



**The Ordinary Meeting of the  
Kawerau District Council will be held  
on Wednesday 30 August 2023  
in the Council Chambers  
commencing at 9.00am**

**A G E N D A**

## **GUIDELINES FOR PUBLIC FORUM AT MEETINGS**

1. A period of thirty minutes is set aside for a public forum at the start of each Ordinary Council or Standing Committee meeting, which is open to the public. This period may be extended on by a vote by members.
2. Speakers may address meetings on any subject. However, issues raised must not include those subject to legal consideration, or be issues, which are confidential, personal, or the subject of a formal hearing.
3. Each speaker during the public forum is permitted to speak for a maximum of three minutes. However, the Chairperson has the discretion to extend the speaking time.
4. Standing Orders are suspended for the duration of the public forum.
5. Council and Committees, at the conclusion of the public forum, may decide to take appropriate action on any of the issues raised.
6. With the permission of the Chairperson, members may ask questions of speakers during the period reserved for public forum. Questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

**The Ordinary Meeting of the Kawerau District Council  
will be held on Wednesday 30 August 2023  
in the Council Chambers commencing at 9.00am**

## **A G E N D A**

### **Opening Prayer**

### **Apologies**

### **Leave of Absence**

A Leave of Absence from Councillor Andrews from Monday 14 August 2023 to Friday 8 September 2023 is received.

A Leave of Absence from Councillor Ross from Wednesday 23 August 2023 to Wednesday 30 August 2023 is received.

### **Public Forum**

### **Declarations of Conflict of Interest**

## **1 CONFIRMATION OF COUNCIL MINUTES**

### **1.1 Ordinary Council – 19 July 2023**

**Pgs. 1 - 4**

#### **Recommendation**

*That the minutes of the Ordinary Council Meeting held on 19 July 2023 be confirmed as a true and accurate record.*

### **1.2 Extraordinary Council – 9 August 2023**

**Pg. 5 - 6**

#### **Recommendation**

*That the minutes of the Extraordinary Council Meeting held on 9 August 2023 be confirmed as a true and accurate record.*

## **2 RECEIPT OF COMMITTEE MINUTES**

### **2.1 Audit and Risk Committee – 7 August 2023**

**Pgs. 7 - 8**

#### **Recommendation**

*That the Minutes of the Audit and Risk Committee meeting held on 7 August 2023 be confirmed as a true and accurate record.*

### **2.2 Regulatory and Services Committee – 16 August 2023**

**Pgs. 9 - 11**

#### **Recommendation**

*That the Minutes of the Regulatory and Services Committee meeting held on 16 August 2023 be confirmed as a true and accurate record.*

### **2.3 Community Grant Committee – 16 August 2023**

**Pgs. 13 - 17**

#### **Recommendation**

*That the Minutes of the Community Grant Committee meeting held on 16 August 2023 be confirmed as a true and accurate record.*

### **3 Action Schedule (101120)**

**Pgs. 19 - 22**

#### **Recommendation**

*That the updated Action Schedule of resolutions/actions requested by Council be received.*

### **4 Her Worship the Mayor's Report (101400)**

**Pgs. 23 - 25**

#### **Recommendation**

*That Her Worship the Mayor's report for the period Thursday 13 July to Wednesday 23 August 2023 is received.*

### **5 Review of Councils Fraud and Corruption Policy (Group Manager, Finance and Corporate Services) (201300)**

**Pgs. 27 - 35**

Attached is a report on the review of Councils Fraud and Corruption Policy.

#### **Recommendations**

- 1. That the report "Review of Councils Fraud and Corruption Policy" be received.*
- 2. That Council adopts the revised "Fraud and Corruption Policy" (with any further amendments).*

### **6 Monika Lanham Reservoirs Structural Evaluation (Group Manager, Operations and Services) (404400)**

**Pgs. 37 - 38**

Attached is a report on the Monika Lanham Reservoirs Structural Evaluation

#### **Recommendations**

- 1. That the report "Monika Lanham Reservoirs Structural Evaluation" be received.*
- 2. That Council allows the additional work.*
- 3. That Council allocate \$80,000 of additional funding for this work.*

### **7 Electoral Decisions (Communications and Engagement Manager) (101200)**

**Pgs. 39 - 48**

Attached is a report from Electoral Services on Electoral Decisions.

#### **Recommendations**

*That the report Electoral Services on Electoral Decisions be received.*

## 8 **Exclusion of the Public**

### **Recommendation**

*That the public is excluded from the following part of the proceedings of this meeting, namely:*

#### **1. Minutes for Confidential Meeting held on 19 July 2023**

*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 Information & Meetings Act 1987 for the passing of this resolution is as follows:*

<b>General Subject of the matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<i>1. Minutes for Confidential Meeting Held on 19 July 2023</i>	<i>Maintain the effective conduct of public affairs through the free and frank expression of opinions.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48 (1) (a) (i)</i>

*This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.*

R B George  
**Chief Executive Officer**

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**Minutes of the Ordinary Meeting of the Kawerau District Council  
held on Wednesday 19 July 2023  
in the Council Chamber commencing at 9.01am**

**Present:** Her Worship the Mayor F K N Tunui  
Deputy Mayor A Rangihika  
Councillor C J Ion  
Councillor S Kingi  
Councillor W Godfery  
Councillor J Ross  
Councillor R Andrews

**In Attendance:** Chief Executive Officer (R George)  
Group Manager, Operations and Services (H van der Merwe)  
Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Regulatory and Planning (M Glaspey)  
Communications Manager (T Humberstone) (via Zoom)  
Economic and Community Development Manager (L Barton)  
Administration Officer (T Barnett)

**Opening Prayer**

*Pastor Mark Kingi opened the meeting with a prayer.*

**Apologies**

**Resolved** **Councillor Kingi / Deputy Mayor Rangihika**

*Apologies from Councillor Savage were received.*

**Leave of Absence**

**Resolved** **Councillors Ross / Ion**

*A Leave of Absence was granted for Councillor Julian from 21 June until 2 August at the February Council meeting.*

**Public Forum**

*There were no speakers at the Public Forum*

**Declarations of Conflict of Interest**

*No declarations of conflict of interest were received.*

**1.1 Ordinary Council – 28 June 2023****Resolved****Councillors Ion / Ross**

*That the minutes of the Ordinary Council Meeting held on 28 June 2023 be confirmed as a true and accurate record.*

**1.2 Extraordinary Council – 12 July 2023****Resolved****Councillors Godfery / Ross**

*That the minutes of the Extraordinary Council Meeting held on 12 July 2023 be confirmed as a true and accurate record.*

**2 RECEIPT OF COMMITTEE MINUTES****2.1 Creative Communities Assessment Scheme Committee – 7 July 2023****Resolved****Her Worship the Mayor / Councillor Andrews**

*That the Minutes of the Creative Communities Assessment Committee meeting held on 7 July 2023 be confirmed as being received.*

**2.2 Regulatory and Services Committee – 12 July 2023****Resolved****Councillors Ion / Kingi**

*That the Minutes of the Regulatory and Services Committee meeting held on 12 July 2023 be confirmed as a true and accurate record.*

**3 Action Schedule (101120)****Resolved****Councillors Ross / Kingi**

*That the updated Action Schedule of resolutions/actions requested by Council is received.*

**4 Her Worship the Mayor's Report (101400)****Resolved****Her Worship the Mayor / Councillor Godfery**

*That Her Worship the Mayor's report for the period Thursday 22 June to Wednesday 12 July 2023 is received.*

**5 Adoption of the Provisional Eastern Bay of Plenty Local Alcohol Policy (Group Manager, Planning and Compliance) (110876)**

Council discussed the report "Adoption of the Provisional Eastern Bay of Plenty Local Alcohol Policy".

**Resolved**

**Councillors Ion / Kingi**

1. *That the report “Adoption of the Provisional Eastern Bay of Plenty Local Alcohol Policy” is received.*

**Resolved**

**Councillors Ion / Ross**

2. *That Council adopts Option 1, the Provisional Eastern Bay of Plenty Local Alcohol Policy as per appendix 3 of this report, and publically notify, and;*

**Resolved**

**Councillors Ion / Kingi**

3. *That Council notes that Whakatane District Council and Opotiki District Council may make changes to reflect their Community within the provisional policy for their district.*

**6 Proposed Plan Change 4 (Residential Development of Stoneham Park) Adoption and Notification of Decisions (Group Manager, Planning and Compliance) (301013)**

Council discussed the report “Proposed Plan Change 4 (Residential Development of Stoneham Park) Adoption and Notification of Decisions”.

