



**The Meeting of the
Audit and Risk Committee will be
held on Tuesday 15 February 2022
via Zoom
commencing at 1.00pm**

AGENDA

Meeting ID: 263 978 6884
Passcode: 190208

AUDIT AND RISK COMMITTEE

His Worship the Mayor - Malcolm Campbell

Councillor C J Ion

Councillor A Rangihika

Councillor F K N Tunui

Councillor D Sparks

Philip Jones – Consultant - P J Associates (Chair)

**Kawerau District Council Minutes of an
Audit and Risk Committee held on 7 December 2021
In the Council Chambers commencing at 1.00pm**

Present: Philip Jones – P J Associates (Chair)
His Worship the Mayor – M J Campbell
Councillor F K N Tunui
Councillor C J Ion
Councillor D Sparks
Councillor A Rangihika

In Attendance: Chief Executive Officer (R George)
Group Manager, Finance & Corporate Services (P Christophers)
Group Manager, Operations & Services (H van der Merwe)
Administration Officer (T Barnett)

Apologies

No apologies were received.

Declarations of Conflict of Interest

No conflicts of interest were received.

1 Occupational Health and Safety Management System Status (Health and Safety Officer) (509500)

The Committee reviewed the Health and Safety Officers report.

Resolved

Councillors Rangihika / Sparks

That the report "Occupational Health and Safety Management System Status" is received.

2 Treasury Report to 31 October 2021 (Group Manager, Finance and Corporate Services) (110551)

The Committee reviewed the Treasury Report to 31 October 2021.

Resolved

Councillor Ion / Chair Jones

That the report "Treasury Report to 31 October 2021" is received.

3 Annual Plan Performance for the 3 Months Ended 30 September 2021 (Group Manager, Finance and Corporate Services) (110400)

The Committee reviewed the Annual Plan Performance Report for the 3 Months Ended 30 September 2021.

Resolved

Councillors Sparks / Rangihika

That the report "Annual Plan Performance for the 3 Months Ended 30 September 2021" is received.

4 Risk Register Summary (Group Manager, Finance and Corporate Services) (201000)

The Committee reviewed the Risk Register Summary Report.

Resolved

Deputy Mayor Tunui / Councillor Ion

1. That the report "Risk Register Summary" is received.

2. The Committee requested a review of 3 risks;

- The local government reforms planned by the Minister*
- The impact of COVID-19 on Council operations*
- Loss of significant ratepayer*

Meeting closed 1.49pm

P Jones

Chairperson

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Meeting: Audit and Risk Committee

Meeting Date: 15 February 2022

Subject: Occupational Health and Safety Management System Status

File No: 509500

1 Executive Summary

Kawerau District Council's Top 5 Hazards identified by workers				
Hazard	Raw Risk Score	Residual Risk Score	Status	Comment
Public/People/Customers	15 High	10 Moderate	Completed	Target is: 20 Control Measures Completed
				Control Measures
				Completed 20
				Underway 0
Stress	15 High	10 Moderate	Completed	Target is: 25 Control Measures Completed
				Control Measures
				Completed 25
				Underway 0
Slips, Trips and Falls	15 High	10 Moderate	Completed	Target is: 24 Control Measures Completed
				Control Measures
				Completed 24
				Underway 0
Lone Working	15 High	10 Moderate	Underway	Target is: 22 Control Measures Completed
				Control Measures
				Completed 21
				Underway 1
Manual Handling	15 High	12 Moderate	Completed	Target is: 27 Control Measures Completed
				Control Measures
				Completed 27
				Underway 0
				Not Started 0

Above is the top five hazards table based on the results of the staff survey in October 2020.

Prioritisation of Tasks

The table below sets out steps and the priority level of tasks.

Critical Element	Priority	Actions Required	Started	By Whom	Target for Completion	Current Status
Covid- 19 Pandemic	High	Remain ready and prepared to respond to Managing Risks to Staff/Community Health based on Govt Guidelines Maintain preparedness to react to COVID -19 Health and Safety and Government Requirements	23/01/2020	HSO	Unknown - Ongoing	Underway
Hazard, Identification, Assessment and management	High	Create and manage a register aligned with legal/ organisational requirements, current knowledge and thinking. All registered hazards to achieve completed status. Monitor and review hazards.	June 2016	HSO and Work Groups and Managers	Unknown - Ongoing	Underway
Contractor/Contracted Worker Health and Safety Management	High	SHE prequalification complete. Contractor induction document in place. Contractor Monitoring KPI in place. Contractor Post Contract review In place.	June 2016	HSO	June 2019	Complete
Worker Participation in Health and Safety Management	High	Health and Safety Representative Job Description complete.	June 2016	HSO	June 2019	Complete
Employer Commitment to Safety Management Practices	Medium	Review H&S Policies. Identify and implement a performance based management system.	June 2016	HSO	Ongoing	Underway

Critical Element	Priority	Actions Required	Started	By Whom	Target for Completion	Current Status
Emergency Planning and Readiness	Medium	Monitor and review plans.	June 2016	HSO	Ongoing	Underway
Planning, Review and evaluation	Low	Monitor and review	June 2016	HSO	Ongoing	Underway
Information, Training and Supervision	Low	Monitor and review	June 2016	HSO	Ongoing	Underway
Near Miss, Incident and Injury Reporting, Recording and Investigation	Low	Monitor and review	June 2016	HSO	Ongoing	Underway

Data in this report aligns with Council's Financial Year period to January 31 2022.

Managing the threat of COVID – 19 has been a priority during this report period for Council Staff and Elected Members.

The COVID – 19 pandemic response framework moved from an Alert Level framework to the COVID – 19 protection framework (traffic Lights) at 11:59pm 2 December 2021 with Kawerau starting at Red then changing to Orange on 30 December moving back to Red on 23 January 2022.

At the time of writing this report Kawerau is at Red.

Staff vaccination is another layer of protection towards minimising health risks to staff and aiming to maintain a safe workplace.

Risk assessments for all staff roles were completed and staff were involved in this.

Staff identified as being at a high risk of harm, from contracting COVID – 19 if not fully vaccinated.

A first draft KDC staff vaccination policy was released to staff 13 December 2021 allowing a week for staff to respond with their submissions.

KDC Elected Members attended an extra ordinary Council Meeting 16 December to discuss mandating vaccine passes at Council facilities for the public aged 12 and over.

The decision was made not to mandate vaccine passes but to review as required.

On 20 December, all staff were given the opportunity to attend a Question and Answer session with a local Doctor about Vaccinations.

This was a group session with an opportunity for one on one sessions also.

An extra ordinary Council meeting held on 28 January 2022 reviewed mandating vaccine passes for the public aged 12 and over at Council facilities and a requirement for vaccine passes was adopted.

This will be implemented by Council staff as soon as practicable.

This will be for all indoor-staffed Council venues excluding outdoor facilities.

(Maurie Kjar Memorial Swimming Pool Com.plex albeit an outside pool - is included due to public indoor changing facilities)

Staff vaccination policy will be released in early February after staff submissions have been considered.

The Drug and Alcohol Policy review is underway awaiting feedback from the Unions.

Hazard management and reviews continue with workgroups and managers.

There have been 2 notifications to WorkSafe New Zealand during this report period submitted by Council contractors involving contact with underground services during water pipe replacements.

Health and Safety Committee (HSC) meetings continue as scheduled.

Event data results will identify as lower than usual due to the Swimming Pool temporary closure and the effects of COVID – 19 Lockdown.

No contractors were audited during this report period.

2 Background

This report provides a general overview of the current status of the Occupational Health & Safety Management System (OHSMS).

Source data is identified and accessed from VAULT/Damstra Health and Safety software.

3 Lead and Lag Indicators

Lead Indicators identify activities aimed at preventing accidents and maintaining health and safety like induction, training, hazard management, monitoring and prompt/thorough event investigation.

Near Miss events are considered leading indicators because workers demonstrate awareness and understanding that a near miss represents the potential for harm, loss or damage should there be a repetition of the same or similar event.

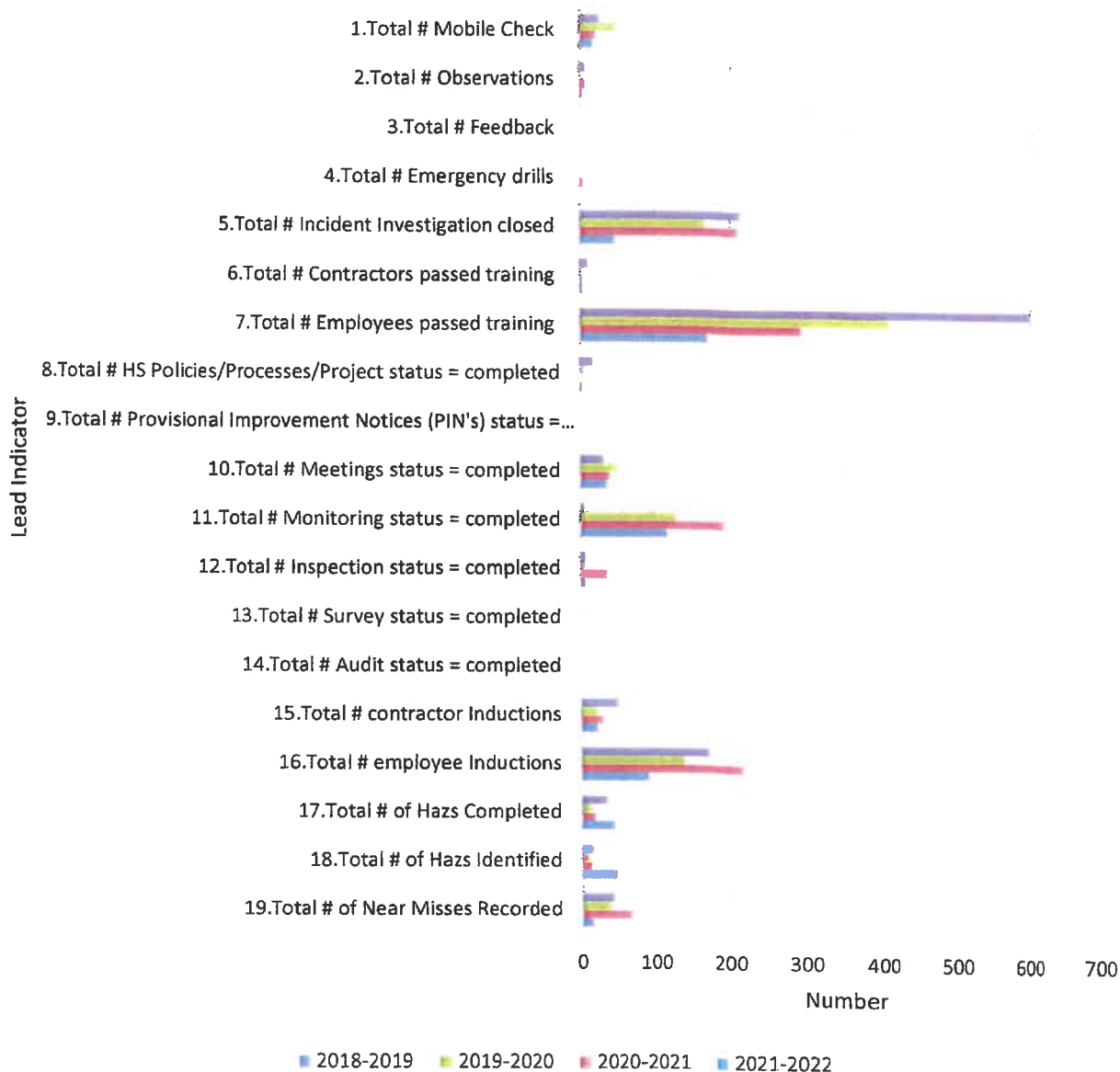
Near Miss events when reviewed will identify learning and continuous improvement opportunities potentially adding to the preventative approach in Health and Safety management.

