



Hastings District Council

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OPEN A G E N D A

COUNCIL MEETING

Meeting Date: Thursday, 1 February 2018

Time: 1.00pm

**Venue: Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Council Members	Chair: Mayor Hazlehurst Councillors Barber, Dixon, Harvey, Heaps, Kerr, Lyons, Nixon, O'Keefe, Poulain, Redstone, Schollum, Travers and Watkins
Officer Responsible	Chief Executive – Mr R McLeod
Council Secretary	Mrs C Hunt (Extn 5634)

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 1 FEBRUARY 2018

VENUE: Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings

TIME: 1.00pm

A G E N D A

1. Prayer

2. Apologies & Leave of Absence

At the close of the agenda no apologies had been received.

At the close of the agenda no requests for leave of absence had been received.

3. Seal Register

4. Conflict of Interest

Members need to be vigilant to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive or Executive Advisor/Manager: Office of the Chief Executive (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

5. Confirmation of Minutes

Minutes of the Council Meeting held Thursday 14 December 2017,
including minutes while the public were excluded.
(Previously circulated)

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REPORT TO: COUNCIL

MEETING DATE: THURSDAY 1 FEBRUARY 2018

**FROM: CHIEF FINANCIAL OFFICER
BRUCE ALLAN**

SUBJECT: PETITION - NEW DEVELOPMENT ON KIRKWOOD ROAD

1.0 SUMMARY

1.1 The purpose of this report is to inform the Council about a letter and petition received on 9 January 2018 from lead petitioners Barry and Wendy Cooze regarding the potential development on Kirkwood Road. A copy of the letter is included as **Attachment 1**.

1.2 The petition (CG-14-1-00577) will be tabled at the meeting.

1.3 The petitioner's prayer reads as follows:

"We petition that the parcel of land adjoining Kirkwood Road, be made available to the general public for purchase and development, pursuant to the covenants attached to Kirkwood Road, Lots 9-13 and 25-27.

We the undersigned, seek the prompt release for the sale of the aforementioned sections, to the wider community, thereby allowing a continuation of the current standard of development as seen in Kirkwood Road."

1.4 There are 118 signatories to the petition, although not all signatories have provided their full names and contact details.

1.5 In response to an invitation from the lead petitioners, Barry and Wendy Cooze and local residents, the Mayor and Councillors will meet with them on 1 February 2018 to discuss their concerns.

1.6 The report concludes by recommending that Council receive the petition and notes that an officer's report will be prepared and presented to the 22 February 2018 Council meeting on the potential development at Kirkwood Road.

2.0 RECOMMENDATION

- A) That the report of the Chief Financial Officer titled "Petition - New Development on Kirkwood Road" be received.**
- B) That the tabled "Petition - New Development on Kirkwood Road" be received.**

- C) That consideration of the petitioner's concerns be incorporated into a report on the potential development at Kirkwood Road to be presented at the Council meeting on 22 February 2018.**
- D) That the lead petitioners, Barry and Wendy Cooze be invited to speak to their petition at the Council meeting to be held on 22 February 2018.**

Attachments:

1 Letter from Wendy and Barry Cooze

CG-14-1-00580

Dear Hastings District Council,

We, the residents of the new development on Kirkwood Road, believe that we have been misled by the Hastings District Council in regards to the proposed development of the land surrounding Kirkwood Road. Through the district plan pertaining to the sections in this area, we were under the impression, that the sections beyond the current development would be built under the same covenants applied to the existing sections, including minimum dwelling size, integrated garages and internal boundary fencing.

We request that any future development undertaken by the Hastings District Council, on the land adjacent to Kirkwood Road, adhere to the covenants that we, the current residents, were led to believe was to apply to both Kirkwood Road and the adjacent land. It was this understanding that was a major factor in our decision to purchase land in Kirkwood Road.

We primarily believe that we were misled, or at minimum should have been forewarned of the proposed co-housing development being planned by the Hastings District Council and Te Taiwhenua O Heretaunga. As a result we present this petition against the proposed co-housing development. We are also in the early stages of looking into alternative avenues of opposition to this proposal.

Yours sincerely,

The residents

Contacts - Barry and Wendy Cooze, 30 Kirkwood Road, Flaxmere

REPORT TO: COUNCIL

MEETING DATE: THURSDAY 1 FEBRUARY 2018

**FROM: GROUP MANAGER: ASSET MANAGEMENT
CRAIG THEW**

**SUBJECT: PETITION - WATER BOOSTER PUMP STATION,
BENNELONG PLACE, HAVELOCK NORTH**

1.0 SUMMARY

- 1.1 The purpose of this report is to inform the Council about a petition received on 21 December 2017, from lead petitioners Barry Jones, Graeme Putt and Dianne Vesty. The petition (CG-14-1-00570) will be tabled at the meeting.
- 1.2 The petitioner's prayer reads as follows:
"The Outcomes we would like to see:
- 1. An alternative location is utilised for the placement of the Water Pumping Station.*
 - 2. The small open space is reclassified as an open space reserve".*
- 1.3 There are 25 signatories to the petition.
- 1.4 This petition arises out of Council's proposal to locate a pump station at Council owned property at 25 Karanema Drive, Havelock North. The proposed pump station would back onto residences in Bennelong Place, Havelock North.
- 1.5 A public meeting was held with residents of Bennelong Place on 17 November 2017 and officers advised at the meeting that they would progress the investigation with third parties of an alternative option. The options would then come back to Council for consideration and decision making. The petitioners will be invited to present at that meeting.
- 1.6 The report concludes by recommending that the Council receive the petition.

2.0 RECOMMENDATION

- A) That the report of the Group Manager: Asset Management titled "Petition - Water Booster Pump Station, Bennelong Place, Havelock North" be received.**
- B) That the tabled "Petition - Water Booster Pump Station, Bennelong Place, Havelock North" be received.**

- C) That officers prepare a report on options as soon as possible for a future Council meeting on “Water Booster Pump Station, Havelock North”.**
- D) That the lead petitioners Barry Jones, Graeme Putt and Dianne Vesty be invited to speak to the petition, at the future meeting referred to in “C” above.**

Attachments:

There are no attachments for this report.

REPORT TO: COUNCIL

MEETING DATE: THURSDAY 1 FEBRUARY 2018

**FROM: RISK AND CORPORATE SERVICES MANAGER
REGAN SMITH
DISTRICT CUSTOMER SERVICES MANAGER
GREG BRITTIN**

SUBJECT: ENTERPRISE RISK MANAGEMENT UPDATE

1.0 SUMMARY

- 1.1 The purpose of this report is to inform the Council about progress made on analysis of the strategic risks adopted by Council and to present risk assessment summaries for; Civil Defence Emergency (Risk #2), Health & Safety Incident (Risk #3), Infrastructure Service Failure (Risk #4), Ineffective Regulatory Oversight (Risk #5), Demographic change (Risk #7) and Information Security Failure (Risk #8).
- 1.2 This issue arises from Council adopting the Strategic Risk Register.
- The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.3 This report concludes by recommending that the report be received.

2.0 BACKGROUND

- 2.1 Council adopted the Strategic Risk register containing 20 areas of organisational risk on 13 July 2017.
- 2.2 Since that time further analysis has been undertaken to document how each risk is managed.
- 2.3 The analysis utilised the Bow Tie risk assessment method which provides a simple structure for documenting risk in complex systems. The method takes its name from the shape of the diagram created, which resembles a man's Bow Tie and is considered a best practice risk analysis method.
- 2.4 A Bow Tie diagram does two things. Firstly, it gives a visual summary of all plausible accident scenarios that could exist around a certain Hazard. Secondly, the analysis identifies control measures and displays what a company does to manage those scenarios.

2.5 A conceptual image of a bow tie diagram is illustrated below:



2.6 To apply the Bow Tie risk analysis method a series of workshops were held with subject matter experts, including external representatives where appropriate. The information from the risk workshops have been compiled into 1-page summaries.

3.0 CURRENT SITUATION

3.1 Risk analysis and associated 1-page summaries for 6 of the 20 strategic risks (copy of the Strategic Risk Register attached for reference) have been completed and reported to the Risk and Audit Subcommittee.

3.2 Copies of the 1-page summaries for these risks are attached for review and are summarised below:

3.2.1 **Civil Defence Emergency** (Risk #2): Initial analysis has looked at the systems for mounting a response to an event. Due to the nature of civil defence events little can be done to reduce the chance of an event occurring. As a result, council is focused on ensuring that an effective coordinated and managed response can be provided.

3.2.2 *Risk Analysis:* In order to deliver an effective response the risk analysis highlighted the need for good regional collaboration and understanding of trigger thresholds, strong leadership, a robust operating structure and resources (including; trained staff, and suitable processes and facilities), and effective response planning both within Council and by contractors. The effectiveness of these controls is currently being strengthened as part of the Incident Management Office Transformation Project.

3.2.3 Further assessment of specific natural hazard risks will be undertaken as part of the second phase of analysis work for the Civil Defence Emergency risk.

3.2.4 **Health & Safety Incident** (Risk #3): Analysis of Health & Safety risk considered the potential for staff, contractors or members of the public

to be exposed to a serious adverse health effect. Considering the legislative focus on this risk in recent times, Council has already established a strong health and safety culture lead by a proactive health and safety team and actively supported by senior management.

- 3.2.5 *Risk Analysis*: The potential for exposure to a serious health effect is managed through effective governance oversight (including senior management involvement, strong staff engagement, management reporting and compliance reviews), identification and management of key risks, provision of adequate resources, and robust documented work practices.
- 3.2.6 **Infrastructure Service Failure** (Risk #4): The key event assessed was a loss of service, or loss of control of an infrastructure service (including water services, transportation, solid waste management, and parks and services). The factors considered internal threats and external sources, including natural disasters and malicious acts.
- 3.2.7 *Risk Analysis*: The probability of a significant infrastructure failure event is reduced through application of high service levels to all infrastructure services. These service levels are achieved through robust asset management planning based on international standards, which are monitored by external audits and 3 yearly external peer reviews.
- 3.2.8 **Ineffective Regulatory Oversight** (Risk #5): Failure to effectively oversee development and hospitality service activities in the district can give rise to regulatory non-compliance, which in turn can erode the protection of life and/or environment that the associated legislation is intended to provide. As a result, the analysis for this risk focused on the issues surrounding a regulatory non-compliance with regard to land use, construction standards, food preparation or alcohol distribution.
- 3.2.9 *Risk Analysis*: Effective regulatory oversight is achieved through a structured processes for receiving and evaluating applications relating to legislated activities, and active monitoring of actual works undertaken. This work is undertaken by appropriately trained and competent staff that have suitable authority delegated from Council. It should be noted that the need to take enforcement action implies a failure has already occurred, and therefore, this action is only relevant as a mitigation measure.
- 3.2.10 Recent events relating to the track on Te Mata Peak highlight that even with strong processes in place the exercise of regulatory functions can result in outcomes that do not align with the expectations of a significant proportion of the public. Council has asked for the decision process in that case to be reviewed, and also for the relevant District Plan provisions to be reviewed for adequacy.
- 3.2.11 **Demographic Change** (Risk #7): When considering demographic change the analysis was undertaken based on a decline in the standard of living or economic activity within the district. While not directly under Council's control, the need to respond appropriately to changing demographics is vital to successfully achieving Council stated goals.

- 3.2.12 *Risk Analysis*: Through application of robust demographic forecasts and community consultation in long term planning, Council strives to match service investment with anticipated community needs and aspirations.
- 3.2.13 **Information Security Failure** (Risk #8): The risk analysis considered the potential for loss of access to, or control over, Council systems or data. In this way the analysis considered both the implications of a hardware/software failure as well as human errors or acts leading to a failure.
- 3.2.14 *Risk Analysis*: Council runs a replicated server environment with a robust firewall, backed up to cloud storage. Training and regular reminders are provided to staff about cyber security measures on a regular basis to reduce risk to a tolerable level.
- 3.3 It should be noted that risk analysis has not yet been undertaken for Water Supply Contamination (Risk #1) and Adverse Environmental Change (Risk #6) for the following reasons:
- 3.3.1 Water Supply Contamination: The water services change project is a key work stream designed to strengthen Council's 3 water services. As a result, this work also addresses the water supply contamination strategic risk. Therefore, it has been necessary to coordinate the timing for assembling the risk summary with the project team to avoid conflicting workloads. It is expected that this summary will be completed for the next 6 monthly report.
- 3.3.2 Adverse Environmental Change: During initial discussions the view was formed that there was overlap between the Demographic Change and Adverse Environmental Change risks. As a result, the focus was put on completing the Demographic Change risk first, as it was believed that a portion that analysis would be relevant to an assessment of Adverse Environmental Change.
- 3.4 The risk analysis work has confirmed the measures used to prevent undesirable events, as well as those intended to minimise the impact of an event should it occur. This has validated the assessment of residual risk reflected in the strategic risk register. Further analysis will now be undertaken to confirm the critical controls are working as intended to provide greater assurance about the risk mitigation achieved.
- 3.5 In addition to the risk analysis work completed, a project Steering Group has been established to guide ongoing development of the risk management practices used throughout Council. The Steering Group membership includes senior executive managers and third tier management.
- 4.0 GOVERNANCE RISK**
- 4.1 In addition to adopting the strategic risk register at the Council meeting on 13 July 2017, it was resolved that Officers should report back to Council on the potential for including governance as a risk on the strategic risk register.
- 4.2 A background review of this issue has identified relevant information for the Council to consider. Therefore, it is intended that this background information

will be tabled for discussion during a Risk Management Workshop to be scheduled in the next 3 months.