**Resolved**

**Councillor Kingi / Deputy Mayor Rangihika**

1. *That the report “Proposed Plan Change 4 (Residential Development of Stoneham Park) Adoption and Notification of Decisions” is received.*
2. *That Council received the recommendations of the hearing commissioner for the proposed Plan Change 4 - Residential Development of Stoneham Park (Attachment 1 dated 12 July 2023); and*
3. *That Council accepted the recommended decisions for the proposed Plan Change 4 - Residential Development of Stoneham Park (Attachment 1); and*
4. *That Council agreed to publicly notify the decisions for the proposed Plan Change 4 - Residential Development of Stoneham Park (Attachment 1) as soon as practicably possible and in accordance with the First Schedule of the Resource Management Act 1991.*

**7 Exclusion of the Public**

**Resolved**

**Councillors Ion / Ross**

*That the public is excluded from the following part of the proceedings of this meeting, namely:*

1. **Water Supply Fluoridation Tenders**

*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 Information & Meetings Act 1987 for the passing of this resolution is as follows:*

<b><i>General Subject of the matter to be considered</i></b>	<b><i>Reason for passing this resolution in relation to each matter</i></b>	<b><i>Ground(s) under section 48(1) for the passing of this resolution</i></b>
<i>1. Water Supply Fluoridation Tenders</i>	<i>Maintain the effective conduct of public affairs through the free and frank expression of opinions.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48 (1) (a) (i)</i>

*This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.*

**Meeting closed 12.26pm**

F K N Tunui

**Mayor**

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**Minutes of the Extraordinary Meeting of the Kawerau District Council  
held on Wednesday 9 August 2023  
commencing at 9.00am**

**Present:** Her Worship the Mayor F K N Tunui  
Deputy Mayor A Rangihika  
Councillor W Godfery  
Councillor C J Ion  
Councillor S Kingi  
Councillor R G K Savage

**In Attendance:** Chief Executive Officer (R George)  
Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Regulatory and Planning (M Glaspey)  
Group Manager, Operations and Services (H van der Merwe)  
Communications Manager (T Humberstone)  
Economic and Community Development Manager (L Barton)  
Administration Officer (T Barnett)

**Apologies**

**Resolved** **Councillor Savage / Deputy Mayor Rangihika**

*Apologies were received from Councillors Andrews, Ross and Julian.*

**Leave of Absence**

No leave of Absence were received

**Declarations of Conflict of Interest**

No conflicts of interest were declared.

**1 Road Naming - Putauaki Trust Industrial Area (Group Manager, Regulatory and Planning) (108212)**

Council considered the report on Road Naming - Putauaki Trust Industrial Area.

**Resolved** **Councillor Ion / Deputy Mayor Rangihika**

1. *That the report "Road Naming - Putauaki Trust Industrial Area" be received.*
2. *That the Council resolved to adopt the road name and road type as requested by Putauaki Trust being 'Anaru Drive'.*

**2 Transfer Station Loader Replacement (Group Manager, Operations and Services) (406400)**

Council considered the report on the Transfer Station Loader Replacement

**Resolved****Councillors Savage / Godfery**

1. That the report "Transfer Station Loader Replacement" be received.
2. That the Council allows the replacement of the transfer station loader one year ahead of schedule.
3. That Council allocate \$166,000 of depreciation reserves to replace the vehicle.

### **3 Capital Projects 2023 – 24 (Group Manager, Operations and Services) (440100)**

Attached is a report on the Capital Projects for 2023 - 24

**Resolved****Councillors Ion / Kingi**

1. That the report "Capital Projects 2023 - 24" be received.
2. That Council roll over the following amounts to the 2023-24 financial year:

402515 001	Kerb Replacement	\$ 30,000
402515 002	Street Light Renewals	-\$ 20,000
402515 003	Reseals – Roads	\$ 130,000
402515 004	Pavement Treatment	\$ 90,000
402515 009	Minor Safety Improvements	\$ 45,000
402515 013	Footpath Replacements	\$ 30,000
402515 018	Drainage Works	\$ 136,000
403001 002	Reticulation Replacement Z1	\$ 300,000
403001 003	Reticulation Replacement Z6	\$ 230,000
403001 007	Refurbish Pump System	\$ 50,000
403001 030	Lime and Fluoride System	\$ 425,000
403001 021	Headworks	\$ 150,000
403520 002	Reticulation Replacement Z1	\$ 430,000
403520 011	WWTP Upgrades and Repairs	\$ 370,000
403520 027	Pumping Station	\$ 50,000
403522 014	Asbestos Site Preparation	\$ 30,000
404031 001	Pool Club Rooms	\$ 40,000
404031 004	Pool Poles and Shades	\$ 17,000
404031 061	Filtration System	\$ 93,000
404035 020	Rec Centre Roof	\$ 60,000
404041 014	Netball Pavilion	\$1,000,000
405064 020	District Offices	\$ 100,000
406072 002	Leased Assets	\$ 34,000
404030 014	Barcode Readers	\$ 1,250
102010 005	Eastern Bay Spatial Plan	\$ 40,000

**Meeting closed 9.37am**

F K N Tunui

**Mayor**

**Kawerau District Council Minutes of an  
Audit and Risk Committee held on 7 August 2023  
commencing at 1.00pm**

**Present:** Philip Jones – P J Associates (Chair)  
Her Worship the Mayor – F K N Tunui  
Councillor C J Ion  
Councillor B J Julian

**In Attendance:** Chief Executive Officer (R George)  
Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Regulatory and Planning (M Glaspey)  
Group Manager, Operations and Services (H van der Merwe)  
Administration Officer (T Barnett)  
Renē van Zyl (Audit New Zealand)  
Kataraina Macown (Audit New Zealand)

**Apologies**

**Resolved** **Councillor Ion / Her Worship the Mayor**

*Apologies from Deputy Mayor Rangihika were received.*

**Declarations of Conflict of Interest**

No conflicts of interest were received.

**1 CONFIRMATION OF AUDIT AND RISK COMMITTEE MINUTES**

**1.1 Audit and Risk Committee – 12 June 2023**

**Resolved** **Chair Jones / Her Worship the Mayor**

*That the minutes of the Audit and Risk Committee Meeting held on 12 June 2023 be confirmed as a true and accurate record.*

**2 Health, Safety and Wellbeing Report for Period 1 May 2023 – 30 June 2023 (Group Manager, Regulatory and Planning (509500))**

Attached is the report from the Group Manager, Regulatory and Planning covering Health, Safety and Wellbeing report for period 1 May 2023 - 30 June 2023.

**Resolved** **Her Worship the Mayor / Councillor Julian**

*That the report “Health, Safety and Wellbeing report for period 1 May 2023 – 30 June 2023” be received.*

**3 Treasury Report to 30 June 2023 (Group Manager, Finance and Corporate Services) (110551)**

The Committee received a Treasury report from the Group Manager, Finance and Corporate Services covering the period to 30 June 2023.

**Resolved** **Chair Jones / Councillor Ion**

*That the report "Treasury report to 30 June 2023" be received.*

**4 Audit Management Report for Year Ended 30 June 2022 (Group Manager, Finance and Corporate Services) (201000)**

The Committee received the Audit Management Report for year ended 30 June 2022.

**Resolved**

**Councillor Ion / Chair Jones**

*That the report "Audit Management Report for Year Ended 30 June 2022" be received.*

**5 Audit New Zealand – Audit Plan and Audit Proposal Letter for the Annual Report to 30 June 2023 (Group Manager, Finance and Corporate Services) (201300)**

Attached for the Committee is the report Audit New Zealand – Audit Plan and Audit Proposal Letter for the Annual Report to 30 June 2023.

**Resolved**

**Chair Jones / Councillor Ion**

1. *That the report "Audit New Zealand – Audit Plan and Audit Proposal Letter for the Annual Report to 30 June 2023" be received.*
2. *The Committee endorses the Mayor to sign the audit proposal.*

**6 Review of Councils Fraud Policy and Corruption Policy (Group Manager, Finance and Corporate Services) (201300)**

The Committee received the report on the Review of Councils Fraud and Corruption Policy.

**Resolved**

**Her Worship the Mayor / Councillor Julian**

*That the report "Review of Councils Fraud Policy and Corruption Policy" be received.*

**7 Long-Term Plan 2024 – 2034 Timetable (Group Manager, Finance and Corporate Services) (110555)**

The Committee received the report on the Long-Term Plan 2024 – 2034 Timetable.

**Resolved**

**Chair Jones / Her Worship the Mayor**

*That the report "Long-Term Plan 2024 – 2034 Timetable" be received.*

Meeting closed 2.16pm

P Jones

**Chairperson**

**Minutes of the Regulatory & Services Committee  
held on Wednesday 16 August 2023  
commencing at 9.00am**

**Present:** Councillor C J Ion (Chairperson)  
Her Worship the Mayor F K N Tunui  
Deputy Mayor A Rangihika  
Councillor B Julian  
Councillor S Kingi (via Zoom)  
Councillor W Godfery  
Councillor R G K Savage  
Councillor J Ross

**In Attendance:** Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Regulatory and Planning (M Glaspey)  
Group Manager, Operations and Services (H van der Merwe)  
Communications Manager (T Humberstone)  
Economic and Community Development Manager (L Barton)  
Administration Officer (T Barnett)

**Apologies**

**Resolved**

**Councillor Ross / Her Worship the Mayor**

*Apologies from Councillor Andrews were received and apologies from Councillor Kingi for lateness (9.25am)*

**Declarations of Conflict of Interest**

*No conflict of interest was declared.*

**Leave of Absence**

*No Leave of Absence were received.*

**Public Forum**

*There were no speakers at the Public Forum*

**PART A – REGULATORY**

**1 Monthly Report - Regulatory and Planning Services (340000)**

The Committee discussed a report covering Regulatory and Planning activities for the month of July 2023.

