately 129 leases/licences in place including floodbanks.</p>	
<p><b>Trespass Act 1980</b>                      This act sets out the ability of person/entity to warn and trespass persons from land that they occupy or own</p>	<p>Compliance with processes regarding trespassing person from Council property. Persons who are trespassed have been done so on a sound legal basis</p>	<p>Manager Support Services                       Manager Customer Experience</p>	<p>Person in occupation</p>	<p>New trespass policy now in place</p>	<p>Y</p>		

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<b>Public Bodies Leases Act 1969</b> This Act relates to the powers of certain public bodies to lease land	Council ceased to be a leasing authority under the Public Bodies Leases Act as from 1 July 2003 – the exception is with respect to leases entered into before, and current as at, that date and renewals	General Manager Corporate	Y	Statutory process followed	Y	Council holds leases in which the Public Bodies Leases Act continues to apply	

**Council as an information holder and provider**

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Copyright Act 1994</b> The Copyright Act protects the property right associated with ownership of original works. The Council has compliance risks in relation to the use of original works by staff in conducting their work</p>	<p>The Council must not copy, or allow to be copied, original works for which it does have this right.</p>	<p>Manager Communication and Marketing  Principal Advisor – Internal Communications</p>	<p>No delegation required as Council is not exercising a power under the legislation</p>	<p>Copyright policy.</p>	<p>Y</p>	<p>New copyright policy now in place.</p>	<p>N – Staff copyright policy to be developed</p>
<p><b>Local Government Official Information and Meetings Act 1987</b> The intent of this Act is to make official information more freely available, to provide for proper access by each person to official information relating to that person, to protect official information to the extent consistent with public interest and the preservation of personal privacy. Where the Council makes official</p>	<p>Compliance with the requirements to release information under LGOIMA and a duty to assist a requestor in order for them to make a request</p>	<p>Legal Counsel</p>	<p>Y – Council has delegation to make decisions on requests for information which can include withholding information under certain circumstances</p>	<p>LGOIMA &amp; Privacy internal process</p>	<p>N</p>	<p>During the 2020/21 period, one official information request was responded to outside the statutory process.  Timeliness of responses is reliant on other departments of Council.  LGOIMA process cover the duty of assistance as set out in the Act.</p>	<p>N - During the 2019/20 period, two requests were responded to outside the statutory process.  Timeliness of responses is reliant on other departments of Council.</p>

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
information available in good faith no civil or criminal proceedings should lie against it.							
<b>Privacy Act 2020</b> The New Zealand Privacy Act 2020 came into force 1 December 2020. It sets out the principles of privacy the Council must adhere to and matters relating to the collection, use and storage of private information and response to requests/complaints regarding private information.	Compliance with privacy principles and obligation to release/update private information.	Legal Counsel	Y – Council has the power to appoint privacy officers and the power to respond to requests for information under the Privacy Act.	Policies: Customer Privacy Policy (available on its website). Internal Privacy Policy Storage of Employee Records Policy	Y		
<b>Public Records Act 2005</b> This Act establishes a recordkeeping framework and focuses on supporting good recordkeeping in government. The Council is to create and maintain records and to dispose of them in accordance with the authority of the Chief Archivist.	The Council is required to create and maintain full and accurate records in accordance with normal, prudent business practice. These records must also be accessible over time. The Council must gain the Chief Archive authorisation before disposing of public records.	Manager Support Services	No delegation required as Council is not exercising a power under the legislation	Training Material on use of Objective Storage of Employee Records Policy – being developed	N	The Council has recently gone through a tender process to replace the current Electronic Records and Document Management System.  The new system, once selected, will be compliant with the Public Records Act.	N - Information Management Policy needs to be finalised.



Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
						<p>Information Management Policy will be finalised as part of the new system.</p> <p>Employee records are currently secure with access limited to HR staff only.</p>	

**Council as a governance body**

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Civil Defence Emergency Management Act 2002</b></p> <p>The purpose of this Act is to improve and promote the sustainable management of hazards and provide for planning and preparation for emergencies and for response and recovery in the event of an emergency.</p>	Compliance with Council's obligations to co-ordinate civil defence readiness and operations under the Act.	Manager Emergency Management	Y	<p>Joint Council approach (ORC/DCC/QLDC/CODC/CD/WDC).</p> <p>Staff training on-going.</p> <p>Incident Management team appointed and trained.</p> <p>Regular attendance at meetings.</p>	Y	Civil Defence Emergency Management Group meets regularly for planning, exercises etc.	
<p><b>Local Authorities (Members' Interests) Act 1968</b></p> <p>This Act sets limits on the total of all payments made or to be made by or on behalf of the local authority in respect of all contracts made by it to elected members, and restrictions regarding voting where the elected member has a pecuniary interest</p>	Compliance with limits for contract payments, voting restrictions and disclosures to Auditor General	Executive Advisor	No delegation required as Council is not exercising a power under the legislation	<p>Members Interests process &amp; register of interests maintained</p> <p>Council and Committee Meeting Standing Orders</p> <p>Conflict of Interest Declaration form</p>	Y	To the best of staff's knowledge this legislation has been complied with.	
<p><b>Local Electoral Act 2001</b></p> <p>The purpose of this Act is to provide uniform rules</p>	Compliance with the obligations to undertake local body elections every three years	Executive Advisor	Y – Council delegates directly to the	Issuing special votes process.	Y	Public notice placed in the newspaper regarding voting systems in compliance	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
in relation to the timing of local elections; and the right of individuals to vote, stand for election, and nominate candidates for election.			EO to carry out functions			with Act's requirements	
<p><b>Local Government Act 2002</b></p> <p>The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The Act provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and promotes the accountability of local authorities to their communities; and provides for local authorities to play a broad role in meeting the current and future needs of their communities for good quality local infrastructure, local public services, and</p>	Compliance with the obligations of local authorities relating to community out comes, the purpose of local government, Maori decision making and decision making/consultation processes under the Act.	Executive Advisor	No delegation required as Council is not exercising a power under the legislation	<p>Statutory processes followed</p> <p>Significance, and Engagement Policy</p> <p>MOU and Participation protocol between Council and Ngāi Tahu/Kāi Tahu for Effective Consultation and Liaison</p>	Y	New Significance, Engagement and Māori Participation Policy ('He Mahi Rau Rika') adopted in October 2021	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
performance of regulatory functions.							
<p><b>Local Government Official Information and Meetings Act 1987</b>                      This act provides for the public notification of meeting to ensure the community has reasonable knowledge of when they will be held.</p>	Compliance with obligations to publicly notify meetings and agendas/minutes.	Executive Advisor	Y	Adding minutes and agendas to the website How to place a notice of meetings advertisement  Advertising notice of meetings deadlines Adding minutes and agendas to the website	Y	Meetings have all been notified in accordance with the Act for 2021.  Agendas and minutes have been provided as required.	
<p><b>Ombudsmen Act 1975</b>                      The purpose of this Act is to create the Ombudsmen’s office and set out its functions and powers.</p>	Comply with obligations to respond to and assist ombudsmen’s investigations under LGOIMA and the Ombudsmen Act 1975	Legal Counsel	Act includes a requirement to assist the Ombudsman	No Processes identified – Council would be expected to comply with Ombudsmen directions.	Y	For the period 1 January 2021 to 30 June 2021, no complaints were made to the Ombudsmen’s office regarding information requests/Council meetings.	

**Council as a policy maker**

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Human Rights Act 1993</b> This Act governs the protection of human rights in New Zealand. It is applicable to the Council in employment and the provision of access to the disabled.</p>	<p>Accessibility for all as applies to public transport services</p>	<p>Manager Transport</p>	<p>No delegation required as Council is not exercising a power under legislation</p>	<p>Not really a specific policy/process but a number of items in the RTP (Regional Public Transport Plan) are applicable.</p> <p>Total Mobility Scheme</p> <p>Contracts with transport operators</p>	<p>Y</p>	<p>Various parts of the RTP touch on this, but more specifically Section 5.2.7 of the RTP contains a policy to “ensure that the PT network is accessible and safe” in the Otago region.</p> <p>Page 55: “Ensure that all infrastructure is accessible to disabled people and the transport disadvantaged”</p>	
<p><b>Local Government Act 2002</b> The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The Act provides a framework and powers for local authorities to</p>	<p>The following documents in place and reviewed in accordance with legislative requirements:</p> <ul style="list-style-type: none"> <li>• Significance and Engagement Policy</li> <li>• Policy on the Remission and Postponement of Rates</li> <li>• Rates Remission Policy</li> <li>• Revenue and Financing Policy</li> </ul>	<p>Manager Corporate Planning</p>	<p>Y</p>	<p>Relevant policies in place</p>	<p>Y</p>		

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
decide which activities they undertake and the manner in which they will undertake them; and promotes the accountability of local authorities to their communities; and provides for local authorities to play a broad role in meeting the current and future needs of their communities for good quality local infrastructure, local public services, and performance of regulatory functions.	<ul style="list-style-type: none"> <li>• Treasury Management Policy</li> <li>• Financial Strategy</li> <li>• Long Term Plan</li> <li>• Annual Plan</li> <li>• Annual Report</li> <li>• Code of Conduct and standing orders</li> <li>• Local Governance Statement</li> <li>• Triennial Agreement</li> <li>• Representation review</li> <li>• Pre-election report</li> </ul>						
<b>Local Electoral Act 2001</b> The purpose of this Act is to	Representation review	Executive Advisor	Not required – Council decision process	Y – Council Election Protocols for elected members.  Election protocol for Council staff	Y	Representation review - completed in 2018/2019.	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
provide uniform rules in relation to the timing of local elections; and the right of individuals to vote, stand for election, and nominate candidates for election						Must be reviewed at least once every six years	
<b>Resource Management Act 1991</b> The purpose of this Act is to promote the sustainable management of natural and physical resources.	Regional Plans in place and reviewed in accordance with legislative requirements, including compliance with requirements in RPS, NES and NPS documents.	Manager Policy and Planning		Statutory process followed – no documented process	N - Plans have not been reviewed in the timeframes required by the RMA.	Water plan work is underway.  The partially operative RPS has been reviewed and a new proposed RPS notified.  National Policy Statement for Freshwater Management has not been given effect to, however Council has adopted a programme of work to implement it  Regional Plans Waste, Coast and Air are overdue for review	N – Plans have not been reviewed in the timeframes required by the RMA.  All plans scheduled to be reviewed within the next 10 years.

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Bylaws Act 1910</b>  <b>Local Government Act 2002</b>  <b>Maritime Transport Act Council Bylaws</b>                      The above acts have provisions regarding the creation of bylaws by local authorities.</p>	<p>The Council's Flood Protection Management Bylaw 2012 and Navigational Safety Bylaw 2019 are in place</p>	<p>Manager Engineering                      Harbourmaster</p>	<p>Not required – Council adopts the bylaws.                      Staff have appropriate warrants to enforce bylaws.</p>	<p>Statutory process followed – no documented process</p>	<p>Y</p>	<p>Under the LGA, Council must review bylaws made under the LGA and the Maritime Transport Act 1994 no later than 5 years after it was made, and every 10 years thereafter.                      Council's Flood Protection Management Bylaw 2012 will be reviewed in 2022.</p>	
<p><b>Biosecurity Act 1993</b></p>	<p>In 2019, the Regional Pest Management Plan for Otago came into force. The Pest Plan is supported by a new Biosecurity Strategy which outlines Council's broader role in biosecurity</p>	<p>Manager Environmental Implementation</p>	<p>Y – Council has delegated various powers to the CE and GM Policy, Science and Strategy and GM Corporate Services</p>	<p>Statutory process followed – no documented process</p>	<p>Y</p>		
<p><b>Land Transport Management Act 2003</b></p>	<p>Plans, strategies and programmes prepared and assessed.</p>	<p>Manager Transport</p>	<p>Y – Council has delegated various powers to Manager Transport and</p>	<p>Development and adoption of Regional Public Transport Plan and Regional Land Transport Plan</p>	<p>Y</p>	<p>New 2021-24 RLTP now in effect.                      All buses are now compliant with the</p>	



Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
	Delivery of public transport activities		GM Operations	Variations to the Regional Land Transport Plan in accordance with the Act.		Requirements for Urban Buses (RUB).	

**Council as a financially prudent public entity**

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Good and Services Tax 1985</b> This act provides the framework and rules for the payment of goods and services tax.</p>	<p>The Council must account for and pay GST</p>	<p>Manager Finance - Reporting</p>	<p>No delegation required as Council is not exercising a power under the legislation</p>	<p>Y</p>	<p>Y</p>	<p>Council properly accounts for and pays GST.</p> <p>Council uses a creditor checklist which must be completed before a creditor is loaded into the finance system. This includes GST status. Once the GST status is set the system works out if we have to pay GST or not.</p> <p>Staff manually review all suppliers before payment that are not having GST charged to check it is reasonable (i.e. overseas expenditure or not GST registered)</p>	
<p><b>Income Tax Act 2007</b> The main purposes of this Act are to define, and impose tax on, net income, to impose obligations concerning tax and to set out rules for calculating tax and for satisfying the obligations imposed.</p>	<p>The Council must deduct and pay to the Commissioner of Inland revenue the following taxes or levies:</p> <ul style="list-style-type: none"> <li>• ACC</li> <li>• PAYE</li> <li>• Fringe Benefit Tax</li> <li>• Withholding tax</li> </ul> <p>The Council must comply with disclosure and tax rules relating to the sale and purchase of land</p>	<p>Manager Finance - Reporting</p>	<p>No delegation required as Council is not exercising a power under the legislation</p>	<p>Fringe Benefit Tax Policy, Creditor check process that includes Withholding Tax questions, Employees complete IRD form to advise of their tax rate which may be corrected by IRD</p>	<p>Y</p>	<p>Council properly attends to the taxes/levies listed.</p> <p>Council has a policy on FBT to trace FBT costs.</p> <p>Staff check all creditors for WHT when we set up as creditors and ask for exemption certificates (if they have them). Council has a process to ensure we don't continue use expired ones.</p>	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
						Employee tax rates are set via their own IRD form that they complete for us. IRD may then advise through website portal if is wrong and Council changes it accordingly.	
<p><b>Local Government Act 2002</b>                      The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The Act provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and promotes the accountability of local authorities to their communities; and provides for local authorities to play a broad role in meeting the current and future needs of their communities for good-</p>	Compliance with the statutory disclosures required in the Long-Term Plan, Annual Plan and Annual Report and associated regulations.	Manager Finance - Reporting	Y	Work to standards stated in the Plans and Reports and external audit checks compliance with these.	Y	Refer 2020/21 Annual Report	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
quality local infrastructure, local public services, and performance of regulatory functions.							
	<p>The long-term plan must contain a report from the Auditor General on whether the plan gives effect to the purpose set out in section 93(6); and</p> <p>The quality of information and assumptions underlying the forecast information.</p> <p>The Annual Report must contain the Auditor-General’s report on;</p> <p>Financial statements (clause 29 of Schedule 10);</p> <p>Statement about budgeted and actual capital expenditure; and</p> <p>Whether the summary represents, fairly and consistently, the information regarding the major matters in the Annual Report</p> <p>Annual Report must contain information provided in Part 3, Schedule 10, LGA</p>	Manager Finance Reporting	N/A	Refer 2020/21 Annual Report	Y	The Auditors Report confirmed compliance with the statutory requirements.	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<p><b>Local Government Borrowing Act 2011</b>                      The purpose of this Act is to facilitate the operation of the New Zealand Local Government Funding Agency Limited. The Act authorises local authorities to deal with the Funding Agency in a manner in which they would otherwise not be authorised to do so; and authorises or requires local authorities, in certain situations, to act in a manner in which they would otherwise not be authorised or required to act.</p>	<p>Compliance with the requirements for Local Authorities under the Act</p>	<p>Manager Finance Reporting</p>	<p>N/A</p>	<p>N/A – not required as yet</p>	<p>Y</p>	<p>Council currently does not have any borrowing as at 30 June 2021. This will need to be developed when/if we borrow.</p> <p>Council on 21 September entered into the New Zealand Local Government Funding Agency as a guarantor. There have been no funds yet drawn down under this agreement.</p>	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<b>Local Government (Rating) Act 2002</b> This Act provides local authorities with flexible powers to set, assess, and collect rates to fund local government activities, ensures that rates are set in accordance with decisions that are made in a transparent and consultative manner and provides for processes and information to enable ratepayers to identify and understand their liability for rates.	Compliance with the processes for establishing rating structures and striking/collecting rates.	Manager Finance – Revenue  Manager Finance - Reporting	Y – flexible powers to set, assess, and collect rates to und local government activities	Y – Internal process to check compliance with the Act and checked as part of a statutory audit in October 2020	Y		
<b>Port Companies Act 1988 and Companies Act 1993</b>	The principle objective of every port company shall be to operate as a successful business (s5 Port Companies Act).	Council	N/A	Shareholders meeting  Appointment of Directors  Adoptions, alteration and revocation of constitution  Statement of intent	Y		
<b>Land Transport Management Act 2003</b> The Act sets out requirements for the operation, development and funding of public transport.	Funding of public transport in accordance with the Act	Manager Transport	Y	Procurement procedures must be approved by the New Zealand Transport Agency	Y	Funding of public transport in accordance with the Act.  In the 2020/21 financial year, Waka Kotahi endorsed the Council's Transport	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
The purpose of the LTMA is to contribute to the aim of achieving an affordable, integrated, safe, responsive and sustainable land transport system				Use approved funding procedures to obtain the Crown subsidiary		Activities Procurement Strategy.	
<b>Public Audit Act 2001</b> Public entities, such as local authorities, are accountable to Parliament and the public for their use of public resources and powers conferred by Parliament. The Auditor-General provides independent assurance that public entities are operating, and accounting for their performance, in keeping with Parliament's intentions	Audited information is compliant	Manager Finance Reporting	N/A	N/A	Y	The Auditor General appointed Heidi Rautjoki, using the staff and resources of Deloitte Limited to report on the information in Council's Annual Report.	

**Council as a regulator and matters of compliance**

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
<b>Building Act 2004</b> The purpose of this Act is to regulate the building of structures in New Zealand.	The role of the Regional Authority is provided in section 13 of the Building Act 2004, this includes Performing the functions of a building consent authority (BCA) for dams and carrying out functions and duties, including monitoring and enforcement.	Manager Engineering  Manager Consents	Y – existing delegations	Y - Procedures and policies	Y – BCA functions transferred to ECAN  N - Dangerous Dams Policy overdue for review – see comment in the Mandatory Document Register	ORC’s Certificate of Accreditation was issued on 31 August 2020.  BCA functions were transferred to Ecan in 2021. No longer the authority responsible for granting building consents for dams etc..	N – policies and procedures do not match existing delegations ORC’s current Certificate of Accreditation was issued on 31 August 2020. ORC’s next reassessment is scheduled for April 2022.  Dangerous Dams Policy overdue for review – see comment in the Mandatory Document Register.
<b>Local Government Act 2002</b> The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The Act provides a framework	Provides power to make bylaws for specific areas. Provides powers of entry.  Provides warranting requirements for Council officers	Manager Compliance  Manager Engineering	Y – existing delegations	Reference to powers of entry in warrant training document	Y	Those warranted to enter land do so in accordance with the Act.	



Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and promotes the accountability of local authorities to their communities; and provides for local authorities to play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach.							
<b>Public Works Act 1981</b> This act provides the framework for Council to take land for the purposes of public works; it also provides the framework for the disposal of land no longer required for a public work.	Land is acquired for public works in accordance with the act Land no longer required for public works is disposed of in accordance with the act	Manager Support Services	N	Council adheres to the statutory procedure.	Y		
<b>Resource Management Act 1991</b> The purpose of this Act is to promote the sustainable	Implementation of the Regional Plans, processing of resource and other consents within statutory timeframes,	Manager Consents	Y	Record complaints Investigation	Y	100% of resource consent applications were processed within the statutory timeframe.	N -. Backlog of compliance monitoring and

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
management of natural and physical resources	investigation on breaches of the Regional Plans and Act.  Compliance with NES and NPS	Manager Compliance		Enforcement – section 84  Resource consent processes Monitor compliance with resource consents		Backlog of compliance monitoring has been addressed.  Council Compliance Plan 2020-22 developed to prioritise compliance, monitoring and enforcement activities.  Enforcement and incident statistics are reported periodically	consent auditing for 2019/20.
	Compliance with resource consents issued to Council	Manager Engineering	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter	N/A	Y	There were no abatement notices; infringement notices; enforcement orders, or convictions, received in relation to those resource consents in 2021.  There were no performance monitoring issues received for consents held.  Compliance with the Global Consents held achieved.	
	Compliance with Regional Plans	All	No delegation required as Council is not exercising a power under the legislation – this is a		N	Council was issued a warning regarding verbal advice alleged to have been provided by staff in relation to the deposition of material on the bed of a river.	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
			compliance matter			Two education letters were issued to staff members regarding the same allegations.  There were no abatement notices; infringement notices; enforcement orders, or convictions, received in relation to Council's compliance with Regional Plans.	
	Monitoring the state of the environment and keeping records required by section 35 of the Act.	Manager Science	No delegation as Council is not exercising a power under the legislation	Council's State of the Environment monitoring programme covers water quality and quantity, and air quality.  Council keeps the information required in accordance with s35 of the Act	Y		
	Monitoring of permitted activities - section 35	Manager Compliance	Inspections undertaken by warranted enforcement officers	Dairy farms and forestry activities are inspected by Council compliance officers on a risk basis	Y	Council responds to complaints regarding contraventions of the Regional Plans, including permitted activity rules.	
<b>Search and Surveillance Act 2012</b> The purpose of this Act is to facilitate the monitoring of compliance with the law	Compliance with requirements to issue notices and record warrantless searches and otherwise	Manager Compliance	Y – through the Resource Management Act 1991	No internal Processes.  Selected enforcement officers are warranted to apply for and	Y	All sites and searches undertaken in accordance with the Act.	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
and the investigation and prosecution of offences in a manner that is consistent with human rights values by— <ul style="list-style-type: none"> <li>• modernising the law of search, seizure, and surveillance to take into account advances in technologies and to regulate the use of those technologies; and</li> <li>• providing rules that recognise the importance of the rights and entitlements affirmed in other enactments, including the New Zealand Bill of Rights Act 1990, the Privacy Act 1993, and the Evidence Act 2006; and</li> <li>• ensuring investigative tools are effective and adequate for law enforcement needs.</li> </ul>	obtain warrants in accordance with legislation.			execute search warrants			
<b>Council Bylaws</b>  Flood Protection Management Bylaw 2012	Investigation and enforcement of breaches of Council bylaws	Manager Engineering	Harbourmasters appointed	Record complaints  Investigation and enforcement  Bylaw approval processes	Y	Navigation Safety Bylaw - New infringement regime (Maritime) planned for 2022.  Staff investigate and take enforcement action where appropriate.	

Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Processes	Compliance Y/N/NA	Comments	2020 – Non-Compliance
Navigation Safety Bylaw 2020		Harbourmaster					
<b>Biosecurity Act 1993</b>	Investigation of non-compliance of the Pest Management Plan	Manager Environmental Implementation	Appointment of Authorised Persons by virtue of the Pest Management Plan and Biosecurity Act.	New compliance policy approved in June 2021.	Y		
<b>Soil Conservation and Rivers Control Act 1941</b>	The Act provides Council with such powers, rights, and privileges as necessary or expedient to carry out its functions including the power to construct, reconstruct, alter, repair, and maintain any flood protection/drainage works	Manager Engineering	Y	Council flood and drainage schemes established and operated under the Act.  Assets are listed, funded and depreciated under LGA documents.	Y		



## ORC Mandatory Documents Register

A register of documents that the Otago Regional Council is required to produce by legislation

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## Introduction

### Scope of this document

In 2020, the Society of Local Government Managers (SOLGM) published a Mandatory Documents Register providing an overview of documents that are required by legislation to be produced by local government organisations. Otago Regional Council ("ORC") have adapted this register to produce the following document that is specific to regional council issues. For clarity, areas of legislation that apply only to territorial authorities have been omitted.

This register provides a list of:

1. legislation and regulations that local authorities are subject to, and
2. documents that a local authority must produce under an Act or legislative instrument (such as a long-term plan).

This register does not include obligations under the general law, such as administration of GST or for other legal entities, as required for council-controlled organisations (CCO's).

For each of the documents listed under item 2 above, statutory references are included where applicable, for:

1. the power or duty to create the document
2. the content of the document
3. the engagement required to produce the document
4. the disclosure requirements for the document
5. the review period and/or deadline for the document.

Where no review period is legislated, councils must decide on a suitable review date. For those documents aligned with the long-term plan, timely review would be the year prior to each long-term plan.

Space has been included to record ORC's compliance with each mandatory document and for any relevant comment. The grades applied (i.e. compliant/non-compliant etc..) and comments are based on information provided by staff.

The coverage of this register is restricted to the list of public Acts in Appendix One and the list of legislative instruments in Appendix Two. This reflects the need to manage both the sheer number and length of public Acts affecting councils and the importance of the accuracy of this Register.

Requirements under local Acts and private Acts are out of scope for this register.

ORC aims to review and update this register on an ongoing basis as legislation changes. Updates are listed at the end of the document. The register is accurate to the best of ORC's knowledge.

## How to use this document

The Acts and legislative instruments in this register are presented as follows:

- subject order
- Acts/legislative instruments
- mandatory documents and sections of the act or regulation

The navigation pane can be brought up by going to “View” in the top ribbon and ticking “Navigation Pane”. The entire document can be searched electronically, using “Ctrl+F”

The Register contains hyperlinks to Acts and legislative instruments throughout.

This document complements and should be read alongside ORC’s annual Legislative Compliance WoF which also includes documents/processes that may not be required by legislation but for which it is best practice to have written documented processes or policies.

## Mandatory Documents

### Annual Plan/Long-term Plan

Local Government Act 2002

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020 – Non-Compliance
Long-Term Plan (LTP) Consultation Document	<a href="#">s93A, LGA 2002</a> <a href="#">ss93B to 93G, LGA 2002</a>	<p>The content of the LTP must meet the purpose of local government to:</p> <ul style="list-style-type: none"> <li>• promote the accountability of local authorities to their communities, and</li> <li>• promote the social, economic, environmental, and cultural well-being of their communities, taking a sustainable approach <a href="#">s3, LGA 2002</a></li> </ul> <p>Financial management policies required for the LTP</p>	<p>Under <a href="#">s93A, LGA 2002</a> council must use the special consultative procedure under <a href="#">s83, LGA 2002</a></p> <p><a href="#">s93B LGA 2002</a> The purpose of LTP is for public participation in the decision-making processes.</p> <p><a href="#">s93C(3)</a> and <a href="#">s93F, LGA 2002</a> The local authority must ensure that the contents of the consultation document are presented in a concise and simple manner, and in a form that enables the consultation</p>	<p>The LTP consultation document is required every 3 years, and</p> <p>is to be adopted by the Council under <a href="#">s93A</a> and <a href="#">93G, LGA 2002</a></p>	Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		<p>and Annual Plan <a href="#">s102, LGA 2002</a>.</p> <p>A financial strategy and infrastructure strategy are required for the LTP</p> <p><a href="#">s101A, LGA 2002</a></p> <p><a href="#">s101B, LGA 2002</a></p> <p><a href="#">s93C, LGA 2002</a> The content of the consultation document must describe:</p> <ul style="list-style-type: none"> <li>• issues as per the significance and engagement policy</li> <li>• issues of importance</li> <li>• proposed content of the financial strategy under <a href="#">s101A</a></li> <li>• proposed content of the infrastructure strategy under <a href="#">s101B</a></li> </ul>	<p>document to achieve its purpose.</p> <p><a href="#">s93C LGA 2002</a> The content of consultation document for LTP Disclosure is stated in <a href="#">s93(10), LGA 2002</a>.</p>				

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		<ul style="list-style-type: none"> <li>• significant changes to operating and expenditure capital</li> <li>• significant changes to rating system under <a href="#">clause 15(5)</a> of Schedule 10</li> <li>• <a href="#">s93C(4)&amp;(5)</a> it must contain a report from the Auditor General</li> <li>• <a href="#">s93E</a> and <a href="#">s97</a> any significant commencement or cessation of activity; transfer of ownership or control of a strategic asset.</li> <li>• <a href="#">s100</a> must have a balanced budget, or be financially prudent as per the clauses in this section</li> </ul>					
	<a href="#">s93(8), LGA 2002</a>	The LTP must include such detail, as the local authority considers on reasonable grounds to be appropriate.			Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
	<a href="#">s93(9), LGA 2002</a>	<p>A local authority must, in deciding what is appropriate to include, have regard to the following provisions:</p> <p><a href="#">78 Community views in relation to decisions</a></p> <p><a href="#">79 Compliance with procedures in relation to decisions</a></p> <p><a href="#">80 Identification of inconsistent decisions</a></p> <p><a href="#">81 Contributions to decision-making processes by Māori</a></p> <p><a href="#">82 Principles of consultation</a></p> <p><a href="#">83 Special consultative procedure</a></p>			Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		<p><a href="#">96 Effect of resolution adopting long-term plan or annual plan</a></p> <p><a href="#">97 Certain decisions to be taken only if provided for in long-term plan</a></p> <p><a href="#">101 Financial management</a></p> <p>and the significance of any matter; and the extent of the local authority’s resources.</p>					
	<p><a href="#">s83, LGA 2002</a> <a href="#">s83AA, LGA 2002</a></p>	<p>The LTP consultation document must include a summary of the information contained in the proposal.</p>			Y		
Long-Term Plan (LTP)		<p>The content of the LTP must meet the purpose of local government to:</p>		<p>The LTP is required every 3 years <a href="#">s93(3), LGA 2002</a></p>	Y		



Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		<ul style="list-style-type: none"> <li>promote the accountability of local authorities to their communities, and</li> <li>promote the social, economic, environmental, and cultural well-being of their communities, taking a sustainable approach <a href="#">s3, LGA 2002</a></li> </ul>					
	<a href="#">s93(7(a)), LGA 2002</a>	The LTP must cover a period of not less than 10 consecutive financial years.			Y		
	<a href="#">s93(7(b)), LGA 2002</a>	<p>The LTP must include the information required by <a href="#">Part 1 of Schedule 10</a> as follows:</p> <ol style="list-style-type: none"> <li><a href="#">Community outcomes</a></li> <li><a href="#">Groups of activities</a></li> <li><a href="#">Capital expenditure for groups of activities</a></li> </ol>	The LTP must be publicly available within one month of adoption and copies sent to the Secretary, the Auditor-General and the Parliamentary Library.	<a href="#">s93(3), LGA 2002</a> A long-term plan must be adopted before the commencement of the first year to which it relates and	Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		<p><a href="#">4 Statement of service provision</a></p> <p><a href="#">5 Funding impact statement for groups of activities</a></p> <p><a href="#">6 Variation between territorial authority's long-term plan and assessment of water and sanitary services and waste management plans</a></p> <p><a href="#">7 Council-controlled organisations</a></p> <p><a href="#">8 Development of Māori capacity to contribute to decision-making processes</a></p> <p><a href="#">9 Financial strategy and infrastructure strategy</a></p> <p><a href="#">10 Revenue and financing policy</a></p> <p><a href="#">11 Significance and engagement policy</a></p>		<p>continues in force until the close of the third consecutive year to which it relates.</p>			

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		<a href="#">12 Forecast financial statements</a> <a href="#">13 Financial statements for previous year</a> <a href="#">14 Statement concerning balancing of budget</a> <a href="#">15 Funding impact statement</a> <a href="#">15A Rating base information</a> <a href="#">16 Reserve funds</a> <a href="#">17 Significant forecasting assumptions</a> <a href="#">17A Additional information to be included in long-term plan for unitary authority with local boards</a>					
	<a href="#">s93(8), LGA 2002</a>	The LTP must include such detail, as the local authority considers on reasonable grounds to be appropriate.			Y		
	<a href="#">s93(9), LGA 2002</a>	A local authority must, in deciding what is appropriate			Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		to include, have regard to the following provisions: <a href="#">78 Community views in relation to decisions</a> <a href="#">79 Compliance with procedures in relation to decisions</a> <a href="#">80 Identification of inconsistent decisions</a> <a href="#">81 Contributions to decision-making processes by Māori</a> <a href="#">82 Principles of consultation</a> <a href="#">83 Special consultative procedure</a> <a href="#">96 Effect of resolution adopting long-term plan or annual plan</a>					

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		<p><a href="#">97 Certain decisions to be taken only if provided for in long-term plan</a></p> <p><a href="#">101 Financial management</a></p> <p>and the significance of any matter; and the extent of the local authority's resources.</p>					
	<p><a href="#">s95, LGA 2002</a></p>	<p>The Annual Plan must include the information required by <a href="#">Part 2 of Schedule 10</a> as follows:</p> <p><a href="#">18 Forecast financial statements</a></p> <p><a href="#">19 Financial statements for previous year</a></p> <p><a href="#">20 Funding impact statement</a></p> <p><a href="#">20A Rating base information</a></p>	<p><a href="#">s95(2),(2A), LGA 2002</a></p> <p>Consultation must give effect to the principles of consultation in <a href="#">s82, LGA 2002</a>. However, this does not apply if the proposed annual plan does not include significant or material differences from the content of the long-term plan for the financial year to which the proposed annual plan relates.</p>		Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		<a href="#">21 Reserve funds</a> <a href="#">21A Additional information to be included in annual plan for unitary authority with local boards</a> <a href="#">22 Annual plan and amendment of long-term plan</a>					
Annual Plan consultation document	<a href="#">s95A, LGA 2002</a>	The content of the Annual Plan must meet the purpose of local government to: <ul style="list-style-type: none"> <li>• promote the accountability of local authorities to their communities, and</li> <li>• promote the social, economic, environmental, and cultural well-being of their communities, taking a sustainable approach <a href="#">s3, LGA 2002</a></li> </ul>	<a href="#">s95A(1)(b)(c) and (3), LGA 2002</a> <ul style="list-style-type: none"> <li>• matters must be explained in a way that is readily understood</li> <li>• informing discussions between the TA and its communities</li> <li>• be concise and simple</li> </ul> Consultation under <a href="#">s82A(3), LGA 2002</a>	Annually, prior to the annual plan. However, it may be combined with LTP consultation under <a href="#">s95B, LGA 2002</a>	Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		<p><a href="#">s95A(3), LGA 2002</a> It must contain:</p> <ul style="list-style-type: none"> <li>• a draft of the annual plan</li> <li>• a full draft of any policy</li> <li>• other detailed information</li> <li>• where the public can obtain more pertinent information</li> </ul> <p><a href="#">s95A(2), LGA 2002</a></p> <ul style="list-style-type: none"> <li>• identifying significant or material differences between the proposed annual plan and the content of the long-term plan</li> <li>• explain identified differences, if any, between the proposed</li> </ul>					

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		annual plan and what is described in the LTP <ul style="list-style-type: none"> <li>• an explanation of any significant or material variations or departures from the financial statements or the funding impact statement</li> <li>• a description of significant new spending proposals, the costs associated with those proposals, and how these costs will be met</li> <li>• an explanation of any proposal to substantially delay, or not proceed with, a significant project, and the financial and service delivery implications of the proposal</li> <li>• outline the expected consequences of proceeding with</li> </ul>					



Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020 – Non-Compliance
		matters, including the implications for the local authority's financial strategy					
	<a href="#">s83, LGA 2002</a> <a href="#">s83AA, LGA 2002</a>	The Annual Plan consultation document must include a summary of the information contained in the proposal.			Y		
Annual Plan	<a href="#">s95(1), LGA 2002</a>	<p>The content of the Annual Plan must meet the purpose of local government to:</p> <ul style="list-style-type: none"> <li>• promote the accountability of local authorities to their communities, and</li> <li>• promote the social, economic, environmental, and cultural well-being of their communities, taking a sustainable approach <a href="#">s3, LGA 2002</a></li> </ul>	<p>Under <a href="#">s95((2) and (2A), LGA 2002</a>, consultation must give effect to <a href="#">s82, LGA 2002</a> unless the annual plan includes no significant or material differences from the content of the <a href="#">long-term plan</a>.</p> <p>Disclosure stated in <a href="#">s95(7), LGA 2002</a>. Annual plan must be publicly available within one month of adoption and copies sent to the Secretary, the Auditor-General and the Parliamentary Library.</p>	<p>Under <a href="#">s95(1), LGA 2002</a>, a local authority must prepare and adopt an annual plan for each financial year.</p> <p>Under <a href="#">s95(4), LGA 2002</a>, the financial statement and funding impact statement included in the</p>	Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020 – Non-Compliance
		<a href="#">s95(6), LGA 2002</a> and <a href="#">Part 2 of Schedule 10</a> <a href="#">s48L(3), LGA 2002</a> specifies additional content required in annual plans of unitary authorities for which decision-making authority is allocated to one or more local boards		first year of a long-term plan must be regarded as the annual plan for that year.			