5.0 NEXT STEPS

5.1 To continue development of the Council enterprise risk management framework, and progress further analysis of Council's strategic risks the following steps will be undertaken in the next 6 months:

5.1.1 Risk analysis workshops will continue to complete initial risk assessments for another group of at least 6 strategic risks.

5.1.2 Critical control analysis will be completed for the top 3 risks to provide confidence that the controls are working as intended.

5.1.3 Consideration will be given to establishing a suitable risk appetite statement for Council.

6.0 RECOMMENDATIONS AND REASONS

A) That the report of the Risk and Corporate Services Manager titled "Enterprise Risk Management Update" dated 1/02/2018 be received.

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for good quality local infrastructure and local public services in a way that is most cost-effective for households and business by:

i) Ensuring strategic risks to the Council are effectively managed.

Attachments:

- | | | |
|---|---|------------------|
| 1 | Tier 1 Strategic Risk Register as at 3 January 2018 for 1 February 2018 Council meeting | PMD-03-81-18-115 |
| 2 | Strategic Risk Summary Civil Defence Emergency Response for Risk and Audit Subcommittee 4 September 2017 and Council 1 February 2018 | PMD-03-81-17-97 |
| 3 | Summary Health and Safety for Risk and Audit Subcommittee 4 September 2017 and Council 1 February 2018 | PMD-03-81-17-99 |
| 4 | Summary Infrastructure Services Failure for Risk and Audit Subcommittee 14 November 2017 and Council 1 February 2018 | PMD-03-81-17-104 |
| 5 | Policies, Procedures, Delgtns, Warrants & Manuals - Manuals - Risk Management - Governance Strategic Risk Summary Ineffective Regulatory Oversight for Risk and Audit Subcommittee 14 November 2017 and Council 1 February 2018 | PMD-03-81-17-106 |
| 6 | Summary Demographic Change for Risk and Audit Subcommittee 14 November 2017 and Council 1 February 2018 | PMD-03-81-17-108 |
| 7 | Security Failure for Risk and Audit Subcommittee 14 November 2017 and Council 1 February 2018 | PMD-03-81-17-110 |

HDC Tier 1 Strategic Risk Register as at 23/1/2018

This risk register provides a summary of the top strategic risks facing Hastings District Council.

The table includes a brief description of the problem (risk description) and an assessment of the inherent risk before any action to mitigate the impact of the problem, followed by a brief description of the treatments in place to control the risk and an assessment of the remaining residual risk now faced by Council.

Refer to the risk summary pages for more detail on risk controls.

Likelihood	Risk Matrix Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Rare	Low	Low	Low	Low	High
Possible	Low	Low	Low	Medium	High
Likely	Low	Low	Medium	Medium	Very High
Probable	Low	Medium	Medium	High	Very High
Almost Certain	Low	Medium	High	Very High	Very High

			Severity of risk BEFORE treatment					Summary of treatment to mitigate the risk	Severity of risk AFTER treatment				
Rank	Risk Description	Category	Likelihood	x	Consequence	=	Inherent Risk	Treatment	Likelihood2	x	Consequence2	=	Residual Risk
1	Water Supply Contamination Potential for water supply to carry source or network contamination to water users.	People Safety	Likely	x	Severe	=	Very High	Frequent testing of water supply. Water supply sources fitted with the ability to treat water by chlorination, and network designed to allow isolation or cross supply between water sources for resilience. Possible additional treatment, depending on source.	Possible	x	Severe	=	High
2	Civil Defence Emergency Major disaster or emergency due to a natural hazard or other cause affecting community safety or damaging Council assets.	People Safety	Likely	x	Severe	=	Very High	Due to the nature of these events little can be done to reduce the chance of an event occurring. As a result Council's focus is on preparedness and ensuring an effective response can be mounted. This is achieved through integration with the Hawkes Bay Group CDEM team and training Council staff to manage the response and recovery for a major disaster.	Likely	x	Severe	=	Very High
3	Health & Safety Incident Health and safety incident or exposure that has a permanent health impact on one or more people.	People Safety	Probable	x	Severe	=	Very High	Council has a proactive health and safety team actively supported by senior management that is focused on driving proactive health and safety processes based on industry best practice tailored to Council's activities. Managers and staff have received externally delivered training to ensure understanding of their personal responsibilities for achieving safe working environments across the diverse services undertaken by Council. However, despite these measures, the risk of an adverse health and safety event remains high so continued focus is needed in this area.	Possible	x	Severe	=	High
4	Infrastructure Service Failure Infrastructure service failure resulting in loss, or compromised operation, of essential services causing harm to the community.	People Safety	Probable	x	Severe	=	Very High	The probability of a significant event is reduced through application of high service levels to all infrastructure services. These service levels are achieved through robust asset management planning based on international standards, which are monitored by external audits and 3 yearly external peer reviews.	Possible	x	Severe	=	High
5	Ineffective Regulatory Oversight Adverse impact on the public due to poor regulatory oversight of land use, construction standards or food preparation.	People Safety	Probable	x	Severe	=	Very High	Effective regulatory oversight is achieved through a structured processes for receiving and evaluating applications relating to legislated activities, and active monitoring of actual works undertaken in the district. This work is undertaken by appropriately trained and competent staff that have suitable authority delegated from Council.	Possible	x	Severe	=	High
6	Adverse Environmental Change Climate change effects impacting community wellbeing and land value affecting Council rating capability.	People Safety	Probable	x	Severe	=	Very High	District plan requirements based on sustainable use of land.	Probable	x	Major	=	High
7	Demographic Change Change in community demographics or population size that impacts community or Council service demand, support required or capacity to afford services.	Financial Viability	Probable	x	Severe	=	Very High	Through application of robust demographic forecasts and community consultation in long term planning Council strives to match service investment with anticipated community needs and aspirations.	Probable	x	Major	=	High
8	Information Security Failure Loss of control over Council information assets due to failure of Information Services security to protect against; system failure, cyber attack or staff actions.	Service Delivery	Probable	x	Severe	=	Very High	Council runs a replicated server environment with a robust firewall, backed up to cloud storage. Training and regular reminders are provided to staff about cyber security measures on a regular basis to reduce risk to a tolerable level.	Possible	x	Severe	=	High
9	Investment Failure Failure of Council investment resulting in loss of funds.	Financial Viability	Probable	x	Severe	=	Very High	Robust treasury policy and criteria in place monitored by Risk and Audit Subcommittee.	Possible	x	Severe	=	High
10	Economic Downturn Changes in global economic conditions or political stability that adversely affect the local community, resulting in reduced demand and ability to pay for services.	Financial Viability	Possible	x	Severe	=	High	Focus on local economic growth to promote a wider variety of local industry that is more resilient.	Possible	x	Major	=	Medium
11	Biosecurity Failure Introduction of naturally occurring pathogens or genetically modified organisms that could compromise viability of commercial agriculture or horticulture industries in the region.	Financial Viability	Rare	x	Severe	=	High	Focus on local economic growth to promote a wider variety of local industry that is more resilient.	Rare	x	Severe	=	High

HDC Tier 1 Strategic Risk Register as at 23/1/2018

This risk register provides a summary of the top strategic risks facing Hastings District Council.

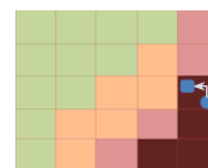
The table includes a brief description of the problem (risk description) and an assessment of the inherent risk before any action to mitigate the impact of the problem, followed by a brief description of the treatments in place to control the risk and an assessment of the remaining residual risk now faced by Council.

Refer to the risk summary pages for more detail on risk controls.

Likelihood	Risk Matrix Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Rare	Low	Low	Low	Low	High
Possible	Low	Low	Low	Medium	High
Likely	Low	Low	Medium	Medium	Very High
Probable	Low	Medium	Medium	High	Very High
Almost Certain	Low	Medium	High	Very High	Very High

			Severity of risk BEFORE treatment				Summary of treatment to mitigate the risk	Severity of risk AFTER treatment					
Rank	Risk Description	Category	Likelihood	x	Consequence	=	Inherent Risk	Treatment	Likelihood2	x	Consequence2	=	Residual Risk
12	Procurement Failure Poor procurement practices resulting in poor expenditure decisions.	Financial Viability	Probable	x	Major	=	High	Procurement policies and practices following government best practice are documented in the Council Procurement Manual, which is supported by robust templates and overseen by Council's Procurement Manager and Procurement Steering Group. Standing practices are in place for tender publication, opening and approval to ensure adequate separation of duties and control over decision making.	Possible	x	Major	=	Medium
13	Corruption and Fraud Incidents Deliberate misuse of position or authority that results in loss of funds, loss of assets or reputation damage.	Financial Viability	Probable	x	Major	=	High	DFA levels in place aligned with purchasing practices. Supported by fraud awareness training.	Likely	x	Moderate	=	Medium
14	Business Interruption Business interruption caused by some unexpected event impacting service delivery.	Service Delivery	Probable	x	Major	=	High	Business continuity planning and testing in place.	Likely	x	Moderate	=	Medium
15	Loss of Key Staff Loss of key staff impacting service delivery.	Service Delivery	Probable	x	Major	=	High	Strategies in place to retain key staff, additionally mitigation measures in place e.g. Cross training and documenting business process for key activities.	Likely	x	Moderate	=	Medium
16	Officer Negligence Council Officer (staff or elected member) negligence or lack of competence resulting in poor decisions that casues harm to people, litigation or reputation damage.	Legal Compliance	Probable	x	Major	=	High	Recruitment, procedures and training practices in place.	Possible	x	Major	=	Medium
17	Failure to Meet Regulatory Requirements Failure to meet legislative/regulatory requirements resulting in suspension of Council services.	Legal Compliance	Likely	x	Major	=	Medium	Business process documented and staff training in place.	Possible	x	Major	=	Medium
18	Legislative Change Legislation change that places additional demand on the community or Council resources.	Legal Compliance	Probable	x	Moderate	=	Medium	Membership of LGNZ and lobbying industry agencies.	Likely	x	Moderate	=	Medium
19	Facility Failure Facility failure resulting in loss of community service.	Service Delivery	Probable	x	Moderate	=	Medium	Asset renewal planning and scheduled maintenance in place.	Possible	x	Moderate	=	Low
20	Failure to Achieve Business as Usual Performance Failure to deliver Council strategic objectives, projects or normal business service levels resulting in community dissatisfaction.	Service Delivery	Probable	x	Moderate	=	Medium	Diversified systems operated by sufficient staff. Strategic projects team established to ensure effective project management.	Possible	x	Moderate	=	Low

Risk 2: Civil Defence Emergency



Risk Description

Civil Defence emergency covers major disasters or emergencies due to a natural hazard or other cause affecting community safety or damaging Council assets. A Civil Defence event exists when the safety of the public or property is endangered and a significant and coordinated response under the Civil Defence Emergency Management Act 2002 (CDEM Act) is required.

Threats : Lack of readiness of partners and agencies, Poor relationships with other Councils and agencies, Lack of trained staff, Poor commitment of staff, Staff unable to deploy, Loss of response facilities, Loss of systems, Process failure (including intelligence, planning and delivery, Unanticipated events.

Inherent Risk

Likely x Severe = Very High

The Hawkes Bay region is exposed to a range of natural hazards including floods, severe storms or cyclones, snowstorms, earthquakes, volcanic eruptions, tsunami, coastal hazards, landslide, droughts, wildfires, and infectious human disease pandemics, as well as animal and plant diseases; and non-natural events including lifeline utility failures such as prolonged power outage or telecommunication service disruption. These events have the potential to cause widespread damage and potential for loss of life.

Consequences : Unnecessary loss of life/injuries or property damage, Major on going health/safety and wellbeing issues, Compounding impacts, Delayed move into recovery, Reputational damage, Legal liability.

Residual Risk

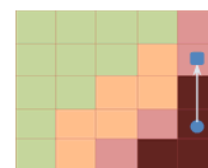
Likely x Severe = Very High

Due to the nature of these events little can be done to reduce the chance of an event occurring. As a result Council's focus is on preparedness and ensuring an effective response can be mounted. This is achieved through integration with the Hawkes Bay Group CDEM team and training Council staff to manage the response and recovery for a major disaster.

Prevention : For Civil Defence risk, prevention measures aim to ensure a coordinated and managed response is provided, and include; Active participation in Hawkes Bay Group Civil Defence & Emergency Management, Follow CIMS structure, Large range of hazards anticipated and flexible response plans in place, Organisation and contractors have effective Business Continuity Planning, Good contracts and Service Level Agreements in place, Participate in & action initial response plans, Identify and prepare staff, Leadership support for staff development, Regular training and exercises, succession planning, Regular system testing, Multiple back up systems, Document treating and review systems, Regular facility review and maintenance, Maintenance & upgrade ITC & communications equipment, Identify & test alternate facilities, Staff resilience & readiness.

Mitigation : For Civil Defence risk, mitigation refers to bringing a response back under control, and include; Seek external support from Group or National level, Trigger points identified, Effective and proactive communications, Effective leadership, Joined up Government & CDEM management, Professional/specialist advice.

Risk 3: Health and Safety



Risk Description

Health and Safety risk encompasses serious health impacts to Workers (defined by the Health & Safety at Work Act 2015 as employees, contractors and volunteers), Customers and Public as a result of activities undertaken by Council.