**Corrections:**

Page 1 – Item 1.2 – There was 1 attack on another animal, not 2 as stated in report.

Page 5 – Item 8.2 – The date to appeal the decision to the Environment Court is to be made by no later than the 8 September, not 25 August as stated in the report.

**Resolved****Her Worship the Mayor / Deputy Mayor Rangihika**

*That the report on Regulatory and Planning Services activities for the month of July 2023 is received.*

**PART B – NON REGULATORY****2 Monthly Report - Finance and Corporate Services (211000)**

The Committee discussed a report from the Group Manager, Finance and Corporate Services covering activities for the month of July 2023.

**Action Item:**

Page 16 – Item 3 – Payments – Confirm figures for the payment to Waste Management are for the months of May and June 2023.

**Resolved****Councillors Savage / Godfery**

*That the report from the Group Manager, Finance and Corporate Services for the month of July 2023 is received.*

**3 Monthly Report - Operations and Services (440000)**

The Committee discussed a report from the Group Manager, Operations and Services covering activities for the month of July 2023.

**Action Items:**

Update to be sent out to the Community regarding the Maurie Kjar Aquatics Centre annual shut down being 3 weeks, not 2 as previous years, and what works are being conducted during that time.

Update to be sent out to the Community regarding the partnership process between Kawerau District Council and Horizon Energy regarding streetlight outages.

Conversation to be had with Horizon regarding a timeframe on repairs to the streetlight on the Valley Road / Fenton mill Road roundabout.

Group Manager, Operations and Services to provide an update to Councillors at the Council meeting on 30 August regarding the works being done on the service alley behind the 4 Square.

Group Manager, Operations and Services to include statistics from the unchlorinated sites in his report starting at the Regulatory and Services meeting on 13 September 2023.

Add narrative to the Capital, Renewals and One off Maintenance Items for 2023 / 24 report under the Economic Development statistics to include 'Better off Funding' next to the Stoneham Park Residential Development figures in the comment section.

Comms to go out to the residents of Hardie Avenue regarding a progress update on work being completed.

**Resolved****Councillors Kingi / Savage**

*That the report from the Group Manager, Operations and Services for the month of July 2023 is received.*

**4 Monthly Report - Economic and Community Development (Economic and Community Development Manager) (309005)**

The Committee discussed a report from the Economic and Community Development Manager covering economic and community activities for the month of July 2023.

**Action Item:**

Update to be sent out to the Community regarding the rebranding of the isite.

**Resolved**

**Councillor Julian / Her Worship the Mayor**

*That the report from the Economic and Community Development Manager for the month of July 2023 is received.*

**5 Monthly Report – Communications and Engagement (Communications and Engagement Manager) (340100)**

The Committee discussed a report from the Communications and Engagement Manager covering communications and engagement activities for the month of July 2023.

**Resolved**

**Councillor Savage / Deputy Mayor Rangihika**

*That the report from the Communications and Engagement Manager for the month of July 2023 is received.*

**6 Funding Applications for Kawerau Christmas in the Park (CITP) 2023 (Economic and Community Development Manager) (309305)**

The Committee discussed the report from the Economic and Community Development Manager covering a proposal to source external funds towards CITP 2023.

**Resolved**

**Councillor Kingi / Deputy Mayor Rangihika**

1. *That the report “Funding Applications for Christmas in the Park (CITP) 2023” be received*
2. *That Council approves funding applications for the Kawerau Christmas in the Park (CITP) 2023 be prepared and submitted to:*
  - *New Zealand Community Trust for \$78K*
  - *Lion Foundation for \$60K*
  - *Trust Horizon for up to \$10K*
  - *Lottery Community for \$20K*
  - *Bay Trust for \$17K*

**Meeting closed at 10.27am**

C J Ion

**Chairperson**



**KAWERAU DISTRICT COUNCIL****The Meeting of the Community Grant Committee  
was held on Wednesday 16 August in the  
Council Chambers commencing at 2.30pm**

**Present:** Councillor B J Julian - Chair  
Councillor A Rangihika  
Councillor R G K Savage  
Councillor J Ross

**In Attendance:** L Butler (Manager, Finance & Corporate Services)  
T Barnett (Administration Officer)

**Apologies:****Resolved****Councillors Julian / Ross**

*Apologies from Councillor Andrews were received.*

**Declarations of Conflict of Interest:**

*Deputy Mayor Rangihika declared a conflict of interest in the Kawerau Golf and Squash Club, to which he is member.*

**1. Confirmation of the Community Grant Committee Minutes – 30 August 2022****Resolved****Councillors Julian / Savage**

*That the minutes of the Community Grant Committee meeting held on 30 August 2022 are confirmed as a true and accurate record.*

**2. Community Grants 2022/23 – Accountability Records**

The Committee considered completed Accountability Records from:

1. Alzheimer's EBOP
2. K-Town C.A.W
3. Hospice EBOP
4. Central Kids Te Akoranga
5. Kawerau Blue Light Ventures
6. Eastbay REAP
7. Parkinson's NZ
8. Kawerau Menzshed
9. KADAP
10. Kawerau Golf Club

**Resolved****Deputy Mayor Rangihika / Councillor Ross***That the Accountability Records information is received.***3. Applications for Community Grants 2023/24 (502740)**

The Committee discussed a report tabled by Group Manager, Finance & Corporate Services.

**Resolved****Councillor Julian / Deputy Mayor Rangihika**

1. *That the report "Applications for Community Grants 2023/24" be received.*

**Resolved****Councillors Ross / Savage**

2. *That the Community Grants Committee considers the applications for grants from community groups and determines the amount to be allocated.*

**4.1 Alzheimer's Society EBOP****Resolved****Councillors Julian / Ross**

Amount requested      \$3000.00 (GST exclusive)

Purpose:                      Delivery of Dementia Services in Kawerau

**Recommendation***That an allocation of \$2000.00 excluding GST be approved***4.2 Life Education Trust EBOP****Resolved****Councillor Ross / Deputy Mayor Rangihika**

Amount requested      \$3000.00 (GST exclusive)

Purpose:                      Work Books and Supporting Resources for Schools

**Recommendation***That an allocation of \$3000.00 excluding GST be approved.***4.3 Eastern Bay Community Foundation**

Amount requested      \$3,000.00 (GST exclusive)

Purpose:                      Operational Costs and National Conference Attendance

**Recommendation**

*That an allocation of \$ 3,000.00 excluding GST be declined.*

#### **4.4 K-Town C.A.W**

##### **Resolved**

**Councillors Savage / Julian**

Amount requested \$3,000.00 (GST exclusive)

Purpose: Dog Day in November 2023

##### **Recommendation**

*That an allocation of \$2,000.00 excluding GST be approved.*

#### **4.5 Parkinson's New Zealand**

##### **Resolved**

**Councillors Julian / Savage**

Amount requested \$3000.00 (GST exclusive)

Purpose: Wrap-Around Support for People with Parkinson's

##### **Recommendation**

*That an allocation of \$1500.00 excluding GST be approved.*

#### **4.6 Bay of Plenty Multiple Sclerosis Society**

Amount requested \$3,000 (GST exclusive)

Purpose: Operational Costs and Remarkables Tablet

##### **Recommendation**

*That an allocation of \$3,000.00 excluding GST be declined.*

#### **4.7 KADAP**

##### **Resolved**

**Deputy Mayor Rangihika / Councillor Ross**

Amount requested \$2230.00 (GST exclusive)

Purpose: Creating Connections to Reduce Loneliness for Seniors

##### **Recommendation**

*That an allocation of \$2300.00 excluding GST be approved..*

**4.8 Kawerau Seniornet Inc****Resolved****Deputy Mayor Rangihika / Councillors Savage**

Amount requested      \$3000.00 (GST exclusive)

Purpose:                      Assist with Notified Rent Increase

**Recommendation***That an allocation of \$2600.00 excluding GST be approved.***4.9 Valarie Reid**

Amount requested:      \$3,000.00.(GST exclusive)

Purpose:                      Starting up a Business

**Recommendation***That an allocation of \$3,000.00 excluding GST be declined.***Deputy Mayor Rangihika left the meeting at 3.14pm****4.10 Kawerau Golf and Squash Club****Resolved****Councillors Julian / Ross**

Amount requested      \$3,000.00 (GST exclusive)

Purpose:                      Beautification of Golf Club Entranceway

**Recommendation***That an allocation of \$2,000 excluding GST be approved.***Deputy Mayor Rangihika returned to the meeting at 3.20pm****4.11 Epilepsy Association of New Zealand****Resolved****Deputy Mayor Rangihika / Councillor Ross**

Amount requested      \$600.00 (GST exclusive)

Purpose:                      Epilepsy Field Support Services

**Recommendation***That an allocation of \$600.00 excluding GST be approved.*

**4.12 Kawerau Blue Light Ventures****Resolved****Councillor Ross / Deputy Mayor Rangihika**

Amount requested        \$2000.00 (GST exclusive)