## Annual Report

Local Government Act 2002

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020 – Non-Compliance
Annual Report	<a href="#">s98, LGA 2002</a>	<a href="#">s98(2), LGA 2002</a>	<a href="#">s98(3)-(6), LGA 2002</a>	<a href="#">s98(3)-(6), LGA 2002</a>	Y		

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Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020 – Non-Compliance
		The purposes of an annual report are to compare the actual activities and the actual performance of the local authority and  to promote the local authority’s accountability to the community.	Made publicly available within 1 month of adoption.	Completed and adopted within 4 months of the end of the financial year.			
	<a href="#">§99(1), LGA 2002</a>	It must contain the Auditor-General’s report on <a href="#">Part 3 of Schedule 10, LGA 2002</a> parts as follows:  <a href="#">24</a> <a href="#">Capital expenditure for groups of activities</a> <a href="#">29</a> <a href="#">Financial statements</a> <a href="#">30</a> <a href="#">Funding impact statement</a>  Any other compliances with the requirements of Schedule 10 that are applicable to the annual report	<a href="#">§98(3)-(6), LGA 2002</a>  Made publicly available within 1 month of adoption.	<a href="#">§98(3)-(6), LGA 2002</a>  Completed and adopted within 4 months of the end of the financial year.  <a href="#">§98(4)-(6), LGA 2002</a>  Made publicly available within 1 month after adoption of annual report.	Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020 – Non-Compliance
	<ul style="list-style-type: none"> <li>Part 3 of Schedule 10, LGA 2002</li> </ul>	<p><a href="#">23</a> <a href="#">Groups of activities</a></p> <p><a href="#">24</a> <a href="#">Capital expenditure for groups of activities</a></p> <p><a href="#">25</a> <a href="#">Statement of service provision</a></p> <p><a href="#">26</a> <a href="#">Funding impact statement for groups of activities</a></p> <p><a href="#">27</a> <a href="#">Internal borrowing</a></p> <p><a href="#">28</a> <a href="#">Council-controlled organisations</a></p> <p><a href="#">29</a> <a href="#">Financial statements</a></p> <p><a href="#">30</a> <a href="#">Funding impact statement</a></p> <p><a href="#">30A</a> <a href="#">Rating base information</a></p> <p><a href="#">31</a> <a href="#">Reserve funds</a></p> <p><a href="#">31A</a> <a href="#">Insurance of assets</a></p> <p><a href="#">32</a> <a href="#">Remuneration issues</a></p> <p><a href="#">32A</a> <a href="#">Employee staffing levels, remuneration</a></p> <p><a href="#">33</a> <a href="#">Severance payments</a></p> <p><a href="#">34</a> <a href="#">Statement of compliance</a></p> <p><a href="#">34A</a> <a href="#">Additional information to included in annual report</a></p>	<p>s98(3)-(6), LGA 2002</p> <p>Made publicly available within 1 month of adoption.</p>	<p><a href="#">s98(3)-(6), LGA 2002</a></p> <p>Completed and adopted within 4 months of the end of the financial year.</p> <p><a href="#">s98(4)-(6), LGA 2002</a></p> <p>Made publicly available within 1 month after adoption of annual report.</p> <p><a href="#">s98(4)-(6), LGA 2002</a></p> <p>Made publicly available within 1 month after adoption of annual report.</p>	Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020 – Non-Compliance
		<a href="#">unitary authority with local boards</a> <a href="#">34B Additional information: R schemes</a> <a href="#">35 General</a>					
	<ul style="list-style-type: none"> <li><a href="#">s261B, LGA 2002 Non-financial performance measures rules 2013, DIA</a></li> </ul>	The DIA <a href="#">Non-financial performance measures rules 2013</a> regulations specify the 19 mandatory performance measures for local authorities across the five core activities of water, sewerage, stormwater, flood protection and roads.			Y		
	<a href="#">Local Government (Financial Reporting and Prudence) Regulations 2014</a>	Financial reporting and financial prudence regulations.			Y		
Annual Report Summary	<ul style="list-style-type: none"> <li><a href="#">s98 (4)(5)(6) LGA 2002</a></li> <li><a href="#">s99(2), LGA 2002</a></li> </ul>	Must contain the Auditor-General’s report on whether the summary represents, fairly and consistently, the information	<a href="#">s98(4)-(6), LGA 2002</a> Made publicly available within 1 month of adoption.		Y		

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020 – Non-Compliance
		regarding the major matters dealt with in the annual report.					

## Building

Building (Accreditation of Building Consent Authorities) Regulations 2006

Building Act 2004

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Building Consent Authority (BCA) Accreditation	<a href="#">s212, BA 2004</a> <a href="#">s215, BA 2004</a>	The Authority must apply for and gain accreditation, be registered as a building consent authority, and	Any significant change of the BCA, managers, employees, functions, policies,	Must notify MBIE within 20 working days	N/A	ORC's current Certificate of Accreditation was	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
and Registration	<a href="#">Building (Accreditation of Building Consent Authorities) Regulations 2006</a>	<p>maintain accreditation and registration at all times.</p> <p>The criteria and standards for accreditation as BCA are:</p> <p><a href="#">Requirements for policies, procedures, and systems</a></p> <p><a href="#">Building consent authority's decisions under 6 policies, procedures, and systems</a></p> <p><a href="#">7 Performing building control functions</a></p> <p><a href="#">8 Ensuring enough employees and contractors</a></p>	procedures or systems under <a href="#">s6A, B(ABCA)R 2006</a>			<p>issued on 31 August 2020.</p> <p>BCA functions were transferred to Ecan in 2021. No longer the authority responsible for granting building consents for dams etc..</p>	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
		<p><a href="#">9 Allocating work to competent employees or contractors</a></p> <p><a href="#">10 Establishing and assessing competence of employees</a></p> <p><a href="#">11 Training employees</a></p> <p><a href="#">12 Choosing and using contractors</a></p> <p><a href="#">13 Ensuring technical leadership</a></p> <p><a href="#">14 Ensuring necessary technical resources</a></p> <p><a href="#">15 Keeping organisational records</a></p> <p><a href="#">16 Filing applications for building consents</a></p> <p><a href="#">17 Assuring quality</a></p>					



Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
		18 <a href="#">Requiring technical qualifications</a>					
Building consents and certificates in accordance with the Building Act 2004	<a href="#">s14F(b), BA2004</a>	<ul style="list-style-type: none"> <li>Information about buildings <a href="#">s216, BA 2004</a></li> <li>Building consents <a href="#">s12, BA2004</a></li> <li>Code compliance certificates <a href="#">s91, BA2004,</a></li> <li>Certificate of acceptance <a href="#">s96, BA2004,</a></li> <li>Certificate of public use <a href="#">s363A, BA2004</a></li> </ul>	<a href="#">s217, BA 2012</a> A person has access to the BCA information held under <a href="#">s216, BA 2004</a> by the Authority	As required for the issue of each consent or certificate	N/A	<p>BCA functions were transferred to Ecan in 2021. No longer the authority responsible for granting building consents for dams etc..</p> <p>Certificate of Acceptance (s96) functions not transferred – however, Ecan or another qualified provider are contracted on an application by application basis to ORC to provide the service.</p>	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Audit of building consents for purpose of ascertaining payment of levy	<a href="#">s64, BA 2004</a>	Records of building consents granted must include the estimated value of the building work, the amount of levy payable, the date of payment of levy to the Authority.	Records must be provided to the CE of MBIE on request.	An Authority must comply immediately upon request.	N/A	BCA functions were transferred to Ecan in 2021. No longer the authority responsible for granting building consents for dams etc..	
Register of dams	<a href="#">s151, BA 2004</a>	Regional authorities must establish and maintain a register of dams in its district	<a href="#">s152, BA 2004</a> Regional authorities must provide information to the CE of MBIE in accordance with the regulations.	N/A	Y	Not Transferred	
Policy on dangerous dams, earthquake-prone dams, and flood-prone dams	<a href="#">s161, BA 2004</a>	The policy must state information about how the RC will perform its functions, its priorities and application to heritage dams	<a href="#">s162, BA 2004</a> The policy must be adopted using the special consultative procedure. A copy of the policy must be sent to the CE of MBIE	<a href="#">s162, BA 2004</a> Review within 5 years of adoption and then at intervals of not more than 5 years.	N	Not transferred - Review/update is overdue, however any review is frustrated by the absence of government regulations which are needed to fully define "dangerous	N - Review/update is overdue, however any review is frustrated by the absence of government regulations which are

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
						dam". Promulgation of the necessary regulations has been delayed numerous times by successive governments. We are awaiting advice from officials on the proposed timeframe.	needed to fully define "dangerous dam". Promulgation of the necessary regulations has been delayed numerous times by successive governments. We are awaiting advice from officials on the proposed timeframe.

## Civil Defence Emergency Management

### Civil Defence Emergency Management Act 2002

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Civil defence emergency management group plan. Every local authority must be a member of a Civil Defence Emergency Management Group	<a href="#">§13, CDEMA 2002</a> <a href="#">§17 CDEMA 2002</a> <a href="#">§48-57, CDEMA 2002</a> Every Civil Defence Emergency Management Group must prepare and approve a civil defence emergency management group plan.	<a href="#">§49, CDEMA 2002</a> The plan includes the following and must have written guidelines re: <ul style="list-style-type: none"> <li>• councils involved</li> <li>• hazards and risks</li> <li>• management and recovery</li> <li>• objectives of plan</li> <li>• area of group</li> <li>• liabilities</li> <li>• arrangements for declaring a state of emergency</li> <li>• local transition period</li> <li>• co-operation/co-ordination with other groups</li> <li>• timeframe for plan</li> </ul>	Before making the plan, public notice and submission period must occur <a href="#">§52, CDEMA 2002</a>  A proposed plan is to be sent to the Minister of Civil Defence and Emergency Management, and must allow them 20 days to comment. <a href="#">§49, CDEMA 2002</a>	Every 5 years  <a href="#">§56, CDEMA 2002</a>	Y		

		The plan must not be inconsistent with national civil defence or other strategies or standards <a href="#">s53, CDEMA 2002</a>					
Plan and provide for civil defence emergency management	<a href="#">S64 CDEMA 2002</a>	A local authority must plan and provide for civil defence emergency management within its district and ensure that it is able to function to the fullest possible extent, even though this may be at a reduced level, during and after an emergency.	NA	NA	Y		

**COVID-19 Response (Urgent Management Measures) Legislation Act 2020**

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
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<p>Amendments to the requirements to be physically present for meetings and making meetings and documents “open” to the public.</p>	<p><a href="#">Parts 3 &amp; 4 C-19 RUMMLA 2020</a></p>	<p>A member of local authority can attend meetings through audio or audiovisual link whether or not the standing orders allow for this. This also applies to local authority committees and CDEM Groups.</p> <p>Members who attend in this way are counted present for the purposes of a quorum.</p> <p>Meetings are “open to the public” by livestreaming and making the recording and written summary of the meeting available as soon as practicable after the meeting.</p> <p>Agendas, reports and minutes can be made publicly available on websites alone.</p>	<p>Modifications to legislation while epidemic notice is in force:</p> <p>s25A LGA 2002</p> <p>Schedule 7 LGA 2002</p> <p>S46A, 46B, 47A, 51AA LGOIMA 1987</p>	<p>The clause is repealed when Epidemic Preparedness (COVID-19) Notice 2020 (including renewals) expires or is revoked.</p> <p><a href="#">S8 C-19RUMMLA 2020</a></p>	<p>Y</p>	<p>No amendment to the Standing Orders was required as the Epidemic Preparedness Notices 2020 (including renewals) overrode anything to the contrary in such Standing Orders.</p>	
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## Elections

### Local Government Act 2002

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Pre-election report	<a href="#">s99A, LGA 2002</a>	<p><a href="#">s99A(6), LGA 2002</a>A pre-election report must not contain a statement by, or a photograph of, an elected member of the local authority.</p> <p><a href="#">s99A(5), LGA 2002</a>The purpose of a pre-election report is to provide information to promote public discussion about the issues facing the local authority.</p> <p><a href="#">s36 of Schedule 10, LGA 2002</a></p>		A pre-election report must be completed and published no later than the day that is 2 weeks before the nomination day for a triennial general election of members of a local authority under the Local Electoral Act 2001.	N/A	N/A for 2020/21 period – next election is in 2022	



Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
		<p>For Authorities with population &gt;20k people, it must include:</p> <p>3 yrs data before the election:</p> <ul style="list-style-type: none"> <li>• funding impact statement</li> <li>• summary balance sheet</li> <li>• a statement that compares rates information, returns on investment</li> </ul> <p>3 yrs data after the election:</p> <ul style="list-style-type: none"> <li>• funding impact statement</li> <li>• summary forecast balance sheet</li> <li>• major projects planned</li> </ul> <p><a href="#">s37 of Schedule 10, LGA 2002</a></p> <p>For TAs with population &lt;20k people, it must include:</p> <p>1 yr data before the election:</p> <ul style="list-style-type: none"> <li>• funding impact statement</li> <li>• summary balance sheet</li> </ul>					

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
		<ul style="list-style-type: none"> <li>a statement that compares rates information, returns on investment</li> </ul>					

Local Electoral Act 2001

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Public notice of an election or poll	<a href="#">s52, LEA 2001</a>	<ul style="list-style-type: none"> <li>Date of election or poll</li> <li>Local government area</li> <li>Electoral officers</li> <li>Electoral system</li> <li>Voting method</li> <li>Other information required by the <a href="#">regulations</a></li> </ul> Other information in <a href="#">s53</a> and <a href="#">54, LEA 2001</a>	Must not be given later than 28 days before the electoral roll closes or when nominations are received	N/A	N/A	N/A for 2020/21 period – next election is in 2022	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Public notice of procedures for enrolment as ratepayer on electoral roll	<a href="#">s39, LEA 2001</a>	<ul style="list-style-type: none"> <li>Public notice of the qualifications and procedures for enrolment or nomination as a ratepayer elector.</li> </ul>	It must be given during the month of May in each year in which a triennial general election is held	N/A	N/A		
Public notice that an electoral roll is available for inspection	<a href="#">s42, LEA 2001</a>	Public notice of the place or places where the roll is kept	The roll must be open for public inspections not less than 28 days before the closing of the roll	N/A	N/A		
Further notice to electors of election or poll	<a href="#">s65, LEA 2001</a>	<ul style="list-style-type: none"> <li>Date of election or poll</li> <li>Day and time voting period begins and ends</li> <li>Electoral system</li> <li>Voting method</li> <li>Number of vacancies to be filled</li> <li>Names and affiliations of the candidates</li> </ul>	As soon as practicable after the close of nominations or the closing of the electoral roll	N/A	N/A		
Return of electoral donations and expenses to be open for public inspection	<a href="#">s112F, LEA 2001</a>	The electoral officer must keep every return filed.	Every return must be published, be made available for public inspection, and given upon request (subject to any charges)	Records must be kept for 7 years	Y		

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Public notice of election or poll result	<a href="#">s86, LEA 2001</a>	Declaration of the official result	As soon as possible after special votes and all valid votes have been counted	N/A	N/A		
Public notice of right to demand poll on electoral system	S28,LEA 2001	Notice the electors of the ORC have a right to demand a poll on the electoral system to be used for ORC elections	Public may demand a poll by 21 February 2021		Y	On 26 August 2020, Council resolved to retain the FPP system for 2022 elections.  Public notice was given of the right for electors to demand a poll on the electoral system to be used for ORC elections.	

## Employer Responsibilities

### Health and Safety at Work Act 2015

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Duty to notify notifiable event	<a href="#">s56, HSWA 2015</a>	The details of the event must be provided.	The regulator (Worksafe or other regulator) is to be notified of the event by telephone or in writing.	N/A	Y	No notifiable events	
Records of notifiable events must be kept	<a href="#">s57, HSWA 2015</a>	Records of each notifiable event.		Records must be kept for 5 years.	Y		

### Local Government Act 2002

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Personnel Policy that complies with the principle of being a good employer	<a href="#">Cl36 Sch 7 LGA 2002</a>	Sets out the fair and proper treatment of employees as per the details in <a href="#">Cl36(2)&amp;(3)</a>	Not stated	Not stated	Y	A number of HR policies such as (but not limited to) the Equal Employment Opportunities Policy, Working Better Together Policy (bullying	

						and harassment policy), Recruitment and Selection Policy, Performance Management and Disciplinary Policy, Health and Safety Policies and Remuneration policy ensure compliance with this requirement.	
Equal Employment Policy	<a href="#">s40 LGA 2002</a>	Prohibited grounds for discrimination are in <a href="#">s105, Employment Relations Act 2000</a>  The Local Governance Statement for each council must have information on its equal employment policy.	Not stated	Not stated	Y		

## Environment

### Resource Management Act 1991

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
RMA data disclosures re the National Monitoring System information	<a href="#">s27, RMA 1991</a>	RMA data disclosures as required by the Minister for the Environment regarding details of how the RMA is being implemented.	Disclosure to the Ministry for the Environment	Within 20 working days of notice or as required. Current requirements are <a href="#">here</a>	Y	Annual reporting data was submitted	
Regional Council monitoring information	<a href="#">s28A, RMA 1991</a>	Provide data to the Minister of Conservation as reasonably required, re coastal permits, regional coastal plan, protected customary rights	Disclosure to the Minister of conservation	Within 20 working days of notice or as required.	Y	No requests received from Minister of Conservation	
Duty to gather information, monitor and keep records to carry out functions effectively under the Act	<a href="#">s35, RMA 1991</a>	As specified in <a href="#">s35, RMA 1991</a>	Information to be kept by local authorities is listed in <a href="#">s35(5), RMA 1991</a>  Every local authority must, compile and	Local authorities must make available to the public a review the results of its monitoring relating to <a href="#">s35(2)(b)</a> at	N	Council gathers specified information.	N - No review has been undertaken.

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
			make available to the public a review of the results of its monitoring under subsection (2)(b). <a href="#">s35(2A), RMA 1991</a>	intervals of not more than 5 years.		Subject to the below, no review has been undertaken.  A s35 review of the 2019 RPS was undertaken.	
Regional Policy Statements (RPS)	<a href="#">s30, RMA 1991</a> <a href="#">s60, RMA 1991</a>	Regional Councils are responsible under <a href="#">s61</a> for preparing and changing the RPS.  <a href="#">s62, RMA</a> specifies the content of the RPS.	As per <a href="#">Schedule 1</a>	See <a href="#">Schedule 1</a> for the preparation, change, and review of policy statements and plans.	N	The partially operative RPS has been reviewed and a new proposed RPS notified	N - Plans have not been reviewed within the timeframes required by the RMA – all are scheduled to be reviewed within the next 10 years
Regional Plans	<a href="#">s30, RMA 1991</a> <a href="#">s63, RMA 1991</a>	<a href="#">s66, RMA</a> specifies matters to be considered in Regional Council Plans.		See <a href="#">Schedule 1</a> for the preparation, change, and review of policy	N	Plans have not been reviewed within the timeframes required by the RMA – all are scheduled to be	N - Plans have not been reviewed within the timeframes required by



Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
				statements and plans.		reviewed within the next 10 years	the RMA – all are scheduled to be reviewed within the next 10 years
		<a href="#">s67, RMA</a> specifies the content of Regional Plans.	<a href="#">Schedule 1</a> specifies the notification and consultation process for the preparation and change of Regional Plans.	See <a href="#">Schedule 1</a> for the preparation and change of Regional Plans.	N	Plans have not been reviewed within the timeframes required by the RMA – all are scheduled to be reviewed within the next 10 years  The Water Plan has been amended to incorporate some NPSFM 2020.	N - Plans have not been reviewed within the timeframes required by the RMA – all are scheduled to be reviewed within the next 10 years
Regional Coastal Plans	<a href="#">s30, RMA 1991</a> <a href="#">s64, RMA 1991</a>		<a href="#">Schedule 1</a> specifies the notification and consultation process for the preparation and change of Regional Coastal Plans.	See <a href="#">Schedule 1</a> for the preparation and change of Regional Coastal Plans.	N		N

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
			Regional councils are responsible for adopting proposed Regional Coastal Plans under <a href="#">Schedule 1, clause 18</a> . The Minister of Conservation is responsible for approving them under <a href="#">Schedule 1, clause 19</a> .				
Incorporate regulations by the Governor General, by Order in Council prescribing national environmental standards	<a href="#">s43, RMA 1991</a> <a href="#">s35(2)(a), RMA 1991</a> <a href="#">s35(2AA), RMA 1991</a>	National environmental standards as prescribed by the Governor-General:  (a) for the matters referred to in <a href="#">section 9</a> , <a href="#">section 11</a> , <a href="#">section 12</a> , <a href="#">section 13</a> , <a href="#">section 14</a> , or <a href="#">section 15</a> , including, but not limited to—	Local authorities are required to provide information gathered under sections <a href="#">35</a> and <a href="#">35A</a> to the Minister, and prescribing the content of the information to be provided and the manner in which, and time limits by which, it must be provided. <a href="#">s360(1)(hk) &amp;(hl), RMA 1991</a>		Y	Compliance - Resource Management (National Environmental Standards for Air Quality) Regulations 2004	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
		(i) contaminants: (ii) water quality, level, or flow: (iii) air quality: (iv) soil quality in relation to the discharge of contaminants: (b) standards for noise: (c) standards, methods, or requirements for monitoring.					
Evaluation reports	<a href="#">s32, RMA 1991</a>	Evaluation reports must be prepared for any regulation plan or change under the RMA.  It must include an evaluation of the proposal against its objectives.	It must be made available for public inspection as soon as practicable after the proposal is made (in the case of a standard, regulation, national policy statement, or New Zealand coastal policy statement); or at the	Requirements for undertaking and publishing further evaluations are in <a href="#">s32AA, RMA 1991</a>	Y	Most recently, PC6AA, PC7, PC8 and 2019 RPS have had s32's. Part of the process for requesting council approval to notify is for them to also approve the s32.	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
			same time as the proposal is notified.				