Serious health impacts are considered those conditions which result in either a serious injury or illness requiring significant medical treatment (e.g. hospitalisation), or resulting in permanent disability/impairment or death. For example: broken limbs, amputations, severe lacerations, head trauma, toxic or chronic exposure to a hazardous substance.

Threats : Critical Health & Safety risks, Human error, Significant Asset Failure, Civil Defence events.

Inherent Risk

Probable x Severe = Very High

Due to the diverse range of activities in which Council is involved, including; underground services, parks and facility maintenance, waste management, aquatic facilities, regulatory enforcement etc, Council Workers, customers and public are regularly exposed to hazards that can cause harm. Without proactive management and constant monitoring it would be inevitable that harm resulting in a serious health impact would occur.

Consequences : Death, Permanent disability/impairment, Serious injury or illness, Prosecution & financial loss, Loss of reputation.

Residual Risk

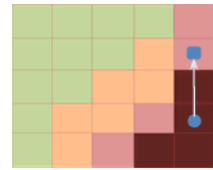
Possible x Severe = High

Council has a proactive health and safety team actively supported by senior management that is focused on driving proactive health and safety processes based on industry best practice tailored to Council's activities. Managers and staff have been provided with externally delivered training to understand their personal responsibilities for delivering safe working environments across the diverse services delivered by Council. However, despite these measures, the risk of an adverse health and safety event remains high so continued focus is needed in this area.

Prevention : Active worker engagement & participation, Council governance and senior management steering group, Dedicated Health & Safety team, Health & Safety strategic plan, Health & Safety manual and procedures, Risk/hazard registers, Bowtie risk analysis of 12 critical risks, Risk management plans, Environmental monitoring, Regulator relationship management, Monitoring and compliance reviews including audits.

Mitigation : Education and training, Emergency management plans, Drills, Emergency equipment, Personal Prevention Equipment, Health monitoring, Incident response management, ICAM investigation and corrective action plans, Monitoring and compliance, Legal advice, Insurance, Governance reporting.

Risk 4: Infrastructure Service Failure



Risk Description

Infrastructure service failure resulting in loss, or compromised operation, of essential services causing harm to the community. This risk covers failure of core Infrastructure (e.g. wastewater disposal and treatment, storm water network, water supply, bridge failure, road network, solid waste disposal and landfill) that results in a negative financial, social or health impact on the community.

Threats : Natural disaster (including; volcanic eruption, earthquake, flood, storm, Tsunami), Pandemic, Fire, Lack of people or 3rd party providers, Massive power loss, Other agency events & failures, 3rd party/public disorder or criminal damage including terrorism, Malicious act/omission by staff or supplier, Aging infrastructure, Funding, Change in Regulations/policy/standards/requirements affecting services, Inadequate knowledge, Hacking of control systems, Lack of coordination between internal consent authorities (e.g. Road Control Authority, Building Consent Authority).

Inherent Risk

Probable x Severe = Very High

Council is legally required to deliver key infrastructure (including; water supply, waste water, storm water, transportation and solid waste disposal) needed to maintain safe and sanitary functioning of the community. Each of these services have the potential to expose the community to hazards that can have significant adverse impacts on health or social wellbeing as well as economic function.

Consequences : Loss of life or damage to property, Public unable to access life line services (roads, bridges, hospitals), Public health/sickness (safety) compromised, Adverse environmental impact, Local or Central Government intervention, Business interruption/impact, Loss of community trust (reputation impact), Additional funding demand (affordability of repair cost), Legal liability.

Residual Risk

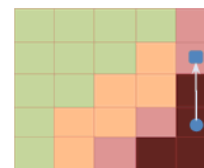
Possible x Severe = High

The probability of a significant event is reduced through application of high service levels to all infrastructure services. These service levels are achieved through robust asset management planning based on international standards, which are monitored by external audits and 3 yearly external peer reviews.

Prevention : Robust Asset Management Plans, Strategic planning (covering legislative requirements), Coastal erosion strategy, Lifelines plans (focused on critical infrastructure), Capacity and quantity planning, Building Act Fire requirements, Business Continuity Planning, Pandemic plan, Resilient & robust design based on standards, Pragmatic future proofing, Apply best practice, Monitor and manage compliance, Construction Quality Assurance, Asset condition assessment and knowledge, System automation, Equipment changes can only be made on site, Limits on automatic system operation, Information system and analysis Site security & CCTV, Security patrols, Coordination with Police, Working alone practices, Renewal planning, Adequate resources, Procurement strategies, Funding prioritised for core infrastructure, Funding policy & strategy, Procurement strategies, Emergency funding arrangements, Standard Operating Procedures, Rotating audit & inspection, HR retention strategy, Recruitment planning, Employment vetting, Trained and professional development, Competency plan, Collaborative resource allocation, Internal relationship management, Development Engineer role, Multi-agency coordination meetings, Memorandum of Understanding (MOU) with key agencies, Participate in national initiatives, Submissions, Coordination with fire service, Awareness of restrictions, Collaboration with Unison around power supply, Backup power strategy and equipment.

Mitigation : Emergency Response plans, Pandemic response plan, Communications plans, Coordinated lifelines response, Community response plans, Civil Defence Emergency Management declared event, Control and contain spills/overflows, Designated disposal areas, Relationship management, Enact MOU provisions, Collaboration with key agencies, Engage legal representation, Insurance, Maintenance of funding capacity, Emergency response fund, Backup power generators.

Risk 5: Ineffective Regulatory Oversight



Risk Description

Adverse impact on the public due to poor regulatory oversight of land use, construction standards or food preparation. Ineffective regulatory oversight risk considers Council's responsibility for ensuring appropriate system and controls are in place, adhered to, and where appropriate enforced, to ensure the safety of members of the community. The business activities include, but are not limited to; building control, land use planning, consent monitoring, animal control, swimming pool inspection, food premises inspections, noise control, public health inspections, and liquor licensing.

Threats : Members of the public undertaking non-compliant activities, Political Interference, Poor co-operation between partners (Internal and external e.g. HBRC), Cost of compliance, Loss of capability and capacity, Lack of resources, Loss of Institutional knowledge, Complacency, External competition (for consenting activity), Unrealistic community expectations, Lack of knowledge of or changing Legislation, Poor policies/procedures, Failure to follow process, Mistakes in application of policies or rules, Failure to action complaints, Approval of inappropriate product/service.

Inherent Risk

Probable x Severe = Very High

Failure to implement systems that can effectively verify and monitor that community activities meet the required legislative requirements and standards will result in regulatory non-compliance, with the resulting reduction in protection of life and/or environment that the associated legislation is intended to provide.

Consequences : Human health affected, Environmental damage, Reputation damage, Financial cost, Litigation, Possible job loss, Legislative change.

Residual Risk

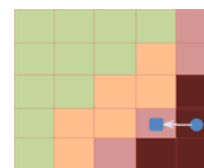
Possible x Severe = High

Effective regulatory oversight is achieved through a structured processes for receiving and evaluating applications relating to legislated activities, and active monitoring of actual works undertaken in the district. This work is undertaken by appropriately trained and competent staff that have suitable authority delegated from Council.

Prevention : Public education, Compliance Monitoring, Free advice, Communications between departments, Oversight, Open Communication with customers, Governance policy, Councillor induction and code of conduct, Clear delegations, Funding model, Council specified service levels, Operational decision making well defined, MOU (*between partner agencies*), Allocated relationship managers, Regular officer contact (*between agencies*), Education of compliance benefits, Efficient systems, Realistic budgeting, Enforcement penalties, Good work environment, Succession planning, Competitive employment package, Staff professional development and training programme, Competency systems, Membership of professional institute, Individual maintenance of technical currency, Supportive work environment, Motivated staff, Outsource work, Budget provisions, Forward planning, Responsive recruitment, Talent scouting, Use of technology, Efficient systems, Quality Management System, Policies and Procedures, Continuous improvement, Sound legal advice, Use of independent body certification, Internal and external audit, Regular reviews and spot checks, Adopt best practice, Peer reviews, Inspection checks, Adopt best practices, Management review, Government lobbying, Community engagement, Council set service levels, Legal updates, Submissions on proposed legislation changes, External compliance review, 24/7 phone reporting, CRM & Records system, Organisation culture, Reporting to Council.

Mitigation : Enforcement strategy, Communications plan, Operational transparency, Explanation of facts to public and ownership of errors, Insurance, Contingency funds, Legal advice, Prompt action, SOP Response and following procedures, Retraining, Submissions on Legislation and Lobbying.

Risk 7: Demographic Change



Risk Description

Change in community demographics or population size that impacts community or Council service demand, support required or capacity to afford services. Demographic change risk covers the impact that changes in the size, age, distribution (urban and rural), ethnicity, structure (e.g. large industries, employment levels and education) of the community has on both the demand for services or support, and the ability for the community or Council to pay for those services. This also encompasses land use and infrastructure planning to meet the expanding, or contracting, needs of the community and industry. As well as the need to support areas of the community that may need assistance to integrate or contribute effectively to the community (e.g. language support).

Threats : Significant increase in average age of the population, Reducing birth rate, Reduced skilled labour pool, Competition for talent, Household Makeup (*number and ethnicity*), Boom/bust economic cycles, Increasing unemployment rate, Population growth (*including migration*), Population decline (*including urban drift*), Technology change, Ethnic make-up, Income inequity, Seasonal fluctuations, Mis-aligned Council policy.

Inherent Risk

Probable x Severe = Very High

Significant shifts in the community demographics over a relatively short time, or changes that were not adequately forecast, can result in Council failing to invest in the required services at the right time. As a result, either; the community (including industry and business community) would not have access to services they need to function effectively or the cost of implementing the required services would become unsustainable adversely affecting the viability of the local economy causing a decline in the standard of living or economic activity.

Consequences : Increased crime rate, Housing market fails or problems with surplus/shortage, Loss of labour force, Regional economic decline, Reduction in community ability to pay, Population base not sustainable, Obsolete infrastructure, Accelerating change, Business failure, Loss of city vibrancy, Increased social issues, Lack of education facilities, Cultural adjustment, Increased health issues (including mental health).

Residual Risk

Probable x Major = High

Through application of robust demographic forecasts and community consultation in long term planning Council strives to match service investment with anticipated community needs and aspirations.

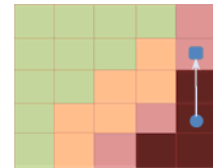
Prevention : Marketing region (GTGH), Civic pride, Pastoral care, Anti-exploitation measures, Promote school to work pathways, Good employer (e.g. *flexible working*), Council roll model (*cadetships*), Ease of living, Good amenity and services, Accessibility of markets (*external*), Land for a range of housing (HPUDs), Social support with partners, Infrastructure caters for needs, Understand best practice to support aging population, Understand measures and triggers for key tipping points, Family Friendly place to live, Understanding birth rate change, Migration strategy, Understand changing cultural needs, Understand labour demand, Regional collaboration (REDS), Foster training opportunities, Economic diversity (*type and location of business*), District planning, Understanding economic cycle, Infrastructure programme management, Asset Management Planning, Partner with other agencies (including Pip Fruit), Understand change in growth rates, Growth strategy (*housing infrastructure*), Advocacy - Collaboration partnerships, HPUDS growth strategy, Condense within urban boundary, Adaptable - Embrace change, Technology transition plan, Community Planning (Place Based), Understand status-quo.

Mitigation : Partner with Police, Police headquarters in Hastings, City assist, Safer HGTS community collaboration, NS (5x5) safety approach, CCTV network, Review risk appetite, Understand change driver, Policy change (*DCs etc*), Lobby Government, Create/adapt plans, Partnerships, Seek innovation in adversity, Accelerate planned delivery, Consent costs, Labour pathways and partnerships, Reduce service levels, Rate rebates, Review financial strategy - rating policy, Consider other funding options, Discount services, Social support/inclusion, By-laws, Gambling policies, Crisis management.

V1.1



Risk 8: Information Security Failure



Risk Description

A failure in the confidentiality, integrity, or availability of council systems due to an inability to protect against; system failure, cyber-attack or staff actions. Information security risk incorporates any failure of systems or staff that Council relies upon to prevent unauthorised access, use, disclosure, disruption, modification, recording or destruction of information (electronic or physical).

Threats : Business applications/system are not current, Internet outage, Data leak & support demand due to shadow IT, Hardware (server) failure, Network outage, Lack of change control, Intentional malicious act from internal source, Staff error, Cyber attack (external), Power supply failure, Applying software patches creates errors, Lack of procedures, Hardware disposal, Invalid access permissions, Database software failure, Cloud system failure, Zero-day vulnerability, Portable storage, Lack of IS capacity (people or systems).

Inherent Risk

Probable x Severe = Very High

Without active management system failure that renders Council business systems inoperable for a period of time, or allows unauthorised accesses to confidential information, as a result of hardware/software failure, human error or malicious acts (including cyber attack) is inevitable.

Consequences : Loss of systems for customer service delivery, Loss of online services, Negative public image, No access for staff or customers, Corrupt data, Data lost or stolen, Financial loss, Legal breach (including privacy).

Residual Risk

Possible x Severe = High

Council runs a replicated server environment with a robust firewall, backed up to cloud storage. Training and regular reminders are provided to staff about cyber security measures on a regular basis to reduce risk to a tolerable level.