Purpose:                    Deep-Sea Fishing with the Police

**Recommendation***That an allocation of \$3000.00 excluding GST be approved.***4.13 Kawerau Community Menzshed****Resolved****Councillors Julian / Ross**

Amount requested        \$931.54 (GST exclusive)

Purpose:                    Insurance

**Recommendation***That an allocation of \$1000.00 excluding GST be approved.***4.14 Cattykits NZ****Resolved****Councillor Savage / Deputy Mayor Rangihika**

Amount requested:        \$3000.00 (GST exclusive)

Purpose:                    Cattykits NZ Desexing Program 2023

**Recommendation***That an allocation of \$1000.00 excluding GST be approved on the condition that the grant money be deposited directly into the account of Kawerau Vets 4 Petz Veterinary Services.***Meeting closed at 4.12pm**

B J Julian

**Chairperson**



## Action Schedule

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Completion Date
A&R 04.02.20	<b>Council's Risk Maturity - Improvement Programme</b> Arrange KPMG to review Council's Risk Management Maturity profile once the tasks in progress / underway are completed.	GM F&CS	In Progress	Council has completed all areas recommended for improvement and will be engaging a consultant to further assess Council's risk maturity. A potential provider was identified during July, however the cost would be significant and more than budgeted. Staff are investigating if there is a better cost effective option and approach.	November 2023
Council 26.05.20	<b>Results of 2020 NRB Survey (Community Satisfaction Survey)</b> Elected Members agreed to review the way in which Council engages community satisfaction.	C&EM	Pending	After assessing providers, and discussion with Whakatāne and Ōpōtiki, SIL Research a New Zealand based (Hawkes Bay) registered market research company with 25-plus years' experience in local government will undertake this project. SIL Research has been the provider of resident surveys for both Whakatāne and Ōpōtiki for a number of years. Timing of the survey moved from January (the traditional timing for the survey) to April/May with the results available by the end of May/June 2023. Plan to use multiple methods for data collection including phone, mail, social media, and targeted approaches. Project Outline available. Opportunity to assess and develop the monthly customer satisfaction survey online with SIL Research.	Draft Questions March 2023  Survey completion April/May 2023  Draft report June 2023 Final Report July 2023

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Completion Date
Council 28.06.22	<p><b>His Worship the Mayor's Report</b> Elected Members agreed to move the cemetery records from the toilet block area to another area of the cemetery.</p> <p><u>22.02.23 Council</u> Staff to communicate to public regarding the relocation of the cemetery records.</p>	GM O&S	In Progress	<p>A solution was developed, costed and presented to Elected Members at the May Workshop. A further Workshop was held following the June Regulatory &amp; Services Committee Meeting. A revised plan will be presented to Council.</p> <p>Part of the Mayor's Message in the December 2022 newsletter</p> <p>As a new solution is being re-worked, and approved, we will advise the Community</p>	September 2023
R&S 12.07.22	<p><b>Monthly Report - Regulatory and Planning Services</b> Iwi consultation for the Spatial Plan.</p>	GM R&P	In Progress	<p>The Eastern Bay of Plenty Spatial Plan (Our Spaces) is being developed in partnership with central government and Iwi from Whakatane, Opotiki and Kawerau. Tuwharetoa Settlement Trust has been invited to join, but declined as they do not believe they speak for all the Iwi. Tuwharetoa Kaumatua, Te Haukākawa (Boycie) Te Rire has agreed to sit at the Governance level (once established), and will liaise with Tuwharetoa Kaumatua on who may be the appropriate person to sit at the leadership level.</p> <p><u>Update – 27 April 2023</u> Meeting with Ngāti Tuwharetoa (Bay of Plenty) Settlement Trust re: Stoneham Park Residential Development covered the Spatial and raised involvement of NTST engagement, particularly, with regard to the vision and aspirations for their whānau.</p>	Ongoing

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Completion Date
R&S 12.07.22	<b>Monthly Report – Regulatory and Planning</b> Iwi consultation for the Spatial Plan continued			<p><u>Update – 22 May 2023</u> Hui was scheduled for 22 May with our Iwi Kaumatua (who unfortunately was ill) but attended by Mayor Faylene Tunui, Deputy Mayor Aaron Rangihika, Cr Warwick Godfery, CEO Russell George and C&amp;EM Tania Humberstone who had invited Eastern BOP Spatial Plan Iwi Facilitators Tipene Wilson and Te Riria Potiki to give an understanding of their role within the project to assist Council and Iwi engagement; and to establish next steps in the engagement process with Council and Ngāi Tuwharetoa (Bay of Plenty Settlement Trust).</p> <p><u>Update – 24 May 2023</u> Raised at the hui with Tuwharetoa ki Kawerau Hauora, comprising various Maori Land Trust members. Request to return and present specifically on the Spatial Plan, Stoneham Park update and potential partnering opportunities.</p>	
Council 26.04.23	<b>2025 Triennial Elections</b> Timetable to be distributed to Elected Members regarding upcoming events <ul style="list-style-type: none"> <li>- Dates of engagement hui</li> <li>- Communications material</li> </ul>	FIN ACCT/ C&EM	In Progress	<p>Electoral Officer, Dale Ofsoke, presented to Elected Members following the May Council meeting, specifically regarding Māori Representation, Electoral System and Representation.</p> <p>Further work will be completed to finalise the communications material that will be presented and made public.</p>	In progress June 23 November decision deadline for Māori Rep.

[https://kaweraudc.govt.nz/sharepoint.com/sites/activ-SLT/Shared Documents/General/R-Action Schedule-June.docx](https://kaweraudc.govt.nz/sharepoint.com/sites/activ-SLT/Shared%20Documents/General/R-Action%20Schedule-June.docx)

OC: Ordinary Council  
EC: Extraordinary Council  
GMF&CS: Group Manager, Finance & Corporate Services  
GMR&P: Group Manager, Regulatory & Planning

A&R: Audit & Risk Committee  
GMO&S: Group Manager, Operations & Services  
C&EM: Communication & Engagement Manager

R&S: Regulatory & Services Committee

Completed Items

Meeting Date	Action	Comments
R&S 12.07.23	<p><b>Monthly Report - Economic and Community Development</b></p> <p>Economic and Community Development Manager to send a map of the area's that are being negotiated in the Boundary Reorganisation Initiative for the alteration of the Kawerau District boundary with the Whakatane District</p>	<p>Elected Members received an email from Pari Maxwell with LGC maps included.</p>
R&S 12.07.23	<p><b>Monthly Report - Operations and Services</b></p> <p>Elected Members requested an update to be sent to the Community regarding:</p> <ul style="list-style-type: none"> <li>• the positive changes in the previous discolouration of the water.</li> <li>• the roading issues on River Road by the transfer station, including the footpath and kerbing.</li> </ul>	<p>A Drinking Water Update and River Road Update were in the August Newsletters.</p>

<b><u>Meeting</u></b>	Council
<b><u>Meeting Date:</u></b>	30 August 2023
<b><u>Subject:</u></b>	<b>Her Worship the Mayor's Report</b>
<b><u>File No.</u></b>	101400

## 1 **Purpose**

The purpose of this report is to outline meetings, functions and events that have been hosted, attended and/or participated in for the period Thursday, 13 July to Wednesday, 23 August 2023.

### July

- |          |   |
|----------|---|
| Thurs 13 | <ul style="list-style-type: none"> <li>• Matariki Mayoral Morning Tea with Kaumatua   Seniors, held in the Town Hall.</li> <li>• Matariki Whakapiri held at Te Manuka Tūtahi Marae, Whakatāne. Stood in support of Tūwharetoa ki Kawerau Hauora Kapa Haka and Whakatane District Council Kapa Haka.</li> </ul>  |
| Fri 14   | <ul style="list-style-type: none"> <li>• Matariki Hautapu Ceremony held on Monika Lanham Reserve, followed by breakfast held at the Concert Chambers.</li> </ul>  |
| Mon 17   | <ul style="list-style-type: none"> <li>• Monthly Tangata Whenua Iwi Liaison Hui, held in Mayor's Office <ul style="list-style-type: none"> <li>○ Kawerau Cemetery Board Update</li> <li>○ Signage / Plaque for Tiwhatiwha, Piripiri and Te Marukaa</li> <li>○ Bi-lingual translations</li> <li>○ Matariki Celebration Feedback</li> <li>○ Residential Development Update</li> <li>○ Māori Representation</li> <li>○ Eastern BOP Spatial Plan Governance Group</li> <li>○ Road Naming – Pūtauaki Trust Industrial Area</li> <li>○ Boundary Change</li> </ul> </li> <li>• Citizenship Ceremony for candidates Roxanne Saynes, Sanamdeep Singh and Venkatesh Elangovan, held in Council Chambers.</li> <li>• Meet and Greet with Dana Kirkpatrick, National East Coast Candidate for 2023 General Election, held in Mayor's Office.</li> </ul> |
| Wed 19   | <ul style="list-style-type: none"> <li>• Council Meeting, held in Council Chambers. <ul style="list-style-type: none"> <li>○ Adoption of the Provisional Eastern BOP Local Alcohol Policy</li> <li>○ Proposed Plan Change 4 Adoption and Notification of Decisions</li> </ul> </li> <li>• Porritt Glade Lifestyle Village AGM, held at Bert Hamilton Hall.</li> </ul>   |
| Thurs 20 | <ul style="list-style-type: none"> <li>• Porritt Glade Completion Celebration and Community Open Day, held at Piripiri Cres. Interviewed by Maleesha Kumar of Radio 1XX.</li> <li>• Catch-up with TUIA Rangatahi Damien Enright and Rakeraterataka Tukiwaho-Wade, and Youth Projects Officer JJ Rika re: TUIA i roto Wananga held at Otakou Marae, Dunedin from 30 June to Sunday 2 July, held in Mayor's Office.</li> <li>• Invitation from Chamber of Commerce to attend BA4 Informal Event, held at ISK Office.</li> </ul>   |