Maritime Transport Act 1994

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Regional Oil Spill Contingency Plan	S288 <a href="#">Maritime Transport Act 1994</a>	A regional marine oil spill contingency plan is to promote a planned and regionally co-ordinated response to any marine spill	Consultation with the Department of Conservation, tangata whenua, other stakeholders as appropriate  <a href="#">S291 MTA 1994</a>	Every 3 years  <a href="#">S209 MTA 1994</a>	Y	Council's Regional Marine Oil Spill Contingency Plan was approved on 26 July 2021.	

## Financial Management

### Local Government Act 2002

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Financial Strategy	<a href="#">s101A, LGA 2002</a>	<p>Part of the LTP. The strategy must include a statement of factors that are expected to have a significant impact on the council in the consecutive years covered by the strategy.</p> <p>It must include information on rate increases and borrowing, meet levels of service, and information on securities.</p>			Y	Included in ORC's LTP	
Infrastructure Strategy	<a href="#">s101B, LGA 2002</a>	Part of the LTP. The infrastructure strategy must be for			Y	Flood protection, control works and assets are maintained, repaired and	

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
		<p>a period of at least 30 years.</p> <p>It must outline how infrastructure assets will be managed, projected capital and expenses, assumptions and other information</p>				renewed in line with ORC's Infrastructure Strategy	
Revenue and Financing Policy	<a href="#">s103, LGA 2002</a> <a href="#">s102 LGA 2002</a>	The funding of operating expenses and capital expenditure as listed in s103(2)	Consultation must be done on a draft policy under <a href="#">s82, LGA 2002</a> , Principles of Consultation	<a href="#">s106(6)</a> Every 3 years	Y		
Liability Management Policy	<a href="#">s104, LGA 2002</a> <a href="#">s102 LGA 2002</a>	The management of borrowing and liabilities as listed in s104	Consultation must be done on a draft policy under <a href="#">s82, LGA 2002</a> , Principles of Consultation	<a href="#">s106(6)</a> Every 3 years	Y	The ORC has a Treasury Management Policy, which combines the Local Government Act requirement for local authorities to adopt a Liability Management	

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
						Policy and an Investment Policy	
Investment Policy	<a href="#">s105, LGA 2002</a> <a href="#">s102 LGA 2002</a>	The policies of investment mix, acquisition of new investments, how they are managed and reported, how risks are assessed and managed.	Consultation must be done on a draft policy under <a href="#">s82, LGA 2002</a> , Principles of Consultation	<a href="#">s106(6)</a> Every 3 years	Y	The ORC has a Treasury Management Policy, which combines the Local Government Act requirement for local authorities to adopt a Liability Management Policy and an Investment Policy	
Policy on the remission and postponement of rates on Māori freehold land	<a href="#">s102 LGA 2002</a> <a href="#">s108, LGA 2002</a>	The policy must state the objectives sought and criteria for remissions or postponement.	Consultation must be done on a draft policy under <a href="#">s82, LGA 2002</a> , Principles of Consultation	<a href="#">s108(4A)</a> Every 6 years	Y	Reviewed in March 2021	

## Governance

### Local Government Official Information Act 1987

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Meetings of local authorities to be publicly notified	<a href="#">S46 LGOIMA 1987</a>	The public notice must have dates, times and places that meetings are to be held.	<a href="#">S2 LGOIMA 1987</a> <b>publicly notified</b> means made known by means of a notice that—	Public notice must be given not more than 14 days and not less than 5 days before the end of every month.  If held on or after the 21 <sup>st</sup> day of the month, then public notice must be not more than 10 nor less than 5 working days before the day on which the meeting is to be held.	Y		



Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
			<p>(a) is made publicly available, until any opportunity for review or appeal in relation to the matter notified has lapsed, on the local authority’s Internet site; and</p> <p>(b) is published in at least—</p> <p>(i) 1 daily newspaper circulating in the region or district of the local authority; or</p> <p>(ii) 1 or more other newspapers that have a combined circulation in that region or district at least equivalent to that of a daily newspaper circulating in that region or district</p>	See <a href="#">s46(3)</a> for extraordinary or emergency meetings.			
Meeting agendas and reports	<a href="#">s45 LGOIMA 1987</a>	Meeting agendas and associated	Must be made available to members of the local authority and for public inspection	At least 2 working days prior to the meeting	Y	Available on ORC’s website	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
	<a href="#">s46A LGOIMA 1987</a>	reports, <a href="#">s46A LGOIMA 1987</a>  Definition of “meeting” is in <a href="#">s45 LGOIMA 1987</a>  Information can be withheld under <a href="#">ss5, 6 &amp; 7 LGOIMA 1987</a>					
Minutes of meetings	<a href="#">C128(1) Sch7, LGA 2002</a>	A local authority must keep minutes of its meetings. Minutes are a prima facie evidence of proceedings.	Not stated	Not stated	Y	Available on ORC’s website	

## Local Government Act 2002

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliance (Y/N)	Comment	2020- Non-Compliance
Code of Conduct for Elected Members	<a href="#">cl15, Sch7 LGA 2002</a>	The understandings and expectations adopted by the local authority about the manner in which members must conduct themselves.	Adoption must have occurred after LGA was enacted. Amendments require not less than 75% support of the members present.	COC must not be revoked but can be amended.	Y	Code of Conduct available on ORC's website.  The content of the Code is to be reviewed in 2022.	
Standing Orders	<a href="#">cl27 Sch7 LGA 2002</a>	Local authorities must adopt standing orders for the conduct of its meetings and committee meetings.	Adoption must have occurred after LGA was enacted. Amendments require not less than 75% support of the members present.	As required.	Y	Standing Orders 2019-2022 available on ORC's website	
Triennial Agreements	<a href="#">s15, LGA 2002</a>  s16, LGA 2002	All local authorities in a region must have an agreement for the co-ordination of responsibilities	Engagement and disclosure is to other councils and the minister as per ss 15 and 16	No later than 1 March after each triennial election	Y	Ratified by ORC – refer Report No OMF201912 dated 17 January 2020	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Local Governance Statement	<a href="#">s40, LGA 2002</a>	<p><a href="#">s40, LGA 2002</a> lists the information required</p> <p><a href="#">s48D, LGA 2002</a> unitary councils with one or more local boards need to provide additional information.</p>	Under s40(1), LGA 2002, statement must be publicly available.	<p>s.40(2)&amp;(3), LGA 2002</p> <p>A local authority must comply within six months after each triennial general election, and update it as appropriate.</p>	Y	Information required is on ORC's website: <a href="https://www.orc.govt.nz/our-council-our-region/our-council/local-governance-statement">https://www.orc.govt.nz/our-council-our-region/our-council/local-governance-statement</a>	

## Management

### Local Government Act 2002

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Significance and Engagement policy	<a href="#">s76AA, LGA 2002</a>	The policy must set out the Council's general approach, criteria, procedures, responses and	Councils must consult in accordance with <a href="#">s82, LGA 2002</a> when adopting or	<a href="#">s76AA(4), LGA 2002</a> The policy may be amended from time to time	Y	Council adopted its new Significance, Engagement and Māori	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
		<p>community engagement to issues, proposals, assets, decisions or activities which are significant or may have significant consequences.</p> <p><a href="#">s76AA(3), LGA 2002</a> It must list the assets considered by the Council to be strategic assets.</p>	<p>amending the policy. See <a href="#">s76AA(5)</a></p>			<p>Participation Policy ('He Mahi Rau Rika') on 27 October 2021</p>	
Delivery of Services, s17A reviews	<a href="#">s17A, LGA 2002</a>	<p><a href="#">S17A(4)</a> Reporting against delivery of services, cost-effectiveness for local infrastructure, public services, and performance of regulatory functions.</p>	<p><a href="#">s17A (8)&amp;(9) LGA 2002</a> Information to be made publicly available.  Council must make decisions in accordance with <a href="#">s.76, LGA 2002</a> including</p>	<p>A review must be undertaken in conjunction with consideration of any significant change to relevant service levels;</p>	Y	<p>A joint s17A review was carried out by all TA's and was completed in 2017.</p>	

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
			consideration of community views under <a href="#">s78, LGA 2002</a> .	within 2 years before the expiry of any contract relating to that service; and not later than 6 years following the last review; subject to exceptions in s17A(2) and s17A(3)			

## Rates

### Local Government (Rating) Act 2002

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Rating Information Database	<a href="#">s27, LG(R)A 2002</a>	<p><a href="#">s27(4) to (6), LG(R)A 2002</a></p> <p>The database must include:</p> <ul style="list-style-type: none"> <li>all information that relates to each rating unit</li> <li>rating category</li> <li>category for targeted rate</li> <li>other matters under <a href="#">s117K, Part 1 and Part 2</a></li> <li>It must be searchable by address or reference number</li> </ul>	The rating information must be available for inspection, <a href="#">s28, LG(R)A</a>	The local authority must, during the month of May, give public notice that the rating information database is available for inspection and of the place and times it may be inspected, <a href="#">s28(4), LG(R)A</a>	Y		
Rates records	<a href="#">s37, LG(R)A</a>	Rates records must show:	Rates records must be kept and maintained.	N/A	Y		

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
		<ul style="list-style-type: none"> <li>the rates liability for each rating unit</li> <li>other matters under <a href="#">s117K</a>,</li> </ul>					
Notice of rates assessment	<a href="#">s44, LG(R)A</a>	<a href="#">s45, LG(R)A</a> specifies the contents of a rates assessment.	It must be delivered to a ratepayer to give them notice of payment.  Notification details are in <a href="#">s136, LG(R)A</a>	Delivery must be either before or at the same time as the rates invoice in accordance with <a href="#">s48, LG(R)A</a>	Y		
Rates invoice	<a href="#">s46, LG(R)A</a>	The contents of a rates invoice are specified in <a href="#">s46, LG(R)A</a>	<a href="#">s46(1), LG(R)A</a>  The local authority must deliver to the ratepayer a rates invoice for the rating unit for that period.	Delivery must be at least 14 days before the payment is due <a href="#">s48, LG(R)A</a>	Y		



Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
			Notification details are in <a href="#">s136, LG(R)A</a>				
Procedure for setting rates	<a href="#">s23, LG(R)A</a> <a href="#">s24, LG(R)A</a>	<p>Rates must:</p> <ul style="list-style-type: none"> <li>• be set by council resolution</li> <li>• relate to a financial year or part of financial year</li> <li>• be in accordance with the LTP and funding impact statement</li> </ul> <p>The resolution must state:</p> <ul style="list-style-type: none"> <li>• state the applicable financial year</li> <li>• the date(s) that the rate must be paid</li> </ul>	Within 20 working days after making a resolution, the resolution must be made publicly available on an Internet site maintained by it or on its behalf to which the public has free access.	Prior to the financial period to which the rate applies.	Y	Rates resolution has been adopted by Council for the 2021/22 financial year	

**Transport**  
**Land Transport Management Act 2003**

Document(s)	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Regional Land Transport Plans	<a href="#">§13 LTMA 2003</a>	That the Regional Transport Committee prepares a regional land transport plan that takes into account the objectives and purpose of the Act, energy efficiency and conservation strategies and national policy statements,		Every 6 years	Y	New Regional Land Transport Plan in effect as of 1 July 2021	
Regional Public Transport Plans	<a href="#">§119 LTMA 2003</a>	A regional council must have a regional public transport plan. Content is listed in <a href="#">§120 LTMA 2003</a>	Consultation requirements set out in <a href="#">§125 LTMA</a>  Notice of adoption or variation must be given in relevant newspaper and other parties		Y	Regional Public Transport Plan 2021 in effect as of 1 July 2021	

			notified as outlined in <a href="#">s121 LTMA 2003</a>				
Policy on significance variations to, and activities included in, regional land transport plans	s106 LTMA 2003	Variations made to regional land transport plans and activities that are included in the land transport plan			Y	Addendums to the RLTP are to be included in ORC's website. New RLTP became effective on 1 July 2021 and no variations to the document sought to date.	

### Treaty of Waitangi

#### Local Government Act 2002

Document	Statute	Content	Engagement and/or Disclosure	Review Period and/or Deadline	Compliant (Y/N)	Comment	2020- Non-Compliance
Policies for liaising with Maori. (Consultation requirement across all	s40(1)(i) <a href="#">LGA 2002</a>	The Local Governance statement must have policies for liaising with and memoranda or agreement with	This policy is required under the requirements for the Local Governance Statement	Not stated	Y	Refer LTP.  New Significance, Engagement and Māori Participation Policy ('He Mahi Rau	

decision making including LTP)		Maori. s40(1)(i) <a href="#">LGA 2002</a>				Rika') adopted in October 2021	
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## Appendix One – List of public Acts covered by this Register

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
1.	<a href="#">Biosecurity Act 1993</a>	The Biosecurity Act 1993 allows regional councils to control pests by developing pest management strategies (sections 71 to 83). These set out the objectives of the strategy, the pests to be managed or eradicated and the methods of management.	28 October 2021
2.	<a href="#">Building Act 2004</a>	<p>Territorial authorities (and some Regional Councils are Building Consent Authorities. They issue building consents and undertake building inspections under the Building Act 2004, but have no role in setting building standards and cannot set higher or lower building standards than the Building Code.</p> <p>Regional Councils are Building Consent Authorities for dams, which usually require resource as well as building consent.</p> <p>The Act includes provisions relating to residential pool safety.</p>	15 November 2021
3.	<a href="#">Building (Earthquake-prone Buildings) Amendment Act 2016</a>	This Act amends the Building Act 2004 with special provisions for earthquake-prone buildings (including powers of regional councils in respect of dangerous dams).	1 July 2017
4.	<a href="#">Bylaws Act 1910</a>	An Act to make better provision for the validity of bylaws.	1 July 2013
5.	<a href="#">Civil Defence Emergency Management Act 2002</a>	Requires local authorities to co-ordinate, through regional groups, planning, programmes, and activities related to civil defence emergency management across the areas of reduction, readiness,	15 November 2021

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
		response, and recovery, and encourage co-operation and joint action within those regional groups. Provides a basis for the integration of national and local civil defence emergency management planning and activity through the alignment of local planning with a national strategy and national plan.	
6.	<a href="#">Climate Change Response Act 2002</a>	Local authorities are subject to the Kyoto Protocol.	3 November 2021
7.	<a href="#">Conservation Act 1987</a>	Section 35 stipulates that, "A local authority may make contributions out of its general fund or account for the management, improvement, or maintenance of any conservation area even if the area is outside its district."	28 October 2021
8.	<a href="#">Copyright Act 1994</a>		7 August 2020
9.	<a href="#">Crimes Act 1961</a>		6 November 2021
10.	<a href="#">Crown Pastoral Land Act 1998</a>	Concerns crown owned land where local authorities have an interest.	28 October 2021
11.	<a href="#">Defence Act 1990</a>	There are security provisions in the Act for any state of emergency declared under the Civil Defence Emergency Management Act 2002.	28 October 2021
12.	<a href="#">Electoral Act 1993</a>	Enables electoral officers of local authorities to obtain from the Electoral Commission certain specified information required for any election, by-election or poll required by, or under, any Act.	1 July 2021
13.	<a href="#">Environmental Reporting Act 2015</a>	The Governor-General may make environmental reporting regulations for local authorities to comply with.	28 October 2021

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
14.	<a href="#">Evidence Act 2006</a>	The purpose of this Act is to help secure the just determination of proceedings.	28 October 2021
15.	<a href="#">Fencing Act 1978</a>	An Act to reform the law relating to the erection and repair of dividing fences.	28 October 2021
16.	<a href="#">Fire and Emergency New Zealand Act 2017</a>	Fire services were unified under this Act. It established Fire and Emergency New Zealand whose functions are to promote fire safety and the safe use of fire, provide fire prevention.	28 October 2021
17.	<a href="#">Health and Safety at Work Act 2015</a>	Provides for a balanced framework to secure the health and safety of workers and workplaces. Regard must be had to the principle that workers and other persons should be given the highest level of protection against harm to their health, safety, and welfare from hazards and risks arising from work or from specified types of plant as is reasonably practicable.	28 October 2021
18.	<a href="#">Heritage New Zealand Pouhere Taonga Act 2014</a>	The purpose of this Act is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. Heritage New Zealand Pouhere Taonga may make recommendations to the local authorities that have jurisdiction in the area where the historic area is located, as to the appropriate measures that those local authorities should take to assist in the conservation and protection of the historic area.	28 October 2021
19.	<a href="#">Human Rights Act 1993</a>	An Act to provide better protection of human rights in New Zealand in general accordance with United Nations Covenants or Conventions on Human Rights.	1 December 2020

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
20.	<a href="#">Land Drainage Act 1908</a>	The Act confers on local authorities the same powers with respect to cleaning, repairing or other maintenance as were had by elected drainage (and river) boards. Local authorities may order the removal of obstructions to waterways and dams, and may also be compelled to do so by individuals.	12 November 2018
21.	<a href="#">Land Transport Act 1998</a>	An Act to promote safe road user behaviour and vehicle safety; and to provide for a system of rules governing road user behaviour, the licensing of drivers, and technical aspects of land transport, and to recognise reciprocal obligations of persons involved; and to consolidate and amend various enactments relating to road safety and land transport; and to enable New Zealand to implement international agreements relating to road safety and land transport. Local authorities are Enforcement Authorities under the Land Transport Act.	3 November 2021
22.	<a href="#">Land Transport Management Act 2003</a>	The Act manages the process of developing and maintaining land transport systems to achieve “an affordable, integrated, safe, responsive, and sustainable land transport system” (section (3)(1)). This largely affects regional councils and unitary authorities, who must ensure the production, by a regional transport committee, of a regional land transport programme. The Act directs where funds are disbursed through Regional Land Transport Strategies. It also confers various powers on regional councils: standard setting for commercial public transport services; regulation of commercial public transport services; requirements for public transport services to be provided under contract by the council.	28 October 2021