Prevention : IT policies, Fit for purpose services, Intrusion protection, Staff training, Endpoint protection, System redundancy and multiple system replication, Full system backup, Information Services Strategic plan and BCP, System capacity planning, Hardware replacement programme and secure hardware disposal, Preventative maintenance, Physical access security, Use trusted recyclers, Laptop disc encryption, Patching and software upgrades to ensure current applications, Reviewing patch stability, Alerts for patch updates and automatic patch install (for selected systems), Monitoring and alerting, Air conditioning, Back up power supply (including; UPS, generator, redundant power supplies), Redundant internet provider, Infrastructure as a Service (IaaS) for some systems, Ability to use mobile tethering and remote working, Cloud based Mimecast email buffering/scanning, Firewall and anti-virus, Work programming, Change control policy, Testing regime, Version control, Maintained application register, Vendor SLA, Project management & procurement, Budget management, Weekly review meetings, Enterprise Architecture, Proper Permission controls, Role Based Access Controls (RBAC), No local administrators, Activity logs, Staff background checks, Good recruitment, Staff buy-in through training and education, Knowledge sharing, Web filtering, Portable storage encryption with pin code access, External audit compliance, Benchmarking.

Mitigation : Backup and restore process (Note this is vulnerable to: restore failure which is monitored through testing; and lost backups including corruption, which is minimised through multiple copies held offsite), Incident response plans, Crisis management, Alternative copies of key data held in standalone storage, Contract Service Level Agreements, Vendor relationships, Cold spares, Alternate channels to access Council services, SLA for new equipment deliveries, Reversion to paper based processes where possible (limited scope), Communications plan, Address immediate vulnerability, System logs and forensic analysis, Warranty and insurance, Compliance records/audits, Legal advice, Incident review and improvements.

Information Security Failure - Glossary

Term	Definition
<i>Cloud system</i>	Storing and accessing data and programs over the Internet instead of on-site computers.
<i>Cold spares</i>	Refers to any computing component, equipment or device that requires manual configuration and adjustment in the event of issues or total failure. It requires the suspension of normal computer/system operations until the component is repaired and/or replaced.
<i>Cyber attack</i>	An attempt by hackers to damage or destroy a computer network or system.
<i>Endpoint protection</i>	An approach to the protection of computer networks that are remotely bridged to client devices. The connection of laptops, tablets, mobile phones and other wireless devices to corporate networks creates attack paths for security threats. Endpoint security attempts to ensure that such devices follow a definite level of compliance to security standards.
<i>Firewall</i>	A network security system that monitors and controls the incoming and outgoing network traffic based on predetermined security rules.
<i>Intrusion protection</i>	A network security/threat prevention technology that examines network traffic flows to detect and prevent vulnerability exploits.
<i>Mobile tethering</i>	"Tethering" is the use of your cell phone (or another mobile device that's connected to the internet) as a modem for another device, usually a laptop or a Wi-Fi-only tablet.
<i>Permission controls</i>	An approach to restricting system access to authorised users only.
<i>Portable storage</i>	A portable storage device (PSD) is a small hard drive designed to hold any kind of digital data.
<i>Shadow IT</i>	A term often used to describe information-technology systems and solutions built and used inside organizations without explicit organizational or IT approval.
<i>Software patches</i>	A patch is a piece of software designed to update a computer program or its supporting data, to fix or improve it. This includes fixing security vulnerabilities and other bugs, with such patches usually called bug fixes or bug fixes, and improving the usability or performance.
<i>Storage encryption</i>	Storage encryption is the use of encryption/decryption of backed-up and archived data, both in transit and on storage media.
<i>System redundancy</i>	Redundancy is a system design in which a component is duplicated so if it fails there will be a backup.
<i>Web filtering</i>	A Web filter is a program that can screen an incoming Web page to determine whether some or all of it should not be displayed to the user. The filter checks the origin or content of a Web page against a set of rules provided by company or person who has installed the Web filter.
<i>Zero-day vulnerability</i>	A zero day vulnerability refers to a hole in software that is unknown to the vendor. This security hole is then exploited by hackers before the vendor becomes aware and hurries to fix it—this exploit is called a zero day attack.

REPORT TO: COUNCIL

MEETING DATE: THURSDAY 1 FEBRUARY 2018

**FROM: CHIEF FINANCIAL OFFICER
BRUCE ALLAN**

**SUBJECT: RECOMMENDATIONS OF THE RATING REVIEW
WORKING PARTY MEETING HELD 8 NOVEMBER 2017**

1.0 SUMMARY

- 1.1 The report summaries the recommendations from the Rating Review Working Party (RRWP) into a number of rating issues discussed in workshops held on 31 August, 7 September, 15 September, 28 September and 8 November. The relevant RRWP recommendations to be ratified are set out below.

2.0 BACKGROUND

- 2.1 In June 2017, Council heard a number of ratepayer submissions to the 2017/18 Annual Plan in relation to rates. Following consultation, and in recognition of impacts of the 2016 revaluation, Council also agreed to pause the differential changes proposed for 2017/18
- 2.2 Council made a commitment for these rating matters to be directed to the RRWP for further consideration and to report back to council with their recommendations.
- 2.3 The RRWP attended workshops held on 31 August, 7 September, 14 September, 28 September, and 8 November. This report outlines the key discussions points supporting the RRWP's recommendations for Council consideration.

3.0 OPTIONS

3.1 The basis for recovering General Rates

- 3.1.1 Following a submission to the 2016/17 Annual Plan, the RRWP considered the basis for recovering General Rates.
- 3.1.2 Council currently sets and recovers its General Rate on a land value (LV) basis, set differentially based on the location of the land within the district, and the use to which the land is put. Alternatives prescribed under Section 13 of the Local Government (Rating) Act include Annual Value (AV) and Capital Value (CV).
- 3.1.3 The RRWP acknowledged that the number of councils that used a LV approach compared to a CV approach was relatively even. It was noted that whilst the majority of metropolitan councils used CV, a high proportion of the district councils used LV, including Napier City Council and Hawkes Bay Regional Council.

- 3.1.4 The RRWP noted that each approach had pros and cons, and there were properties that would be advantaged and disadvantaged under each approach depending on their individual property value.
- 3.1.5 The RRWP considered the impacts of moving from LV to CV at a differential sector level and property level, and noted that marginally more properties would be disadvantaged and see a rates increase under a CV approach.
- 3.1.6 Whilst property impacts would vary from property to property, the RRWP noted significant rate increases would fall on groups of ratepayers such as Commercial Non-Urban properties and residential properties with low land values. Concerns were expressed around the impacts on properties situated in Flaxmere, Camberley and Whakatu where rate affordability issues are more prominent.
- 3.1.7 The RRWP acknowledged the submission made but noted that there did not appear to be significant community desire to change the basis for recovering the general rate. It considered the quantum of the impact upon some ratepayers in terms of affordability, and the number of properties that would be disadvantaged by changing to a CV approach. It considered that a LV approach was considered generally fair and reasonable and recommend retaining the status quo approach to set and recover its general rate on a land value basis.

3.2 Recovery of Uniform and Targeted Rates on a Per Separately Used or Inhabited Part of a Rating Unit (SUIP) basis

- 3.2.1 A number of ratepayers have raised concerns to Councillors and staff over the past 12 months around the fairness and equity of Council's application of uniform and targeted rates such as the Uniform Annual General Charge, Community Services and Resource Management Rate, Recycling, Refuse, Water, and the recovery of Sewage Disposal and Wastewater Treatment from residential properties.
- 3.2.2 Council has historically applied these rates on a 'Per Separately Used or Inhabited Part of a Rating Unit' (SUIP) basis in accordance with Schedule 3 of the Local Government (Rating) Act. The current approach was consistent with the majority of councils who apply their charges on the same basis.
- 3.2.3 The RRWP acknowledged that SUIP's would vary in size and that not all SUIP's place an equal demand on council infrastructure or receive the same level of benefit from council services. Some SUIP's will be used throughout the year, whilst others would be used sporadically as seasonal accommodation. However, in general, the RRWP felt it was reasonable to believe that a property with additional SUIP's would place a greater impact on council services than a property with one SUIP.
- 3.2.4 The RRWP considered the alternative of moving to a 'per rating unit' approach for all targeted rates we currently apply on a SUIP basis, however

this would shift the burden of rates from those with additional SUIP's to those properties with one SUIP. A typical residential property with one residential dwelling would face a significant increase of \$173.

- 3.2.5 The RRWP acknowledged that land owners with additional SUIP's have the ability to earn income from the SUIP to pay any additional rates, and charging rates on them could indirectly encourage their use rather than leaving them unoccupied.
- 3.2.6 The RRWP also acknowledged that different approaches could be undertaken for establishing liability of individual targeted rates, however they recognised the need to keep rating simple which the SUIP approach was.
- 3.2.7 Whilst RRWP understood some of the concerns raised around the fairness and equity by submitters, recovering uniform and targeted rates on a per SUIP basis, was considered generally a fair and reasonable approach given the potential demand and benefit received by that additional SUIP, and recommend retaining the status quo approach of recovering the Uniform Annual General Charge, Community Services and Resource Management Rate, Recycling, Refuse, Water, Sewage Disposal and Wastewater Treatment Rate on a per SUIP basis

3.3 Waimarama Sea Wall

- 3.3.1 Council currently recovers the costs associated with the Waimarama Sea Wall by way of a targeted rate which is set differentially per SUIP within each individual zone.
- 3.3.2 The RRWP were advised that council consulted on the basis for how the rate is recovered with land owners as recently as 2013, and the majority of affected ratepayers supported the current basis.
- 3.3.3 The RRWP acknowledged no submissions or concerns have been raised by land owners since land owners were consulted and recommend retaining the status quo approach to recover the Waimarama Sea Wall Rate differentially per SUIP within each individual zone.

3.4 Sewage Disposal & Wastewater Treatment Rates

- 3.4.1 Council currently recovers the costs of Sewage Disposal and Wastewater Treatment from non-residential properties on a differential basis per water closet / pan. This enables council to more fairly apportion the cost of these rates to the likely impact on council infrastructure.
- 3.4.2 The RRWP acknowledged that whilst councils differed in their approaches to recover costs associated with sewage, some form of scaling approach was common. Despite the differing approaches, the RRWP noted that HDC's approach and level of charges did not appear unreasonable in comparison to other councils.

- 3.4.3 The RRWP were of a view that it was not unreasonable to believe a non-residential property with multiple water closets / pans would place a greater impact on council sewage infrastructure over a residential property, and recommend retaining the status quo approach to recover the costs of Sewage Disposal and Wastewater Treatment from non-residential properties on a differential basis per water closet / pan.

3.5 Hastings Security Patrol, Havelock North Security Patrol, Hastings Central Business District (CBD) Upgrades, Havelock North CBD Upgrades, Hastings City Marketing Rate and Havelock North Promotion Rate

- 3.5.1 Council currently recovers the costs associated with all of the above through separate targeted rates on a LV basis from those respective properties receiving the benefit from those individual activities as identified on council's catchment maps.
- 3.5.2 The RRWP considered alternative basis's including Capital Value (CV) and Improved Value (IV), for each individual rate, acknowledging that the impacts of a change were not insignificant, and that there would be properties advantaged and disadvantaged under each basis.
- 3.5.3 The RRWP considered the merit of adopting a hybrid approach using more than one basis under Schedule 3, although they were of a view that this would increase complexity and administration.
- 3.5.4 The RRWP acknowledged that under the current LV approach, rates would be applied on the entire area which could include commercial land that was used for car parking purposes. Whilst this may appear to disadvantage those commercial properties required to provide their own parking, provision of parking added value to the business in terms of attracting customers through convenience.
- 3.5.5 The RRWP acknowledged the submission made but noted that there did not appear to be significant community desire to change the basis these rates are applied upon, and recommend retaining the status quo approach of recovering the Hastings Security Patrol, Havelock North Security Patrol, Hastings CBD Upgrades, Havelock North CBD Upgrades, Hastings City Marketing Rate and Havelock North Promotion Rate, on a land value basis.

3.6 Marketing and Promotion Rates

- 3.6.1 Council currently recovers the costs of Marketing and Promotion from a targeted rate set on a land value basis for those commercial properties located within the Hastings CBD and Havelock North CBD respectively.
- 3.6.2 A separate review of the Hastings City Marketing Rate will be brought back to Council in February regarding how best the activity should be carried out. The focus of the RRWP related to how the rate should be funded.

- 3.6.3 The RRWP acknowledged that land owners paying the Marketing and Promotion Rates in both cities would vary in terms of the benefit they received from the rate. Additionally there would be businesses who would also carry out their own marketing activities at their own cost.
- 3.6.4 The RRWP considered the merit of rationalising some of the CBD targeted rates, in particular the Hastings City Marketing Rate and Hastings Security Patrol Rate. However when considering the impacts and the fact the beneficiaries of each rate differed, they did not support any amalgamation of targeted rates.
- 3.7 The RRWP endorses the review into the Hastings City Marketing Rate which will review the scope of the targeted rate and alignment with the Council's strategic goals, and requests that the Working Party be advised of the findings so that it can undertake further consideration as to how this targeted Rate is recovered.

3.8 Rate Remission – Direct Family Member

- 3.8.1 In 2014, following consultation, council extended its Rate Remission Policy to include instances where an additional residential dwelling was used by a 'direct family member' such as an elderly or teenage child.
- 3.8.2 Concerns were raised by Officers that some properties that currently receive the remission may not necessarily reflect those instances council intended to provide rating relief for, and sought guidance from the RRWP.
- 3.8.3 A small number of properties met the current criteria of being a 'direct family member', however there did not appear to be any degree of dependency on the ratepayer, and they could be considered to be a separate household unit.
- 3.8.4 The RRWP considered an age-based threshold but recognised that there could be applicants under the age of 65 that may require financial, emotional physical assistance from the ratepayer in the main residential dwelling.
- 3.8.5 The RRWP supported a tightening of the policy criteria by ensuring there is some form of 'dependency', whether it be financial, emotional or for health reasons, between the ratepayer and the person occupying the additional residential dwelling.
- 3.8.6 The RRWP recommend amending its Remission Policy criteria to replace 'direct family member' with 'dependent person', with amendments to the application form as set out below, and that these changes be consulted on as part of the 2018-28 Long Term Plan:

Please describe the nature of the dependency relationship between the ratepayer and the dependent person occupying the additional rating unit.