Lag Indicators identify data that has resulted from a work related injury or illness.

First aid events, medical events and lost working time are identified.

The bar graphs below identify lead and lag indicators by financial year.

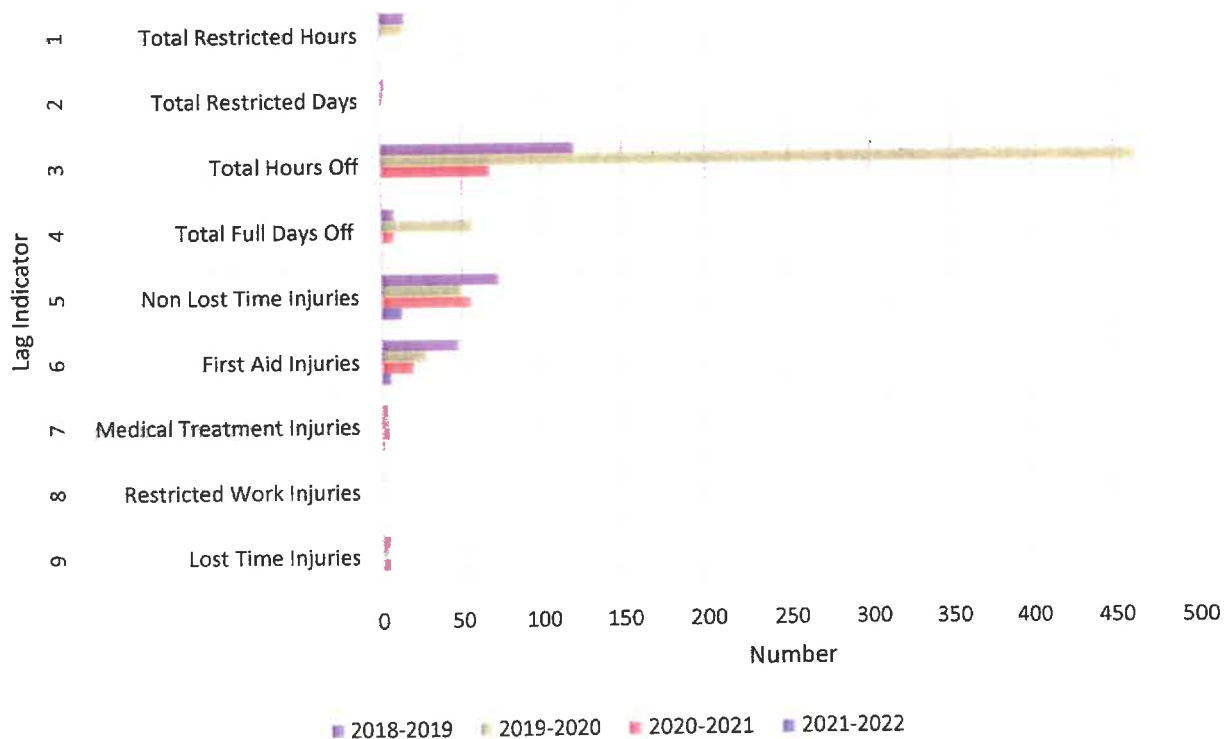
Lead Indicators by Financial Year



Key for Lead Indicators	
1	Audit/Check Template Mobile Application e.g. Tablet Device used for – Contractor Audit, Site Audits or Workstation Assessment (Completed) Specific Contractor Audit data is identified in a bar graph near the end of this report.
2	Positive Observation Records e.g. Comments by staff - <i>Workers observed wearing appropriate PPE or Traffic Management site well managed...</i>
3	Positive comments to H & S team e.g. New mower much quieter than older model or new agrichemical much safer to use than the previous one...
4	Number of Emergency Drills – includes false alarms and evacuations.
5	Event Investigations – Designated Investigators have completed and closed the investigation into an event e.g. accident, near miss, incident, illness and pain or discomfort etc.
6	Contractors that have undergone training arranged by KDC.
7	Number of workers completing Health and Safety Related Training
8	Polices, Processes newly implemented or that have been reviewed
9	A record of PIN's (Provisional Improvement Notices) – where a specific health and safety improvement is legally required within a reasonable timeframe.
10	Health and Safety Meetings e.g. Committee meetings, toolbox, hazard reviews
11	Monitoring e.g. Panic Duress alarm test, Smartrak testing, Individuals or teams monitoring an issue – also records of Officer Due Diligence duties

12	Site Inspections – formal or informal e.g. Management by Walking About
13	Staff Health and Safety Surveys e.g. Safe Plus+ or Ask your Team
14	Audit e.g. Audit by internal or external auditors
15	Contractors inducted e.g. General and/or Site Specific Safety Inductions
16	Workers inducted e.g. General - and Site Specific Safety Inductions
17	Total number of Hazards/Risks completed all types e.g. site, task, plant, biological, environmental, psycho - social, ergonomic, substance, asbestos and physical
18	Total number of new Hazards/Risks identified all types (not previously listed)
19	Near Misses Recorded - To Identify potential weaknesses in the safety management system enabling learning opportunities to implement improvements to eliminate or further minimise harm, damage or loss in the future regarding the same or similar events.

Lag Indicators by Financial Year



Key for Lag Indicators	
1	Restricted hours worked as part of a return to work rehabilitation plan
2	Restricted days worked as part of a return to work rehabilitation plan
3	Number of hours lost resulting from a workplace injury event
4	Number of full days lost resulting from a workplace injury event
5	Injury events resulting in no work time lost
6	Injury events resulting in a First Aid Response
7	Injury events resulting in medical treatment by a registered medical practitioner e.g. doctor or immediate treatment meaning urgent treatment including treatment by a medical practitioner, registered nurse or paramedic
8	Injury events resulting in a worker doing restricted or alternative work (Rehabilitation)
9	Number of injuries resulting lost working time

The 2019 - 2020 total hours and days off results identify as higher than other years because of one notifiable worker accident.

Recovery/rehabilitation time was needed to ensure a healthy, safe and sustainable return to work identified in the data.

4 Employer Commitment to Safety Management Practices

Commitment to health and safety management in the workplace is recorded in VAULT/Damstra.

Policies are reviewed by the Health and Safety Committee (HSC), Health and Safety Representatives (HSR's) and their workgroups.

The leadership team complete a final review and approval.

Policies are reviewed at least triennially, unless an opportunity for improvement is identified earlier.

The Health and Safety Policy remains on an annual review cycle.

Organisational Policies/Documents

The table below identifies status of Policy/Document reviews.

Organisational Policy/Document	Status
Health and Safety Policy	Review 01/12/2021 HSC (Underway)
Rehabilitation Policy	Review 01/03/2022 HSC
Drug and Alcohol Policy	Review 01/08/2021 HSC (Underway)
Cash Handling Policy	Review 01/04/2024
CCTV Policy	Develop/Review MFCS (Underway)
Worker Engagement, Participation and Representation Agreement	Review 30/11/2022 HSC
HSR Induction Manual	Develop/Review 29/08/2021 HSO (Underway)
HSR Position Description	Review 01/04/2022 HSC
Safe Driving Policy	Review 06/04/2024
Staff Induction Safety Policies and Manual	Review 09/09/2022 HSC
Trespass Policy & Processes	Review 29/10/2022 HSC
Visitor Management Policy	Review 01/02/2022 HSC
Working Alone Policy	Review 05/06/2022 HSC
Bomb threat, Lock down & Suspicious mail policy	Review 18/06/2021 HSC (Underway)
VDU Management Policy	Review 03/09/2024
Bullying and Harassment Policy	Review 01/10/2024
Workplace Stress & Fatigue Policy	Review 30/08/2022
Retirement Planning Policy	Review 01/09/2024

5 Planning, Review and Evaluation

VAULT/Damstra provides source data for review and evaluation of the Occupational Health and Safety Management System (OHSMS).

VAULT/Damstra status reports are scheduled electronically to managers.

6 Hazard Identification, Assessment and Management

Work associated with managing the top 5 hazards is outlined below:

1. Public/People
2. Stress
3. Slips, Trips and Falls
4. Lone Working
5. Manual Handling

1 Public/People

Customer Conflict Awareness training will be completed in March 2022 for new staff along with refresher training for existing staff.

A guideline for staff dealing with telephone abuse is under development.

Planning to minimise the risks to staff from potential conflict situations between staff and public is underway for locations where the public are required to produce their vaccine pass or exemption.

2 Stress

KDC maintains a policy for the management of Workplace Stress and Fatigue and the hazard is recorded in the register.

Bullying and Harassment and Mental Health Awareness training will be rescheduled for new and existing staff refreshers in 2022.

