



AGENDA

Audit & Risk Committee meeting Wednesday, 19 February 2025

**I hereby give notice that a Audit & Risk Committee meeting will be held
on:**

Date: Wednesday, 19 February 2025

Time: 9.30am

**Location: Tauranga City Council Chambers
Ground Floor Meeting Room
306 Cameron Road
Tauranga**

*Please note that this meeting will be livestreamed and the recording will be publicly available on
Tauranga City Council's website: www.tauranga.govt.nz.*

**Marty Grenfell
Chief Executive**

Terms of reference – Audit & Risk Committee

Common responsibility and delegations

The following common responsibilities and delegations apply to all standing committees.

Responsibilities of standing committees

- Establish priorities and guidance on programmes relevant to the Role and Scope of the committee.
- Provide guidance to staff on the development of investment options to inform the Long Term Plan and Annual Plans.
- Report to Council on matters of strategic importance.
- Recommend to Council investment priorities and lead Council considerations of relevant strategic and high significance decisions.
- Provide guidance to staff on levels of service relevant to the role and scope of the committee.
- Establish and participate in relevant task forces and working groups.
- Engage in dialogue with strategic partners, such as Smart Growth partners, to ensure alignment of objectives and implementation of agreed actions.
- Confirmation of committee minutes.

Delegations to standing committees

- To make recommendations to Council outside of the delegated responsibility as agreed by Council relevant to the role and scope of the Committee.
- To make all decisions necessary to fulfil the role and scope of the Committee subject to the delegations/limitations imposed.
- To develop and consider, receive submissions on and adopt strategies, policies and plans relevant to the role and scope of the committee, except where these may only be legally adopted by Council.
- To consider, consult on, hear and make determinations on relevant strategies, policies and bylaws (including adoption of drafts), making recommendations to Council on adoption, rescinding and modification, where these must be legally adopted by Council.
- To approve relevant submissions to central government, its agencies and other bodies beyond any specific delegation to any particular committee.
- Engage external parties as required.

Terms of reference – Audit & Risk Committee

Membership

Chairperson	Independent (to be appointed)
Deputy chairperson	Cr Steve Morris
Members	Deputy Mayor Jen Scoular <i>Mayor Mahé Drysdale (ex officio)</i>
Non-voting members	(if any)
Quorum	<u>Half</u> of the members present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members present, where the number of members (including vacancies) is <u>odd</u> .
Meeting frequency	Five weekly

Role

The role of the Audit and Risk Committee is:

- To assist and advise the Council in discharging its responsibility and ownership of health and safety, risk management, internal control, and financial management practices, frameworks and processes to ensure that these are robust and appropriate to safeguard the Council's staff and its financial and non-financial assets.

Scope

- Oversee Council's relationship with the external auditor.
- Review with the external auditor, before the audit commences, the areas of audit focus and the audit plan.
- Review with the external auditor, representations required by elected representatives and senior management for the purposes of the audit.
- Receive and review the external auditor's report on the audit and management's responses to any issues raised.
- Make any recommendations necessary to the Office of the Auditor-General regarding the appointment or re-appointment of an external auditor.
- Review and approve an annual internal audit plan, including the integration of that plan with Council's risk profile, and monitor the implementation of that plan.
- Review the reports of the internal audit function, in particular considering findings, conclusions, and recommendations and management's response to such. Make any recommendations to Council on such as the Committee considers appropriate.
- Review, approve and monitor the implementation of Council's Risk Management Policy, including regular review of the corporate risk register.
- Review reporting of new or emerging risks as needed.

- Review the effectiveness of risk management and internal control systems including all material financial, operational, compliance, and other managerial controls.
- Review the effectiveness of health and safety policies and processes to ensure a healthy and safe workplace for representatives, staff, contractors, visitors and the public.
- Assist elected representatives and the Chief Executive to discharge their statutory roles as 'officers' in terms of the Health and Safety at Work Act 2015.
- Monitor compliance with laws and regulations as appropriate.
- Review and provide advice on policies relevant to the Committee's role including, but not limited to, policies addressing fraud, protected disclosures, and conflicts of interest.
- Review and monitor policy and processes to manage responsibilities under the Local Government Official Information and Meetings Act 1987 and the Privacy Act 2020 and any actions from any Office of the Ombudsman's report.
- Review and monitor current and potential litigation and other legal risks.

Power to Act

- To make all decisions necessary to fulfil the role, scope and responsibilities of the Committee subject to the limitations imposed.
- To establish sub-committees, working parties and forums as required.

Power to Recommend

- To Council and/or any standing committee as it deems appropriate.

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- 1 OPENING KARAKIA**
- 2 APOLOGIES**
- 3 PUBLIC FORUM**
- 4 ACCEPTANCE OF LATE ITEMS**
- 5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 6 CHANGE TO ORDER OF BUSINESS**
- 7 DECLARATION OF CONFLICTS OF INTEREST**

8 BUSINESS

8.1 Audit NZ Final Audit Results

File Number: A16452935

Author: Sheree Covell, Treasury & Financial Compliance Manager

Authoriser: Paul Davidson, Chief Financial Officer

PURPOSE OF THE REPORT

1. The purpose of this report is to present Audit New Zealand's (Audit NZ) report to the Council on the audit of Tauranga City Council (TCC) for the year ended 30 June 2024. The Audit NZ report sets out findings from the annual audit and draws attention to areas where the Council is doing well and where improvements can be made.