- Fri 21
- Bay of Plenty Te Maruata Hui, coordinated by Rōpū Whakahaere Toi Kai Rākau Iti, to discuss upcoming Te Maruata Hui, held at BOP Regional Council, Whakatane.
  - Catch-up with Donna Perese, CE of Toi EDA re: EBOP Joint Committee
- Mon 24
- Meeting with Iwi Liaison, Tūwharetoa ki Kawerau Kaumatua, Tūwharetoa BOP Settlement Trust and Tūwharetoa ki Kawerau Hauora re: Eastern BOP Spatial Plan, held in the Council Chambers
  - Meeting with Bernie Joyes re: Monika Lanham Reserve, the Transfer Station and former Te Teko Racecourse, held in Mayor's Office
- Tue 25 –  
Sat 29
- Local Government NZ Conference including AGM, Te Maruata Hui, and Mayors Taskforce for Jobs Meeting, held at Te Pae Christchurch Convention Centre.
- Mon 31
- Trip to Weifang, Auckland to explore possible housing opportunities.
- August
- Wed 2
- Crime Reduction Workshop re: CCTV Cameras, held in Council Chamber
- Thurs 3
- Meeting with Te Kori Ngahehu Whanau Trust re: proposed Boundary Change, held in Council Chambers.
- Fri 4
- Regional Transport Committee Workshop to develop the draft 2024-34 Regional Land Transport Plan, held at BOP Regional Council, Tauranga
- Mon 7
- Audit & Risk Committee Meeting, held in Council Chambers
    - Health, Safety and Wellbeing Report
    - Treasury Report to 30 June 2023
    - Audit Management Report for the Year Ended 30 June 2022
    - Audit New Zealand - Audit Plan and Audit Proposal Letter for the Annual Report to 30 June 2023
    - Review of Council's Fraud Policy and Corruption Policy
    - Long-Term Plan 2024-2034 Timetable
- Tues 8
- Meeting with Toi-EDA Trustees, Deputy Chair David Glover, CEO Donna Perese, and Kawerau Trustee Karilyn Te Riini re: Economic Development Strategy for Kawerau
  - Meeting with MSD Kawerau Manager, Bobby Nyman re: upcoming office refit, held in Mayor's Office
- Wed 9
- Extraordinary Council, held in Council Chambers
    - Road Naming – Pūtauaki Trust Industrial Area
    - Transfer Station Loader Replacement
    - Capital Projects 2022-23
  - Council Workshop, held in Council Chambers
    - Kawerau Christmas in the Park 2023
    - Ngāti Tūwharetoa Geothermal Assets Ltd Road Crossing
    - Introduction to the Long-Term Plan 2024-2034
  - Meeting with Tohia o te Rangi Marae Trustees re: proposed Boundary Change, held in Council Chambers
- Thurs 10
- Accompanied Mayor David Moore to the Mataatua Secondary Kapa Haka and supported Ngā Kura o Te Tatau Pounamu (Te Oriini ki Ngāti Awa / Te Whata Tau o Pūtauaki / Te Kura Kaupapa Māori o Waiohau, held at Ōhui Domain, Ōpōtiki
- Fri 11
- Bay of Plenty Region Mayoral Forum, held at Rotorua Lakes
    - BOP Climate Risk Assessment next steps update
    - Solid Waste Disposal Discussion

- Tues 15 • Catch-up with Papanui Ruri re: boundary access of River Road property
- Wed 16 • Regulatory & Services Committee, held in Council Chambers
- Monthly Managers Reports
  - Funding Application for Kawerau Christmas in the Park
- Presentation by BOP Regional Council Chair Doug Leeder, Councillors Toi Iti and Malcolm Campbell on the BOP Regional Council's Annual Plan, held in Council Chambers
- Thurs 17 • Catch-up with TUIA Rangatahi Damien Enright and Rakeraterataka Tukiwaho-Wade, and Youth Projects Officer JJ Rika re: upcoming TUIA i waho Wananga to be held at Pukemokimoki Marae, Napier from Friday 15 to Sunday 17 September, held in Mayor's Office.
- Fri 18 • BOP Civil Defence Chairs' Agenda Planning Catch-up, held via Zoom
- Mon 21 • Monthly Tangata Whenua Iwi Liaison Hui, held in Mayor's Office
- Kawerau Cemetery Board Update
  - Signage / Plaque for Tiwhatiwha, Piripiri and Te Marukaa
  - Bi-lingual translations
  - Residential Development Update
  - Māori Representation
  - Eastern BOP Spatial Plan Governance Group
  - Boundary Change
- Meeting with Dale Ofsoske, Independent Election Services re: Māori Wards and Representation Review, held in Committee Room. Apologies received from Tūwharetoa BOP Settlement Trust and Tūwharetoa ki Kawerau Hauora.
- Wed 23 • Elected Member Workshop, held in Council Chambers
- Long-Term Plan 2024-2034
  - Section 17a Reviews

## 2 **RECOMMENDATION**

That Her Worship the Mayor's report for the period Thursday, 13 July to Wednesday, 23 August 2023 be received.



Faylene Tunui  
**Kahika | Mayor**



**Meeting:** Council

**Meeting Date:** 30 August 2023

**Subject:** **Review of Council's Fraud & Corruption Policy**

**File No.:** 201300

## 1 **Purpose**

The purpose of this report is to extend Council's current Fraud Policy to cover corruption and bribery.

The Fraud Policy was reviewed and adopted by Council on 26 April 2023. The fraud policy is being further reviewed, following the recommendation by Council's Auditors, as raised in the Audit Management Report, that Council should also include corruption and bribery as part of its policy.

## 2 **Background**

The Office of the Auditor-General requires every public entity to formally address the matter of fraud and formulate an appropriate policy on how to minimise it and if it occurs, how to deal with it. Audit also require that Corruption and Bribery are included in a policy.

Kawerau District Council needs to protect its revenue, property and information. The fraud policy has been established to facilitate the development of controls that will aid in the detection and prevention of fraud against the Council.

A comprehensive fraud policy should contain the following key elements:

- An explicit definition of actions considered to be fraudulent
- The allocation of responsibility for the overall management of fraud
- A statement that all appropriate measures will be taken to deter fraud
- A formal procedure to be followed if fraud is suspected
- A statement saying that all instances of suspected fraud will be investigated and reported to the appropriate authorities (if fraud has occurred)
- A statement that all fraud offenders will be prosecuted and police will be notified to assist with any investigation required
- A statement that all efforts will be made to recover Council assets
- Encouraging staff to report any suspected fraud
- The steps to be taken when fraud is suspected and who is responsible for the investigation
- Responsible for reporting fraud to elected members and Council's auditors

Initial amendments were made to the Fraud Policy in 2020 following recommendations by Council's auditors to ensure that it followed best practice. With further recommendations from Council's Auditors, the Fraud Policy will now also include corruption.

### **3 Fraud and Corruption Policy**

The Fraud Policy has been updated to include corruption and bribery, across the policy, including a definition of corruption. Under section 4 of the policy, many of the actions constituting fraud, do also cover situations that could be deemed corruption. This section has been updated to include additional examples of fraud and corruption, however the terms are not limited to just those listed.

The appendix to this report contains the updated Council Fraud and Corruption Policy for Council's review and adoption. The policy was reviewed by the Audit and Risk Committee on 7 August 2023.

### **4 RECOMMENDATIONS**

1. That the report "Review of Council's Fraud and Corruption Policy" be received.
2. That Council adopts the revised "Fraud and Corruption Policy" (with any further amendments).



Lee-Anne Butler, CA, BMS

#### **Group Manager Finance and Corporate Services**

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## 2. SCOPE

- 2.1 This policy applies to any fraud, corruption, bribery impropriety or dishonesty, suspected or actual and relates to all property, funds and services, as well as statutory responsibilities.
- 2.2 This policy applies to all employees of Council or Council appointees to other organisations as well as Elected Members, consultants, vendors, contractors or any other parties having a business relationship with Council.
- 2.3 This policy also covers allegations made by Council employees, appointees or Elected Members against other employees, appointees or Elected Members.
- 2.4 There may be particular risks that increase the likelihood of fraud or corruption occurring, which include:
- *Incentives/pressures*: Management, other staff or external parties are under pressure or there are incentives for them to commit fraud or corruption.
  - *Opportunities*: Circumstances or lack of controls allow employees to commit fraud or corruption. Also employees are able to get around or override ineffective controls (for example officers are able to approve their own sensitive expenditure)
  - *Attitudes*: Employees are able to rationalise committing fraud or corruption (for example believing that everyone else is doing it, or that it was so easy for me).