The organisation is aware of the potential negative mental health effects of the COVID – 19 pandemic and continues to encourage staff to utilise the organisation's free and confidential support services.

3 Slips, Trips and Falls

The risk of death, injury, damage or loss from slipping tripping or falling is recorded with safety controls on the hazard register.

4 Lone Working

KDC maintains a policy and process for Lone Working Management and this is recorded in the KDC Hazard register.

Where practicable – managers aim to eliminate lone working by staff not working alone, especially in remote or isolated areas.

Lone working technology (Personal duress alarms) are tested regularly for functionality and to allow staff to practice their acknowledgement of an alert and their response routine.

5 Manual Handling

The risks associated with manual handling and safety controls is recorded on the hazard register.

Training is ongoing.

Early pain, discomfort and injury reporting is encouraged.

Top 5 Hazards as per risk assessment and staff perception

The staff evaluation method is based on personal perception, knowledge and experience, which is valued by the organisation.

The organisation engages with the workforce to understand staff perceptions of danger.

Learning from this has resulted in commitment to invest in resources like site improvements, technology, equipment, training, policies and processes.

Learning and opportunities to improve are ongoing.

Health Monitoring

The table below identifies health assessments, monitoring and vaccinations for workers.

Monitoring/Vaccination	Status
Audiometry (Hearing monitoring)	Completed 2021 to be scheduled for 2022
Immunisations/vaccinations (Tetanus, Hep A, B & Diphtheria)	Ongoing/Underway
Work station assessments	Ongoing/Underway
COVID – 19 Vaccination Pass (CVP)	Ongoing/Underway
Spirometry (Lung Function Monitoring)	Completed 2020 but still on hold 2021 due to COVID - 19
Full Asbestos Medical (Workers doing Asbestos Related/Removal Work)	Completed 2020 but still on hold 2021 due to COVID - 19
Pre-Employment-Medicals (PEM's)	Ongoing/Underway
Face Fit Assessment & Monitoring (RPE)	Ongoing/Underway
Drug & Alcohol Pre-Employment, Random, Reasonable Cause and Post Event testing	Ongoing/Underway
Eye Health and Vision Check	Ongoing/Underway for staff spending over 50% of their working day on a Visual Display Unit (VDU)

Health & Wellbeing

The table below identifies opportunities for workers to find support and consider offers that could help maintain - or improve their health and wellbeing – including mental wellbeing.

Opportunity on Offer to Workers	Status
Employee Assistance Programme (EAP Services)	Available 24/7
Employee Counselling Provider (VITAE)	Available 24/7
COVID – 19 Immunisation	KDC supports vaccination of staff
Annual Flu vaccine	Completed for 2021 to be scheduled for 2022
Health Assessment (Heart, BP, Cholesterol, Glucose, BMI & Waist Circumference etc.)	Completed 2021, to be scheduled for 2022
Skin Checks (Melanoma/Skin Cancer)	Underway for 2021
Yoga Class	Available weekly
Zumba Dance Class	Available weekly
Domestic Violence Victims Protection Standard Operating Procedure	Available on the KDC Intranet/SharePoint

COVID – 19 – Vaccinations to further minimise risk

Getting vaccinated means you are far less likely to get really sick and have to go to hospital if you catch COVID-19. You are also less likely to pass COVID-19 on to other people.

Studies show that 95% of people who have received 2 doses of the vaccine are protected against getting COVID-19 symptoms.

<https://covid19.govt.nz/covid-19-vaccines/get-the-facts-about-covid-19-vaccination/covid-19-vaccination-your-questions-answered/#protection> 03/02/2022

The Pfizer vaccine (Comirnaty) is effective at reducing the number of people who get COVID-19. It's harder to find out how well the vaccine stops people passing on (transmitting) the COVID-19 virus. Recent studies show that the Pfizer vaccine can reduce transmission of the virus. These studies looked at the number of people infected with COVID-19 after they had been vaccinated and their close contacts.

<https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-vaccines/covid-19-vaccine-effectiveness-and-protection#catching>
18/01/2022

Vaccination has been identified as a way of further minimising risks to staff and public health in conjunction with other controls like face masks, distancing, ventilation, contact tracing and hygiene.

The Omicron variant is now in New Zealand and overseas research has identified it as more transmissible than the Delta variant.

Omicron is more transmissible – case numbers may double every 2 to 4 days
<https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-health-advice-public/about-covid-19/covid-19-about-omicron-variant> 04/02/2022

KDC as a PCBU (Person Conducting a Business or Undertaking) has a legal duty to minimise risks so far as is reasonably practicable where risks cannot be eliminated under the Health and Safety at Work Act 2015 (HaSaW Act 2015)

HaSaW Act 2015 30 Management of risks

1(b) if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable.

<https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM6544135.html>

The PCBU has a primary duty of care to its workers and others to ensure that health and safety is the first and foremost consideration in its everyday activities.

HaSaW Act 2015 36 Primary duty of care

(1) A PCBU must ensure, so far as is reasonably practicable, the health and safety of—

(a) workers who work for the PCBU, while the workers are at work in the business or undertaking; and

(b) workers whose activities in carrying out work are influenced or directed by the PCBU, while the workers are carrying out the work.

(2) A PCBU must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.

<https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976895.html>

KDC must so far as is reasonably practicable provide a safe workplace for anyone.

HaSaW Act 2015 37 Duty of PCBU who manages or controls workplace

(1) A PCBU who manages or controls a workplace must ensure, so far as is reasonably practicable, that the workplace, the means of entering and exiting the workplace, and anything arising from the workplace are without risks to the health and safety of any person.

The Chief Executive Officer, Senior Managers and Elected Members must exercise thoroughness and attentiveness to ensure that KDC is legally compliant.

HaSaW Act 2015 44 Duty of officers

(1) If a PCBU has a duty or an obligation under this Act, an officer of the PCBU must exercise due diligence to ensure that the PCBU complies with that duty or obligation.

<https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976912.html>

Drug & Alcohol Policy

Tests identified in the policy are:

- Pre-Employment
- Random (5% of staff per month)
- Reasonable Grounds
- Post Incident testing

Workplace Monitoring

Methane and Hydrogen Sulphide gas levels are continually monitored at designated premises.

Information, Training and Supervision

Investment in Health and Safety training remains relevant to the organisation's needs.

Some training has continued but most training has been put on hold due to COVID-19 and is starting to be rescheduled for 2022.

Some courses are being completed on line.

Training providers are making this way of learning more readily available, user friendly and easy to access.

This training still maintains accreditation to NZQA unit standards.

While at COVID Protection framework traffic light Red setting – training providers are requiring participants to produce their MVP as part of their organisation's duties to protect their staff and other participants.

7 Incident and Injury Reporting, Recording and Investigation

Notifiable Events to WorkSafe NZ

(The death of a person, a notifiable injury, illness - or a notifiable incident that must be reported to WorkSafe NZ).

- Event: 2340 Excavations, KDC 3 – Waters Contractor.
Contact with underground services resulting in an unplanned release of gas.
23/11/2021
Investigation:
All services were identified by the relevant utility service providers. The contractor potholed all services and verified the depths of services.

Unfortunately, a few services were installed one above the other and subsequently the bottom services were missed during potholing and struck.

Corrective Action:

Contractor to double check service depths prior to thrusting

- Event: 2357 Excavations, KDC 3 – Waters Contractor.
Contact with underground services resulting in an unplanned release of gas.
24/01/2022
Investigation – The Gas utility Company marked out the surface above where they believed the pipes were located in the ground. During excavations, a gas line was struck resulting in an unplanned release of gas. The surface markings were approximately 4 Metres away from where the pipes were actually buried.

Both events resulted in no harm to persons but there was temporary interruption to services while repairs were undertaken by the utility provider.

Event Statistics

Events recorded include Accidents, Incidents, Near Misses and illness.

- Total 230 averaging 19 events per month for financial year 2018 - 2019
- Total 155 averaging 13 events per month for financial year 2019 - 2020
- Total 206 averaging 17 events per month for financial year 2020 - 2021
- Total 50 averaging 7 events per month for financial year 2021 - 2022
(As at 31 Jan 2022)

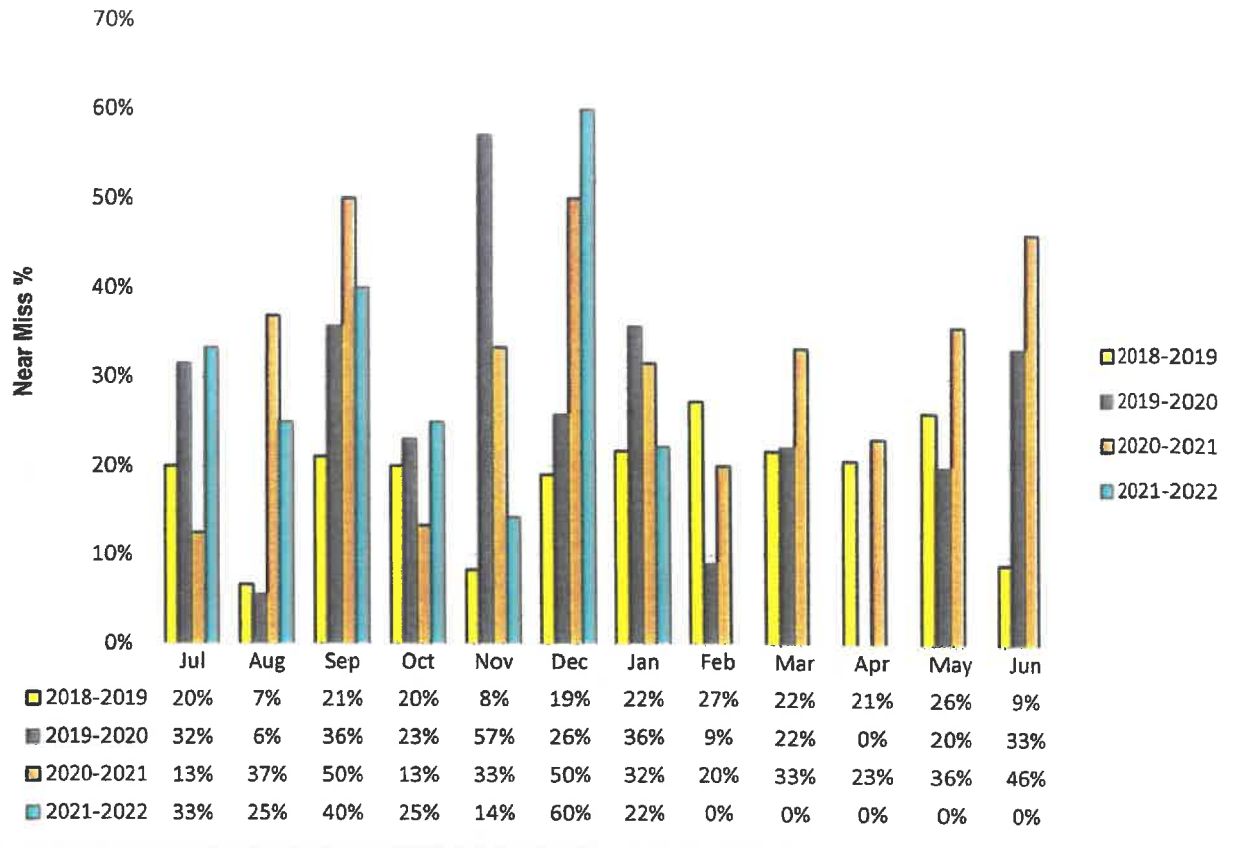
Event Statistics are lower than usual for 2021 - 2022 due to COVID – 19 and the swimming pools being temporarily closed for essential maintenance.