RECOMMENDATIONS

That the Audit & Risk Committee:

- (a) Receives the report "Audit NZ Final Audit Results".

EXECUTIVE SUMMARY

2. Audit NZ has completed its audit of Tauranga City Council for the year ended 30 June 2024.
3. The attached audit report outlines matters identified during the audit, makes recommendations and includes staff comments on these recommendations. An update on matters identified during previous audits is also included.
4. There are no significant risks to be brought to this Committee's attention, however a summary of all new matters has been included in the background section of this report.

BACKGROUND

5. Audit New Zealand has completed its audit of TCC for the year ended 30 June 2024. An unmodified opinion was given for the adoption of the 2023 Annual Report on 29 October 2024.
6. The audit report outlines matters identified during the audit, makes recommendations and includes Council comments on these recommendations. An update on matters identified during the previous audit is also provided.
7. Audit New Zealand provides recommendations for improvement and prioritises these as urgent, necessary, or beneficial. The report also reviews earlier recommendations and notes whether these have been addressed by TCC.
8. There were three new recommendations made by audit, two of which are deemed necessary and one beneficial. These are detailed below.
New Recommendation #1: Obtain independent external accounting advice as early as possible when considering unique contractual arrangements.
9. TCC has entered into several contracts in the past several years which have required complex and considered application of accounting standards. This includes the creation of a CCO that owns the land for the development of Te Manawa o Te Papa, the sale of the

Marine Precinct and the sale and lease back of the civic admin building. While the TCC in-house financial accounting team have the expertise and experience to account for these transactions, Audit NZ has required independent accounting advice to ensure the treatment is correct and fairly presented. This does come at a cost above the audit fee so TCC staff will only seek independent advice on future complex transactions that are significant in value.

New Recommendation #2: Annual provision of the detailed contract information for recent infrastructure projects.

10. The complexity and quantum of asset values and subsequent revaluations has increased significantly in recent years. This year Audit NZ requested additional information to be provided by our valuers and asset management teams to assist in the audit of the revaluations. This will be an ongoing requirement which TCC have agreed to.

New Recommendation #3: Consider if CCOs can be assisted to meet their statutory deadlines.

11. TCC's newest CCOs have not yet had an auditor appointed by the Auditor General and Bay Venues Limited statutory reporting requirements changed as a result their higher expenditure resulting in a change in the applicable accounting standards tier. The TCC finance team work closely the CCOs and we note that the Annual Reports are being prepared in a timely manner but market for auditors still remains constrained and beyond the control of TCC.

Prior Year Recommendations

12. There are seven recommendations from prior years all of which continue to be monitored and worked on. The detail and TCC staff comments are on pages 25-28 of the audit report. Staff continue to work on solutions for these recommendations but consider them of a low risk to the organisation.

STATUTORY CONTEXT

13. The audit report is part of the processes of Financial Accounting and reporting set out under the Local Government Act 2002.

OPTIONS ANALYSIS

14. There are no options presented in this report.

FINANCIAL CONSIDERATIONS

15. The costs associated with the additional revaluation information request will be absorbed into exiting budgets, however the request to obtain independent accounting advice cannot be quantified until the nature of any future transactions is known. The cost of independent accounting advice for the 2024 financial year was \$30k.

LEGAL IMPLICATIONS / RISKS

16. There are no specific legal implications or risks directly as a result of this report. Consultation / Engagement

SIGNIFICANCE

17. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
18. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) The current and future social, economic, environmental, or cultural well-being of the district or region.

- (b) Any persons who are likely to be particularly affected by, or interested in, the matter.
 - (c) The capacity of the local authority to perform its role, and the financial and other costs of doing so.
19. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of low significance.

ENGAGEMENT

20. Taking into consideration the above assessment, that the matter is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

21. Council will continue to work through recommendations for improvement in our processes and reporting.

ATTACHMENTS

1. **Audit NZ - TCC Report to Governors 2024 - Final - A17330700** [↓](#) 

AUDIT NEW ZEALAND
Mana Arotake Aotearoa

**Report to the Council
on the audit of**

Tauranga City Council

For the year ended 30 June 2024

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Key messages

We have completed the audit of Tauranga City Council (the City Council) for the year ended 30 June 2024. This report sets out our findings from the audit and draws attention to areas where the City Council is doing well and where we have made recommendations for improvement.

Audit report

We issued an unmodified audit report on 29 October 2024.

Matters identified during the audit

The City Council revalued its Land, Buildings and Roading assets as at 30 June 2024. The net movement in revaluation surplus was \$275,295,000 after adjustments for assets disposed of during the period. We concluded the valuations were reasonable and the resulting valuation movements were appropriately recognised in the financial statements.