	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
23.	<a href="#">Legislation Act 2019</a>	The purpose of this Act is to promote high-quality legislation for New Zealand that is easy to find, use, and understand. It provides definitions of terms where not elsewhere provided for.	28 October 2021
24.	<a href="#">Local Authorities (Members' Interests) Act 1968</a>	The Act consolidates and amends the law relating to the making of contracts between local authorities and the members thereof, and to the restrictions on the actions of such members when matters in which they have a pecuniary interest are under consideration.	28 October 2021
25.	<a href="#">Local Electoral Act 2001</a>	The purpose of this Act is to modernise the law governing the conduct of local elections and polls.	28 October 2021
26.	<a href="#">Local Government Members (2021/22) Determination 2021</a>	A remuneration determination for elected members of local government.	Came into force on 1 July 2021
27.	<a href="#">Local Government (Rating) Act 2002</a>	Promotes the purpose of local government set out in the Local Government Act 2002 by providing local authorities with flexible powers to set, assess, and collect rates to fund local government activities; ensures that rates are set in accordance with decisions that are made in a transparent and consultative manner; and provides for processes and information to enable ratepayers to identify and understand their liability for rates.	28 October 2021
28.	<a href="#">Local Government Act 1974</a>	Residual regulatory powers – sewerage and stormwater, waste management. Continues to confer bylaw-making powers in various statutory areas.	28 October 2021
29.	<a href="#">Local Government Act 2002</a>	This Act establishes and empowers local authorities, confers local authorities with a power of general competence, empowers local	15 November 2021

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
		authorities to make bylaws, and prescribes how local authorities exercise their regulatory functions.	
30.	<a href="#">Local Government Borrowing Act 2011</a>	This Act facilitates the operation of the New Zealand Local Government Funding Agency Limited. It exempts the Funding Agency from certain regulatory or taxation criteria that would otherwise apply to it; and applies certain regulatory or taxation criteria to the Funding Agency that would otherwise not apply to it; and authorises local authorities to deal with the Funding Agency in a manner in which they would otherwise not be authorised to do so; and authorises or requires local authorities, in certain situations, to act in a manner in which they would otherwise not be authorised or required to act.	1 December 2014
31.	<a href="#">Local Government Official Information and Meetings Act 1987 (LGOIMA)</a>	Regulates the public availability of official information held by local authorities.	15 November 2021
32.	<a href="#">Maritime Transport Act 1994</a>	Local authorities are required to provide navigational aids inside the ports they operate. Regional councils are required to have and update regional oil spill plans and to notify the director of the Maritime Safety Authority regarding hazardous substances on ships, or substances being discharged from ships in their waters. The Act also confers bylaw-making powers and powers of investigation and enforcement (prosecution) for acts endangering safety.	16 November 2021
33.	<a href="#">Marine and Coastal Area (Takutai Moana) Act 2011</a>	If a customary marine title planning document is lodged with the local authority that has statutory responsibilities in the district or region where that title is located, the local authority must take the	28 October 2021

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
		planning document into account when making any decision under the LGA02 with respect to the customary marine title area.	
34.	<a href="#">National Parks Act 1980</a>	Local authorities may make contributions towards national park purposes.	28 October 2021
35.	<a href="#">NZ Bill of Rights Act 1990</a>	The Act affirms, protects, and promotes human rights and fundamental freedoms in New Zealand; and affirms New Zealand's commitment to the International Covenant on Civil and Political Rights	1 July 2013
36.	<a href="#">Oaths and Declarations Act 1957</a>	An Act to consolidate and amend certain enactments of the Parliament of New Zealand relating to oaths, affirmations, and declarations	1 March 2017
37.	<a href="#">Ombudsmen Act 1975</a>		15 November 2021
38.	<a href="#">Port Companies Act 1988</a>	An Act to promote and improve efficiency, economy, and performance in the management and operation of the commercial aspects of ports. To provide for the formation of port companies to carry out port related commercial activities and control the ownership thereof; and to establish requirements concerning the accountability and ownership of such companies and the responsibilities of Harbour Boards.	1 April 2021
39.	<a href="#">Privacy Act 2020</a>	Promotes and protect individual privacy, in particular, to establish certain principles with respect to the collection, use, and disclosure, by public and private sector agencies, of information relating to	8 October 2021

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
		individuals; and access by each individual to information relating to that individual and held by public and private sector agencies.	
40.	<a href="#">Private Security Personnel and Private Investigators Act 2010</a>	People offering private security and investigations under this Act can be authorised by local authorities as RMA enforcement officers.	7 August 2020
41.	<a href="#">Property Law Act 2007</a>	The purpose of this Act is to restate, reform, and codify (in part) certain aspects of the law relating to real and personal property.	3 November 2021
42.	<a href="#">Protected Disclosures Act 2000</a>	Promotes the public interest by facilitating the disclosure and investigation of matters of serious wrongdoing in or by an organisation; and protects employees who, in accordance with this Act, make disclosures of information about serious wrongdoing in or by an organisation.	7 August 2020
43.	<a href="#">Public Audit Act 2001</a>	This Act has the primary purposes of establishing the Controller and Auditor-General and the Deputy Controller and Auditor General as officers of Parliament and restating the law relating to the audit of public sector organisations and public entities, which includes local authorities.	1 December 2020
44.	<a href="#">Public Bodies Contracts Act 1959</a>	An Act to make provision for the making of contracts by local authorities and other public bodies	28 October 2021
45.	<a href="#">Public Bodies Leases Act 1969</a>	An Act to consolidate and amend the law relating to the powers of certain public bodies to lease land.	12 November 2018
46.	<a href="#">Public Records Act 2005</a>	Enhances public confidence in the integrity of public records and local authority records; and provides an appropriate framework	28 October 2021

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
		within which public offices and local authorities create and maintain public records and local authority records, as the case may be.	
47.	<a href="#">Public Works Act 1981</a>	This Act regulates the execution of public works, including by local government. The Act grants local authorities powers necessary to carry out public works, including (but not limited to) acquiring necessary land, managing compensation processes, conducting surveying and managing road traffic.	28 October 2021
48.	<a href="#">Queen Elizabeth the Second National Trust Act 1977</a>	An Act to commemorate the Silver Jubilee of Her Majesty Queen Elizabeth the Second by establishing a national trust to encourage and promote the provision, protection, and enhancement of open space for the benefit and enjoyment of the people of New Zealand.	28 October 2021
49.	<a href="#">Rates Rebate Act 1973</a>	An Act to make provision for the granting of rebates of rates payable in respect of certain residential properties.	28 October 2021
50.	<a href="#">Rating Valuations Act 1998</a>	Provides for the Valuer-General to be a statutory officer within Land Information New Zealand; and introduces contestability to the rating valuations market by assigning to the Valuer-General a regulatory rather than a participatory role in the preparation of district valuation rolls.	3 November 2021
51.	<a href="#">Remuneration Authority Act 1977</a>	The Authority reviews and sets local government sector remuneration.	28 October 2021
52.	<a href="#">Resource Management Act 1991</a>	The Resource Management Act confers significant powers and functions on local authorities concerning the regulation of activities relating to natural and physical resources. Local authorities are	26 November 2021

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
		required to prepare and implement plans and policy statements, and to process and adjudicate resource consent applications.	
53.	<a href="#">Search and Surveillance Act 2012</a>	The purpose of this Act is to facilitate the monitoring of compliance with the law and the investigation and prosecution of offences in a manner that is consistent with human rights. Has links to the Dog Control Act 1996; Animal Welfare Act 1999; Food Act 2014; Local Government Act 2002; Resource Management Act 1991; Sale and Supply of Alcohol Act 2012; Smoke-free Environments Act 1990; Waste Minimisation Act 2008	15 November 2021
54.	<a href="#">Secret Commissions Act 1910</a>	An Act for the prohibition of secret commissions.	7 November 2015
55.	<a href="#">Smokefree Environments and Regulated Products Act 1990</a>	The purposes of the Act includes reducing the exposure of people who do not themselves smoke to any detrimental effect on their health caused by smoking by others and prevent the normalisation of vaping.	28 October 2021
56.	<a href="#">Soil Conservation and Rivers Control Act 1941</a>	Some residual enabling clauses for local authorities and catchment, drainage and river boards to perform certain functions (for instance, purchasing plant and machinery) for soil conservation and river control purposes.	28 October 2021
57.	<a href="#">Summary Proceedings Act 1957</a>	This Act has the procedure for infringement offences and service of documents.	20 November 2021

	Public Act	Regulatory Responsibilities of Local Government	Reprint as at
58.	<a href="#">Treaty of Waitangi Act 1975</a>	An Act to provide for the observance, and confirmation, of the principles of the Treaty of Waitangi by establishing a Tribunal to make recommendations on claims relating to the practical application of the Treaty and to determine whether certain matters are inconsistent with the principles of the Treaty.	26 November 2021
59.	<a href="#">Walking Access Act 2008</a>	The Act enables controlling authorities (which can include local authorities, as appointed by the New Zealand Walking Access Commission) to enact bylaws to maintain walkways within their jurisdiction, and regulate their use.	28 October 2021
60.	<a href="#">Wildlife Act 1953</a>	The Minister can coordinate the policies and activities of local authorities that relate to the Act.	28 October 2021

## Appendix Two – List of legislative Instruments covered by this Register

Legislative Instrument	
1.	<a href="#">Building (Accreditation of Building Consent Authorities) Regulations 2006</a>
2.	<a href="#">Building (Fee for Determinations) Regulations 2005</a>
3.	<a href="#">Building (Forms) Regulations 2004</a>
4.	<a href="#">Building (Infringement Offences, Fees, and Forms) Regulations 2007</a>
5.	<a href="#">Building (Minor Variations) Regulations 2009</a>
6.	<a href="#">Building Practitioners (Complaints and Disciplinary Procedures) Regulations 2008</a>
7.	<a href="#">Building (Product Certification) Amendment Regulations 2019</a>
8.	<a href="#">Building (Product Certification) Regulations 2008</a>



**Legislative Instrument**

9. [Building \(Registration of Building Consent Authorities\) Regulations 2007](#)
10. [Building Regulations 1992](#)
11. [Building \(Specified Systems, Change the Use, and Earthquake-prone Buildings\) Regulations 2005](#)
12. [Civil Defence Emergency Management Regulations 2003](#)
13. [Health and Safety at Work \(General Risk and Workplace Management\) Regulations 2016](#)
14. [Local Electoral Regulations 2001](#)
15. [Local Government Members \(2021/2022\) \(Local Authorities\) Determination 2021](#)
16. [Local Government \(Financial Reporting and Prudence\) Regulations 2014](#)
17. [Maritime Rules – Part 91 – Navigation Safety Rules](#)

**Legislative Instrument**

18. [Rating Valuations \(Local Authority Charges\) Regulations 1999](#)
19. [Rating Valuations Regulations 1998](#)
20. [Resource Management \(Discount on Administrative Charges\) Regulations 2010](#)
21. [Resource Management \(Exemption\) Regulations 2017](#)
22. [Resource Management \(Forms, Fees, and Procedure\) Regulations 2003](#)
23. [Resource Management \(Discount on Administrative Charges\) Regulations 2010](#)
24. [Resource Management \(Infringement Offences\) Regulations 1999](#)
25. [Resource Management \(Marine Pollution\) Regulations 1998](#)
26. [Resource Management \(Measurement and Reporting of Water Takes\) Regulations 2010](#)

**Legislative Instrument**

27. [Resource Management \(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#)
28. [Resource Management \(National Environmental Standards for Air Quality\) Regulations 2004](#)
29. [Resource Management \(National Environmental Standards for Sources of Human Drinking Water\) Regulations 2007](#)
30. [Resource Management \(National Environmental Standards for Telecommunication Facilities\) Regulations 2016](#)
31. [Resource Management \(National Environmental Standards for Freshwater\) Regulations 2020](#)
32. [Resource Management \(National Environmental Standards for Plantation Forestry\) Regulations 2017](#)
31. Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021

### Updates to the Mandatory Register

Version	Update Log	Date
1.0	First release	02-02-2021
1.1	Second release	9-02-2022

Version 1.1

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### 7.3. CS2204 Audit and Risk Work Program

<b>Prepared for:</b>	Audit and Risk Subcommittee
<b>Report No.</b>	CS2204
<b>Activity:</b>	Governance Report
<b>Author:</b>	Nick Donnelly, General Manager Corporate Services
<b>Endorsed by:</b>	Nick Donnelly, General Manager Corporate Services
<b>Date:</b>	14 February 2022

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#### PURPOSE

- [1] The Audit and Risk Subcommittee is governed by its Terms of Reference which outline the purpose and responsibilities of the Subcommittee. This paper outlines the proposed work programme to be covered at Audit and Risk Subcommittee meetings in the 2022 calendar year to ensure the responsibilities outlined in the Terms of Reference are fulfilled.

#### RECOMMENDATION

*That the Audit and Risk Subcommittee:*

- 1) **Notes** this report.
- 2) **Endorses** the proposed work programme for the 2022 calendar year.

#### BACKGROUND AND DISCUSSION

- [2] It is intended to hold ordinary Subcommittee meetings quarterly in February, May, August and November 2022. An extraordinary meeting is proposed in September for the sole purpose of reviewing the Annual Report prior to it going to Council for adoption at the end of September 2022.
- [3] The responsibilities of the Subcommittee as outlined in the Terms of Reference are covered under the headings of:
- Audit and Reporting
  - Risk Management
  - Health and Safety
  - Investments
  - Legal Compliance
  - Other (any other matters referred by Council or the Finance Committee).
- [4] A proposed timetable to cover these matters is attached.
- [5] In previous years the August meeting was moved to September to align with the completion of the Annual Report. In 2021 it was further deferred as the Annual Report was not adopted until the end of October 2021. This meant there was an Audit and Risk Subcommittee meeting in May and then no further meetings until October and this was immediately followed by another meeting in November.
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- [6] This was not ideal in terms of managing the work program and in 2022 it is proposed to maintain a regular 3-monthly cycle of ordinary meetings and the Annual Report will be reviewed at an additional meeting. It is assumed this will occur in mid-September with the Annual Report going to Council for adoption at the end of September.
- [7] The work program is largely the same as previous years although a policy update item has been added to every meeting as that was resolved at the November 2021 meeting.
- [8] A meeting is included in November however that is post the local body elections and it is unlikely a new committee structure will be in place by that date, and it is more likely the first meeting of an Audit and Risk Subcommittee would be early in 2023.

## **CONSIDERATIONS**

### **Strategic Framework and Policy Considerations**

- [9] Not applicable.

### **Financial Considerations**

- [10] There are no financial considerations. The cost of the proposed work programme is included in existing budgets under the assumption it is completed by existing staff. No provision has been made for engagement of external consultants to undertake any of the work programme.

### **Significance and Engagement Considerations**

- [11] Not applicable.

### **Legislative and Risk Considerations**

- [12] There are no legislative or risk considerations in setting the work programme itself.
- [13] Specific pieces of work defined in the programme are included to ensure the Audit and Risk Subcommittee has oversight over various legislative requirements i.e., statutory reporting and audit requirements under the Local Government Act 2002 and health and safety requirements under the Health and Safety at Work Act 2015.
- [14] The Terms of Reference of the Audit and Risk Subcommittee include responsibility for maintaining oversight of Council's management of risk. Not having a defined work programme and not adhering to that programme increases the risk that the Audit and Risk Subcommittee will not fulfil its purpose and responsibilities including risk management.

### **Climate Change Considerations**

- [15] Not applicable.

### **Communications Considerations**

- [16] Not applicable.

**ATTACHMENTS**

1. Audit and Risk Work Programme 2022 [7.3.1 - 1 page]

AUDIT AND RISK SUBCOMMITTEE								
Purpose: To assist the ORC in fulfilling governance responsibilities relating to its financial, reporting, legislative, health and risk management practices.								
Terms of Reference	Responsibility	Comments / Agenda Items	Feb	May	Aug	Sep (Annual Report)	Nov	
Audit and Reporting	Review the external Auditor's audit plan, audit management letter and management response to any issues raised during the external audit	Audit plan presented prior to year end (Auditors to attend)		Auditors to attend				
		Audit management letter (Auditors to attend)				Auditors to attend		
		Management response (initial response November, follow up February if required)						
	Consider changes in accounting policies, standards or reporting requirements and make recommendations for Council adoption	Matters under consideration prior to year end						
		Oversee internal control processes and procedures including financial policies, delegations and sensitive expenditure.	As required					
		Review the draft Annual Report including the Statement of Service and Performance and Financial Statements and make recommendation for Council adoption.	Extraordinary A&R meeting week prior to adoption					
		Oversee any internal audit functions or reviews and consider any matters referred to it by that function	As required					
Risk Management	Ensure a corporate risk management framework is in place and review risk reports	Risk report (six monthly)						
	Review Council's insurance matters and annual renewal process	Insurance renewal prior to year end						
		Insurance disclosures (six monthly)						
Review Council's business continuity and disaster recovery matters	As required							
Safety and Wellbeing	Review Council's adherence to the Health and Safety at Work Act 2015 including monitoring health and safety performance, incidents and response	Safety and wellbeing quarterly report						
Investment	Review the performance of Council's investment portfolio including the long-term managed fund	Managed fund quarterly performance reports provided to each meeting (Fund Manager to report in person annually)			Fund Manager to attend			
	Oversee the performance of Council's investment manager including compliance of the managed fund with the Statement of Investment Policies and Objectives (SIPO)	As required						
	Review the Treasury Management Policy and SIPO and recommend changes to Council as required	As required						
	Oversee the Investment Manager appointment process and make recommendations to Council on that appointment	As required						
Legal Compliance	Review Council's adherence to legislation that affects Council	Legislative compliance and mandatory documents register						
		Corporate policy overview						
	Receive and consider updates on legislation that Council is required to operate under and/or enact	Report as legislation changes occur						
Other	Review any other financial matters referred to the Subcommittee by Council or the Finance Committee	As required						

Key: meeting this item will be covered in item as required or by request at any meeting



**7.4. CS2206 Corporate Policy Overview Report**

**Prepared for:** Audit and Risk Subcommittee  
**Report No.** CS2206  
**Activity:** Governance Report  
**Author:** Nick Donnelly, General Manager Corporate Services  
**Endorsed by:** Nick Donnelly, General Manager Corporate Services  
**Date:** 14 February 2022

**PURPOSE**

[1] To provide an update of Council’s organisational policies to the Audit and Risk Subcommittee.