Near Miss events

The organisation values near miss events being reported understanding the learning potential and opportunity to improve health and safety preventative control measures.

- Near miss events contributed to 18% of total events for financial year 2018-2019
- Near miss events contributed to 25% of total events for financial year 2019- 2020
- Near miss events contributed to 32% of total events for financial year 2020-2021
- Near miss events contributing to 30% of total events for financial year 2021-2022

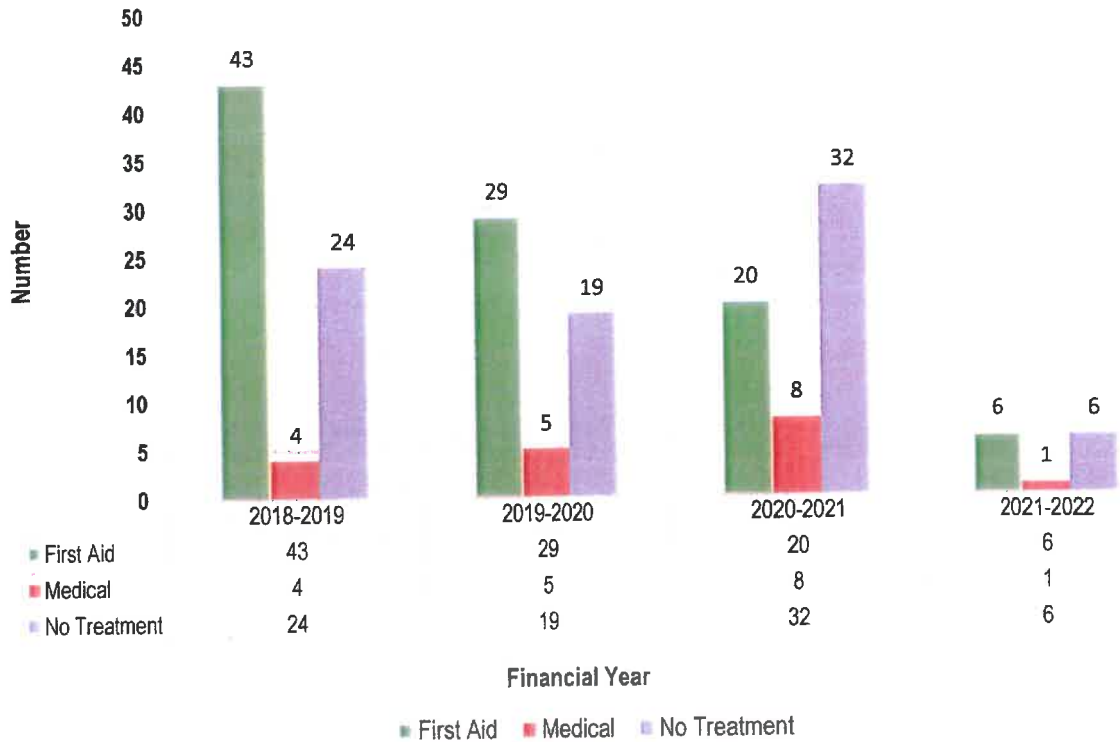
Near Miss % of Events by Financial Year



The column combination graph above identifies the financial year focusing on the percentage of near misses recorded for each month.

Accidents

Injury Treatment Required by Financial Year



The column combination graph above identifies injury/illness treatment outcomes by financial year.

All sites and all person types are included in the data.

- First Aid means attention given to reduce the effects of the injury or illness.
- Medical means professional medical attention has been required to manage the effects of an injury/illness e.g. General Practitioner, Registered Nurse, Paramedic or Physiotherapist.
- No treatment means the injury did not require first aid attention - or First Aid assistance was refused.

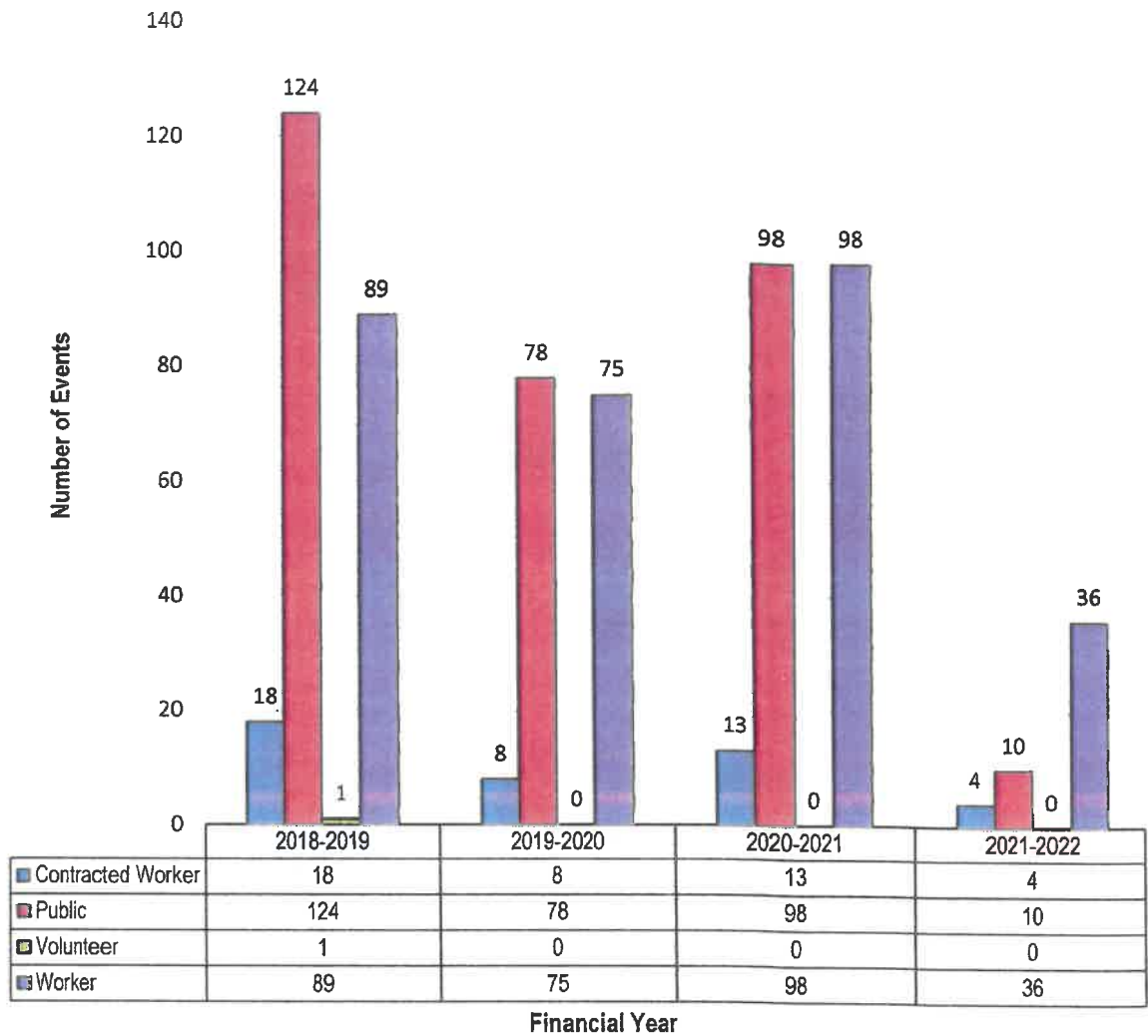
Types of Person involved in Events

The organisation records the type of person involved in events.

The public and workers usually identify similar results.

Most of the public events occur at the Swimming pool site but this has been closed for several weeks impacting event data results for this financial year.