The policy will identify processes for management to put in place to minimise these particular risks as much as practicable.

- 2.5 The Fraud and Corruption Policy is a separate policy to other council policies, but will overlap with some policies. These include:
- *Sensitive Expenditure Policy*: This policy deals with staff/councillor sensitive expenditure which includes travel, accommodation, hospitality and gifts. The policy specifies the processes and procedures which are required when incurring sensitive expenditure. Fraud occurs when the sensitive expenditure is not followed and Council is deliberately charged an individual's private costs.
  - *Code of Conduct*: This governs the behaviour of elected members and requires them to act with integrity, honesty and in the public interest. The behaviour and actions of elected members (as well as) should always be in the interests of the community and open to public scrutiny. If an elected member uses their position to obtain a financial benefit that may be to the cost/detriment of Council, then this will amount to fraud and corruption.

## 3. POLICY OBJECTIVE

- 3.1 Council personnel (defined as Council employees or appointees and elected members) must have, and be seen to have, the highest standards of honesty, propriety and integrity in the exercise of their duties.

- 3.2 Council will not tolerate any fraud, corruption, bribery, impropriety or dishonesty and will investigate all instances of suspected fraud, corruption impropriety or dishonesty by Council personnel or external parties.
- 3.3 Council personnel must not defraud the Council, or other personnel, clients or contractors of Council. Council personnel must not use their position of trust for dishonest gains through corruption.
- 3.4 Council will take action – including dismissal and/or criminal prosecution against any personnel defrauding or attempting to defraud the Council, other personnel, clients or contractors of Council. In each case, the Council will make every effort to gather sufficient reliable evidence to support a prosecution. Council will ensure appropriate external advice is sought early for significant fraud or corruption issues for timely assistance in obtaining the appropriate evidence required.
- 3.5 Council will always seek to recover funds or goods (or the estimated value of the goods where they have been disposed of) lost through fraud.

#### **4. ACTIONS CONSTITUTING FRAUD AND CORRUPTION**

- 4.1 The terms fraud, corruption, bribery, impropriety and dishonesty refer to, but are not limited to:
- Any dishonest or fraudulent act.
  - Any biased or corrupt act.
  - Misappropriation of funds, securities, supplies, resource or other assets.
  - Impropriety in the handling or reporting of money or financial transactions.
  - Forgery or alteration of any document, financial instrument or computer file or records belonging to Council.
  - Profiteering as a result of insider knowledge of Council activities or the activities of organisations with a Council appointee.
  - Disclosing confidential and proprietary information to outside parties.
  - Disclosing to other persons, securities, activities engaged in, or contemplated by the Council or any organisation with a Council appointee.
  - Seeking or accepting anything of material value from contractors, vendors, or persons providing services/materials to the Council or any organisation with a Council appointee. Gifts valued at less than \$100 per annum, or otherwise approved by the Chief Executive Officer, are exempt.
  - Unauthorised use of council property including property leased by Council.
  - Destruction, removal, or inappropriate use of records, Council resources, furniture, fixtures, and equipment.
  - Improper use of knowledge, power or resources of position of trust for personal gain or for the advance of others.

- Knowingly providing false, misleading or incomplete information to circumvent Council's procurement processes and procedures.
- Any similar or related irregularity.

If there is any question as to whether an action constitutes fraud or corruption contact the Chief Executive Officer or Group Manager, Finance and Corporate Services for guidance.

## **5. MANAGEMENT RESPONSIBILITIES**

- 5.1 Management is responsible for the detection and prevention of fraud, corruption, bribery, impropriety and dishonesty. Each member of the management team will be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indication of irregularity.
- 5.2 Management should be alert to the possibility that unusual events may be symptoms of fraud or attempted fraud and that fraud and corruption may be highlighted as a result of management checks, or be brought to management's attention by a third party. Management is responsible for:
- Being aware of fraud or corruption
  - Ensuring that an adequate system of internal controls exists within its area of responsibility and that those controls are operating effectively. These controls should include a system for undertaking regular reviews of transactions and activities that may be susceptible to fraud.
- 5.3 Any irregularity that is detected or suspected must be reported immediately to the Chief Executive Officer, who co-ordinates all investigations.
- 5.4 Management will promote ethical behaviour through Council's induction, training and performance development programmes.
- 5.5 Management will seek to minimise as much as possible the risks associated with:
- Incentives/pressures
  - Opportunities
  - Attitudes

This will be done by: making sure that the fraud and corruption policy is circulated regularly to all staff, undertaking regular reviews of the internal control systems, requiring all sensitive expenditure to be approved on a one-up basis, any reported

incidences of potential fraud or corruption are investigated thoroughly and the policy is applied consistently to all council staff.

- 5.6 Employees may disclose fraud or corruption under the provisions of the Protected Disclosures (Protection of Whistleblower) Act 2002, and the disclosure will then be treated in accordance with the provisions of the Act.
- 5.7 Council is committed to its legal obligations to act fairly, honestly and in good faith when conducting fraud or corruption investigations.

## **6. INVESTIGATION RESPONSIBILITIES**

- 6.1 The Chief Executive Officer has the primary responsibility for the investigation of all suspected fraudulent or corrupt acts as defined in the policy. This may require the formation of an Investigation Team comprised of suitably qualified persons, who may be staff or external parties as deemed appropriate. This responsibility will include full documentation of the facts and circumstances of the matter.
- 6.2 If the suspected fraud or corruption involves the Chief Executive Officer, the External Appointee to the Audit and Risk Committee will have the primary responsibility for conducting the investigation in consultation with the Mayor.
- 6.3 If the suspected fraud or corruption involves the Mayor or other elected member, the External Appointee to the Audit and Risk Committee will have the primary responsibility for conducting the investigation in consultation with the Chief Executive Officer.
- 6.4 Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management.

## **7. CONFIDENTIALITY**

The Chief Executive Officer will treat all information received confidentially. Any employee who suspects dishonest, fraudulent or corruption activity will notify the Chief Executive Officer immediately and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent or corruption act.

## **8. AUTHORISATION FOR INVESTIGATING SUSPECTED FRAUD OR CORRUPTION**

Members of the Investigation Team as appointed by the Chief Executive Officer will have:

- Free and unrestricted access to all Council records and premises, whether owned or rented.
- The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior

knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of the Team's investigation.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title or relationship to Council.

## **9. REPORTING PROCEDURES**

- 9.1 Great care must be taken in the investigation of suspected improprieties or irregularities, to avoid mistaken accusations, or alerting suspected individuals and staff not involved in the investigation that an investigation is under way.
- 9.2 An employee who discovers or suspects fraudulent or corrupt activity will notify the appropriate person immediately, as per the procedures laid down in the Council's Protected Disclosures Policy. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Chief Executive Officer. No information concerning the status of an investigation will be divulged.
- 9.3 The reporting individual should be informed of the following:
- Do not contact the suspected individual in an effort to determine facts or demand restitution.
  - Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Chief Executive Officer or members of the Investigation Team.
- 9.4 If the investigation by the Chief Executive Officer, or members of his appointed Investigation Team, substantiates that fraudulent or corrupt activities have occurred, the Chief Executive Officer will decide the action to be taken, which may include termination of employment.

## **10. TERMINATION**

Investigations could result in the termination of employment. If an investigation results in a recommendation to terminate an individual's employment, the recommendation will be reviewed by the Human Resources Manager, and by legal counsel if necessary, before any such action is taken.

For all fraud or corruption cases, the evidence of the fraud or corruption will be provided to the Police or Serious Fraud Office to determine whether there is a prosecution.

Council will not provide any formal reference to any individual that has been found to have committed fraud or corruption, nor should any council officer be a referee for that individual.

**11. MANAGING THE PUBLIC RELATIONS REGARDING FRAUD**

The Chief Executive Officer will notify the Mayor and the Independent Chair of the Audit and Risk Committee of any incidents of fraud or corruption that are under investigation.

The Chief Executive Officer will report to Council and the Audit and Risk Committee on any fraud or corruption investigation when it has reached a stage that they consider appropriate.

The Chief Executive Officer will also advise Council's auditors at the same time.

Any questions from the media in relation to fraud or corruption will be dealt with by the Chief Executive Officer or the Mayor.



**Meeting:** Council

**Meeting Date:** 30 August 2023

**Subject:** **Monika Lanham Reservoirs Structural Evaluation**

**File No.:** 404400

## **1 Background**

Kawerau district water supply is stored in two reservoirs in Monika Lanham Reserve and one reservoir at Beatty Road. The reservoirs undergo regular cleaning and assessment every five years. The three reservoirs were cleaned in May and June 2023, and inspected. The oldest reservoir's roof showed signs of structural damage. It could not be determined if this is damage from earlier earthquakes (Edgecumbe etc.) and only now visible or from the recent Kawerau earthquakes. This is however significantly worse than the previous assessment in 2018. The oldest reservoir is scheduled to be replaced in 2028.