The City Council has entered into some unique contractual arrangements in recent years to meet its business needs. We note that these arrangements can lead to unintended accounting consequences and we recommended external accounting advice is obtained as early as possible when developing the arrangements. This is expanded on in item 4.1 of this report.

Thank you

We would like to thank management and staff for being well prepared for this audit with a good draft set of financial statements and many supporting documents available at the start of the audit. We appreciated staff being very responsive to all requests for information throughout the audit.

We commend the council staff for their preparedness for this audit. Many documents were made available to us well in advance of our audit visit, which began on 2 September 2024. Additionally, staff were highly responsive and promptly provided any requested information throughout the audit process. This contributed to a smooth and effective audit process.



Leon Pieterse
Appointed Auditor
3 December 2024

1 Recommendations



Our recommendations for improvement and their priority are based on our assessment of how far short current practice is from a standard that is appropriate for the size, nature, and complexity of your business. We use the following priority ratings for our recommended improvements.

Priority	Explanation
Urgent	Needs to be addressed <i>urgently</i> These recommendations relate to a significant deficiency that exposes the City Council to significant risk or for any other reason need to be addressed without delay.
Necessary	Address at the earliest reasonable opportunity, <i>generally within six months</i> These recommendations relate to deficiencies that need to be addressed to meet expected standards of best practice. These include any control weakness that could undermine the system of internal control.
Beneficial	Address, <i>generally within six to 12 months</i> These recommendations relate to areas where the City Council is falling short of best practice. In our view it is beneficial for management to address these, provided the benefits outweigh the costs.

1.1 New recommendations

The following table summarises our recommendations and their priority.

Recommendation	Reference	Priority
Obtain independent external accounting advice as early as possible when considering unique contractual arrangements.	4.1	Necessary
Annual provision of the detailed contract information for recent infrastructure projects.	4.2	Necessary
Consider if CCOs can be assisted to meet their statutory deadlines.	5.1	Beneficial

1.2 Status of previous recommendations

Set out below is a summary of the action taken against previous recommendations. Appendix 2 sets out the status of previous recommendations in detail.

Priority	Priority			
	Urgent	Necessary	Beneficial	Total
Open recommendations prior to the final 2024 audit visit	-	8	-	8
Implemented or closed	-	(1)	-	(1)
New recommendations	-	2	1	3
Total	-	9	1	10

2 Our audit report

2.1 We issued an unmodified audit report



We issued an unmodified audit report on 29 October 2024. This means we were satisfied that the financial statements and statement of service performance present fairly the 's activity for the year and its financial position at the end of the year.

In forming our audit opinion, we considered the following matters. Refer to sections 3 and 4 for further detail on these matters.

2.2 Uncorrected misstatements

The financial statements are free from material misstatements, including omissions. During the audit, we have discussed with management any misstatements that we found, other than those which were clearly trivial. There were no significant misstatements identified during the audit that were not corrected.

2.3 Uncorrected disclosure deficiencies

There were no uncorrected disclosure deficiencies.

2.4 Uncorrected performance reporting misstatements

There were no uncorrected performance reporting misstatements.

2.5 Corrected misstatements

There were no corrected or not corrected misstatements to bring to your attention.

2.6 Corrected disclosure deficiencies

Detail of disclosure deficiency
A variety of minor misstatements identified related to the notes. These included updating commentary from the prior year; ensuring agreement to published budgets; ensuring correct calculations and agreement to source data.

2.7 Corrected performance reporting misstatements

Detail of misstatement
<p>Some changes required to Financial Prudence disclosures to ensure compliance with DIA regulations and updating to align with the Long-Term Plan Amendment targets.</p> <p>Some changes in the performance measures in the Group of Activities section to ensure commentary included or updated.</p>

2.8 Quality and timeliness of information provided for audit



Management needs to provide information for audit relating to the annual report of the City Council. This includes the draft annual report with supporting working papers. We provided a listing of information we required to management on 21 August 2024 via our Dashboard digital portal. This included the dates we required the information to be provided to us.

We commend the council staff for their preparedness for this audit. Many documents were uploaded well in advance of our audit visit, which began on 2 September 2024. Additionally, staff were highly responsive and promptly provided any requested information throughout the audit process. This contributed to a smooth and effective audit process.

3 Matters raised in the Audit Plan



In our Audit Plan of 20 May 2024, we identified the following matters as the main audit risks and issues:

Audit risk/issue	Outcome
Revaluation of assets – revaluation year	
<p>The City Council revalued Land and Buildings, and Roading assets as at 30 June 2024.</p> <p>The asset classes being revalued are a significant portion of the City Council’s assets.</p> <p>Due to the nature and value of the revaluations any bias or errors in the inputs used or calculations performed could result in a material misstatement in the value of asset classes being revalued.</p>	<p>For all asset classes revalued, we obtained confirmations from the valuers regarding their valuation methodology and compliance with the relevant valuation and accounting standards.</p> <p>We met with the valuers to discuss the valuation process. We also tested valuation assumptions and unit rates to recent contracts, as well as reviewing comparable sales information, where applicable.</p> <p>There was a \$275 million increase in asset carrying values due to revaluation movement at balance date, with \$233 million relating to roading assets and \$48 million relating to land and building assets. There was also a revaluation reserve decrease of \$7million for assets impaired during the year.</p> <p>We concluded the valuations complied with accounting and valuation standards and were appropriate for inclusion in the financial statements. The resulting valuation movements were appropriately recognised in the financial statements.</p>
Fair value assessment for assets – non-revaluation year	
<p>This year the following asset classes were not revalued:</p> <ul style="list-style-type: none"> • Three water assets. • Parks facility assets. • Airport Infrastructure. • Marine assets. • Library assets. • Heritage assets. <p>Fair value assessments will need to be completed for these classes of assets to confirm that there is no material</p>	<p>Fair value assessments were initially undertaken as at 31 March 2024 and updated again when the NZ Statistics index movements up to 30 June 2024 became available.</p> <p>The assessment did not indicate a significant movement in these asset classes.</p> <p>We reviewed the assessment provided by management. This included confirming the index information to source documentation and considering other information on price movements available to us.</p>

Audit risk/issue	Outcome
<p>difference between their carrying amount and their fair value.</p> <p>If a material movement between the carrying amount and the fair value of these classes of assets is identified they must be revalued for the City Council to comply with PBE IPSAS 17 <i>Property, Plant and Equipment</i>.</p>	<p>We concluded the assessments completed by the City Council were reasonable and no other valuations were considered necessary in the current period.</p>
<p>Revaluation of investment property</p>	
<p>The fair value of the City Council investment properties needs to be revalued annually in accordance with the requirements of PBE IPSAS 16, <i>Investment Property</i>.</p> <p>Given the volatility in the property market there is potential for large valuation movements year on year, which need to be accounted for within the Statement of Comprehensive Income.</p> <p>Due to the nature and value of the revaluations, any bias or errors in the inputs used or calculations performed could result in a material misstatement in the value of the investment property.</p>	<p>Investment property recorded a small revaluation decrease of \$1 million as at 30 June 2024. This was similar to the decreases in the value of residential land in Tauranga during the same period. This is relevant to the investment property portfolio as much of it is bare land next to residential areas, rather than commercial leased properties.</p> <p>We reviewed the valuation report and tested a sample of items to comparable sales information from both the valuer, and other sources available to us. We found the valuations of the selected properties had considered all relevant recent sales information and were appropriately valued within the range expected by the auditor.</p> <p>We concluded the valuation was appropriate and complied with accounting and valuation standards. We confirmed the resulting valuation movement was correctly recognised in the financial statements.</p>
<p>Major capital projects</p>	
<p>The City Council continues to have a significant ongoing capital programme.</p> <p>Accounting for capital projects, whether completed during the year or in progress at balance date, requires assumptions and judgements to be made that can have a significant impact on the financial statements.</p> <p>Management needs to ensure related project costs are correctly classified, and capitalised when the asset is complete or available for use. As some projects span extended periods of time, the costs</p>	<p>We reviewed the Work-In-Progress (WIP) class of assets and considered the project expenditure against budget to assess if the project had been completed during the current period. We specifically considered if there were any assets that had minimal expenditure during the current year – indicating they might be complete or discontinued. We identified eight projects that we considered complete and needing to be capitalised. Council noted there is a complex process to go through to ensure projects are capitalised as assets must be held at the appropriate component level and appropriate values and useful lives assigned correctly. After</p>

Audit risk/issue	Outcome
<p>need to be assessed each year to ensure they still meet the criteria for recognition as an asset and capital commitments related to contracts entered into before balance date are disclosed in the notes to the financial statements.</p>	<p>discussions with staff, one further asset was capitalised as the analysis had been undertaken on that project but the remaining seven are still being analysed and will be capitalised in the 30 June 2025 period. The total of these uncapitalised assets was \$9.2million and our assessment calculated there would be an immaterial impact on depreciation expense due to these assets not being properly capitalised and depreciated at 30 June 2024. We accepted the rational on the basis the total of Property Plant and Equipment on the face of the financial statements is materially correct.</p> <p>We also reviewed a sample of assets capitalised during the period and assessed the useful lives, and resulting depreciation rates, were appropriate. We did identify an issue with some existing useful lives and this matter is documented in Appendix One – Status of Previous Recommendations.</p> <p>Commitments were separately tested, which included assessing the progress for the longer-term projects and ensured an appropriate value for commitments outstanding at balance date was recorded.</p> <p>We concluded the accounting treatment for project costs was materially correct.</p>
<p>Funding mechanism for new infrastructure projects</p>	
<p>In the 2024/34 Long Term Plan the City Council agreed to make use of a funding mechanism that would not have an impact on the City Council’s debt limits. The City Council proposed to apply for this funding to progress its Transport System Plan and Tauriko West infrastructure development. The new infrastructure projects will be financed by an external party that charges levies. The City Council will administer the levies alongside its own rates. The City Council expects the private financing cost to be affordable and similar to that currently available to the City Council.</p> <p>We reviewed the draft agreements in conjunction with the draft financial</p>	<p>The City Council obtained funding from TSP Finance Ltd, a subsidiary of Crown Infrastructure Partners Ltd. Once the work for these projects is completed, a levy will be charged to the ratepayers to repay TSP Finance Ltd.</p> <p>The City Council obtained external expert advice on the accounting treatment for these transactions in previous financial periods and followed that advice, which resulted in the initial funding being treated as grants in the 30 June 2023 period.</p> <p>In the prior period we reviewed the City Council’s external advice and documents, and concluded the accounting treatment was reasonable.</p> <p>Levies relating to the prior period grants will become payable in the 30 June 2025 period. There</p>