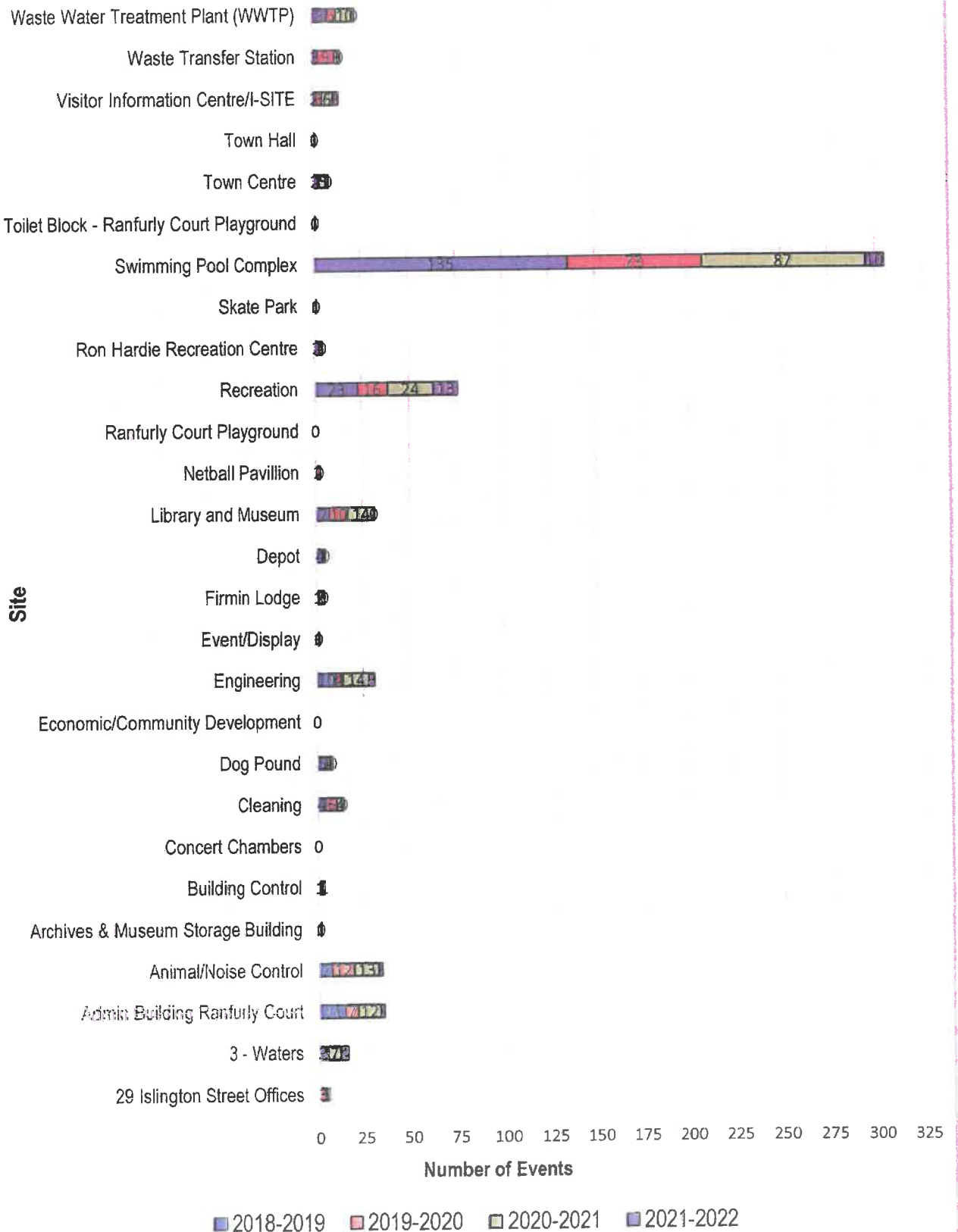
Types of Persons Involved in Events by Financial Year



The column combination graph above identifies the type of person involved in all events for the financial year.

- Contracted worker means a contractor or sub-contractor engaged by Council
- Public means the general public including customers or visitors
- Volunteer means a Volunteer worker engaged to work for Council unpaid
- Worker means any person employed by Council

Site Event Records by Financial Year



The stacked bar chart above identifies the sites where an event has been reported and recorded for financial years 2018-2019, 2019-2020, 2020-2021 and 2021-2022.

Event reports from the swimming pool site are lower than previous years do to a temporary closure for essential maintenance.

8 Employee Participation in Health and Safety Management

The Health and Safety Committee (HSC) continues to meet monthly. Health and Safety is an agenda point for departmental business improvement meetings, management meetings and Leadership team meetings.

The February meeting will be held remotely (via Zoom)

The HSC attended a health and safety site tour of a local sawmill in Kawerau in December.

2 newly elected HSR's successfully completed stage 1 training and assessment in January 2022.

9 Emergency Planning and Readiness

Certain Council premises are required to have Building Warrant of Fitness Certificates (BWoF) e.g. District Office/Library and Firmin Lodge because they are identified as having specified systems.

Specified Systems require scheduled inspection and maintenance for health and safety reasons annually.

Specified systems can include fire warning (alarm), sprinkler systems, emergency lighting, riser mains, automatic doors, mechanical ventilation and lifts etc.

Compliance checks for specified systems are done by an Independent Qualified Person (IQP) namely Bay Building Company.

A Building not requiring a BWoF has emergency plans, emergency exits and assembly points maintained by Operations and Services.

First Aid equipment, training and provision is maintained.

Duress Alarms and Emergency Lock Down

All Council counter services have duress alarms and emergency lockdown buttons which are tested regularly and records of testing maintained in VAULT.

10 Protection of Employees from On-site Work undertaken by Contractors and Sub-contractors

Contractor Monitoring Key Performance Indicator (KPI)

Contractors can be subject to site audits by the HSO and the relevant Kawerau District Council (KDC) contract manager.

Contractor auditing measurement uses a Key Performance Indicator (KPI) with a target set at one Audit per month – except during holiday periods when contractor activity is low.

Individual or combined factors influence the KPI target being met - like; unplanned or reactive work taking priority, leave, availability of a variety of contractors, suitable projects to audit, pandemic alert level restrictions and weather.

The KPI target was 10 for the financial year 2020 – 2021.

9 audits were completed for that year.

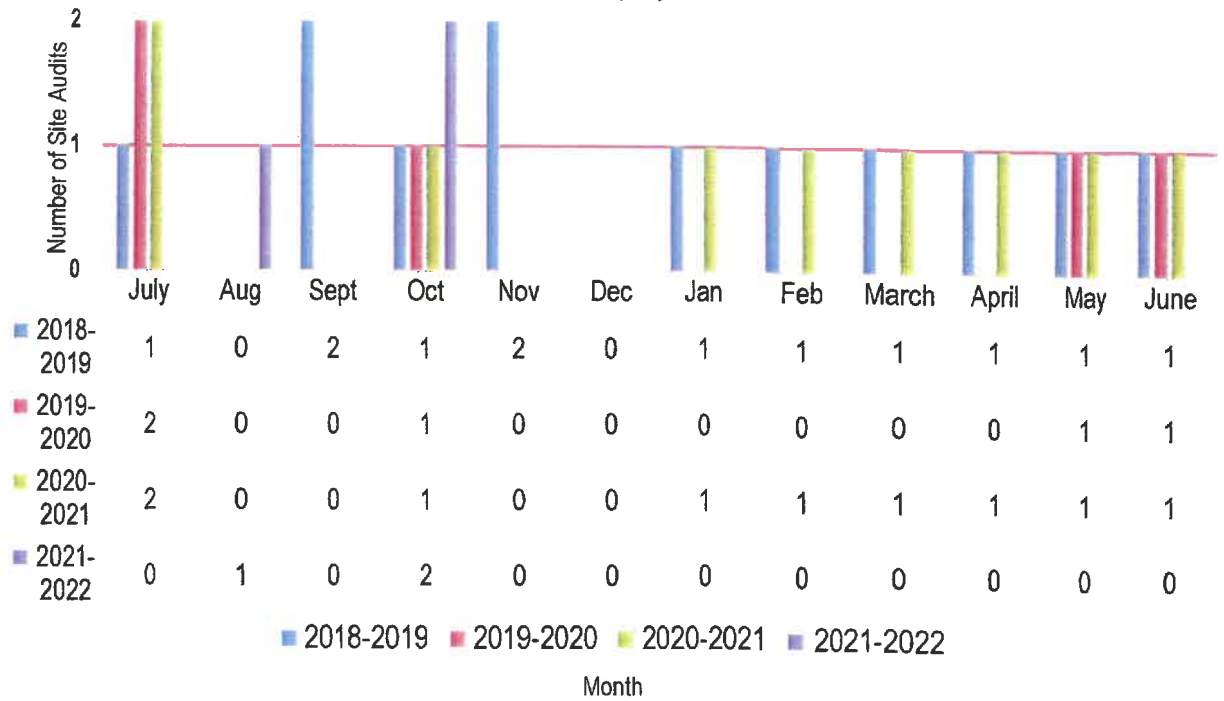
No audits were completed during this report period.

KPI is 1 below target for this report period.

Key Performance Indicator (KPI) Contractor Health and Safety Monthly Monitoring Financial Year 1 July 2020 – 30 June 2021				
Month	Monthly Site Inspections Required	Monthly Site Inspections Completed	Monthly KPI Achieved	Comment
July 2021	1	0	No	-
Aug 2021	1	1	Yes	Poplar Tree removal – Tarawera High School
Sept 2021	1	0	No	-
Oct 2021	1	2	Yes	<ul style="list-style-type: none"> • Building Contractors – works stopped - awaiting Building Inspection 21/10/21 audit cancelled • Water Pipe Contractors 21/10/21 audit completed • Carpark surface Repairs 26/10/21 audit completed
Nov 2021	1	0	No	COVID-19 work prioritised
Dec 2021	0	-	-	Contractor Activity Low
Jan 2022	0	-	-	Contractor Activity Low
Feb 2022	1	-	-	
March 2022	1	-	-	
April 2022	1	-	-	
May 2022	1	-	-	
June 2022	1	-	-	
Totals	10	3		-
KPI: 1 Monthly Site Inspection			Assigned to: Health & Safety Officer (HSO)	
Review: as a minimum - Annually Next Review Date 31/09/22			Review team: Chief Executive Officer (CEO), Manager Economic & Community Development (MECD) & HSO.	
Review Objectives: Identify opportunities for improvement ensuring KPI remains Specific, Measurable, Achievable, Realistic and Time bound.			Method of Review: Team Meeting to review objectives identify and implement opportunities for improvement.	

The combination chart below identifies the number of contractor site audits for the financial years 2018-2019, 2019-2020, 2020-2021 and 2021-2022.

Contractor Monitoring by Financial Year



11 Conclusion

The Occupational Health and Safety Management system is in place and continues to be monitored, developed and improved.

12 RECOMMENDATION

That the report 'Occupational Health and Safety Management System Status' be received.

Paul Snook, ProfNZISM. MIIRSM. HASANZ

Health & Safety Officer

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Meeting: Audit and Risk Committee

Meeting Date: 15 February 2022

Subject: Treasury Report to 31 January 2022

File No: 110551

1 **Purpose**

The purpose of this report is to inform members of the funds held by Council as at 31 January 2022 and provide explanations for any significant variances from the previous year.

2 **Background**

This report will also go to the Regulatory and Services Committee, and shows the funds currently held and the banks where those funds are invested.