The damage to the roof raises concerns about the integrity of the rest of the reservoir, and potential damage to the other reservoirs, if the recently observed damage was caused by the 2023 earthquakes. It is therefore required to do full structural analyses of the reservoirs to ascertain their structural integrity and estimated remaining life. The previous structural analyses was performed in 2015 and the next analyses is planned for the 2025/26 financial year.

There are limited structural engineers specialising in concrete vessels available in the country. WSP engineers from Wellington are coming to Kawerau in September to evaluate the Waste Water Treatment Plant vessels, and may at the same time evaluate the reservoirs. This will save flights and accommodation costs. They have quoted \$80,000 + GST to do the full structural analyses.

## **2 Policy and Plan Considerations**

Evaluating the structural integrity of the reservoirs does not require any policy or plan considerations.

## **3 Legal Considerations**

There are no Legal Considerations with this work.

## **4 Significance and Engagement**

This work is significant and requires Council approval. No community engagement is required.

## 5 **Financial Considerations**

This work is not budgeted in the 2023/24 financial year and will be a cost overrun, funded from equity. This work was scheduled for 2025/26.

## 6 **RECOMMENDATIONS**

1. That the report “Monika Lanham Reservoirs Structural Evaluation” be received.
2. That Council allows the additional work.
3. That Council allocate \$80,000 of additional funding for this work.



Hanno van der Merwe, MSc(Eng), PhD  
**Group Manager, Operations and Services**

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**Title:** Electoral Decisions

**Report to:** Kawerau District Council

**Author:** Dale Ofoske, Electoral Officer

**Date:** 30 August 2023

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## **1.0 Summary / Te Whakarāpopotanga**

The Local Electoral Act 2001 provides for Council in 2023 to consider for the 2025 triennial elections (i) the electoral system to be used, (ii) whether one or more Māori wards should be introduced and (iii) should one or more Māori wards be introduced, a representation arrangements review be undertaken in 2024.

The legislative dates for these reviews are subject to the Local Government Electoral Legislation Bill currently before Parliament, which if introduced (expected by the end of August), will introduce changes to the legislative dates. The proposed changes are in brackets.

The review of the electoral system must be completed by 12 September 2023 and is to consider whether:

- the First Past the Post (FPP) electoral system is retained; or
- the Single Transferable Voting (STV) electoral system is introduced; or
- a poll of electors is held on which electoral system is to be used for the next two triennial elections.

Consideration of introducing one or more Māori wards is currently optional, but if these are to be introduced for the 2025 triennial elections, a decision is required by 23 November 2023. If established, and assuming a total of eight councillors remain, there would be four councillors elected from 1-4 Māori wards and four councillors elected from 1-4 general wards.

A representation arrangements review is not required to be undertaken until 2027 unless one or more Māori wards are introduced (and a representation arrangements review is required in 2024).

## **2.0 Recommendation / Te Whaikupu**

THAT the report titled 'Electoral Decisions' be received; and

THAT pursuant to section 27 of the Local Electoral Act 2001 Council resolves for the 2025 Kawerau District Council triennial elections to:

*either*

- (i) retain the First Past the Post electoral system;  
*or*
- (ii) change to the Single Transferable Voting electoral system;  
*or*
- (iii) undertake a poll of electors on the electoral system to be used for the 2025 and 2028 triennial elections;

and that public notice be given by 19 September 2023 of the decision and of the right of electors to demand a poll on the electoral system to be used; and

THAT pursuant to section 19ZA of the Local Electoral Act 2001, Council considers whether to introduce one or more Māori wards for the Kawerau District Council for the 2025 and 2028 triennial elections and that public/iwi consultation takes place regarding this during August/September 2023; and

THAT if one or more Māori wards are to be introduced, pursuant to clause 1, Schedule 1A of the Local Electoral Act 2001, Council undertakes a representation arrangements review with an initial proposal required no earlier than 1 March 2024 (proposed 20 December 2023) and no later than 31 August 2024 (proposed 31 July 2024).

## **3.0 Background / Te kōrero ā mua**

The Local Electoral Act 2001 (LEA) provides for greater flexibility and local choice in several electoral related matters. The principal matters requiring consideration by most local authorities in 2023/2024

for the 2025 triennial elections are (i) the choice of electoral system (FPP or STV), (ii) for some whether to introduce one or more Māori wards (if not already introduced) and (iii) for some to undertake a representation arrangements review.

Consideration of the electoral system is required by 12 September 2023; consideration of Māori wards (optional) is required by 23 November 2023; and if one or more Māori wards are to be introduced, a further representation arrangements review be undertaken in 2024.

The last representation arrangements review was undertaken in 2021 (for the 2022 triennial elections) and comprised of the mayor elected at-large, eight councillors elected district-wide and no community boards.

## **4.0 The issues / Ngā take**

The LEA requires a local authority, when considering certain electoral matters, to comply with set requirements and timeframes. These are detailed in **Appendix 1**.

The dates contained in Appendix 1 are generally the last compliance dates and it is anticipated that most of the matters can be completed prior to these dates.

### **4.1 Electoral System**

Council is required under section 27 of the LEA to consider every three years the electoral system to be used for the 2025 triennial elections, by 12 September 2023.

Council has historically used the FPP electoral system and now has the opportunity to review the electoral system to be used for the 2025 triennial elections.

For the 2022 triennial elections, 63 of 78 local authorities used the FPP electoral system, and 15 of 78 local authorities used the STV electoral system. Local authorities currently using the STV electoral system are:

Dunedin City Council, Far North District Council, Gisborne District Council, Greater Wellington Regional Council, Hamilton City Council, Kaipara District Council, Kapiti Coast District Council, Marlborough District Council, Nelson City Council, New Plymouth District Council, Palmerston North City Council, Porirua City Council, Ruapehu District Council, Tauranga City Council and Wellington City Council.

A table comparing FPP and STV (as used in a territorial authority's electoral system poll and approved by DIA) follows:

## COMPARING FPP AND STV

A typical FPP voting document could look like this

 <b>HYPOTHETICAL CITY COUNCIL DOWNTOWN WARD ELECTING THREE (3) COUNCILLORS</b> You can tick up to three (3) candidates	
<input checked="" type="checkbox"/>	BROWN, Sandy
<input checked="" type="checkbox"/>	JONES, Sam
<input type="checkbox"/>	OWENS, Harry
<input checked="" type="checkbox"/>	TAWHIRI, Ngaire
<input type="checkbox"/>	WATSON, Alice

A typical STV voting document could look like this

 <b>HYPOTHETICAL CITY COUNCIL DOWNTOWN WARD ELECTING THREE (3) COUNCILLORS</b> Rank candidates in order of preference ... '1' '2' '3' etc	
<b>3</b>	BROWN, Sandy
<b>1</b>	JONES, Sam
<b>5</b>	OWENS, Harry
<b>2</b>	TAWHIRI, Ngaire
<b>4</b>	WATSON, Alice

FPP	STV
FPP has long been widely used in New Zealand, is familiar and is generally easy to understand.	STV is currently used in Australia, United States, Ireland and Malta. Along with all the DHBs it is also being used by fifteen New Zealand Councils in 2022. STV is also used by companies like Fonterra, to select board members.
Each voter is able to cast one vote for each vacancy to be filled. Voters place a tick beside the name of the candidate or candidates they wish to vote for.	Each voter gets one vote, no matter how many vacancies. Voters rank candidates in order of preference - "1" beside their most preferred candidate "2" beside the second-most preferred candidate, and so on. Voters do not have to rank all candidates, but must use consecutive numbers.
The candidate who receives the most votes is elected. Where there is more than one vacancy, the candidates (equal to the number of vacancies) who receive the most votes are elected.	A candidate must reach the quota to be elected. Where there is more than one vacancy, the candidates (equal to the number of vacancies) who reach the quota are elected.
FPP is not a form of proportional representation. Each tick is counted as a vote for that candidate and the candidate or candidates with the most votes are elected. A candidate may be elected by a small margin.	STV is a proportional electoral system. Proportional systems are intended to provide more effective representation for all significant points of view, although it cannot be guaranteed that STV will provide an increased diversity of representation.
A candidate may receive more votes than they need to get elected.	A candidate would not receive more votes than they would need to get elected, as surplus votes are transferred to the next preference.
Some voters may not have supported any of the candidates who get elected.	If voters rank every candidate, they are likely to have supported at least one successful candidate.
Where political parties or organised political groupings contest the elections, and there are say 3 vacancies, voters can vote for the 3 candidates representing a political party or organised political group ("block" voting). This can result in all candidates from a political party or organised political group being elected.	STV can moderate "block" voting as voters can rank every candidate therefore making it more difficult for all candidates from a political party or organised political group to be elected.