- i) *Medical / Disability*
- ii) *Financial*

- iii) *Age*
- iv) *Other – Please advise*

3.9 Differential Changes

- 3.9.1 In 2012, Council undertook a review of its general rate differentials. Following consultation at the time, it agreed to the changes being implemented over a period of 8 years to 2019/20. The changes shifted the incidence of rates from the Commercial / Industrial sector to the residential sector in Rating Area 1, and from Residential and Commercial / Industrial sectors to Lifestyle / Horticulture / Farming sectors in Rating Area 2.
- 3.9.2 Concerns were raised by Council that the 2016 Revaluation may have mirrored the differential changes and amplified the shift in incidence of rates. Following consultation, a decision to pause the differential changes relating to year 5 of 8 was made, and to refer the matter to the RRWP for further review.
- 3.9.3 Officers took the RRWP through an overview of the original analysis undertaken in 2012. The RRWP queried the weightings applied in respect of some activities with Officers acknowledging that the weightings were subject to a degree of subjectivity and judgement and a review today may produce a different outcome.
- 3.9.4 The RRWP recommend to defer resumption of the differential changes to allow a more in-depth review of the level of service review underpinning the proposed differential changes. The RRWP will undertake the review during 2018 with the recommendations from that review presented to Council in early 2019 and included in the 2019/20 Annual Plan for consultation.
- 3.9.5 The differential changes saw a general shift in the incidence of rates from Commercial properties to Residential properties in Rating Area 1, and from Residential properties to Lifestyle / Horticulture / Farming properties in Rating Area 2. Those advantaged by the differential changes would be anticipating lower than average increases or decreases in rates. Officers propose to consult on the decision to defer resumption as part of the 2018-28 Long Term Plan.

4.0 RECOMMENDATIONS

- A) **That the report of the Chief Financial Officer titled “Summary of Recommendations of the Rating Review Working Party meeting held 8 November 2017” be received.**
- B) **The following recommendations of the Rating Review Working Party meeting held 8 November 2017 be ratified:**

That the Council:

- i) **retain the status quo approach and continue to set and recover its general rate on a land value basis, set differentially based on the location of the land within the district, and the**

use to which the land is put,

- ii) retain the status quo approach and continue to recover the Uniform Annual General Charge, Community Services and Resource Management Rate, Recycling, Refuse, Water, Sewage Disposal and Wastewater Treatment Rate on a per Separately Used or Inhabited Part of a Rating Unit basis,
 - iii) retain the status quo approach and continue to recover the Waimarama Sea Wall Rate differentially per Separately Used or Inhabited Part of a Rating Unit within each individual zone,
 - iv) retain the status quo approach to recover the costs of Sewage Disposal and Wastewater Treatment from non-residential properties on a differential basis per water closet / pan,
 - v) retain the Status Quo approach of recovering the Hastings and Havelock North Security Patrol, Hastings and Havelock North Central Business District Upgrades Targeted Rate and Havelock North Promotion Rate, on a land value basis,
 - vi) endorses the review into the Hastings City Marketing Rate which will review the scope of the targeted rate and alignment with the Council's strategic goals, and requests that the Working Party be advised of the findings so that it can undertake further consideration as to how this targeted Rate is recovered.
 - vii) amend its Remission Policy criteria to replace 'direct family member' with 'dependent person', with amendments to the application form.
- C) That resumption of the general rate differential changes for Rating Areas 1 & 2 implemented in 2012 be deferred to allow a more in-depth review of the level of service underpinning the proposed differential change. This will be reflected in the 2018-28 Long Term Plan consultation document.

With the reasons for this decision being the raising of funds from ratepayers in a fair and equitable way required to support the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost effective to households and businesses.

Attachments:

There are no attachments for this report.

REPORT TO: COUNCIL

MEETING DATE: THURSDAY 1 FEBRUARY 2018

**FROM: HEALTH AND SAFETY ADVISOR
JENNIE KUZMAN**

SUBJECT: HEALTH AND SAFETY MONTHLY REPORT

1.0 SUMMARY

- 1.1 The purpose of this report is to inform and update Council about Health and Safety at Hastings District Council.
- 1.2 The report provides information to enable Elected Members to undertake due diligence, by providing leading and lagging statistical information in relation to Health and Safety for the month of November 2017.

2.0 BACKGROUND

- 2.1 The Health and Safety at Work Act 2015 (HSWA) requires HSWA Officers (Elected members and the Chief Executive) to exercise due diligence by taking reasonable steps to understand the organisation's operations and Health and Safety risks, and to ensure that they are managed so that Council meets its legal obligations.

3.0 CURRENT SITUATION

- 3.1 The attached monthly report (Attachment one) provides information on leading and lagging statistical information in relation to Health and Safety reporting for the period of 1-30 November 2017 and is current as at 16 January 2018.
- 3.2 Whilst there have now been several reports generated for the organisation with leading and lagging indicators in this format, it will still take a further 12 months to collect sufficient data for analysis of long term trends. However, some commentary has been provided within the report.

4.0 SIGNIFICANCE AND ENGAGEMENT

- 4.1 This Report does not trigger Council's Significance and Engagement Policy and no consultation is required.

5.0 RECOMMENDATIONS AND REASONS

- A) That the report of the Health and Safety Advisor titled "Health and Safety Monthly Report " dated 1/02/2018 be received.**

Attachments:

1 Monthly Health and Safety Report

HR-03-01-18-264



Monthly Health and Safety Report: 1-30 November 2017

This report contains information that was
reported during the month of November 2017
and is current as at Tuesday, January 16, 2018

Glossary of Terms

Leading Indicators

- **Hazards Reported** – reports of newly identified hazards (in HDC facilities/worksites).
- **Health and Safety Risk Assessments** – documented risk assessments for HDC tasks/projects.
- **Health and Safety Observations** - documented conversations/ or task observations undertaken by Managers/Supervisors with HDC employees or Contractors.
- **Health and Safety Inspections** - documented inspections (usually a check of a site or facility using set criteria) undertaken by Managers/Supervisors with HDC employees or Contractors.
- **Health and Safety Audits** - documented health and safety system or contract audits undertaken by Managers/Supervisors with HDC employees or Contractors.
- **Health and Safety Meetings** -documented meetings which HDC employees attend (not meetings with contractors).
- **Health and Safety Training** - documented records of employees who have undertaken safety training for the month (both internal and external training).
- **Health and Safety Recognition** - documented recognition of excellence by HDC in regards Health and Safety.

Lagging Indicators

- **Near Misses** - Close call events - i.e. no injury or property damage sustained.
- **Other Incidents** – Non injury events which can't be classified as injury or property damage e.g. Chemical spill, Fire, or conflict situation with member of the public.
- **Property Damages** – reported damage to HDC property/plant/equipment.
- **First Aid Injuries** - Injuries treated onsite by HDC Employees and no further treatment required.
- **Medical Treatment Injuries** - Injuries treated by Registered Medical Professionals e.g. nurse, doctor, physiotherapist, dentist.
- **Lost Time Injuries** - Injuries resulting in time off work.
- **WorkSafe Notifiable Events** - Any incidents which were legally required to be reported to WorkSafe NZ.

Leading Indicators (Proactive Measures)

Measure	November 2017 Total	November 2016 Total	2017/18 YTD Total	2016/17 YTD Total
Hazards Reported	22	31	70	102
Health and Safety Discussions Held	25	97	102	550
Health and Safety Risk Assessments Undertaken	2896	2036	11663	10440
Health and Safety Observations Completed	91	151	337	645
Toolbox Health and Safety Briefings Held	699	679	2523	2417
Number of staff attending Health and Safety Training	65	141	221	315
Health and Safety subcommittee or Committee Meetings Held	2	3	12	15
Health and Safety Recognition	0	1	18	19

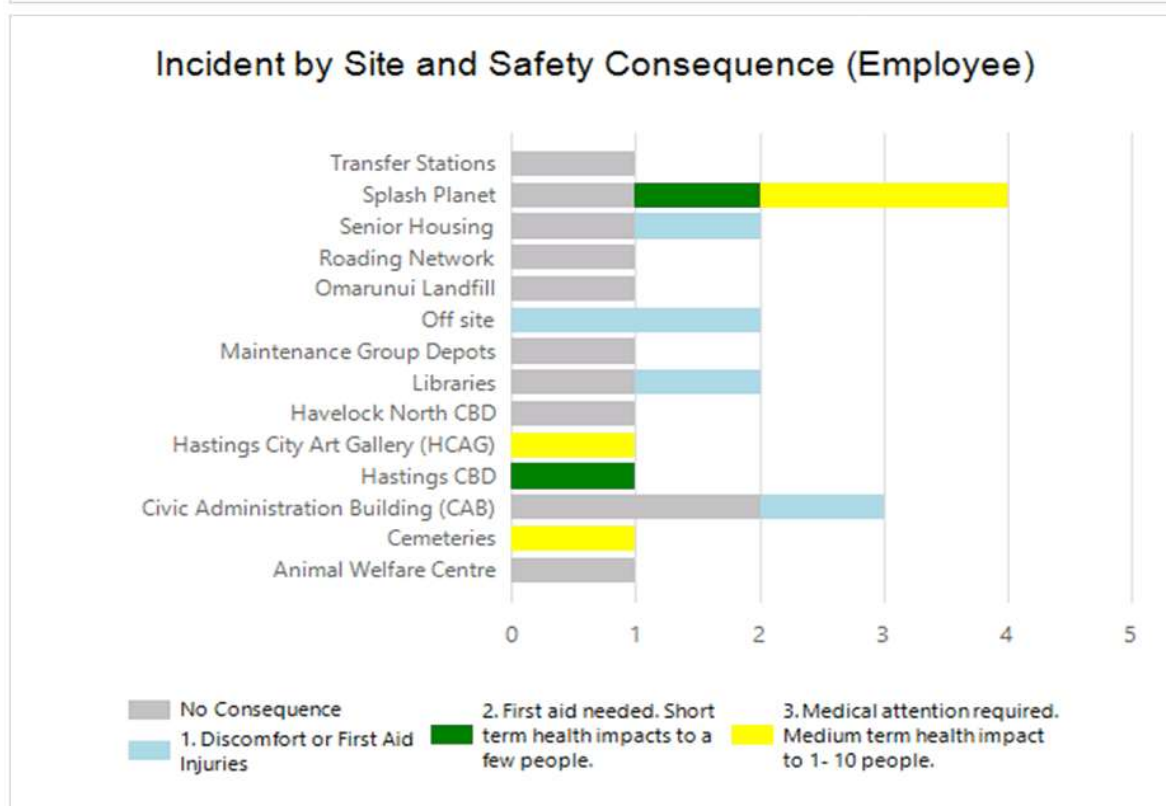
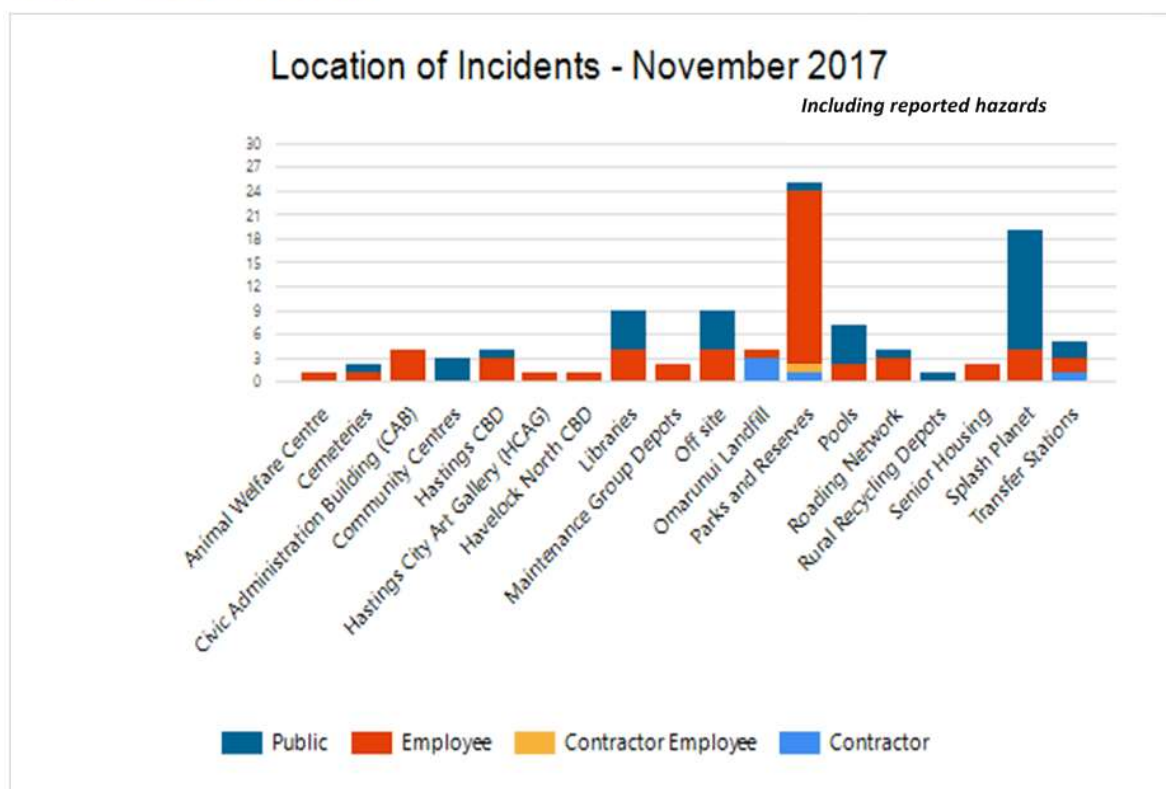
Lagging Indicators