All investments were made in accordance with Council's Investment Policy.

The investment policy was amended (during 2020/21) to increase the limit to 50% that can be invested with a single institution, and also a limit of \$1.5 million has been introduced.

The exception is Council's principal bank where funds can exceed 50% and/or \$1.5 million.

The reason for the change is that with less funds it is more difficult to spread investments, but Council still needs to act prudently.

3 **Funds Held**

The following funds were held at 31 January 2022:

	January - 2022	January - 2021
Special Funds		
Depreciation Funds	\$6,607,754	\$6,780,764
Development Feasibility	\$11,000	\$11,000
Total Special Funds	\$6,618,754	\$6,791,764
General Funds	(\$464,829)	(\$1,009,818)
Total – comprising cash & internal loans	\$6,153,926	\$5,781,946

The figures show that overall Council has close to \$372k more funds than this time last year.

Additional funds have been received for sale of sections, \$985k since January 2021, of which Council will use \$500k to reduce rates this year, and insurance proceeds for netball pavilion \$537k. There has also been additional (unbudgeted) expenditure for the removal of contaminated material from Central Cove, approximately \$250k to date.

The projected cash-flow graph shows that Council is likely to continue to have a surplus at least until the end of the financial year. Staff will arrange loan funding prior to Council going into deficit.

Funds held @ 31 January 2022 were as follows:

Invested in	\$	Interest (Average) %	% External
ANZ – on call	\$831	0.15%	0.02%
BNZ – current & on-call	3,053,334	0.25%	59.66%
Rabobank (on-call)	1,357,538	0.65%	40.32%
Total Funds (Cash)*	\$4,411,703		100.00%
Internal Loans	1,742,223		
Total Investments	\$6,153,926		
Interest Rates	Average interest rate		0.35%
	Weighted Average interest rate		0.38%

*These figures include the accrued interest to 31 January 2022

4 **RECOMMENDATION**

That the report “Treasury report to 31 January 2022” be received.

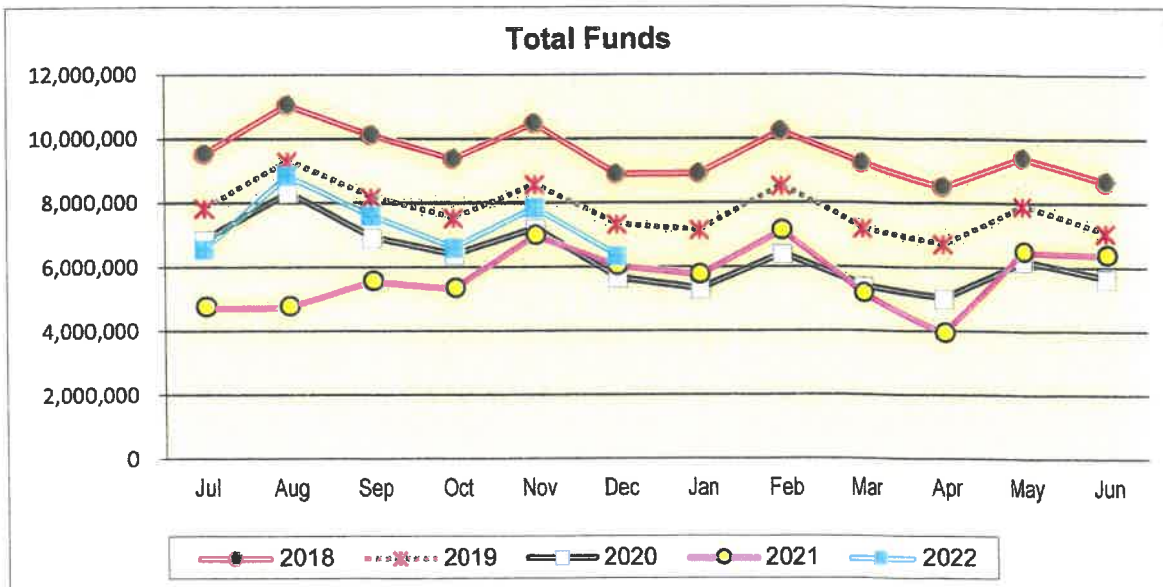
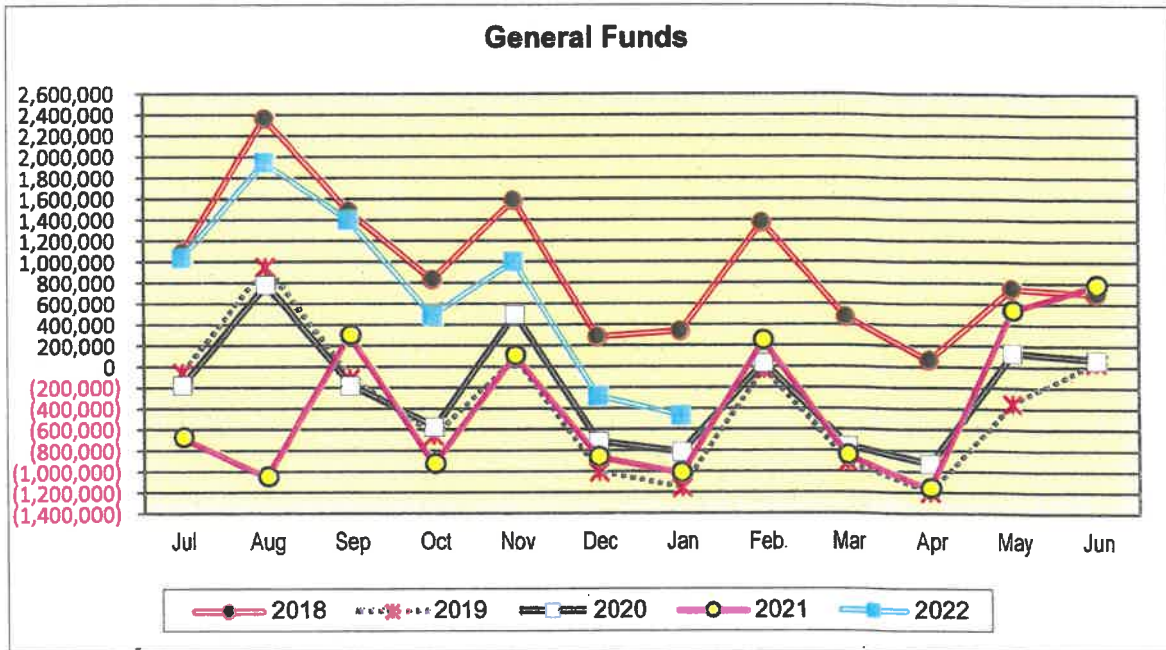
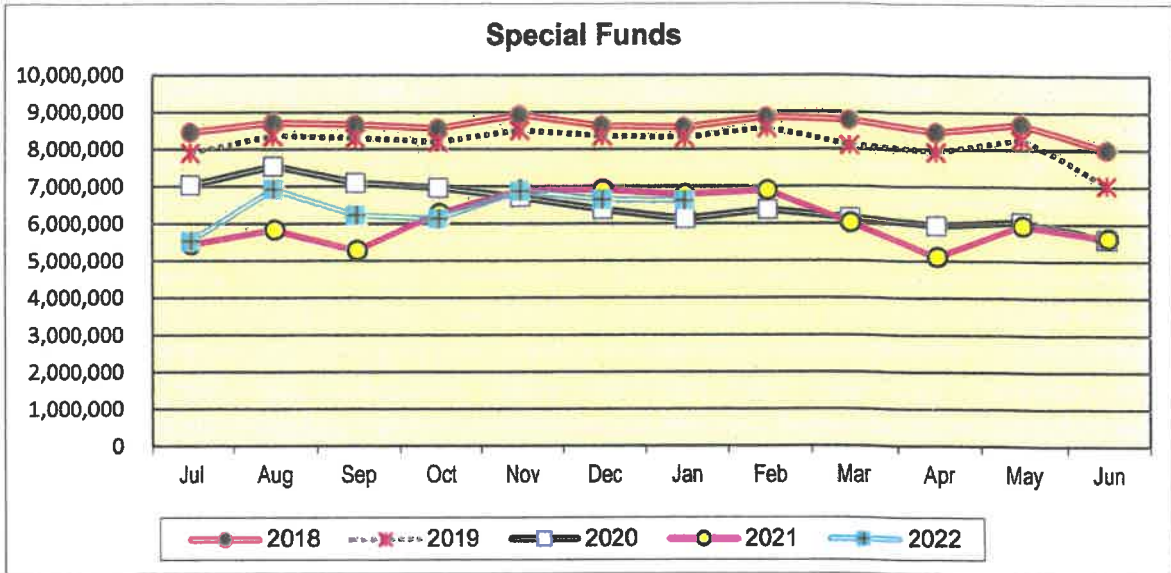
Peter Christophers, BBS, ACA

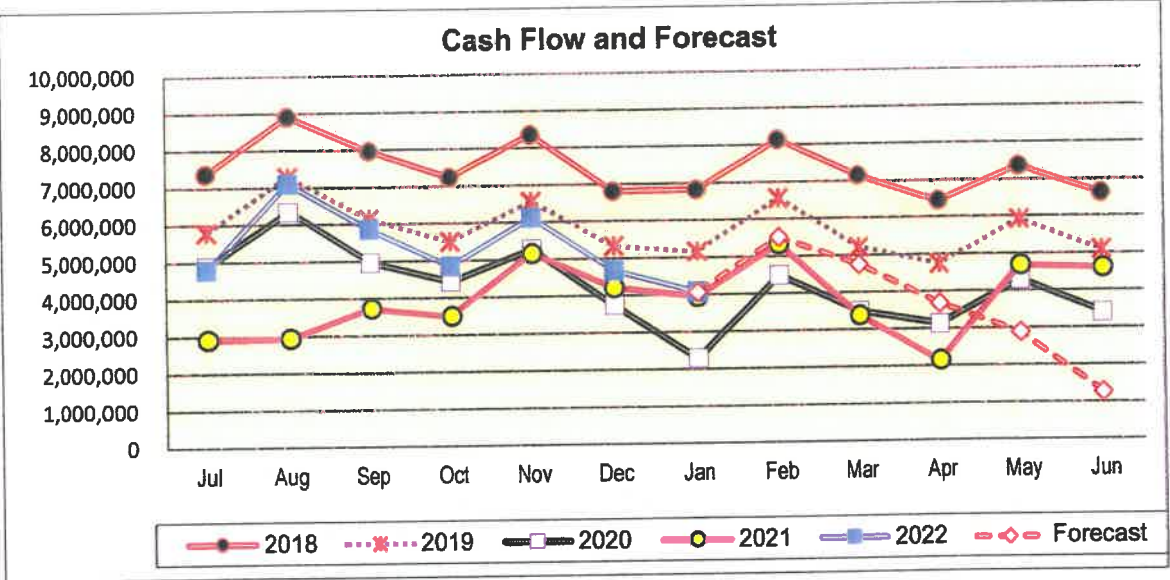
Group Manager, Finance & Corporate Services

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Funds Monitoring Graphs

January 2022





Meeting: Audit and Risk Committee

Meeting Date: 15 February 2022

Subject: Residential Developments (Central Cove, Te Ariki Place and Porritt Glade) – Progress and Risk Analysis update

File No: 206700

1 Purpose

The purpose of this report is to further update the committee on the progress to date for these residential developments, highlight what the risks are for Council and also determine the mitigations that are in place to reduce these risks.