Audit risk/issue	Outcome
<p>statements and the external accounting advice the City Council received. We concluded the accounting treatment was reasonable.</p>	<p>was minimal impact from this funding arrangement in the current period, apart from the City Council drawing down all the available funding.</p> <p>We will assess any new agreements as they are entered into in the future.</p>
<p>New City Council head office building</p>	
<p>The City Council entered into an arrangement with a third party to build and manage a new head office building. Our understanding is that once completed, the City Council will lease the building from the third party.</p> <p>As part of the arrangement, the City Council has sold the land to the third party, but the settlement will be deferred until the building is complete.</p> <p>The City Council should obtain accounting advice on the sale and future lease agreement when preparing the financial statements.</p>	<p>The initial agreement, and the external advice on the accounting treatment related to it, were reviewed as part of the 30 June 2023 audit.</p> <p>We agreed with the initial accounting treatment recognised in the 2023 and 2024 period but there remain some accounting treatment matters to be resolved once the actual lease agreement is signed in the future.</p> <p>As the Council prepares to move into the new head office, anticipated towards the end of the 2024/25 financial year, it will become clearer how to accurately measure and report the lease financial information in the Council’s financial statements measurement of the lease financial information to use in the Council’s financial statements. One of the key issues to resolve is calculating the commencement of the lease, which differs from the inception of the lease under PBE IPSAS 13. This date is important when calculating the fair value of the lease.</p> <p>Council will need to reassess the accounting treatment once the building is occupied and provide us with the proposed accounting treatment early so we can resolve the accounting treatment early in the audit process.</p> <p>There was no issue in the current period.</p> <p>Management comment</p> <p><i>TCC obtained advice on this transaction previously which covers both pre and post occupancy. The advice states that TCC should obtain new advice when the lease standards change.</i></p>

Audit risk/issue	Outcome
The risk of management override of internal controls	
<p>Management is in a unique position to perpetrate fraud because of management’s ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Although the level of risk of management override of controls will vary from entity to entity, the risk is nevertheless present in all entities. Due to the unpredictable way in which such override could occur, it results in a risk of material misstatement due to fraud.</p>	<p>We undertook the following work to address this risk:</p> <ul style="list-style-type: none"> • reviewed accounting estimates for bias, including reviewing the prior year estimates for accuracy; • tested the appropriateness of a sample of journals selected for testing bases using a risk-based data analytical approach; and • reviewed any unusual or one-off transactions. <p>We have no areas of concern to bring to your attention.</p>
“Local Water Done Well” programme	
<p>In February 2024, the Government passed legislation that repealed the affordable waters reform legislation passed into law by the previous Government.</p> <p>The Government intends implementing its “Local Water Done Well” programme through the passing of two further bills through Parliament.</p> <p>The first and second bills are expected to be passed by mid-2024 and mid-2025, respectively.</p> <p>Until the content of the bills is known the impact on the City Council and on the 30 June 2024 annual report was unclear.</p> <p>The City Council had to ensure the annual report includes sufficient disclosure about the impact of the programme (to the extent that the impact is known).</p>	<p>The City Council included commentary on ‘Local Waters Done Well’ in the <i>Year in Review</i> section of the annual report.</p> <p>We considered the commentary to be appropriate and fairly disclosed the legislative requirements and the impacts on the City Council as currently understood.</p> <p>The Local Government (Water Services Preliminary Arrangements) Act 2024 was recently enacted on 2 September 2024 and established the Local Water Done Well framework and the preliminary arrangements for the new water services system.</p> <p>This includes:</p> <ul style="list-style-type: none"> • Requirements for councils to develop Water Services Delivery Plans (WSDP) by 3 September 2025; • Requirements that WSDPs outline future water services delivery arrangements, and for councils to commit to an implementation plan; • Requirements for Councils to include in their Plans baseline information about their water services operations, assets, revenue, expenditure, pricing, and projected capital

	<p>expenditure, as well as necessary financing arrangements, as a first step towards future economic regulation;</p> <ul style="list-style-type: none"> • Streamlined consultation and decision-making processes for setting up future water services delivery arrangements; • Interim changes to the Water Services Act, which mean the Te Mana o te Wai hierarchy of obligations in the National Policy Statement for Freshwater Management will not apply when Taumata Arowai sets wastewater standards. <p>A further Local Government Water Services Bill is planned to be introduced to Parliament in December 2024 which will set out a range of changes to the water services delivery system and to the water services regulatory system.</p> <p>Also announced as part of these reforms, Council owned water providers will be able to borrow up to 500% of their annual operating revenues from the LGFA.</p> <p>We will maintain a watching brief over further developments in this area.</p>
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4 Other matters



During the audit, we identified the following matters to bring to your attention.