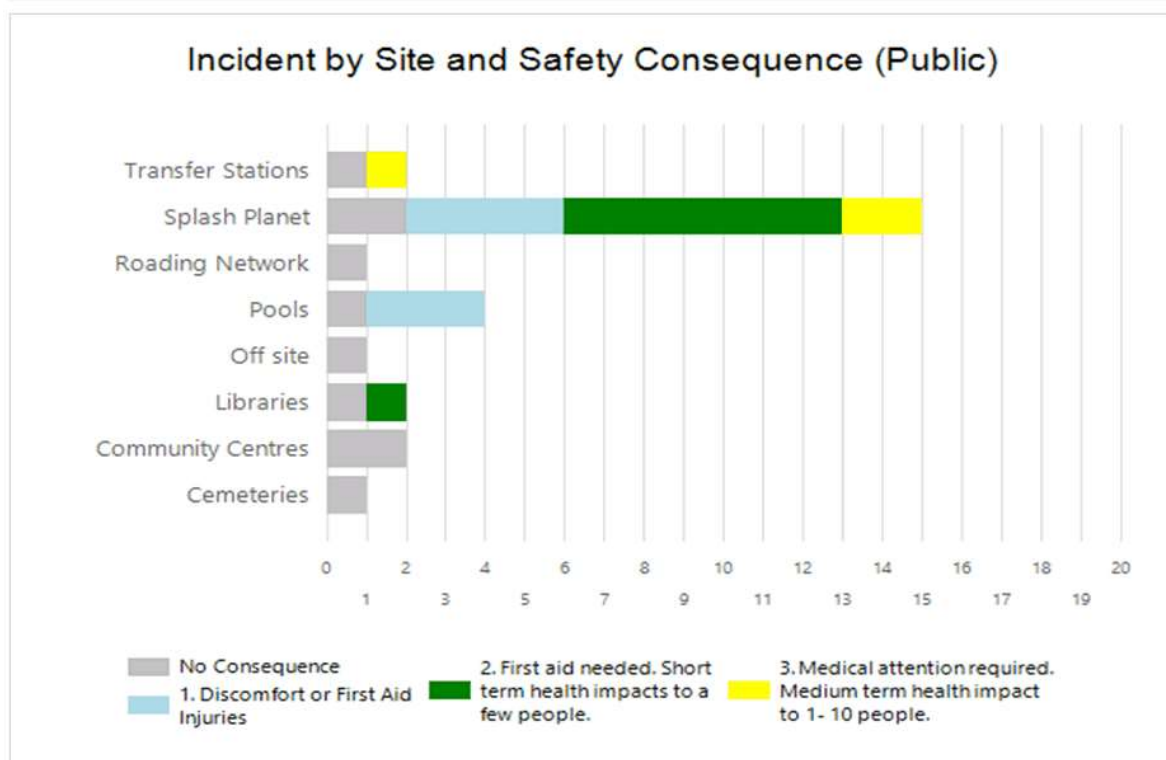
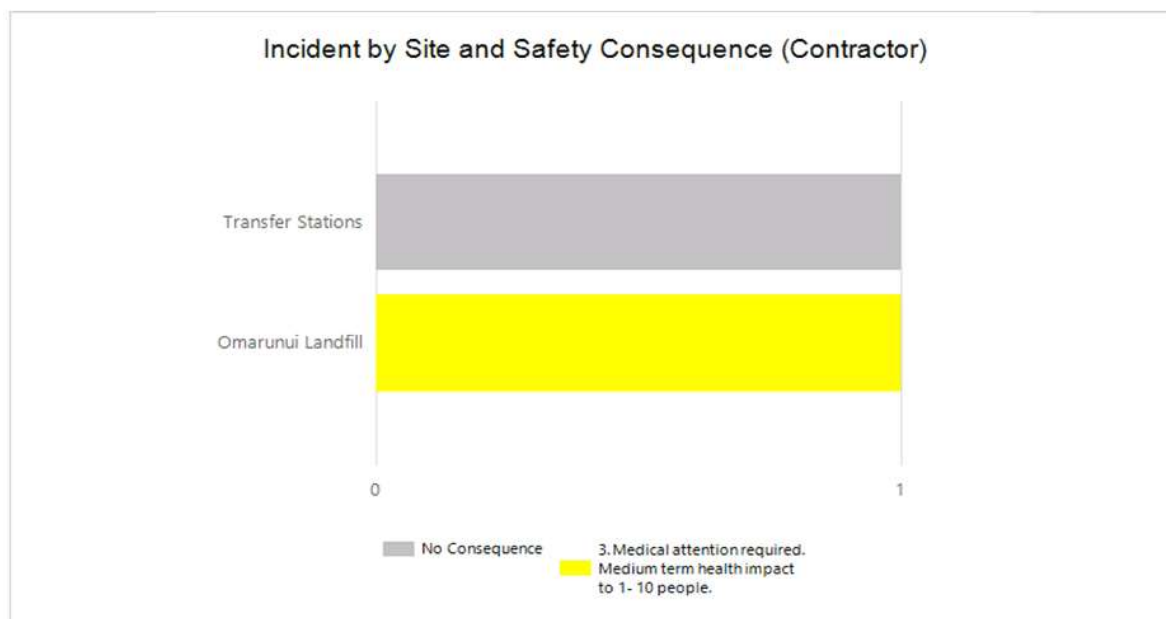
Incident Type	Contractor	Employee	Public	November 2017 Total	November 2016 Total	2017/18 YTD Total	2016/17 YTD Total
Near Misses	1	6	7	14	12	70	47
Other Incidents	1	5	2	8	7	39	3
Property Damages	3	6	2	11	4	48	17
Total	1	7	20	28	25	87	113
First Aid Injuries	0	3	17	20	22	57	89
Medical Treatment Injuries	1	3	3	7	2	24	21
Lost Time Injuries	0	1	0	1	1	6	4
WorkSafe Notifiable Events	0	0	0	0	1	0	4

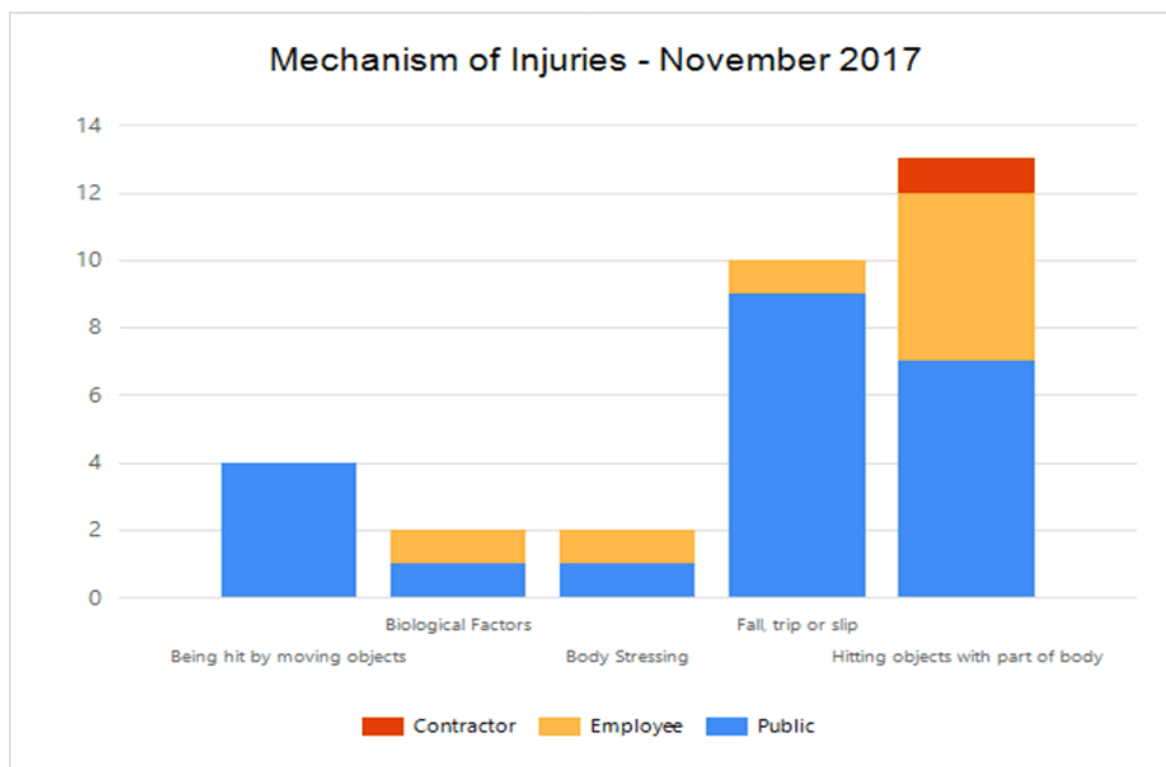
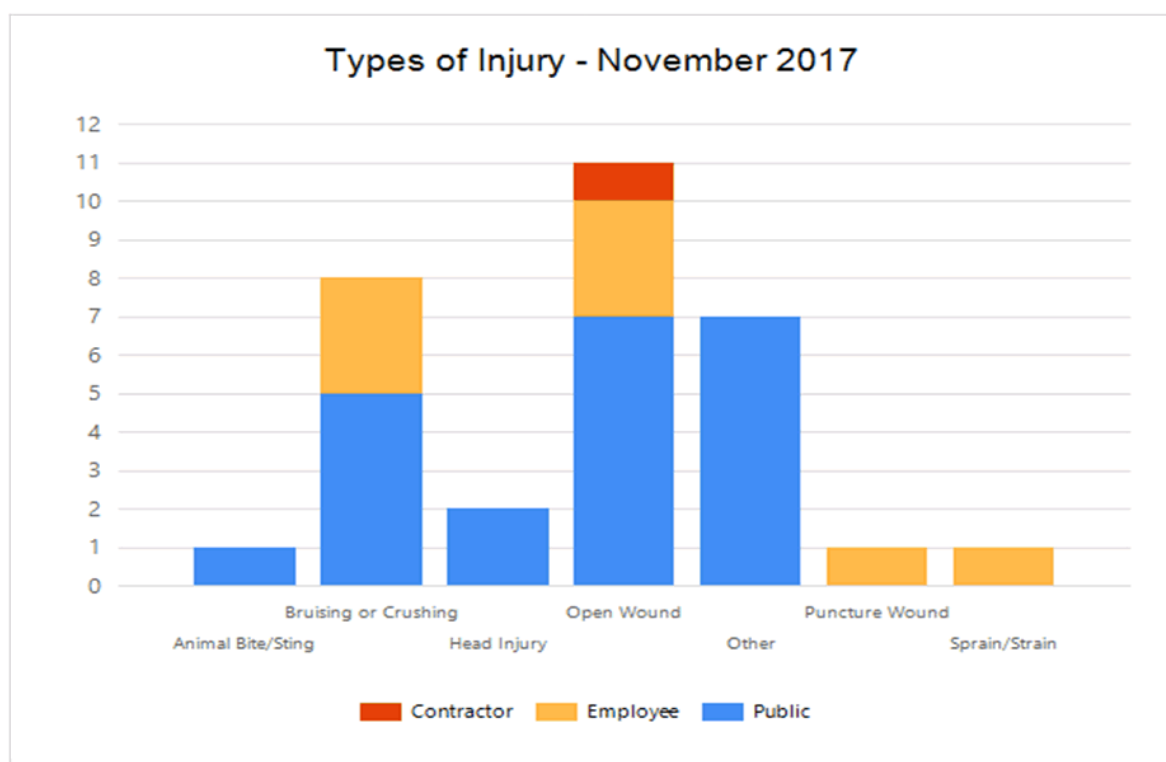
Significant Incidents