2 Background

Central Cove

Council acquired the Bowen Street land, which was formerly Central School at the end of 2014 for \$70,000. Following an increased demand for both houses and sections in Kawerau and a substantial increase in house and land prices, Council decided that it would look at developing this land.

Registrations of interest were sought from developers and Council selected Generation Homes to sell a house and land package to prospective buyers. Council has undertaken the development of the land and purchasers acquire a house and land package through Generation Homes. Council receives the payment for the land once the sale has been made.

To date eighteen house and land packages have been acquired and Council has received payment of \$1,942,500 for these sections. The developer, Generation Homes has a further five sections that are in the process of being purchased and the remaining eight sections have been revalued and there was a 16% to 22% increase in value added to these sections at 1 August 2021.

Ten houses have been completed to date with three currently under construction and the remaining 5 to start shortly.

Unfortunately, contaminated material was found in eight sections of the development which required significant expenditure to remove and dispose of it. The costs to date are \$401,384.

Te Ariki Place

Council also decided that the reserve at Te Ariki Place was surplus to the community's need and swapped the "reserve status" with freehold land near the skatepark. The land at Te Ariki Place has been subdivided into four sections and Council has developed the land. As with the Bowen Street development, Generation Homes will sell a house and land package. No sections have been sold to date.

Council has, with the approval of the property subcommittee, renewed the option agreement with Generation Homes for Te Ariki Place as the initial option agreement had not been exercised within a year of the titles being available. Also, the subcommittee and Generation Homes confirmed the same section values (for a further 12 months) as none of these sections have sold to date.

Porritt Glade – Retirement Village

Finally, Council had been asked by the Kawerau Social Services Trust to make available the land next to Mountain View Resthome for further housing for the aged. Council managed to acquire the land and have it designated local purpose reserve. However, Kawerau Social Services Trust subsequently informed Council (27 August 2017) that they could not proceed with their proposed development and therefore no longer wanted to lease the land. Council decided that it would develop 29 retirement units, on the land and sell a “right to occupy”.

Council had initially proposed re-purchasing the retirement units from occupants at the end of the tenancy, however, as this would have created an ongoing liability and possible risk for Council, it was decided that the units would be sold directly to a new occupant at the end of each tenancy. This is how the Mountain View retirement units are operated.

Council contracted Generation Homes to construct 18 units to date with the last units being completed at the end of January 2022. 17 units have been sold and are currently occupied. The remaining unit has been committed to and the person is waiting on the sale of their house. Council is currently preparing a new contract with Generation Homes to build the remaining eleven units.

There has already been strong interest in these units despite the increase in price due to the increased construction cost.

Council consulted the community on these proposals as part of the 2018 – 2028 Long Term Plan, and there was a significant amount of support for the development.

The latest indicative costs for these developments, now that most costs have been received, are:

	Bowen Street	Te Ariki Place	River Road (incl GST)
Number of sections	31	4	29
Development Cost – Land & Utilities & Contaminated material	\$1,550,000	\$132,000	\$1,565,000
Development Costs - buildings			\$250,500 per unit – for first 12 units (\$253,250 for next 6 units)
Sales to date	18	0	17 units sold & occupied plus 1 unit signed up for
Sales to break even	15	1	29

3 Risks associated with the developments

There were a number of risks initially identified by Council when considering these developments. However, there were also risks identified with not proceeding with the developments, which Council took into consideration when deciding whether to proceed with these proposals. Evidence at the time was that there was a demand for residential housing in Kawerau including retirement village dwellings. There continues to be a strong demand for housing, which is evidenced by the increase in house prices for the district and the short listing times for residential property.

The following table lists the high level risks and the mitigations for these developments:

Description	Risk	Impact	Current Mitigation	Is risk acceptable? Y/N
Residential Developments (Te Ariki Place and Central Cove):				
Demand for housing	There is a risk that a lack of residential housing availability is (and would) restrict growth for the town	Council has contributed significant investment into economic development, however, there is not sufficient housing to meet a potential growth in the workforce. This may result in future developers being reluctant to invest in commercial enterprises. Also the lack residential housing will restrict any future growth.	Council has developed 35 residential home and land packages (in conjunction with a contractor) as well as providing for the construction of a 29 unit retirement village. 6 retirement units have been sold and a further six are due to start construction. Also 6 sections have been sold in Central Cove	No (Council acknowledges that demand is likely to exceed supply and has identified future residential development options)
Selling residential sections to developer	Sections (if sold to a developer) could be land banked and there would continue to be a shortage of residential houses	There is an immediate demand for residential housing. Therefore, it is important that residential sections/houses be made available as soon as possible. Also a developer would keep the potential returns from any development (not the community)	Council did not sell the land to a developer, but instead undertook the development, so it could retain control and determine the timing for each development. Also the returns on these investments will be used for the benefit of the community	Yes. (Council has proceeded with the developments)
Community response to developments	There was a risk that the community responds negatively to Council getting involved in residential developments	Community could have been unhappy with Council getting involved in residential developments and may feel that Council should stick to delivering its existing services as efficiently as possible.	Council consulted extensively on the proposed residential developments as part of the 2018-28 Long Term Plan. The community was overwhelmingly in favour of the proposed developments.	Yes
Potential financial loss The total outlay by Council (including 29 retirement units) is \$10.5 million	Financial risk. There is significant financial investment by Council in these developments and there is a potential risk that there will be a delay before Council sees a return on its investment.	Council will have less funds available for a period and may have to have to borrow funds. Council has spent \$7.8 mil to date on these developments and received \$1.9 mil from the sale of 18 sections in Bowen Street, and \$5.3 mil from the sale of 17 units in Porritt Glade	Council will regularly monitor its cash flow projections for these developments. Despite there being an additional cost of \$450 k for contaminated material, Council will still make a surplus for these developments which will be used for the community	Yes

Description	Risk	Impact	Current Mitigation	Is risk acceptable? Y/N
Lack of expertise in residential developments	There is a risk Council will incur more costs and be less efficient as it is not in the business of developing residential property.	Council may take longer to do residential developments and also incur more costs, which may result in potentially less return for the community	Council has engaged experts (Generation Homes) as well as consulting with its lawyers, to assist with the development of the sections.	Yes
Change in economic outlook resulting from external influences such as COVID-19	There is a risk that the economic outlook and therefore "demand for housing" may be adversely affected by external factors such as COVID-19 and global recession	It may take considerably longer to sell the residential properties and retirement units. Therefore Council potentially could have a longer period before it recovers the investment in these developments	Council has consulted with the community on raising a loan to undertake the programmed capital work for 2021/22 if required. Council has become a member of LGFA, which will reduce the interest rate for any loans	Yes
Porritt Lodge (Retirement Units):				
Demand for this type of housing	There is a risk that there is only limited demand for this type of residence	Council may have units that are vacant and therefore have not recovered costs	Council initially constructed 6 units and sold them before constructing 6 more (and then a further 6). There is still plenty of interest in people wanting to buy units.	Yes
Lack of knowledge and expertise for managing retirement village	There is a potential risk that Council may not fulfil its legal obligations and also not provide sufficient resources to meet the day to day management of the retirement village	There are legal and operational demands when operating a retirement village. Council had considered the option of asking the Kawerau Social Services Trust to lease and manage the new retirement village.	Council has engaged its lawyers to advise the legal obligations for running a retirement village. Also Council has approached KSST about the possibility of managing these units once completed. Council has appointed a statutory supervisor to minimise any risks associated with legal obligations or operational matters	Yes
Inflation	There is a risk that construction costs may escalate during the construction period.	Costs rise and Council has to pay more for the construction of units, and owners have signed ORA for a fixed amount. Then Council will incur a loss.	Council signed a fixed price contracts with Generation Homes for the construction of 18 units This mitigated the risk of construction costs exceeding the revenue	Yes

The above list is not exhaustive but it does identify most of the significant risks and the mitigations that are in place.

4 **RECOMMENDATION**

That the report "Residential developments (Bowen Street, Te Arika Place and Porritt Glade) –progress and Risk Analysis update" be received.



Peter Christophers, BBS, ACA

Group Manager - Finance and Corporate Services

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Meeting: Audit and Risk Committee

Meeting Date: 15 February 2022

Subject: 2022/23 Annual Plan Timetable

File No: 110400

1 Purpose

The purpose of this report is to inform the committee of the proposed timetable for the 2022/23 Annual Plan.

2 Background

The Local Government Act 2002 requires Council to prepare an annual plan in the years that it does not produce a Long Term Plan.

Council must also consult on its Annual Plan using the special consultative procedure which includes preparing a consultation document, unless the plan does not include any material differences from the content of the Long Term Plan (for the year).

While at present there are no significant or material differences proposed for the 2022/23 Annual Plan when compared to the Long Term Plan, Council has generally wanted and encouraged community feedback on the proposals for the upcoming year.