**RECOMMENDATION**

*That the Audit and Risk Subcommittee:*

- 1) Notes this report.**

**BACKGROUND**

- [2] The Policy Review Group (PRG) was established in October 2020 to oversee Council’s internal organisational policies. This group meets quarterly and considers new policies and amendments to existing policies.
- [3] Since its establishment, the PRG has been through a process of standardising, simplifying, and amalgamating these policies, approving new policies and identifying where policy gaps existed.
- [4] An overview of this groups work, and a list of Council’s policies was provided to the Audit and Risk Subcommittee at their October 2021 meeting. The Subcommittee requested that the updated policy table was provide to subsequent Audit and Risk meetings.

**DISCUSSION**

[5] Following the previous update to Audit and Risk in October 2021, the PRG met on 17 November 2021. The following policies were discussed at the meeting:

<b>Policy</b>	<b>Action</b>
<b>Copyright Policy</b>	Approved
<b>Illness and Injury at Work Policy</b>	Under review
<b>Drug and Alcohol Policy</b>	In creation, with ELT presently
<b>Vehicle Policy</b>	Under review, to come to next PRG meeting Vehicle Use Policy and Smartrak Vehicles Policy will be incorporated into the Vehicle Policy
<b>Safe Driving Policy</b>	In creation, to come to next PRG meeting
<b>Procurement Policy</b>	Under review, to come to next PRG meeting Contract Management Policy will be incorporated

	into the Procurement Policy
<b>Fraud Policy</b>	Under review, to come to next PRG meeting
<b>IT Policy</b>	Under review, to come to next PRG meeting Mobile Phone Policy will be incorporated into the IT Policy
<b>Youth Engagement Policy</b>	In creation alongside graduate programme
<b>Drones Policy</b>	To be created
<b>Vaccination Policy</b>	Will sit outside the PRG, to go directly through ELT for approval.

- [6] An updated copy of the Policy Spreadsheet is attached. The policies are shown in two categories:
- Internal – organisational policies that mainly relate to how staff undertake their day-to-day activities and are approved by the Chief Executive.
  - Council – policies that specifically relate to Councillors and the Council and are approved by Council itself. These are generally policies that Council is required to have under the Local Government Act 2002.
- [7] Internal policies are sub-grouped into functional areas. Those shown in green have been through the PRG review process. Notes are included on other policies that are intended to be reviewed in the near future or are to be developed. This may include merger/amalgamation of policies in some instances.
- [8] The PRG is scheduled to meet again on 17 February 2022 and an update from that meeting will be provided to the May 2022 Audit and Risk Subcommittee meeting.

## CONSIDERATIONS

### Strategic Framework and Policy Considerations

[9] Not applicable.

### Financial Considerations

[10] Not applicable.

### Significance and Engagement Considerations

[11] Not applicable.

### Legislative and Risk Considerations

[12] Not applicable.

### Climate Change Considerations

[13] Not applicable.

### Communications Considerations

[14] Not applicable.

## ATTACHMENTS

1. ORC Policy Table - February 2022 [7.4.1 - 3 pages]

CORPORATE	Title	Description	Last Reviewed	Person Responsible	Status / Notes	Review Period	Next Review Date	To ELT	Where published	Reformatted
Legal	Official Information Policy and Procedure	Sets out ORC's approach to managing information held by the ORC to ensure compliance with the Local Government Official Information and Meetings Act 1987 (LGOIMA or Act).	Nov-20 PRG	Peter	Approved	Triennially	Dec-23	✓	Jostle, Crs, Website	✓
	Official Information Proactive Release Policy	To set out the high-level principles and guidelines for how the ORC can proactively publish official information online, including any responses to requests under the Local Government Official Information and Meetings Act 1987 (LGOIMA).	Nov-20 PRG	Peter	Approved	Triennially	Dec-23	✓	Jostle	✓
	Protected Disclosures Policy	This policy outlines the procedures to be followed in relation to protected disclosures under the terms of the Protected Disclosures Act 2000 (the Act).	Nov-20 PRG	Peter	Approved	Biennially	Dec-22	✓	Jostle	✓
	Trespass Policy	The purpose of this policy is to set out guidance on the types of trespass and the procedure for considering and issuing trespass notice on behalf of the Otago Regional Council ("Council")	Nov-20 PRG	Peter	Approved	Triennially	Dec-23	✓	Jostle	✓
	Customer Privacy Policy	For the control of our collection, use and disclosure of your personal information (as defined in the Privacy Act 2020).	Nov-20 PRG	Peter	Approved	Biennially	Dec-22	✓	Website, Jostle	✓
	Inhouse Privacy Policy	Part A: to outline the procedures that Council staff must follow to ensure its responsibilities under Council's Inhouse Privacy Policy and the Privacy Act 2020 ("the Act") are complied with. Part B: to provide a reference to staff on key considerations when carrying out the Council's internal procedure for notifiable privacy breaches.	Apr-21 PRG	Peter	Approved	Triennially	May-24	✓	Website, Jostle	✓
	Copyright Policy		Nov-21 PRG	Peter	Approved	Annually	Nov-22			
	Drones Policy		NEW	Peter	In creation (Nov-2021)					
Finance	Sensitive Expenditure Policy	This document sets out Council's policy around controlling 'sensitive expenditure'. 'Sensitive expenditure' in the context of this policy is expenditure which may provide, or has the potential to provide, or may be perceived as providing, a private benefit to an elected member or staff member.	Apr-21 PRG	Sarah	Approved	Annually	Apr-22		Jostle	✓
	Travel Policy	This document sets out Council's policy in relation to travel.	Apr-21 PRG	Sarah	Approved	Biennially	Apr-23	✓	Jostle	✓
	Procurement Policy	Sets out the core framework for the procurement of goods and service within ORC	Jun-20	Sarah	Review Feb-2022	Biennially	Jun-22		Jostle	✓
	- Contract Management	Will be incorporated into the Procurement Policy	NEW	Sarah	In creation (Nov-2021)					
	Fraud Policy	To identify that processes are in place to deal with fraudulent behaviour by anyone employed by, or elected to, the Otago Regional Council.	Jan-11	Sarah	Review Nov-2021 (Aug-2021)				Jostle	
	IT Policy	Provides guidelines for the use of technology and outlines expected behaviours when using IT systems.	Dec-14	Sarah	Review Nov-2021 (Aug-2021)				Jostle	
	- Mobile Phone Policy	Outlines the principles for mobile phone usage, security, and hardware that ORC staff agree to when using and mobile phone services provided by ORC.	Apr-16	Sarah	- Merge with IT Policy above				Jostle	
	Vehicle Policy	To provide a clear framework for the use of Council vehicles and personal vehicles, for business use, including the required processes, procedures and general expectations.	Aug-16	Sarah	Review Nov-2021 (Aug-2021)				Jostle	
	- Vehicle Use Policy	To promote a safe driving culture by encouraging sensible and safe use of ORC vehicles, thereby eliminating or reducing the number of motor vehicle incidents and injuries.	May-15	Sarah	- Merge with Vehicle Policy above				Jostle	
	- Smartrak Vehicle Policy	The Health & Safety in Employment Act recognises company (Council) vehicles as a place of work. Smartrak introduces another control to help ensure the safety of staff by enabling vehicles to be tracked to a location for prompt incident response. It also provides for the monitoring of driver behaviour which is outside the law and therefore potentially unsafe.	Jan-15	Sarah	- Merge with Vehicle Policy above				Jostle	
PEOPLE & CULTURE	Title	Description	Last Reviewed	Person Responsible	Status / Notes	Review Period	Next Review Date	To ELT	Where published	Reformatted
Employee Conduct and Welfare	Good Employer Policy Statement	We will ensure all employees understand why those affected by family violence may need to avail themselves of the entitlements provided by the Family Violence Act 2018 and acknowledge the reasons for providing support.	Mar-21 PRG	Nicole	Approved	Biennially	Mar-23	✓	Jostle	N/A
	Health, Safety and Wellbeing Policy Statement	The Otago Regional Council (ORC) sees health, safety and wellbeing as a cornerstone of how we do business. We are committed to providing a safe and healthy environment for all employees, contractors, volunteers and visitors who may take part in, or be impacted by our work.	Mar-21 PRG	Nicole	Approved	Biennially	Mar-23		Jostle	N/A
	Code of Conduct Policy	The purpose of this policy is to set out guidance on the types of trespass and the procedure for considering and issuing trespass notice on behalf of the Otago Regional Council ("Council")	Jun-21 PRG	Nicole	Approved	Biennially	Jun-23	✓	Jostle	✗
	Family Violence Policy	We will ensure all employees understand why those affected by family violence may need to avail themselves of the entitlements provided by the Family Violence Act 2018 and acknowledge the reasons for providing support.	Jun-21 PRG	Nicole	Approved	Biennially	Jun-23	✓	Jostle	✓
	Performance Management and Disciplinary Policy	The purpose of this policy is to ensure all employees and managers are aware of their entitlements and obligations in relation to legislated rest and meal breaks. It should be noted that the breaks outlined below are the minimum legislative entitlements, and ORC provisions are in some cases more generous than those in the legislation.	Jun-21 PRG	Nicole	Approved	Biennially	Jun-23	✓	Jostle	✓
	Storage of Employee Records Policy		NEW	Nicole	In creation					
	Transition to Retirement Policy		NEW	Nicole	In creation					
	Youth Engagement Policy		NEW	Nicole	In creation (Nov-2021)					
	Conflict of Interest and Gift Policy	This policy is created to avoid or successfully manage conflicts of interest occurring and to clarify the circumstances where activities, including secondary employment would be incompatible with employment at the Council.	Oct-19	Nicole	Approved	Biennially	Oct-21	✓	Jostle	✗
	Equal Employment Opportunities Policy	The purpose of this policy is to outline the ORCs commitment to equal employment opportunity, diversity and inclusion.	?	Nicole	To be superseded by Diversity and Inclusion Policy?			✓	Jostle	✗
	Staff Consultation Policy	Otago Regional Council is committed to consulting with staff on matters that may have a substantial impact on their working conditions. This document sets out the requirements of the consultation processes to be followed.	Jan-17	Nicole	To be reviewed - TBC	Biennially	Jan-19		Jostle	✗
	COVID-19 Vaccination Policy	ORC is implementing this COVID-19 Vaccination Policy to support and encourage ORC staff to become vaccinated as part of the national COVID-19 vaccination program where possible, and to get out clear processes and expectations of vaccination requirements for those employ by ORC, or accessing or working from an ORC-owned or controlled site.	Feb-22	Nicole	Approved	Every 3 months or as legislation changes	May-22	✓	Jostle	✓
	Working Better Together Policy	Provides guiding principles to ensure that the workplace is free from fear and judgement, enables open communication and values diversity across our workplace and with all those we interact with.	Nov-18	Nicole	To be reviewed - TBC	Biennially	Nov-20	✓	Jostle	✗
Leave and Timesheeting	Fair and Reasonable Sick and Wellbeing Leave Policy	Council recognises that a cornerstone of an engaged and productive workforce is to have healthy and 'well' employees. The purpose of the Fair and Reasonable Sick and Wellbeing Leave Policy is to support employment agreement commitments, provide pathways for employees to access additional sick leave should the need arise, outline clear parameters for employees applying for the leave, and for managers when considering such applications.	Nov-20 ELT	Nicole	Approved	Biennially	Nov-22	✓	Jostle (Nov 2020)	✓
	Leave Management Policy	Taking time for rest and recreation is key to maintaining a healthy 'work/life' balance, supports employee wellbeing, and contributes to an engaged and productive workforce.	Apr-21 PRG Jun-21 PRG	Nicole	Approved	Biennially	Jun-23	✓	Jostle	✓
	Rest and Meal Breaks Policy	Ensure all employees and managers are aware of their entitlements and obligations in relation to legislated rest and meal breaks	Apr-21 PRG	Nicole	Approved	Biennially	Apr-23	✓	Jostle	✓

	Allowances for Stand-by Rosters and Call Out	Sets out a framework on allowances for staff on Stand-by rosters and for call outs.	Apr-20	Nicole	Approved	Annually	Apr-21	✓	Jostle	✗
<b>PEOPLE &amp; CULTURE</b>	Title	Description	Last Reviewed	Person Responsible	Status / Notes	Review Period	Next Review Date	To ELT	Where published	Reformatted
Remuneration	Flexible Working Policy	Our Flexible Work Policy sets out the avenues and process for those who wish to request flexibility in their work, as well as examples of common arrangements, and guidance on the decision-making and approval process for people leaders	Nov-20 ELT	Nicole	Approved	Biennially	Nov-22	✓	Jostle (Nov 2020)	✓
	Parental Leave Policy	The purpose of this policy is to ensure Parental Leave is managed in a manner supportive to the employee and in accordance with the applicable legislation, taking into account both the needs of the family and of the organisation.	Nov-20 PRG	Nicole	Approved	Biennially	Dec-22	✓	Jostle	✓
	Training, Learning and Development Policy	The purpose of this policy is to provide guidelines for managers and employees to ensure consistency in eligibility, planning and delivery of the various aspects of employee learning and development.	Jun-21 PRG	Nicole	Approved	Biennially		✗		
	Remuneration Policy	To ensure that the ORC attracts and retains employees through effective remuneration and reward practices, in line with Council remuneration objectives and principles.	Dec-19	Nicole	Approved	Biennially	Dec-21	✓	Jostle	✓
	Superannuation Schemes Policy	The Council offers staff three schemes for superannuation savings - ASB Master Trust, Civic SuperEasy and Kiwisaver.	Apr-19	Nicole	Approved	Biennially	Apr-21	✓	Jostle	✗
	Financial Assistance Policy - Education, Relocation		NEW	Nicole	In creation					
	Recognition of Service / Reward Policy		NEW	Nicole	Basic SOP complete, full Policy not started					
<b>Safety and Wellbeing</b>	Policy & Procedure for H&S of Contractors and Subcontractors	This policy aims to support ORC comply with obligations under the HSWA in language that is easy to understand for the end user. The procedure covers the end-to-end process of contractor management from selection, pre-approval, entering the into the contract and ongoing monitoring and review. Additional supporting documents are also provided as listed below.	Nov-20 PRG	Nicole	Approved	Annually	Nov-21	✓	Jostle (Nov 2020)	✓
	Fatigue Management Policy & Toolbox	As prescribed by the Health and Safety at Work Act (2015), Otago Regional Council must ensure, so far as reasonably practicable, the health and safety of its workers, and that others are not put at risk by their work. ORC must eliminate risks that arise from their work so far as reasonably practicable. If a risk can't be eliminated, it must be minimised so far as is reasonably practicable. Fatigue has been identified as a risk by ORC, and as such it is good practice to develop and adopt a fit for purpose fatigue management policy which supports us to manage the risks that arise from fatigue.	Mar-21 PRG	Nicole	Approved	Annually	Mar-22	✓	Jostle	✓
	First Aid Policy	The Purpose of this policy is to: a) set out the Otago Regional Council's commitment to and arrangements for the provision of first aid, and b) set out responsibilities with respect to the provision of qualified first aid personnel and equipment.	Mar-21 PRG	Nicole	Approved	Annually	Mar-22	✓	Jostle	✓
	Hazardous Manual Handling Policy	The purpose of this document is to provide instruction to Otago Regional Council (ORC) about how to comply with its duties under the Health and Safety at Work Act 2015 and Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 in relation to managing the risks associated with hazardous manual handling. ORC must eliminate risks associated with hazardous manual handling. If the risk cannot be eliminated it must be minimized as far as is reasonably practicable.	Mar-21 PRG	Nicole	Approved	Annually	Mar-22	✓	Jostle	✓
	Hazardous Substances Policy & Procedure	The purpose of this document is to provide instruction to Otago Regional Council (ORC) about how to comply with its duties under the legislation regarding hazardous substances. ORC must eliminate risks associated with hazardous substances. If the risk cannot be eliminated it must be minimized as far as is reasonably practicable. ORC's current strategy regarding hazardous substances is to reduce their use and work towards elimination where possible.	Mar-21 PRG	Nicole	Approved	Annually	Mar-22	✓	Jostle	✓
	Lone Worker & Out of Office Travel Policy	The purpose of this document is to provide instruction to Otago Regional Council (ORC) about how to comply with its duties under legislation in relation to managing the health and safety risks of lone, remote, and isolated work.	Jun-21 PRG	Nicole	Approved	Annually	Jun-22	✓	Jostle	✓
	Occupational Violence and Aggression (OVA) Policy	The purpose of this document is to provide instruction to Otago Regional Council (ORC) about how to comply with its duties under legislation in relation to managing the health and safety risks associated with Occupational Aggression and Violence (OVA).	Jun-21 PRG	Nicole	Approved	Annually	Jun-22	✓	Jostle	✓
	Smoke and Vape Free Policy	In line with the Otago Regional Council Wellbeing Policy, the organisation commits to promoting a safe and healthy environment for all employees, contractors and visitors, which includes a smoke and vape free working environment. As part of its wider role in promoting health and wellbeing, Otago Regional Council has a responsibility to encourage and support employees and their families/whanau to become Smokefree.	Mar-21 PRG	Nicole	Approved	Annually	Mar-22	✓	Jostle	✓
	Safe Driving Policy		NEW	Nicole	In creation (Aug-2021)					
	Drug and Alcohol Policy		NEW	Amanda	In creation (Aug-2021)					
	Illness and Injury at Work Policy	The purpose of this policy is to provide a framework which applies to all staff so they can recover and return to work from injury or illness. Included also are guidelines to follow if a staff member falls ill at work.	Jan-17	Nicole	To review Nicole to bring info (Nov-2021)		Nov-17		Jostle	
	Personal Locator Beacons	Provides a framework for the use of PLBs by council staff. PLBs have been installed in the glove box of all Council vehicles to provide for an enhanced level of personal safety for our staff	Aug-15	Nicole	Review - policy and required?				Jostle	
	Worker Health Monitoring Policy	Outlines the health monitoring processes that the Otago Regional Council uses to monitor the adequacy and effectiveness of precautions taken to protect staff health from occupational and environmental hazards. The basis of monitoring is to assess exposure to those hazards and, where necessary, the health effects to staff that may have been exposed. This guideline includes requirements and rationale for pre-employment, task and exit assessments.	Aug-20	Nicole	Approved	Annually	Aug-21		Jostle	✗
	Personal Protective Equipment Guide (PPE)	The Purpose of this policy is to: a) set out the Otago Regional Council's commitment to and arrangements for the provision of personal protection equipment, and b) set out responsibilities with respect to the provision of personal protective equipment.	Aug-20	Nicole	Approved	Annually	Aug-21		Jostle	✗
<b>COMMS/CUSTOMER</b>	Title	Description	Last Reviewed	Person Responsible	Status / Notes	Review Period	Next Review Date	To ELT	Where published	Reformatted
	Media Policy	Outlines the ORCs position on speaking to the media, news releases and internal communication and is applicable to all staff.	Apr-16	Eleanor	To be reviewed - TBC					
	Sending of Bulk Correspondence	To ensure correspondence from Otago Regional Council accurately reflects the values of the organisation.	Aug-16	Eleanor	To be reviewed - TBC				Jostle	✗