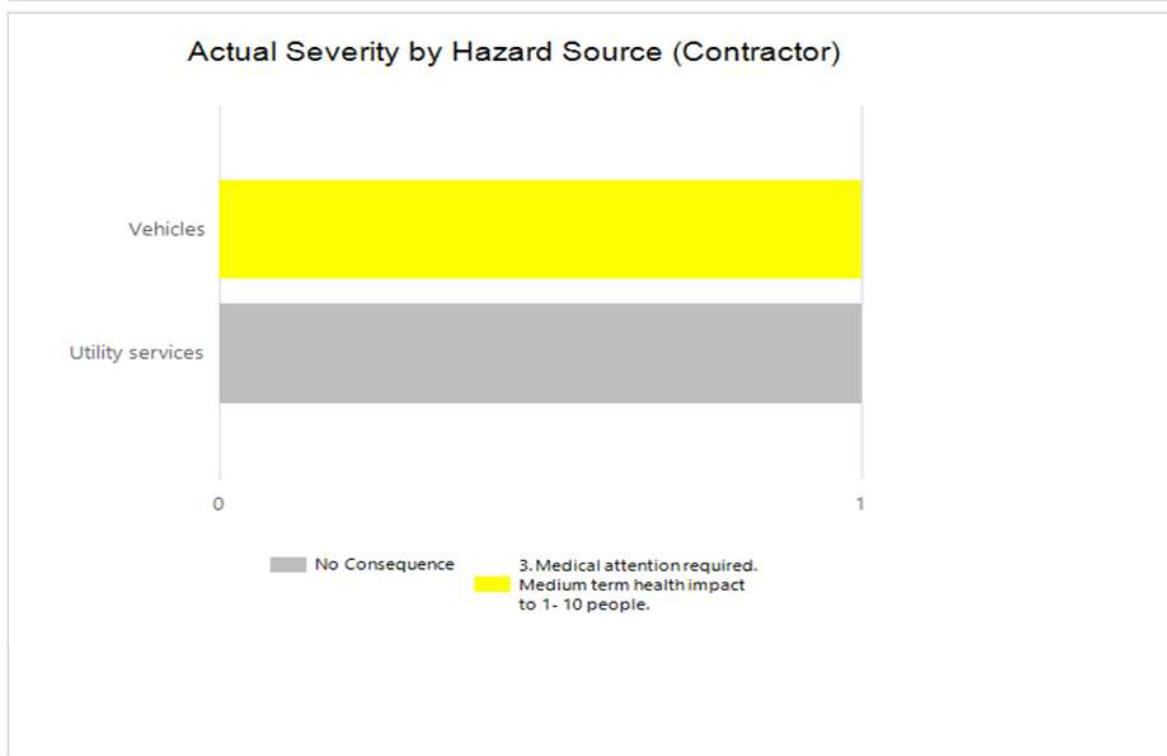
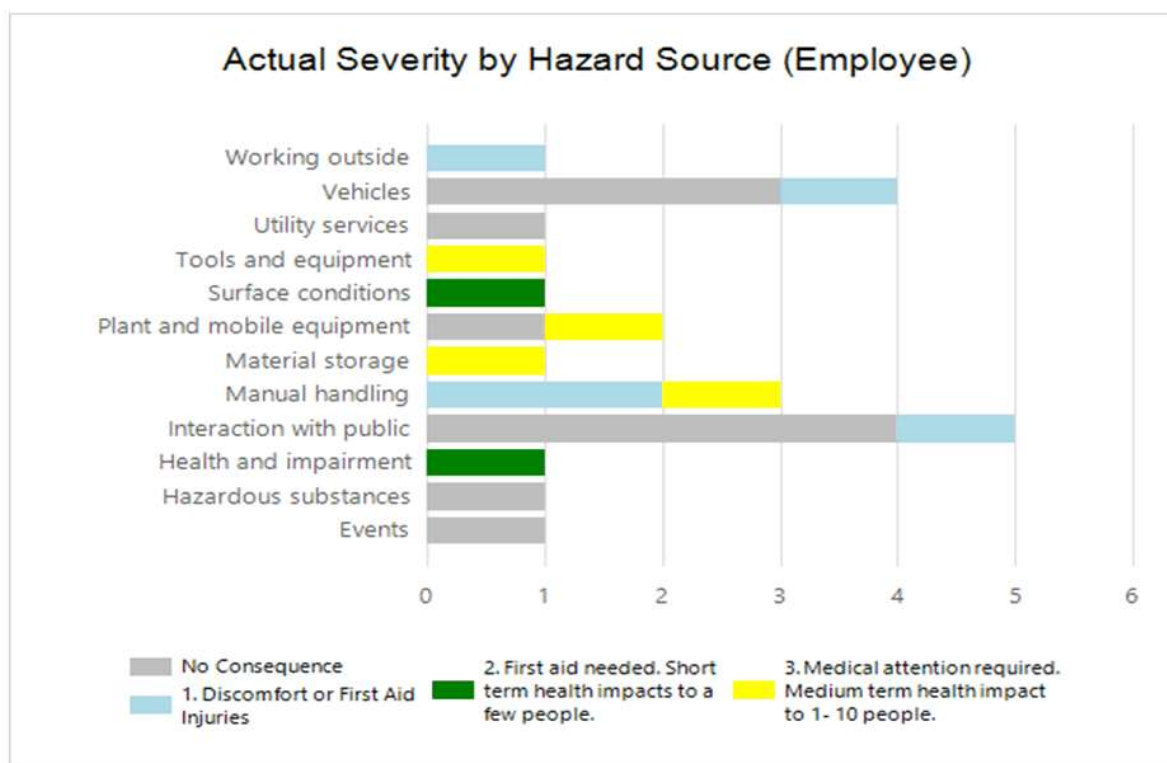
Summary of Significant Incidents – November 2017
<ul style="list-style-type: none"> LTI – Employee – An employee injured their shoulder whilst unloading equipment from a truck. The employee received medical treatment and had time off work due to the injury. The incident was investigated and corrective actions completed. MTI –Employee - An employee injured their back when lifting a Jeep at Splash Planet. The employee received medical treatment for the injury. The incident was investigated and corrective actions completed. MTI – Employee – An employee was stacking up metal chairs, and scraped their leg causing a ‘gouge’ injury. The employee received medical treatment for the injury. The incident was investigated and corrective actions completed. MTI – Employee – An employee cut their hand when using scissors causing a laceration. They received medical attention. The incident was investigated and corrective actions completed. MTI – Contractor – A contractor lost control of a vehicle when leaving the Landfill, they sustained minor injuries, staff provided first aid on-site and the worker received medical attention. The incident was investigated and corrective actions completed. MTI – Public – A member of the public was assaulted at Splash Planet by another member of the public, staff provided first aid and an ambulance was called. The incident was investigated and further security measures implemented. MTI – Public – A member of the public was injured at Splash Planet requiring medical attention for a laceration injury. The incident was investigated and corrective actions completed. MTI – Public – A member of the public slipped and fell at the Henderson Road Transfer station, Staff provided first aid and an ambulance was called. The site was inspected, no further actions were required.

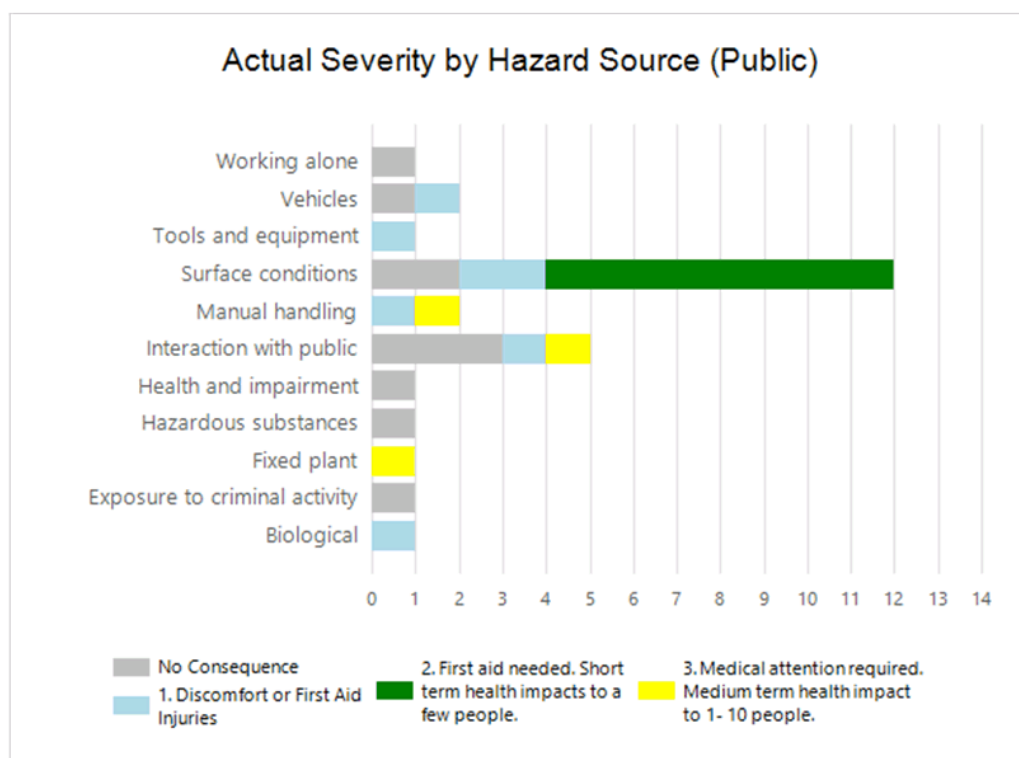
Graphs – November 2017











Comments

- Leading indicators remain stable for risk assessments and toolbox meetings, however other leading indicators (namely observations and inspections remain slightly down for the month of November 2017 a targeted campaign is in place to improve performance in relation to these key indicators.
- Council's community facilities continue to be the most prevalent location for incidents, in particular the libraries, Splash Planet and the aquatic facilities which opened for the 2017/18 season in November. The majority of incidents at these facilities tend to be minor incidents.
- It is important to note that whilst Splash Planet is the most prevalent site for public incidents, this must be reviewed in greater context as there is a high volume of public frequenting the facility. During November 2017, 9993 people visited Splash Planet (and this increased to 32,000 in December 2017), this highlights that there is actually a very low injury frequency rate for this facility.
- The most prevalent hazards causing incidents for employees in the month of November were interaction with the public, manual handling and vehicles, whilst for the public the most prevalent hazard was surface conditions contributing to slips, trips and falls.
- Open wounds, and bruising and crushing were the most prevalent type of injury. There were 7 incidents requiring medical attention (3 Employee, 1 Contractor, and 3 Public).

REPORT TO: COUNCIL

MEETING DATE: THURSDAY 1 FEBRUARY 2018

**FROM: FINANCIAL POLICY ADVISOR
ASHLEY HUMPHREY**

**SUBJECT: APPROVAL FOR DELEGATED AUTHORITY TO APPOINT
COMMISSIONERS FOR DEVELOPMENT CONTRIBUTION
OBJECTIONS**

1.0 SUMMARY

- 1.1 The purpose of this report is to seek Council approval to delegate authority to the Chief Executive to appoint Commissioners in the event an objection to a development contribution assessment is raised under Section 199C of the Local Government Act 2002 (LGA).
- 1.2 This request arises as a consequence of a requirement of the LGA 2002 for an objection to be considered and decided by independent Commissioners appointed from a list of Commissioners approved by the Minister of Local Government.
- 1.3 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the LGA 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.4 The objective of this decision relevant to the purpose of Local Government is to give effect to legislative obligations.
- 1.5 This report concludes by recommending:
 - a) That where an objection has been raised to a development contributions assessment under Section 199C of the LGA 2002, delegated authority to appoint Commissioners be given to the Chief Executive; and
 - b) That this delegated authority be added to the Hastings District Council Register of Statutory Delegations and Warrants.

2.0 BACKGROUND

- 2.1 The LGA 2002 was amended in 2014 providing developers with a legal platform to object to a development contribution assessment generated in respect of their development.
- 2.2 In accordance with the requirements of Section 199E and Schedule 13A of the LGA 2002, Council is required to select and appoint up to three commissioners approved by the Minister of Local Government to consider and decide upon the objection.

3.0 CURRENT SITUATION

- 3.1 Council maintains a Register of Statutory Delegations and Warrants that sets out the Chief Executive and staff delegated authorities in relating primarily to planning and regulatory functions of the Council.
- 3.2 An objection to an assessment of development contributions was received by Council in October 2017, where Council was required to select and appoint Commissioners.
- 3.3 Whilst the Chief Executive has general delegation unless prohibitive in law or the Council has separate delegation, no specific delegation is provided in the Register of Statutory Delegations and Warrants. A report was brought to Council to appoint Commissioners in that instance.
- 3.4 In order to streamline the process, authority is now being sought to enable delegation to be assigned to the Chief Executive by adding a power to the Register of Statutory Delegations and Warrants. This would align with the process undertaken in the appointment of Commissioners in the event of resource consent hearing.

4.0 OPTIONS

- 4.1 Option 1: That delegated authority to appoint Commissioners where an objection has been raised to a development contributions assessment under Section 199C of the LGA 2002, be given to the Chief Executive.
- 4.2 Option 2: Council can reject the proposal and not give delegated authority to the Chief Executive.

5.0 SIGNIFICANCE AND ENGAGEMENT

- 5.1 The issues for discussion are not significant in terms of Council's Significance Policy and Engagement and no consultation is required.

6.0 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 6.1 Option 1: That delegated authority to appoint Commissioners where an objection has been raised to a development contributions assessment under Section 199C of the LGA 2002, be given to the Chief Executive.
- 6.2 This is purely an administrative matter. The list of commissioners possess a wide range of skills and experience, has already been set by the Minister of Local Government. Any perception of perceived bias with regards to the appointment of any individual commissioners, is offset through the fact the list is established by the Minister of Local Government and includes persons whom have a wide range of skills and experience.
- 6.3 Option 2: Council can reject the proposal and not give delegated authority to the Chief Executive.

7.0 PREFERRED OPTION/S AND REASONS

- 7.1 Option 1: That delegated authority to appoint Commissioners where an objection has been raised to a development contributions assessment under Section 199C of the LGA 2002, be given to the Chief Executive.

- 7.2 Delegation would remove the need to come back to council to select Commissioners accordingly.