The process that Council can follow to determine its electoral system is:

- (i) Council can resolve which electoral system is to be used, with a required public notice
- (ii) five per cent of electors can demand a poll be held on this at any time
- (ii) Council can choose to hold a poll on this, irrespective of whether or not a poll is demanded by electors.

**(I) COUNCIL TO RESOLVE WHICH ELECTORAL SYSTEM IS TO BE USED**

Council can resolve to retain the current electoral system (FPP) or resolve to change the electoral system (to STV). Such a resolution must be made no later than 12 September 2023 (two years prior to the next triennial election) unless it decides to hold a poll of electors prior to the 2025 triennial elections.

Any resolution that changes the electoral system would take effect for the 2025 triennial elections, and continue in effect until either Council resolves otherwise, or a poll of electors is held.

**(II) ELECTORS' RIGHT TO DEMAND A POLL**

Under section 28 of the LEA, Council **must** give public notice, by 19 September 2023, of the right of electors to demand a poll on the electoral system to be used for the 2025 triennial elections. If Council passes a resolution under section 27 of the LEA to change the electoral system from FPP to STV the public notice must include:

- (a) notice of that resolution; and
- (b) a statement that a poll is required to countermand that resolution.

Section 29 of the LEA allows 5% of the electors enrolled at the previous triennial election to demand a binding poll be held on which electoral system is to be used for the next two triennial elections. The poll demand must be made in writing to the Chief Executive by a number of electors equal to or greater than 5% of the electors (256 electors) and can be made anytime, but to be effective for the 2025 triennial elections, must be made by 21 February 2024 (proposed 11 December 2023).

If a valid demand for a poll is received after 21 February 2024 (proposed 11 December 2023), a poll must be held after 21 May 2024 (proposed 14 March 2024) e.g. with the 2025 triennial elections, the outcome effective for the 2028 and 2031 triennial elections.

**(III) COUNCIL MAY DECIDE TO HOLD A POLL OF ELECTORS**

Council can decide to hold a poll of electors at any time (section 31 of the LEA), but to be effective for the 2025 triennial elections, must decide no later than 21 February 2024 (proposed 11 December 2023), irrespective of whether a valid demand has been received, or the time has expired for electors to demand a poll.

Public notice of the poll must be given as soon as practicable after the resolution and the poll itself must be completed by 21 May 2024 (proposed 14 March 2024) to be effective for the 2025 triennial elections.

The result of the poll is binding and will determine whether FPP or STV is to be used for at least the next two triennial elections (2025, 2028) and for all subsequent elections until either a further resolution takes effect or a further poll is held.

## 4.2 Māori Wards

Council may consider (it is currently optional), under section 19Z of the LEA, whether or not to introduce one or more Māori wards for the 2025 and 2028 triennial elections, by 23 November 2023.

Should one or more Māori wards be introduced, a formula to determine the number of Māori and general councillors is contained in Schedule 1A of the LEA and is:

$$nmm = \frac{mepd}{mepd + gepd} \times nm$$

where nmm = number Māori ward members

mepd = Māori electoral population of district

gepd = general electoral population of district

nm = total number members

For the Kawerau District Council, the Māori electoral population is 3,480 and the general electoral population is 4,280 (as at the 30 June 2022 Population Estimates).

Assuming a total of eight councillors (plus mayor) remain, the formula when populated would require four councillors elected from 1-4 Māori wards and four councillors elected from 1-4 general wards.

The process that Council can follow to consider the introduction of one or more Māori wards for 2025 and beyond is:

- Council may make a decision to introduce one or more Māori wards at anytime
- to be effective for the 2025 and 2028 triennial elections, a resolution is required by 23 November 2023
- there is now no longer a requirement to publicly notify this decision and there is no longer an ability to hold a binding poll on the matter
- consultation with Māori on whether one or more Māori wards should be introduced is recommended. For some local authorities, such consultation has resulted in Māori wards not being introduced, with Māori advising there may be better ways of achieving representation for their people (for example co-governance models) or for some they are not ready and awaiting finalisation of their Treaty settlement.

Note that the requirement to engage with local iwi and other communities (and have regard to their views) in relation to introducing one or more Māori wards under the Local Government Electoral Legislation Bill, is deferred until after the 2025 triennial elections.

### 4.3 Representation Arrangements Review

A representation arrangements review must be undertaken at least once every six years (section 19H of the LEA). The last review was undertaken in 2021, and accordingly a review is not required until 2027. However, if one or more Māori wards are resolved in principle in 2023, a representation review is required to be undertaken in 2024.

Key criteria to follow when undertaking a representation arrangements review are:

- identify the district’s communities of interest
- ensure these communities of interest have effective representation
  - what is the best number of councillors?
  - whether to have wards/”at-large”/mixture (including Māori wards if applicable)?
  - if wards, the number, names, boundaries of wards and the number of councillors per ward
  - whether to establish community boards?
  - if community boards, the number, names and boundaries, whether subdivided and the number of elected and appointed members per community board
- ensure compliance with fair representation (+/- 10% rule) of wards and subdivisions of community boards (if applicable)

Council will need to consider the above criteria when undertaking the representation review.

### 4.4 Suggested timetable

Suggested key dates for the reviews are:

- 31 May 2023: Council briefing (overview of the upcoming reviews, representation review community engagement strategy)
- 30 August 2023: Council resolution on the choice of electoral system
- 6 September 2023: public notice of the electoral system
- by mid-September 2023: consultation with local iwi/hapū and the community on Māori wards
- 27 September 2023: Council briefing on Māori wards
- 25 October 2023: Council resolution on Māori wards (if applicable)
- February-April: informal public consultation on representation review scenarios, number councillors, community boards etc (if applicable)
- 24 April 2024: Council briefing on representation review scenarios
- 29 May 2024: Council resolution on initial representation review proposal
- 5 June 2024: public notice of initial proposal, call for submissions
- 5 June – 17 July 2024: 6-week submission period
- July 2024: hearing of submissions
- 31 July 2024: Council resolution on final representation review proposal
- 7 August 2024: public notice of final proposal, call for appeals/objections

- 7 August – 18 September 2024: 6-week appeal/objection period
- October 2024: if no appeals/objections received, public notice of basis of election
- November 2024: if appeals/objections received, forward material to Local Government Commission
- by 11 April 2025: determination from Local Government Commission (if required).

	<b>Name and title of signatory</b>	<b>Signature</b>
Author	Dale Ofoske, Electoral Officer	

**APPENDIX 1**



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// bringing change

## 2023/2024 ELECTORAL SYSTEM, MĀORI REPRESENTATION & REPRESENTATION ARRANGEMENTS REVIEW TIMETABLE

### CURRENT LEGISLATIVE REQUIREMENTS

By 12 September 2023*	A local authority <b>MAY</b> resolve to change the electoral system (from the system it used at the 2022 general election) for the next two triennial elections.	Section 27 of LEA
By 19 September 2023*	A local authority <b>MUST</b> give public notice that electors may at any time demand that a poll be held on the future electoral system to be used by the local authority for the next two triennial elections, and if a poll outcome is to apply to the next triennial election, a demand for a poll must be received by 21 February 2024. If a resolution has been made by a local authority by 12 September 2023, this must be included in the notice.	Section 28 of LEA
By 23 November 2023*	A local authority <b>MAY</b> resolve to introduce Māori representation for the next two triennial elections.	Section 19Z of LEA
By 21 February 2024*	<b>IF</b> a demand for a poll that a specified electoral system be used for the next two triennial elections is received by 21 February 2024, a poll must be held by 21 May 2024.	Sections 29 and 30 of LEA
By 21 February 2024*	A local authority <b>MAY</b> also resolve to undertake a poll of electors that a specified electoral system be used for the next two triennial elections.	Section 31 of LEA
From 1 March 2024	Period commences for formal consultation/resolution of initial proposal for Representation Arrangements Review by local authority.	Section 19K (1AA) of LEA
By 21 May 2024*	If a successful demand for a poll has been received by 21 February 2024, or a resolution for a poll has been made by a local authority by 21 February 2024 (that a specified electoral system be used for the	Section 33 of LEA

	next two triennial elections), then a poll <b>MUST</b> be held within 89 days of notification.	
By 31 August 2024*	Period concludes for consultation/resolution of initial proposal for Representation Arrangements Review by local authority.	Section 19H of LEA
By 8 September 2024*	A local authority <b>MUST</b> give public notice of resolution of initial proposal. One-month submission period.	Section 19M of LEA
By 8 October 2024*	Submission period closes.	Section 19M of LEA
By 19 November 2024*	Submissions heard by local authority and resolution of final proposal made by a local authority.	Section 19N of LEA
By 19 November 2024*	A local authority <b>MUST</b> give further public notice of its resolution of final proposal (within six weeks of public notice). -One-month appeal/objection period.	Section 19N of LEA
By 20 December 2024*	Appeal/objection period closes.	Section 19O of LEA
By 15 January 2025*	Forward all Representation Arrangements Review material to LGC (if appeal/objection received).	Section 19Q of LEA
Before 11 April 2025*	Determination by LGC	Section 19R of LEA

\* may be earlier than but not later than

Dale Ofoske, January 2023