COUNCIL POLICIES										
GOVERNANCE	Title	Description	Last Reviewed	Person Responsible	Status / Notes	Review Period	Next Review Date	To ELT	Where published	Requirement
	Standing Orders	Standing orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner.	May-21	Amanda	Approved	Triennially	Oct-22			Sch7, clause 27
	Code of Conduct	The Code of Conduct (the Code) sets out the standards of behaviour expected from elected members in the exercise of their duties.	Nov-19	Amanda	Approved	Triennially	Oct-22			Sch7, clause 15(1)
	Local Governance Statement	The information found in this document includes details about what we do, what legislation we work under and the responsibilities we have under that legislation, how we consult and what our management processes are.	Jul-21	Amanda	Approved	Triennially	Jan-23			S40
	Remuneration Authority Determination	Not a Council Policy but the Determination sets the remuneration pool for Council and this must be fully allocated by Council.	Aug-21	Amanda	Approved	Annually	Aug-22			
	Councillor Expenses, Allowances and Reimbursement Policy	The expenses regime for elected members of the Otago Regional Council.	Aug-21	Amanda	Approved	Annually	Aug-22			
	ORC Recruitment Policy – Governance	The Otago Regional Council is committed to a fair and transparent recruitment and selection process, with appointments based on merit in order to attract and retain appropriately skilled and qualified appointees.	Mar-21	Amanda	Approved	Triennially	May-23	✓		
	Port Otago Constitution	Sets out the rights, powers and duties of the company (the Port), board, directors and the shareholder (Council).	Mar-21	Nick	Approved	N/a	N/a			
	He Mahi Rau Rika: Significance, Engagement and Māori Participation Policy	This policy provides guidelines for determining the significance of proposals and decisions in relation to issues, assets or other matters affecting the Otago region, people likely to be affected, and the council's capability to perform.	Oct-21	Richard	Approved	Triennially	Oct-24	N/a	Website, Jostle	S76AA
	Revenue and Financing Policy	Sets out the sources of funding Council will use for each activity, including the use of rates, fees, subsidies, reserves or other funding tools and gives consideration to who will benefit from each activity and how much they benefit.	Jun-21	Nick	Approved	Triennially	Jun-24			S102, 103
	Treasury Management Policy	The Local Government Act 2002 requires local authorities to adopt a Liability Management Policy and an Investment Policy. The Otago Regional Council's prepared policies have been combined into one document called the Treasury Management Policy.	Jun-21	Nick	Approved	Triennially	Jun-24			S102, 104, 105
	Statement of Investment Policies and Objectives	Provides the framework for Council to effectively supervise, monitor and evaluate the management of Council's investment activities.	Jun-21	Nick	Approved	Annually	Jun-22			S102, 105
	Rates Remission & Postponement Policy	The Otago Regional Council carries out its rating function in accordance with the requirements of the Local Government (Rating) Act 2002, and the Local Government Act 2002. This document provides the policy framework for granting remissions and postponing the payment of rates.	Feb-21	Sarah H	Approved	Triennially	Mar-24			S109
	Policy on Remission and Postponement of Rates on Maori Freehold Land	The Council has recognised that certain Maori freehold land have particular conditions, ownership structures or other circumstances which make it appropriate to remit or postpone rates for defined periods of time.	Feb-21	Sarah H	Approved	Triennially	Mar-24			S102, 108
	Financial Strategy	Sets out how the Otago Regional Council will manage its finances over the next 10 years including rating, borrowing and investments.	Jun-21	Nick	Approved	Triennially	Jun-24			S101A
	Infrastructure Strategy	Provides Council and the Otago community with information about what significant issues the flood protection and drainage infrastructure face over the next 30 years and beyond, and identifies the principal options for managing those challenges, including the implications of those options, before presenting the most likely scenarios for each issue and when any significant decisions will need to be made.	Jun-21	Gavin	Approved	Triennially	Jun-24			S101B
	Risk Management Framework	This aims to allow the organisation to exploit the opportunities and minimise the threats presented by the risks inherent in the organisations activities.	Sep-19	Nick	Currently under review					

**7.5. GOV2209 Quarterly Actions Register Update - November 2021**

**Prepared for:** Audit and Risk Subcommittee  
**Report No.** GOV2209  
**Activity:** Governance Report  
**Author:** Amanda Vercoe, General Manager Governance, Culture and Customer  
**Endorsed by:** Sarah Gardner, Chief Executive  
**Date:** 18 February 2022

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**PURPOSE**

- [1] To discuss the November 2021 quarterly action list, with a view to consideration of the processes that ORC has in place, and to ensure that Local Government Act requirements are being met (as per the Governance, Communications and Engagement Committee referral).

**EXECUTIVE SUMMARY**

- [2] At its meeting on 10 November 2021, the Governance, Communications and Engagement Committee referred the quarterly action list to Audit and Risk Subcommittee for further consideration of the processes that ORC has in place, and to ensure that Local Government Act requirements are being met
- [3] The Council Actions Register is made up of resolutions from Council and its committees. The full actions register is reported quarterly to Governance, Communications and Engagement Committee. All actions are also reported against the agendas of the Council/committee meetings in which they are made, alongside progress updates (when relevant).
- [4] Included in this paper is the full Actions Register from November 2021, as reported to the Governance, Communications and Engagement Committee.
- [5] Year 1 of the Long-term Plan 2021/31 represents a significant increase in service delivery, and it is important to keep in mind the link between the Strategic Directions and Long-term Plan 2021-31 and any new or additional actions that are created via resolutions. Actions are often unbudgeted, which can have implications for ORC's budget.
- [6] In November, Councillors were also referred to paragraph 14 of the Public Excluded Audit and Risk Paper "Audit Management Letter – Initial Response" (on the agenda for 11 November 2021) in relation to unbudgeted expenditure.
- [7] Since July 2021 when the LTP commenced, 18 new actions have been adopted of which 10 involve unplanned work which is either unbudgeted or requires reprioritisation of existing resource to complete.

- [8] It is important that decisions made between now and the year-end give consideration to the work programme, priorities, resourcing, and timing of new work.

### **RECOMMENDATION**

*That the Audit and Risk Subcommittee:*

- 1) **Notes** this report.

### **BACKGROUND**

- [9] Not applicable.

### **DISCUSSION**

- [10] Not applicable.

### **OPTIONS**

- [11] Not applicable.

### **CONSIDERATIONS**

#### **Strategic Framework and Policy Considerations**

- [12] Actions on the Action Register should align with the Strategic Directions and Long-term Plan 2021-31.

#### **Financial Considerations**

- [13] Actions on the Action Register should give consideration to how they will be funded

#### **Significance and Engagement Considerations**

- [14] Nil.

#### **Legislative and Risk Considerations**

- [15] There is delivery risk to existing work programmes with additional actions.

#### **Climate Change Considerations**

- [16] Nil.

#### **Communications Considerations**

- [17] Nil.

### **NEXT STEPS**

- [18] Nil.

### **ATTACHMENTS**

1. Quarterly Actions Register Update - November 2021 [7.5.1 - 4 pages]
2. Quarterly Actions Register Update Completed - November 2021 [7.5.2 - 4 pages]

Quarterly Actions Register Update – November 2021

Meeting Date	Document	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
13/05/2021	Audit and Risk Subcommittee 2021.05.13	Risk Review Update	In Progress	Track documents/items marked as non-compliant as identified in the Warrant of Fitness and/or Mandatory Documents Register by adding an additional column in the register. <b>RES AR21-104</b>	General Manager Corporate Services and CFO, Legal Counsel	<b>28/07/2021 Legal Counsel</b>  An additional column to track non-compliant documents/items will be added to the Annual Legislative Warrant of Fitness and Mandatory Documents Register which will be presented to the Audit & Risk Sub-Committee early 2022.	28/02/2022
14/10/2021	Audit and Risk Subcommittee 2021.10.14	CS2137 Corporate Policy Overview	Assigned	Staff to develop a policy on contract management and bring back progress towards this to Audit and Risk Subcommittee early 2022. <b>RES AR21-126</b>	General Manager Corporate Services and CFO, Manager Finance - Reporting	<b>2/11/2021 General Manager Corporate Services and CFO</b>  This will be added to the agenda for the Policy Review Group to consider and progress will be reported back to A&R via the Policy updates from that group.	31/03/2022
26/08/2020	Council Meeting 2020.08.26	GOV1937 Electoral System for 2022 and 2025 Local Body Elections	In Progress	Work with Electoral Officer to include a poll asking for voter preference for STV/FPP alongside voting papers for the 2022 local elections.	General Manager Governance, Culture and Customer, Governance Support Officer	<b>1/09/2020</b>  Contacted Electoral Officer Anthony Morton of Electionz for information. He will update our file, noting the request to conduct the poll with the 2022 election. He indicated additional cost of approx \$75,000, not including additional comms that will be necessary.  <b>14/09/2020</b>  Public Notice in ODT on 12/9/20 to meet legislative requirements and to advise ORC intends to conduct a poll on voting systems alongside the 2022 local body elections.	01/01/2022
23/06/2021	Council Meeting 2021.06.23	REG2108 Consent Fees Policy	Assigned	Staff review the Financial Support for Resource Consent Processing Fees policy at the end of the 2021/2022 year, and report back to Council on any recommended changes. <b>Res CM21-126</b>	General Manager Regulatory and Communications		09/12/2021
23/06/2021	Council Meeting 2021.06.23	GOV2116 Zero Carbon 2030 Alliance Memorandum of Understanding	Assigned	Staff will update Council on discussions and activities related to the Zero Carbon 2030 Alliance. <b>Res CM21-127</b>	General Manager Governance, Culture and Customer, Senior Advisor - Mayoral Forum	<b>2/11/2021</b>  No activity to report currently.	09/12/2021
25/08/2021	Council Meeting 2021.08.25	SPS2146 Manuherehia FMU Plan Provisions	Assigned	That the Technical Advisory Group (TAG) be requested to provide regular reports to the Strategy and Planning Committee on progress towards finalising the required science for the Manuherehia catchment. <b>Res CM21-141</b>	General Manager Strategy, Policy and Science	<b>29/10/2021 General Manager Strategy, Policy and Science</b>  Report provided to 13 October 2021 Strategy & Planning Committee. Based on proposed work program, TAG expects to provide regular reports to Committee for the remainder of 2021 and the first quarter of 2022.	17/12/2021
29/09/2021	Council Meeting 2021.09.29	Chairperson's Report	Assigned	Staff organise a Bicultural Competency workshop. <b>Res CM21-166</b>	General Manager Governance, Culture and Customer	<b>20/10/2021 General Manager Governance, Culture and Customer</b>  Staff are working with Aukaha to set up a learning opportunity for early 2022. Further information will be provided as the detail is developed.	30/04/2022
29/09/2021	Council Meeting 2021.09.29	Chairperson's Report	Assigned	Undertake a review of the Manuherehia Governance decision making process. <b>Res CM21-167</b>	Chairperson		09/12/2021
27/10/2021	Council Meeting 2021.10.27	GOV2142 Mana to Mana - Update	Assigned	The Chair to request Mana to Mana to consider expanding the membership to all 12 Councillors. <b>Res CM21-177</b>	Chairperson	<b>2/11/2021</b>  Request will be made at Mana to Mana Meeting on 9 November 2021.	09/11/2021

Governance, Communications and Engagement Committee 2021.11.10

Audit and Risk Subcommittee 2022.02.24



Meeting Date	Document	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
09/06/2021	Data and Information Committee 2021.06.09	SP52132 Coastal Monitoring Programme	Assigned	Present a paper to the Strategy and Planning Committee in 2022 outlining monitoring options for a State of the Environment network and seek Council approval to implement the programme. <b>Res DAIC21-103</b>	General Manager Strategy, Policy and Science, Manager Science		30/06/2022
09/06/2021	Data and Information Committee 2021.06.09	HA22106 Active faults in the Dunedin City and Clutha Districts	Assigned	Provide a report to the Strategy and Planning Committee by 31/12/2021 on options for incorporating the GNS Science active fault report and other fault information held by ORC into planning frameworks across Otago. <b>DAIC21-106</b>	General Manager Operations, Manager Natural Hazards	<b>2/11/2021</b> Dr Palmer advised the report will go to 9 December 2021 Council Meeting.	31/12/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Assigned	Develop a region-wide methodology for water improvement funding for the 2022/23 Annual Plan. <b>Res FIN21-106</b>	General Manager Corporate Services and CFO		30/06/2022
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Assigned	Staff to ensure opportunities exist to allow all interested parties to be fully involved in any scheme performance review process. <b>Res FIN21-108</b>	General Manager Operations		01/06/2022
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Assigned	Establish a harbour facilities and management plan in a collaboration with iwi, community boards and groups, DCC and Port Otago with a budget of \$100k in each of financial years 2 and 3 of the LTP2021-31. Staff and Councillors to determine ToRs. <b>Res FIN21-109</b>	General Manager Strategy, Policy and Science		
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Assigned	Consider the potential of realtime data and citizen science input when upgrading or investing in assets. If this requires extra funding, those purchases should be brought back to Council for consideration. <b>Res FIN21-109</b>	General Manager Strategy, Policy and Science		28/02/2022
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Assigned	Provide a paper discussing re-establishment of the Otago Regional Council Environmental Awards. <b>Res FIN21-111</b>	General Manager Regulatory and Communications		31/12/2021
25/08/2021	Finance Committee 2021.08.25	PPT2113 Outcome of Interim \$2 Dunedin Fare	Assigned	Write to the Dunedin City Council and Waka Kotahi to invite them to participate in an independently facilitated (likely public) workshop to consider: a. a joint objective of public transport in Dunedin, which levers that we, and others, can use to promote those objectives, e.g., parking options and costs; b. timing of review of fares, with consideration of routes, usage and flexibility of bus services and patronage; c. coordination of building of planned complementary infrastructure; and d. coordination of travel demand management across large city businesses. <b>Res FIN21-120</b>	Chairperson		30/11/2021
25/08/2021	Finance Committee 2021.08.25	PPT2113 Outcome of Interim \$2 Dunedin Fare	Assigned	Have discussions with DCC and WK in time to include potential financial outcomes in Annual Planning processes prior to end of October. <b>Resolution FIN21-120</b>	Chairperson		30/11/2021
25/08/2021	Finance Committee 2021.08.25	PPT2113 Outcome of Interim \$2 Dunedin Fare	Assigned	Invite a standing group of ORC and DCC councillors and officers to enhance and guide Dunedin public transport. <b>Res FIN21-120</b>	General Manager Operations		11/11/2021

Governance, Communications and Engagement Committee 2021.11.10

Audit and Risk Subcommittee 2022.02.24

Meeting Date	Document	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
13/05/2021	Governance, Communications and Engagement Committee 2021.05.13	COMS2101 Community Survey Implementation Plan	Assigned	Deliver a community survey for ORC, sample size 1700, between August and October 2021. Versus Research will be contracted to deliver the annual survey for next 3 years. <b>Res GCE21-101</b>	General Manager Regulatory and Communications	<b>2/11/2021</b> Survey underway. Results will be reported when available.	15/12/2021
11/08/2021	Governance, Communications and Engagement Committee 2021.08.11	COMS2104 Update on Enviroschools	Assigned	Provide a staff report to Council in time for the 2022/23 Annual Plan regarding costs of offering the Enviroschools programme to all schools and other education centres in Otago to include information regarding any territorial authority funding that would be required. <b>RES GCE21-103</b>	General Manager Regulatory and Communications		31/05/2022
08/09/2021	Governance, Communications and Engagement Committee 2021.09.08 extraordinary	Notice of Motion - Request for Job Descriptions for Chair and Deputy Chair	Assigned	Please provide a set of draft job descriptions for the Chair and Deputy Chair for consideration at the 10 November 2021 GCE Committee meeting. <b>Res GCE21-107</b>	General Manager Governance, Culture and Customer		10/11/2021
14/10/2020	Implementation Committee 2020.10.14	OPS1014 Biosecurity Implementation Improvement Update - Pest Management	In Progress	Bring a paper to the Implementation Committee detailing pros and cons of Options 2 and 3 to determine future use of rabbit control assets.	General Manager Operations, Manager Biosecurity and Rural Liaison	<b>19/10/2020</b> Work on this report to start.  <b>1/09/2021</b> Dr Palmer, 1 Sept 2021: The condition and safety of existing assets has been assessed by an external expert and their findings are being reviewed by staff. This will inform further work on Options 2 and 3.	15/12/2021
08/09/2021	Implementation Committee 2021.09.08	Notice of Motion - Request for Reports	In Progress	Include details on progress on gravel extraction consents in regular quarterly reporting to the Implementation Committee. <b>Res IMP21-115</b>	General Manager Operations		08/12/2021
08/09/2021	Implementation Committee 2021.09.08	Notice of Motion - Request for Reports	In Progress	Include information on development of work programmes for the 2022/23 and subsequent annual plans for river management in regular quarterly reporting to the Implementation Committee. <b>Res IMP21-115</b>	General Manager Operations		08/12/2021
08/09/2021	Implementation Committee 2021.09.08	Notice of Motion - Request for Reports	Assigned	Present a staff report detailing timeframes and process to better develop asset management plans for plantings alongside riverbanks. <b>Res IMP21-115</b>	General Manager Operations		08/12/2021
09/09/2021	Regulatory Committee 2021.09.09	GOV2139 Regulatory Group - Quarterly Activity Report	Assigned	Staff are to provide an updated report on the compliance status of TLA operated waste water treatment plants in the Otago Region for the December Regulatory Committee meeting. <b>Res REG21-105</b>	General Manager Regulatory and Communications		10/12/2021
01/12/2020	Strategy and Planning Committee 2020.12.01	P&S1885 ORC Role in South Dunedin/Harbourside Adaptation collaboration with DCC	In Progress	Progress collaboration with DCC to deliver the South Dunedin/Harbourside natural hazards adaptation programme as in Option 3 and report back to Council.	Chairperson	<b>26/01/2021</b> Date to be set for initial meeting between Chair Noone, Mayor Hawkins and staff.  <b>6/05/2021</b> Chair Noone advised he had spoken with DCC Mayor Hawkins who is waiting on a formal position from Councillors  <b>12/07/2021</b> That Chair Noone formally write to DCC requesting a discussion held on the action point South Dunedin Harbourside Adaptation Programme	28/02/2021

Governance, Communications and Engagement Committee 2021.11.10

Audit and Risk Subcommittee 2022.02.24

Meeting Date	Document	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
						<p>4/08/2021</p> <p>Chair Noone wrote to the DCC and a meeting has been scheduled in the Mayor's office on Tuesday 31 August, which Cr Noone, Sarah Gardner and Gavin Palmer will attend.</p>	
13/10/2021	Strategy and Planning Committee 2021.10.13	SPS2159 Otago Greenhouse Gas (GHG) Profile Update	Assigned	Delegate to the Chair, writing a letter to appropriate Ministers to seek clarification and consideration of issues based on the Otago Greenhouse Gas paper October 2021 that is being presenting to Otago; and invite representatives to meet with Council. RES SP21-118	Chairperson		30/11/2021