8.0 RECOMMENDATIONS AND REASONS

- A) That the report of the Financial Policy Advisor titled “Approval for Delegated Authority to Appoint Commissioners for Development Contribution Objections” dated 1/02/2018 be received.**
- B) That where an objection has been raised to a development contributions assessment under Section 199C of the Local Government Act 2002, delegated authority to appoint Commissioners be given to the Chief Executive.**
- C) That this delegated authority be added to the Hastings District Council Register of Statutory Delegations and Warrants.**

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for performance of regulatory functions in a way that is most cost-effective for households and business.

Attachments:

There are no attachments for this report.

REPORT TO: COUNCIL

MEETING DATE: THURSDAY 1 FEBRUARY 2018

**FROM: MANAGER STRATEGIC FINANCE
BRENT CHAMBERLAIN**

**SUBJECT: SUMMARY OF RECOMMENDATIONS FROM RISK AND
AUDIT SUBCOMMITTEE MEETING HELD ON 28
NOVEMBER 2017**

1.1 The purpose of this report is to advise that recommendations from the Risk and Audit Subcommittee meeting held on 28 November 2017 require ratification by Council.

1.2 The following recommendations were resolved at the Risk and Audit Subcommittee meeting on 28 November 2017:

**“6. ANNUAL REVIEW OF TREASURY MANAGEMENT POLICY AND
TREASURY PERFORMANCE**

A) That the report of the Manager Strategic Finance titled “Annual Review of Treasury Management Policy and Treasury Performance” dated 28/11/2017 be received.

B) That the Risk and Audit Subcommittee recommend to Council the changes to the Treasury Management Policy document (as shown in the marked up version PMD-02-06-03-17-33) included in Attachment 2 to the report in “A” above, subject to discussions between the Chair of the Risk and Audit Subcommittee, PricewaterhouseCoopers and Officers in regard to the future minimum forward start time for interest rate swaps/collars and other minor amendments”.

1.3 Initial advice from PwC was that the policy of no new unlinked start swaps – that is forward starting swaps that are not linked to existing swaps – starting more than 48 months from execution be tightened to 24 months. Risk and Audit felt that this would make building the forward cover portfolio more difficult, especially with regard to the expected increase in debt profile, therefore it wished to retain the flexibility of 48 months. Risk and Audit acknowledged that forward cover should only be taken where debt profiles are certain.

As per the recommendations, discussions were held between the Chair of the Risk and Audit Subcommittee, PricewaterhouseCoopers (PwC) and Officers in regard to the future minimum forward start time for interest rate swaps and some other minor amendments and agreement was reached to make the changes recommended by the Risk and Audit Subcommittee.

2.0 RECOMMENDATIONS AND REASONS

- A) That the report of the Manager Strategic Finance titled “Summary of Recommendations from Risk and Audit Subcommittee Meeting held on 28 November 2017” dated 1/02/2018 be received.**
- B) That following discussions with the Chair of the Risk and Audit Subcommittee, PricewaterhouseCoopers and officers the changes to the Treasury Management Policy document (as shown in the marked up version PMD-02-06-03-17-33) be approved.**

Attachments:

- | | | | |
|---|--|---------------|--------------|
| 1 | Treasury Management Policy December 2017 - Final | CG-14-1-00583 | Separate Doc |
|---|--|---------------|--------------|

REPORT TO: COUNCIL

MEETING DATE: THURSDAY 1 FEBRUARY 2018

**FROM: DEMOCRATIC SUPPORT MANAGER
JACKIE EVANS**

SUBJECT: UPDATED 2018 MEETING SCHEDULE CHANGES

1.0 SUMMARY

- 1.1 The purpose of this report is to consider amendments to the schedule of Council and Committee Meetings for the 2018 Meeting Calendar which was adopted by Council 30 November 2017.
- 1.2 This report recommends that the 2018 Meeting Schedule as amended below be adopted.

2.0 BACKGROUND

- 2.1 The Local Government Act 2002, Schedule 7, Clause 19 states:
- (4) *A local authority must hold meetings at the times and places that it appoints”.*
- (5) *If a local authority adopts a schedule of meetings-*
- a) *The schedule-*
- i) *may cover any future period that the local authority considers appropriate, and*
- ii) *may be amended*
- 2.2 Although a local authority must hold the ordinary meetings appointed, it is competent for the authority at a meeting to amend the schedule of dates, times and number of meetings to enable the business of the Council to be managed in an effective way.
- 2.3 The following additional meeting is proposed to be included in the 2018 meeting schedule:

Committee	Date	Time	Venue
Risk and Audit Subcommittee	Monday, 12 February 2018 Monday, 25 June 2018 Monday, 3 September 2018 Monday, 5 November 2018	10.00am (instead of 9.00am)	Landmarks Room
Rural Community Board	Monday, 5 March 2018 (instead of 19 February 2018)	2.00pm	Landmarks Room

Rural Halls Subcommittee	Monday, 10 September 2018 (previously 3 December 2018)	1.00pm	Landmarks Room
Council	Thursday, 22 March 2018	1.00pm (instead of 9.00am)	Council Chamber
Council	Thursday, 26 April 2018 (previously 19 April 2018)	1.00pm	Council Chamber

- 2.4 Councillors will be kept informed of specific changes on a day to day basis through the centralised calendar system.

3.0 RECOMMENDATIONS AND REASONS

- A) That the report of the Democratic Support Manager titled “Updated 2018 Meeting Schedule Changes” dated 1/02/2018 be received.
- B) That the 2018 Meeting Schedule be amended as follows:-

Committee	Date	Time	Venue
Risk and Audit Subcommittee	Monday, 12 February 2018 Monday, 25 June 2018 Monday, 3 September 2018 Monday, 5 November 2018	10.00am (instead of 9.00am)	Landmarks Room
Rural Community Board	Monday, 5 March 2018 (instead of 19 February 2018)	2.00pm	Landmarks Room
Rural Halls Subcommittee	Monday, 10 September 2018 (previously 3 December 2018)	1.00pm	Landmarks Room
Council	Thursday, 22 March 2018	1.00pm (instead of 9.00am)	Council Chamber
Council	Thursday, 26 April 2018 (previously 19 April 2017)	1.00pm	Council Chamber

Attachments:

There are no attachments for this report.

REPORT TO: COUNCIL

MEETING DATE: THURSDAY 1 FEBRUARY 2018

**FROM: DEMOCRATIC SUPPORT MANAGER
JACKIE EVANS**

**SUBJECT: REQUESTS RECEIVED UNDER THE LOCAL
GOVERNMENT OFFICIAL INFORMATION AND MEETINGS
ACT (LGOIMA) MONTHLY UPDATE**

1.0 SUMMARY

- 1.1 The purpose of this report is to inform the Council of the number of requests under the local Government official Information Act (LGOIMA) 1987 received in November and December 2017.
- 1.2 This issue arises from the provision of accurate reporting information to enable effective governance
- 1.3 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.4 The objective of this decision relevant to the purpose of Local Government is to ensure that the Council is meeting its legislative obligations
- 1.5 This report concludes by recommending that the report be noted.

2.0 BACKGROUND

- 2.1 The LGOIMA allows people to request official information held by local government agencies. It contains rules for how such requests should be handled, and provides a right to complain to the Ombudsman in certain situations. The LGOIMA also has provisions governing the conduct of meetings.

Principle of Availability

- 2.2 The principle of availability underpins the whole of the LGOIMA. The Act explicitly states that:

*The question whether any official information is to be made available ... shall be determined, except where this Act otherwise expressly requires, in accordance with the purposes of this Act and **the principle that the information shall be made available unless there is good reason for withholding it.***

Purpose of the Act

2.3 The key purposes of the LGOIMA are to:

- progressively increase the availability of official information held by agencies, and promote the open and public transaction of business at meetings, in order to:
 - enable more effective public participation in decision making; and
 - promote the accountability of members and officials;
 and so enhance respect for the law and promote good local government; and
- protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

2.4 City, district and regional councils, council controlled organisations and community boards are subject to LGOIMA and official information means any information held by an agency subject to the LGOIMA.

2.5 It is not limited to documentary material, and includes material held in any format such as:

- written documents, reports, memoranda, letters, notes, emails and draft documents;
- non-written documentary information, such as material stored on or generated by computers, including databases, video or tape recordings;
- information which is known to an agency, but which has not yet been recorded in writing or otherwise (including knowledge of a particular matter held by an officer, employee or member of an agency in their official capacity);
- documents and manuals which set out the policies, principles, rules or guidelines for decision making by an agency;
- the reasons for any decisions that have been made about a person.

2.6 It does not matter where the information originated, or where it is currently located, as long as it is held by the agency. For example, the information could have been created by a third party and sent to the agency. The information could be held in the memory of an employee of the agency.

What does a LGOIMA request look like?

2.7 There is no set way in which a request must be made. A LGOIMA request is made in any case when a person asks an agency for access to specified official information. In particular:

- a request can be made in any form and communicated by any means, including orally;
- the requester does not need to refer to the LGOIMA; and
- the request can be made to any person in the agency.

- 2.8 The Council deals with in excess of 14,000 service requests on average each month from written requests, telephone calls and face to face contact. The LGOIMA requests dealt with in this report are specific requests for information logged under formal LGOIMA procedure, which sometimes require collation of information from different sources and/or an assessment about the release of the information requested.

Key Timeframes

- 2.9 An agency must make a decision and communicate it to the requester 'as soon as reasonably practicable' and **no later than** 20 working days after the day on which the request was received.
- 2.10 The agency's primary legal obligation is to notify the requester of the decision on the request 'as soon as reasonably practicable' and without undue delay. The reference to 20 working days is not the de facto goal but the maximum unless it is extended appropriately in accordance with the Act. Failure to comply with time limit may be the subject of a complaint to the ombudsman.
- 2.11 The Act provides for timeframes and extensions as there is a recognition that organisations have their own work programmes and that official information requests should not unduly interfere with that programme.

3.0 CURRENT SITUATION

- 3.1 Council has requested that official information requests be notified via a monthly report.

4.0 RECOMMENDATIONS AND REASONS

- A) That the report of the Democratic Support Manager titled "Requests Received under the Local Government Official Information and Meetings Act (LGOIMA) Monthly Update" dated 1/02/2018 be received.**
- B) That the LGOIMA requests received in December 2017 as set out in Attachment 1 (IRB-2-01-18-1153) of the report in (A) above be noted.**

Attachments:

- | | | |
|---|--|------------------|
| 1 | LGOIMA - Cumulative Monthly Report to Council
October/November 2017 | IRB-2-01-18-1153 |
|---|--|------------------|

IRB-2-01-18-1153

LGOIMA – Monthly report to Council – November/December 2017

	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Requests resulting in a complaint to Ombudsman
1 – 30 November	15	14	14	0	0	11.9	
1 - 31 December	8	8	7	1	0	6.5	

Requests - received since those last reported to Council

Month	From	Subject	Total
From 20-November	James Carter Law	Alleged dog incident – Kahuraniki Road	8
	Andre Chumko	Cost of Christmas presents in the past 3 years	
	Hawke's Bay Today		
	George Macmillan	Mangatahi Bridge records	
	Morice Ltd		
	Tom Belford	Te Mata Peak – Resource Consents matters	
	Justin Morgenroth	Street and park Inventories	
	University of Canterbury		
	Martin Williams	Legal case	
	Vanessa Hamm	Earthworks within Te Mata Peak Natural Feature and Landscape	
	Holland Beckett Law		
	Richard Brabant	Russell Roads Limited, Kereru Road	

IRB-2-01-18-1153

Month	From	Subject	Total
From 1 - 31 December	Andre Chumko Hawke's Bay Today	Staff positons and Pay	8
	R Osborne Responsible Campers Association	Freedom Camping Act	
	G N McNaught NZ Taxpayers Union	Register of Pecuniary interests	
	Tabitha Lorck NZ Taxpayers' Union	Correspondence	
	Bill Ellis BCAA Ltd	Residential properties with Magnum Board Installation	
	John Trail	Consent Application	
	B White	Use of Dowsing Techniques	
	Lionel Grainger	Mileage Payments	
Month	From	Subject	Total
From 1 – 19 January	Marty Sharp Dominion Post	Abatement Notice	10
	Rosemary Silva Jones Brown and Bate	Complaint Infringement Notice	
	Grant McLachlan	Walking Track, Te Mata Peak	
	Helen Black	Pest Control Operations 1.1.87 – July 2017	
	G Wright McNaughton Taxpayers' Union	Average residential rates	
	G Wright McNaughton Taxpayers' Union	Staffing and Remuneration	

IRB-2-01-18-1153

	G Wright McNaughton Taxpayers' Union	Council Spend and Controls	
	Andrea Vance TVNZ	Asbestos in water infrastructure	
	Malcolm Lock	Cleaning of Clifton Toilets	
	Julie Anne Maitland The Data Factory	Food License Data	
		Not closed	

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 1 FEBRUARY 2018

RECOMMENDATION TO EXCLUDE THE PUBLIC

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

THAT the public now be excluded from the following part of the meeting, namely:

18. Irongate Industrial Zone Update

19. Term Contract Extensions

The general subject of the matter to be considered while the public is excluded, the reason for passing this Resolution in relation to the 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 is as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED		REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION
18. Irongate Industrial Zone Update		Section 7 (2) (b) (ii) The withholding of the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information. To protect commercial interests if third parties.	Section 48(1)(a)(i) Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.
19. Term Extensions	Contract	Section 7 (2) (i) The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). Contractual negotiations to be completed subject to the approval to offer an extension and enter into negotiations.	Section 48(1)(a)(i) Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.