4.1 Technical accounting advice

The City Council has entered into some complex contractual arrangements in recent years. These may include asset sales that incorporate deferred settlement or transactions structured in stages that require future events to occur before the next stage will be triggered. Recently the City Council was one of the first to utilise a new funding arrangement provided through central government that incorporated levies from ratepayers as noted in the above table in Funding mechanism for new infrastructure projects.

The City Council has entered into these arrangements to effectively meet its and the communities business needs. We note that these arrangements can lead to unintended accounting consequences.

Recommendation

Obtain independent external accounting advice as early as possible when considering unique contractual arrangements to ensure the accounting outcome aligns with the City Council's intentions.

Management comment

TCC will seek independent accounting advice for significant transactions of a complex nature if deemed prudent to do so.

4.2 Analysis of cost information for infrastructure assets

Valuations of most infrastructure assets use the depreciated replacement cost method, and this has a significant impact on the carrying value of the City Council's assets. It takes considerable time to audit these valuations as we seek to ensure the unit rates used as the basis of the valuation are appropriate and reasonable for financial reporting purposes.

On 11 September 2024 we wrote to the Chief Financial Officer requesting the analysis of recent cost information used to develop unit rates for estimating replacement costs in the valuations. This information included:

- Recent contract information;
- Sizable renewal programme information; and
- Vested asset information.

We acknowledge the provision of the above for the roading assets on 1 October 2024.

We reiterate that such information will be requested every year that a material class of infrastructure assets is revalued on the depreciated replaced cost method. This is typically transportation and three waters assets. As the City Council is currently in the process of constructing several buildings, we would also be interested in similar data for the next revaluation of building assets also.

This information will also be important for developing expectations fair value movements between planned revaluation cycles.

Recommendation

Annual provision of the detailed contract information for recent infrastructure projects.

Management comment

TCC fulfilled the request for the 2024 year from Audit for valuing infrastructure assets and will continue to do so for future valuations.

5 Public sector audit



The City Council is accountable to the local community and to the public for its use of public resources. Everyone who pays taxes or rates has a right to know that the money is being spent wisely and in the way the City Council said it would be spent.

As such, public sector audits have a broader scope than private sector audits. As part of our audit, we have considered if the City Council has fairly reflected the results of its activities in its financial statements and non-financial information.

We also consider if there is any indication of issues relevant to the audit with:

- compliance with its statutory obligations that are relevant to the annual report;
- the City Council carrying out its activities effectively and efficiently;
- waste being incurred as a result of any act or failure to act by the City Council;
- any sign or appearance of a lack of probity as a result of any act or omission, either by the City Council or by one or more of its members, office holders, or employees; and
- any sign or appearance of a lack of financial prudence as a result of any act or omission by the City Council or by one or more of its members, office holders, or employees.

We did not identify any issues that need to be brought to your attention.

5.1 Legislative compliance

We note that four of the Council Controlled Organisations (CCOs) that the City Council is the parent of, did not meet their statutory deadline to obtain audited annual reports by 30 September 2024.

We understand the two newest entities (Te Manawataki o Te Papa Limited and Te Manawataki o Te Papa Charitable Trust) are still waiting for the Office of the Auditor General to appoint an auditor to them. The other two CCOs, the Tauranga Art Gallery Trust and Tourism Bay of Plenty, are expected to provide audited annual reports to the City Council in November 2024.

While the City Council is not responsible for the CCOs meeting the statutory deadline, there may be opportunities to assist the CCOs in meeting their statutory deadlines.

Recommendation

Consider if CCOs can be assisted to meet their statutory deadlines.

Management comment

Council will continue to offer support to CCOs as part of the preparation of the group accounts, however TCC has no influence on Auditing firms and their ability to resource audits to meet deadlines, nor appoint Auditors for our two new CCO's.

6 Group audit



The group comprises:

- Tauranga City Council (parent entity);
- Bay Venues Limited (BVL) – subsidiary 100% controlled by the parent and a significant component of the group;
- Tauranga Art Gallery Trust – subsidiary 100% controlled by the parent and a non-significant component of the group;
- Western Bay of Plenty Tourism and Visitors Trust trading as Tourism Bay of Plenty – associate 50% controlled with Western Bay of Plenty District Council and a non-significant component of the group;
- BOPLASS Limited – investment of 11% and a non-significant component of the group;
- Te Manawataki o Te Papa Charitable Trust – subsidiary 50% owned by parent and a non-significant component of the group; and
- Te Manawataki o Te Papa Limited – subsidiary 100% owned by the parent and a non-significant component of the group.

Our auditor’s report covers the group as a whole. Our audit approach ensured we obtained sufficient information to enable us to give an opinion on the group.

The following matters have been identified as the main audit risks and issues for Bay Venues Limited as the only significant component of Tauranga City Council.