Governance, Communications and Engagement Committee 2021.11.10

Audit and Risk Subcommittee 2022.02.24

Quarterly Actions Register Update: Completed – November 2021

Meeting Date	Document	Item	Action Required	Assignee/s	Action Taken	Due Date	Completed (Overdue)
13/05/2021	Audit and Risk Subcommittee 2021.05.13	Safety and Wellbeing	Investigate how other entities monitor personal vehicle usage and report back on best practice. <b>Res AR21-101</b>	General Manager Corporate Services and CFO	<b>29/07/2021 General Manager Corporate Services and CFO</b>  This will be reported to the 11 November A&R meeting <b>2/11/2021 General Manager Corporate Services and CFO</b>  Report included in 11 November 2021 Audit and Risk agenda	11/11/2021	02/11/2021
13/05/2021	Audit and Risk Subcommittee 2021.05.13	Risk Review Update	Provide a report to A & R detailing any actions taken that address recommendations of external reviews and track each item until action has been completed. <b>RES AR21-104</b>	General Manager Corporate Services and CFO	<b>30/09/2021 General Manager Corporate Services and CFO</b>  Paper is going to 14 October 2021 Audit and Risk meeting <b>3/10/2021 General Manager Corporate Services and CFO</b>  Paper included in agenda for 14 October 2021 Audit and Risk meeting	14/10/2021	03/10/2021
24/03/2021	Council Meeting 2021.03.24	Notice of Motion - Investigate resource needs and timeline for possible collaborative development of an Otago Harbour Plan with ORC, DCC, Port Otago and Community Input	Report back before completion of the LTP process on timeline and resourcing needs for collaborative development of an Otago Harbour Plan with ORC, DCC, Port Otago, iwi and community input.	General Manager Strategy, Policy and Science	<b>13/07/2021 General Manager Strategy, Policy and Science</b>  During LTP deliberations councillors allocated resources towards a Otago Harbour Plan. Please refer to following Finance Committee resolution of 26/05/21:  <i>Request establishment of a harbour facilities and management plan in a collaboration with Iwi, Community boards and groups, Dunedin City Council and Port Otago with budgeted funds of \$100,000 in each of financial years two and three of the LTP 2021-2031. Staff and Councillors will determine terms of reference.</i>	27/05/2021	13/07/2021
24/03/2021	Council Meeting 2021.03.24	GOV2113 Local Government New Zealand Annual Conference 2021 Attendance	Provide a report to on the 2021 LGNZ Annual Conference to the Governance, Communications and Engagement Committee, August 2021.	Chairperson	<b>17/08/2021</b>  A report on was provided to the 11 August 2021 Governance, Communications and Engagement Committee.	11/08/2021	21/09/2021
09/06/2021	Council Meeting 2021.06.09	CS2132 LGFA Funding Proposal	Continue with next steps to join LGFA including formal consultation, and bring recommendation to Council following any public hearings on submissions to the proposal. <b>Res CM21-110</b>	General Manager Corporate Services and CFO	<b>9/07/2021 General Manager Corporate Services and CFO</b>  LGFA proposal is out for consultation. Hearings are scheduled for 28-July and a paper with recommendations will be taken to Council on 25-August.	30/09/2021	09/07/2021
23/06/2021	Council Meeting 2021.06.23	GOV2125 Adoption of Long Term Plan 2021/31	That the Chair is to confirm Council's position regarding public transport in a letter to the Mayor of Dunedin City Council. <b>Res CM21-121</b>	Chairperson	<b>2/11/2021</b>  Letter sent to Mayor Hawkins, dated 21 October 2201, re Dunedin Public Transport - DCC Annual Plan Submission. Copy included in Chair's Report 27 October 2021.	25/08/2021	02/11/2021
23/06/2021	Council Meeting 2021.06.23	GOV2125 Adoption of Long Term Plan 2021/31	<b>Refer this draft motion to be considered by the Implementation Committee:</b> Provide a quarterly report to the Implementation Committee starting with the 9 December 2021 agenda on progress made on gravel extraction consents. (will be a Notice of Motion). <b>Res CM21-122</b>	Councillor	<b>7/09/2021</b>  A Notice of Motion was filed by Cr Wilson and the motion was included on the 8/9/21 Implementation Committee agenda.	14/06/2021	07/09/2021
23/06/2021	Council Meeting 2021.06.23	GOV2125 Adoption of Long Term Plan 2021/31	<b>Refer this draft motion to be considered by the Implementation Committee:</b> Provide a quarterly report to the Implementation Committee on development of work programmes for river management to be included in future annual plan budgets (Will be a Notice of Motion). <b>Res CM21-122</b>	Councillor	<b>7/09/2021</b>  A Notice of Motion was filed by Cr Wilson and the motion was included on the 8/9/21 Implementation Committee agenda.	14/06/2021	07/09/2021

Governance, Communications and Engagement Committee 2021.11.10

Audit and Risk Subcommittee 2022.02.24

Meeting Date	Document	Item	Action Required	Assignee/s	Action Taken	Due Date	Completed (Overdue)
09/06/2021	Data and Information Committee 2021.06.09	SPS2126 Otago Greenhouse Gas Profile 2018/19 financial year	Refer the Greenhouse Gas Profile 2018/19 to the 13 Oct 21 Strategy & Planning Committee to review the 5m tree rule and other methods of capturing carbon sequestering of tussocks, soil and other horticultural activity. <b>Res DAIC21-101</b>	General Manager Strategy, Policy and Science, Manager Strategy	<b>6/10/2021 General Manager Strategy, Policy and Science</b> Paper prepared for the Strategy & Planning Committee meeting on 13th October 2021 addressing resolution.	13/10/2021	02/11/2021
09/06/2021	Data and Information Committee 2021.06.09	SPS2126 Otago Greenhouse Gas Profile 2018/19 financial year	Refer the Greenhouse Gas Profile 2018/19 to the Otago Mayoral Forum to establish a collaborative operation with the Otago Territorial Local Authorities. <b>Res DAIC21-101</b>	General Manager Governance, Culture and Customer	<b>2/09/2021</b> <b>Mayoral Forum Advisor:</b> The GHG inventory and associated regional collaboration will be on the agenda of the 24 September 2021 Mayoral Forum meeting.	30/09/2021	02/11/2021
08/09/2021	Data and Information Committee 2021.09.08	SPS2147 LakeSPI Report	Refer the LakeSPI report to staff for consideration as part of the Lakes Strategic Plan prior to their report to the 10 November 2021 Strategy and Planning Committee meeting. <b>Res DAIC21-111</b>	General Manager Strategy, Policy and Science	<b>29/10/2021 General Manager Strategy, Policy and Science</b> Considered when drafting the Otago Lakes Strategic Plan Scope paper (SPS2162) presented to 10 November 2021 Strategy & Planning Committee.	10/11/2021	29/10/2021
08/09/2021	Data and Information Committee 2021.09.08	SPS2143 Air Quality 2010-2019 SoE Report	Please provide a report to an upcoming Strategy and Planning Committee meeting on areas of concern regarding potential knowledge gaps about Otago's air quality. <b>Res DAIC21-112</b>	General Manager Strategy, Policy and Science	<b>29/10/2021 General Manager Strategy, Policy and Science</b> Report provided as a paper to 10 November 2021 Strategy & Planning Committee titled Air Quality Knowledge Gaps (SPS2161).	10/11/2021	29/10/2021
24/02/2021	Finance Committee 2021.02.24	CS2113 Significance & Engagement Policy	Report back on programmed review of current ORC Significance and Engagement Policy.	General Manager Regulatory and Communications	<b>18/05/2021</b> This is being tracked through the Governance, Communications and Engagement Committee actions and will be reported to the Strategy and Planning Committee at the 7 July 2021 meeting. <b>14/07/2021</b> 14/07/2021 Dianne Raiton - Draft He Mahi Rau Rika Draft Significance, Engagement and Maori Participation Policy presented at S&P Committee on 7 July 2021. Consultation will commence on 19 July 2021 and the draft document, subject to a formal design process, will be presented to Council for final adoption on 29 September 2021.	07/07/2021	27/07/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Apply Option B for funding Pest Management being a regional targeted rate based on land value. <b>Res FIN21-102</b>	General Manager Corporate Services and CFO	<b>6/07/2021 General Manager Corporate Services and CFO</b> Option B applied in final LTP	23/06/2021	06/07/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Apply Option 2 for delivering pest management being expenditure of \$3.3m from yr one onwards in the LTP2021-31. <b>Res FIN21-103</b>	General Manager Corporate Services and CFO	<b>6/07/2021 General Manager Corporate Services and CFO</b> Option 2 applied in final LTP	23/06/2021	06/07/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Apply Option One approach for balancing the budget being an increase in total rates to achieve immediate and sustainable funding for operational expenditures of LTP2021-31. <b>Res FIN21-104</b>	General Manager Corporate Services and CFO	<b>6/07/2021 General Manager Corporate Services and CFO</b> Option one applied in final LTP	23/06/2021	06/07/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Apply Option Two for funding Lake Hayes work programme via the existing river and water mgmt targeted rate for years 1 and 2 of the LTP2021-31. <b>Res FIN21-105</b>	General Manager Corporate Services and CFO	<b>6/07/2021 General Manager Corporate Services and CFO</b> Option two (funding via river and waterway management rates) applied in all 10 years of the final LTP noting this will be reviewed in the first 2 years and may be	23/06/2021	06/07/2021

Governance, Communications and Engagement Committee 2021.11.10

Audit and Risk Subcommittee 2022.02.24

Meeting Date	Document	Item	Action Required	Assignee/s	Action Taken	Due Date	Completed (Overdue)
					subject to change from year 3.		
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Conduct an Implementation Committee workshop to discuss liaison and/or strategy groups prior to the 8 September 2021 Implementation Committee meeting. <b>Res FIN21-106</b>	General Manager Operations	<b>27/07/2021</b> This workshop is scheduled for 12 September.  <b>2/11/2021</b> Public Workshop - Liaison Groups was held on 28 September 2021.	08/09/2021	02/11/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Report back on options for an independent review of the existing rating basis for all flood protection and drainage schemes and provide potential cost details by the end of December 2021. <b>Res FIN21-109</b>	General Manager Corporate Services and CFO	<b>2/11/2021</b> Workshop undertaken on 14 October 2021.	31/12/2021	02/11/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Establish and fund a scoping study for an Otago Lakes Strategic Plan, in association w/relevant stakeholders, that creates lake management plans aimed at improving the environmental and amenity value of the water bodies and acquire the science, partnerships, and information for these purposes with an initial budget of \$100k in each of years one and two of the LTP2021-31. <b>Res FIN21-109</b>	General Manager Strategy, Policy and Science	<b>29/10/2021 General Manager Strategy, Policy and Science</b> Proposed scope of Otago Lakes Strategic Plan scoping study provided to 10 November 2021 Strategy & Planning Committee for consideration in form of paper titled Otago Lakes Strategic Plan - Scope (SPS 2162).	31/12/2021	29/10/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Chairperson Noone and CE Gardner to meet with University of Otago for the purpose of progressing the existing MoU and report back to Council. <b>Res FIN21-109</b>	Chairperson	<b>7/09/2021</b> Crs Forbes and Wilson along with CE Gardner attended a meeting with Dr Royden Somerville and other University representatives in August 2021.	13/05/2021	07/09/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Bring forward integrated catchment work, with a budget impact of \$200k in yr 1 and \$690k in yr 2 of the 2021/31 LTP. <b>Res FIN21-109</b>	General Manager Strategy, Policy and Science	<b>13/07/2021 General Manager Strategy, Policy and Science</b> This action was completed as part of the resolution to adopt the LTP on the 23rd June 2021.	23/06/2021	13/07/2021
26/05/2021	Finance Committee 2021.05.26	CS2126 Long Term Plan 2021-2031 Deliberation and Recommendations	Include an additional \$40k per annum in yrs 1 - 3 of the LTP for ECO Fund grant awards. <b>Res FIN21-110</b>	General Manager Corporate Services and CFO, General Manager Operations	<b>6/07/2021 General Manager Corporate Services and CFO</b> Completed - \$40k added for all 10 years noting years 4-7 will be reviewed in the next LTP	23/06/2021	05/08/2021
10/02/2021	Governance, Communications and Engagement Committee 2021.02.10	SPS2102 Update on Communications and Engagement Policy Review Process	Present Draft Significance, Engagement and Maori Participation Policy (SEMP) to the 12 May 2021 Gov, Comms and Engagement Committee.	General Manager Regulatory and Communications	<b>22/06/2021</b> Richard Saunders: This will be presented at the 7 July 2021 Strategy and Planning Committee meeting.  <b>14/07/2021</b> Draft He Mahi Rau Rika Draft Significance, Engagement and Maori Participation Policy presented at S&P Committee on 07/07/2021. Consultation will commence on 19 July 2021 and the draft document, subject to a formal design process, will be presented to Council for final adoption on 29 September 2021.	12/05/2021	20/07/2021
11/08/2021	Governance, Communications and Engagement Committee 2021.08.11	GOV2129 Local Government Remuneration Determination 2021/22	Note in minutes and any other reporting from 11 August 2021 whether any Councillor meeting absences were due to them being away on other ORC business. <b>RES GCE21-104</b>	Governance Support Officer, Governance Support Officer	<b>7/09/2021</b> This process has been incorporated and will continue going forward.	31/08/2021	07/09/2021

Governance, Communications and Engagement Committee 2021.11.10

Audit and Risk Subcommittee 2022.02.24

Meeting Date	Document	Item	Action Required	Assignee/s	Action Taken	Due Date	Completed (Overdue)
11/08/2021	Governance, Communications and Engagement Committee 2021.08.11	GOV2128 Review of Outstanding Actions of Council and Committee Resolutions	Add to the shared tip sheet for crafting resolutions the following: Encourage, where possible, proposed resolutions be reviewed with the Chief Executive or General Manager in advance if they may incur additional staff resourcing or impact the current budget. <b>RES GCE21-106</b>	General Manager Governance, Culture and Customer	<b>29/10/2021 General Manager Governance, Culture and Customer</b> This has been added to the resolution guide.	31/08/2021	29/10/2021
09/06/2021	Implementation Committee 2021.06.09	BIO2110 Biosecurity Compliance Policy	Include an explanation in the draft Biosecurity Compliance and Enforcement Policy that the Crown, under existing legislation, is exempt from the same compliance rules enforced upon individuals and/or other agencies. <b>Res IMP21-102</b>	General Manager Operations, Manager Biosecurity and Rural Liaison	<b>1/09/2021</b> Explanation added to the Biosecurity Compliance and Enforcement Policy as resolved.	23/06/2021	01/09/2021
14/10/2020	Regulatory Committee 2020.10.15	GOV1945 Regulatory Group - Quarterly Activity Report	Request the Chair and CEO to actively pursue better cellular coverage in Otago with Central Government and LGNZ to ensure staff and residents can fully engage in online data, monitoring and information opportunities and requirements.	Chairperson	<b>1/09/2021</b> Chair Andrew Noone: Ongoing lobbying of the Minister responsible for the Digital Economy and Communications.	11/03/2021	07/09/2021
10/06/2021	Regulatory Committee 2021.06.10	GOV2122 Regulatory Group - Quarterly Activity Report	Provide an update on closed landfills in Otago to the next Regulatory Committee meeting (8/9/21). <b>Res REG21-101</b>	General Manager Regulatory and Communications	<b>1/09/2021</b> Report prepared for Regulatory Committee - 9 September 2021.	08/09/2021	01/11/2021
10/06/2021	Regulatory Committee 2021.06.10	GOV2122 Regulatory Group - Quarterly Activity Report	Provide an update on allocations amounts within the outstanding deemed permits. <b>Res REG21-101</b>	General Manager Regulatory and Communications	<b>1/09/2021</b> Email was sent to Councillors on 27 August 2021	08/09/2021	01/11/2021
10/06/2021	Regulatory Committee 2021.06.10	GOV2122 Regulatory Group - Quarterly Activity Report	Arrange a confidential briefing on updates to Plan Change 7 and Plan Change 8. <b>Res REG21-102</b>	General Manager Strategy, Policy and Science	<b>24/08/2021 General Manager Strategy, Policy and Science</b> Briefing provided by Wynn Williams and ORC staff on 12th August 2021.	11/08/2021	24/08/2021
01/12/2020	Strategy and Planning Committee 2020.12.01	OPS1016 Integrated Otago Trail Network Investigation	Conduct a Council workshop in 2021 to explore opportunities to support an integrated trail network for Otago.	General Manager Operations	<b>26/01/2021</b> To be arranged. <b>30/03/2021</b> Update being arranged for 12 May 2021 committee round. <b>14/07/2021</b> Trail Network Workshop held on 12 May 2021.	01/09/2021	05/08/2021
14/04/2021	Strategy and Planning Committee 2021.04.14	PPT2103 Regional Public Transport Plan	That staff add into the consultation for requests of trail units and routes that could be incorporated into the plan.	Manager Transport	<b>1/07/2021</b> This was added in.	08/04/2021	01/07/2021

Governance, Communications and Engagement Committee 2021.11.10

Audit and Risk Subcommittee 2022.02.24

The general subject 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(1) for the passing of this resolution
<p><i>Minutes of the 11 November 2021 Audit and Risk Subcommittee meeting</i></p>	<p><b>Section 7(2)(b)(ii)</b> - To protect information where the making available of the information—would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;  <b>Section 7(2)(c)(i)</b> - 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;  <b>Section 7(2)(g)</b> - To maintain legal professional privilege;  <b>Section 7(2)(h)</b> - To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities;  <b>Section 7(2)(j)</b> - To prevent the disclosure or use of official information for improper gain or improper advantage.</p>	<p>Section 48(1)(a);</p>
<p><i>Wilding Conifer Contract Management</i></p>	<p><b>Section 7(2)(e)</b> - To avoid prejudice to measures that prevent or mitigate material loss to members of the public;  <b>Section 7(2)(g)</b> - To maintain legal professional privilege;  <b>Section 7(2)(h)</b> - To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</p>	<p>Section 48(1)(a): Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds:                      (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely</p>



		to result in the disclosure of information for which good reason for withholding would exist.
<i>Managed Fund – 31 December 2021 Report</i>	<p><b>Section 7(2)(b)(ii)</b> - To protect information where the making available of the information—would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;</p> <p><b>Section 7(2)(c)(i)</b> - 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><b>Section 7(2)(h)</b> - To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</p>	<p>Section 48(1)(a): Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds:</p> <p>(a) that the public conduct of the whole or 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.</p>
<i>Risk Review</i>	<p><b>Section 7(2)(e)</b> - To avoid prejudice to measures that prevent or mitigate material loss to members of the public;</p> <p><b>Section 7(2)(j)</b> - To prevent the disclosure or use of official information for improper gain or improper advantage.</p>	<p>Section 48(1)(a): Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds:</p> <p>(a) that the public conduct of the whole or 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.</p>

This resolution is made in reliance on [section 48\(1\)\(a\)](#) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by [section 6](#) or [section 7](#) of that Act or [section 6](#) or [section 7](#) or [section 9](#) of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.