However, due to Norske Skog ceasing operations and there being a significant reduction in the valuation of this property, this has resulted in all other properties facing an average rate increase of 15% for 2022/23 if there is no increase to the budget. Council has yet to determine if levels of service remain as stated in the Long Term Plan. If there are changes to the levels of services, Council will need to undertake an amendment to the 2021 – 31 Long Term Plan, and the amendment will need to be audited

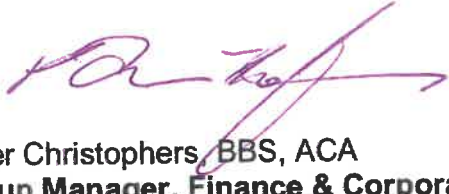
The Annual Plan must be adopted prior to the commencement of the year to which it relates (ie before 1 July 2022). Therefore, staff have prepared a timetable for the preparation of this plan to ensure that all the necessary tasks are undertaken prior to the adoption.

3 Proposed timetable for preparation and adoption of Annual Report

The appendix to this report contains the proposed timetable for the preparation and adoption of the 2022/23 Annual Plan.

4 **RECOMMENDATION**

That the report "2022/23 Annual Plan timetable" be received.



Peter Christophers, BBS, ACA
Group Manager, Finance & Corporate Services

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APPENDIX

Project Plan for 2022/23 Annual Plan

	Tasks	Person	Completion
1	Circulate LTP Budgets for 2022/23 to Managers	GMFCS	14 Jan 2022
2	Budgets to GMFCS for inputting	Managers	21 Jan 2022
3	Draft Budget available for Leadership team	GMFCS	3 Feb 2022
4	Identify possible LTP amendments	GMFCS/CEO	1 Feb 2022
5	Review of 2022/23 budget	LT	9 Feb 2022
6	Fees and Charges 2022/23 review	LT	9 Feb 2022
7	Draft budget finalised - Management	GMFCS	10 Feb 2022
8	Council retreats – 2022/23 Budget & Level of Service review	Council	15 Feb 2022 & 22 Feb 2022
9	Draft Annual Plan, LTP Amendment(?) and Consultation Document prepared	GMFCS/ CM	10 Mar 2022
10	Audit of 2021-31 LTP Amendment CD	Auditors	14 – 18 Mar 22
11	Adoption of Annual Plan/LTP Amendment CD for consultation	Council	29 Mar 2022
12	Letters to special interest groups	CM	30 Mar 2022
13	Advertising CD (Annual Plan/LTP)	GMFCS	30 Mar 2022
14	Consultation Period: Newsletter/Website/Media/Consult a councillor	CM/GMFCS	30 Mar – 2 May 2022
15	Close of submissions		2 May 2022
16	Advise submitters wanting to speak	CD/AO	4 May 2022
17	Hearing submissions (Extra-ordinary Meeting)	Council	17 May 2022
18	Consideration of all submissions	Council	31 May 2022
19	Implement any changes – amend AP & prepare rates	GMFCS	10 June 2022
20	Obtain legal opinion concerning FIS & rate resolution	GMFCS	10 June 2022
21	Audit amendments to 2021-31 LTP (?)	Auditors	13 – 17 June 22
22	Adopt Annual Plan for 2022/23 & rates resolution	Council	28 June 2022
23	Annual Plan on website	GMFCS	30 June 2022
24	Copies of Annual Plan and rates resolution sent to required organisations	GMFCS	30 June 2022
25	Responses to all submitters – Council's decisions	CM	15 July 2022

GMFCS = Group Manager Finance and Corporate Services

CM = Communication Manager

LT = Leadership Team

Meeting: Audit and Risk Committee

Meeting Date: 15 February 2022

Subject: Council's Risk Management Maturity

File No.: 201100

1 **Purpose**

The purpose of this report is to inform the committee on Council's risk management status following implementing recommendations by David Sutton KPMG on the findings of Council's risk management practices in 2017.

2 **Background**

Audit New Zealand previously identified that Council needed to take a more proactive approach to risk management, initially by formalising the process and including reporting lines.

Since then Council has adopted a Risk Management Framework, a Risk Management Strategy and established a Risk Register, which sets out the top thirteen strategic risks for Council, as well as the mitigations in place and planned future mitigation.

3 **Council's assessed risk maturity – KPMG 2017**

Staff engaged KPMG to assess Council's overall risk maturity which was as follows:

Risk Element	Description	Current Assessment	Target
Risk strategy & appetite	- Linkage to corporate strategy - Risk Strategy - Risk appetite & tolerance	Sustainable	Mature
Risk Governance	- Council & committee oversight - Risk operating structure - Risk guidance - Roles & responsibilities - Decision support	Sustainable	Mature
Risk Culture	- Knowledge & understanding - Belief & commitment - Competencies & context - Action & determination	Sustainable	Mature
Risk Assessment & Measurement	- Risk definition - Risk identification - Assessment & prioritisation - Quantitative methods & modelling - Risk aggregation	Sustainable	Mature

Risk Element	Description	Current Assessment	Target
Risk Management & Monitoring	<ul style="list-style-type: none"> - Risk mitigation responses & action plans - Testing, validation and management assurance - Monitoring - Risk in projects/initiatives 	Sustainable	Mature
Risk Reporting & Insights	<ul style="list-style-type: none"> - Risk reporting - Business/operational requirements - Council & senior management requirements - External requirements 	Sustainable	Mature
Data & Technology	<ul style="list-style-type: none"> - Data quality & governance - Risk Analytics - Technology enablement 	Sustainable	Sustainable

Overall, apart from “data and technology” Council was below the target for all the risk elements, as assessed by KPMG.

4 Areas for improvement and recommendations

The KPMG report identified for each of the risk elements, areas where improvements were needed and recommendations to enable Council to achieve the target (“mature”) for the particular risk element. The following table was a summary of their recommendations:

Risk Element	Recommendations:
Risk strategy & appetite	<ul style="list-style-type: none"> - Formalise risk strategy and incorporate any missing material risks in the strategy into the risk register - Define separate high-level risk appetite levels for each of the material risks - Perform a high level comparison of top-down risks (identified by the Audit & Risk Committee) with the bottom-up risks identified in various council documents
Risk Governance	<ul style="list-style-type: none"> - Revise the Risk Management framework so that it more aligned to actual risk management practices in Council - Monitor workload of those responsible for risk governance
Risk Culture	<ul style="list-style-type: none"> - Provide high-level risk management training for senior and middle level management - Use adherence to risk management practices as a criteria for performance assessment
Risk Assessment & Measurement	<ul style="list-style-type: none"> - Incorporate material risks (to strategy) into the risk register (Operational risks can be contained in a separate risk register) - Review and revise risk rating levels to reduce the level of subjectivity (undertake training to assist with this) - Revise the Risk Register to show the inherent and residual risk levels measures and confirm ratings reflect the risk.

Risk Element	Recommendations:
Risk Management & Monitoring	<ul style="list-style-type: none"> - Improve description of risk mitigation measure as well as defining Council's "risk appetite" and determine the level for residual risk - Incorporate risk monitoring measures into the Risk Register - Define and allocate risk monitoring responsibilities (should include internal audits)
Risk Reporting & Insights	<ul style="list-style-type: none"> - Establish fit for purpose reporting practices for risk to support decision-making - Amend risk reporting to include any changes made to the Risk Register - Determine if Council wants to share risk information with external stakeholders (ratepayers)
Data Technology &	<ul style="list-style-type: none"> - Determine fit for purpose technology to manage risk data requirements <p>Including:</p> <ul style="list-style-type: none"> - Centralised storage - Data validation - Monitoring support - Data analysis - Reporting support

5 **Assessment of Council's current risk maturity**

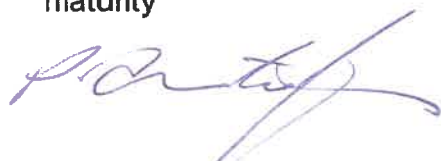
Council, in terms of awareness of risk and the need to manage it has come a long way since the review was undertaken by KMPG.

Staff, along with assistance from the Audit and Risk Committee have largely implemented all the recommendations that were made in the KPMG report.

However, it is probably now timely that Council obtain a further review of its risk maturity, and see whether current policies and practices are in-line with best practice.

6 **RECOMMENDATIONS**

1. That the report "Council's Risk Management Maturity" be received.
2. That staff engage a consultant to undertake a further review of Council's risk maturity



Peter Christophers BCA, ACA
Group Manager Finance and Corporate Services

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KAWERAU DISTRICT COUNCIL

**The Meeting of the Audit and Risk Committee will be held on
Tuesday 15 February 2022 via Zoom
commencing at 1.00pm**

AGENDA

Apologies

Declarations of Conflict of Interest

Any member having a “conflict of interest” with an item on the Agenda should declare it, and when that item is being considered abstain from any discussion or voting. The member may wish to remove themselves from the meeting while the item is being considered.

1 Occupational Health and Safety Management System Status (Health and Safety Officer) (509500)

Pgs. 1 - 19

Attached is the report for the Health and Safety Manager covering The OSH Management System.

Recommendation

That the report “Occupational Health and Safety Management System Status” be received.

2 Treasury Report to 31 January 2022 (Group Manager, Finance and Corporate Services) (110551)

Pgs. 21 - 24

Attached is a report showing Councils cash position at 31 January 2022 and where the funds are invested.

Recommendation

That the report “Treasury report to 31 January 2022” be received.

3 Residential Developments (Central Cove, Te Ariki Place and Porritt Glade) - Progress and Risk Analysis Update (Group Manager, Finance and Corporate Services) (206700)

Pgs. 25 - 29

Attached or members information is an update of Councils residential developments.

Recommendation

That the report “Residential Developments (Central Cove, Te Ariki Place and Porritt Glade) – Progress and Risk Analysis Update” be received.

4 **2022/23 Annual Plan Timetable (Group Manager, Finance and Corporate Services) (110400)**

Pgs. 31 - 33

Attached for members information is the proposed timetable for the adoption of Councils 2022/23 Annual Plan.

Recommendation

That the report "2022/23 Annual Plan Timetable" be received.

5 **Councils Risk Management Maturity (Group Manager, Finance and Corporate Services) (201100)**

Pgs. 35 - 37

Attached is a report which outlines the recommendations in 2017 for Council to improve its Risk Management Maturity.

Recommendation

1. *That the report "Council's Risk Management Maturity" be received.*
2. *That staff engage a consultant to undertake a further review of Council's risk*

R B George
Chief Executive Officer

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