Audit risk/issue	Outcome
Management Override of Internal Controls	
<p>There is an inherent risk in every organisation of fraud resulting from management override of internal controls.</p> <p>Management is in a unique position to perpetrate fraud because of their ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively.</p>	<p>We completed the following procedures:</p> <ul style="list-style-type: none"> • testing the appropriateness of selected journal entries; • reviewing accounting estimates for indications of bias; and • evaluating any unusual or one-off transactions, including those with related parties.

Audit risk/issue	Outcome
Auditing standards require us to treat this as a risk on every audit.	We did not identify any issues regarding management override of internal controls, we did however raise recommendations as a result of our testing.
Completeness of Revenue	
<p>The revenue from user fees is made up of a large number of lower value transactions that in total form a significant component of total revenue.</p> <p>Any weaknesses in the process and controls over user fee transactions could result in errors or omissions in the recognition and completeness of revenue.</p>	<p>We performed testing over user fee revenue, which included understanding the controls in place, performing trend analysis, data analytical reviews, tests of detail and obtained corroborative evidence to support explanations for significant variances.</p> <p>We did not identify any material omissions in revenue. We are satisfied revenue is complete.</p>

Audit risk/issue	Outcome
Revaluation of Plant and Equipment	
<p>The Company periodically revalues its assets. PBE IPSAS 17, Property, Plant and Equipment, requires that valuations are conducted with sufficient regularity to ensure that the carrying amount does not differ materially from fair value.</p> <p>This year the Company has revalued its Land and Buildings asset class after performing a fair value assessment and noting a potential material difference between carrying value and fair value.</p> <p>The Company then completed a revaluation of the land, buildings and improvements as at 30 June 2024.</p>	<p>Our audit procedures included:</p> <ul style="list-style-type: none"> • reviewing the information and instructions provided to the valuer; • assessing relevant controls that management has put in place for the valuation; • evaluating the qualifications, competence and expertise of the external valuer used; • reviewing the method of valuing the assets and assessing if the applicable method used is in line with public sector accounting standards (PBE IPSAS 17, Property, Plant and Equipment), including the reasonableness of the assumptions and judgements made by the valuer and other inputs to the valuation; and • assessing whether the resulting change in values are correctly incorporated into the financial statements and the assumptions and judgements relating to the valuation are adequately disclosed. <p>We concluded that the revaluation had been carried out appropriately, is accounted for correctly, and is fairly stated in the financial statements including the associated disclosures. We also conclude that the revaluation method aligns with PBE IPSAS 17, Property, Plant and Equipment.</p>
Potential change in reporting tier	
<p>The Company in the prior years reported under the “Public Benefit Entity Reporting Standards Reduced Disclosure Regime” (also known as Tier 2 reporting).</p>	<p>Our audit response to this risk included:</p> <ul style="list-style-type: none"> • evaluated that the Company exceeded expenditure of \$33million for the year ended 30 June 2024 and noted a tier change was required; • reviewed the additional disclosures in the annual report to ensure compliance with PBE Tier 1 standards; and

Audit risk/issue	Outcome
<p>In the current financial year, the Company's expenditure was over \$33 million. This was the second year in a row the Company's expenditure was over \$33 million. This resulted in the Company changing its reporting tier from "Public Benefit Entity Reporting Standards Reduced Disclosure Regime" (also known as Tier 2 reporting) to "Public Benefit Entity Reporting Standards" known as Tier 1. This resulted in additional disclosures in the annual report.</p> <p>In the prior year and as highlighted in the audit plan, we encouraged that the Company consider the additional disclosure requirements early on so that they are well prepared and in compliance with the new reporting tier come the financial year end.</p>	<p>we ensured all relevant requirements under the PBE Tier 1 standards are met and adequately disclosed.</p>

We have not identified any of the following during our audit for the year ended 30 June 2024:

- Instances where our review of the work of component auditors gave rise to a concern about the quality of that auditor's work.
- Limitations on the group audit.
- Fraud or suspected fraud involving group management, component management, employees with significant roles in group-wide controls, or others where the fraud resulted in a material misstatement of the group financial statements.

7 Useful publications



Based on our knowledge of the City Council, we have included some publications that the Councillors and management may find useful.

Description	Where to find it
Performance reporting	
Performance reporting is an essential part of the public sector’s accountability to New Zealanders. Performance reporting is important, but it can also be difficult. This guide is to help those in the public sector who are responsible for preparing performance reports to find and use the many resources the OAG have made available.	On the Office of the Auditor-General’s website under publications. Link: A guide to our resources to support better performance reporting
Public organisations are responsible for reporting their performance to Parliament and the public in a way that meaningfully reflects their organisation’s aspirations and achievements. The Auditor-General published a discussion paper that explores five areas for improvement in performance reporting.	On the Office of the Auditor-General’s website under publications. Link: The problems, progress, and potential of performance reporting
The Office of the Auditor-General, the Treasury and Audit New Zealand have jointly prepared good practice guidance on reporting about performance. The guidance provides good practice examples from public organisations in central government. Those working in other sectors may also find this useful.	On Audit New Zealand’s website under good practice. Link: Good practice in reporting about performance — Office of the Auditor-General New Zealand (oag.parliament.nz)
Public accountability	
Public accountability is about public organisations demonstrating to Parliament and the public their competence, reliability, and honesty in their use of public money and other public resources. This discussion paper explores how well New Zealand’s public accountability system is working in practice.	On the Office of the Auditor-General’s website under publications. Link: Building a stronger public accountability system for New Zealanders
Managing conflicts of interest involving council employees	
This article discusses findings across four councils on how conflicts of interest of council employees, including the chief executive and staff, are managed.	On the Office of the Auditor-General’s website under publications. Link: Getting it right: Managing conflicts of interest involving council employees

Description	Where to find it
Establishing a new “public entity”	
<p>This document is for people making policy decisions about establishing a new public entity. It sets out questions to help you consider what accountability requirements a new public entity should have.</p>	<p>On the Office of the Auditor-General’s website under publications. Link: Accountability requirements to consider when establishing a new “public entity”</p>
Sensitive expenditure	
<p>The Auditor-General’s good practice guide on sensitive expenditure provides practical guidance on specific types of sensitive expenditure, outlines the principles for making decisions about sensitive expenditure, and emphasises the importance of senior leaders “setting the tone from the top.” It also describes how organisations can take a good-practice approach to policies and procedures for managing sensitive expenditure.</p>	<p>On the Office of the Auditor-General’s website under good practice. Link: Sensitive expenditure</p>
Conflicts of interest	
<p>The Auditor-General has published guidance on conflicts of interest. A conflict of interest is when your duties or responsibilities to a public organisation could be affected by some other interest or duty that you have.</p> <p>The material includes a printable A3 poster, an animated video on predetermination and bias, gifts and hospitality, and personal dealings with a tenderer. There is also an interactive quiz.</p> <p>These can all be used as training resources for your own employees.</p>	<p>On the Office of the Auditor-General’s website under 2019 publications. Link: Conflicts of interest</p>
The Auditor-General’s report on the results of recent audits	
<p>The OAG publishes a report on the results of each cycle of annual audits for the sector.</p>	<p>On the OAG’s website under publications. Links: Insights into local government: 2023</p>

Description	Where to find it
Procurement	
<p>Value for money is an important measure of public sector performance that helps public organisations to strike the right balance between what is spent and what is achieved. In this article, the Auditor-General describes the public sector’s challenge with defining, assessing, the reporting on value for money.</p>	<p>On the Office of the Auditor-General’s website under publications. Link: Value for money – a simply complex problem</p>
<p>The OAG are continuing their multi-year work programme on procurement.</p> <p>They have published an article encouraging reflection on a series of questions about procurement practices and how processes and procedures can be strengthened.</p> <p>Whilst this is focused on local government, many of the questions are relevant to all types of public sector entities.</p>	<p>On the OAG’s website under publications. Links: Local government procurement</p>

Appendix 1: Status of previous recommendations

Open recommendations

Recommendation	First raised	Status
Necessary		
Network password strengths below currently acceptable practice		
Strengthen network login passwords to current acceptable practices.	2023/24 interim	<p>Raised in the interim report</p> <p>Management comment</p> <p><i>As part of Digital's Security programme, an initiative is planned to address password complexity over the next approximate 6 months.</i></p>
Improve removal of network access when staff and contractors leave		
Review and improve the process for removing all users access to IT systems (staff and contractors).	2023/24 interim	<p>Raised in the interim report</p> <p>Management comment</p> <p><i>All contractors who are given access to TCC systems are recorded in our new HR system Success Factors. Processes exist for the removal of any users who leaves TCC; however, this relies on managers following/triggering processes to notify Digital Services. Processes are in place to mitigate these risks.</i></p>

Useful lives of property plant and equipment		
Establish a process to ensure assets are accurately classified and assigned appropriate useful lives when capitalised.	2022/23	<p>In progress</p> <p>We did not identify any misclassified assets, but we did identify some inappropriate useful lives.</p> <p>We identified two issues with roading assets;</p> <ol style="list-style-type: none"> 1. roading formations were incorrectly allocated 46-50 years of useful life when they should have indefinite lives; and 2. footpaths were given useful lives of 138 years when 45 years would be more appropriate.
Recommendation	First raised	Status
		<p>We understand the error arose when bringing in the 2022 data and we calculated the impact on depreciation as not material. Council staff have been advised of the need to correct this.</p> <p>Management comment</p> <p><i>Asset useful lives are reviewed and monitored on a regular basis. All the new Roading asset life's will be loaded in the 2025 year and will reflect the asset life's as provided by the valuer in the latest revaluation as at June 2024.</i></p>
Monitoring of bee card usage		
<p>Include the issuing, cancelling and use of the Bee card in the sensitive expenditure policy.</p> <p>Establish a monitoring system to confirm the cards are only used for their intended purpose.</p>	2022/23	<p>In progress</p> <p>The Sensitive Expenditure policy was updated on 11 April 2024 and now includes appropriate guidance on the use of the Bee card. We are advised a system had been established with quarterly monitoring of Bee Card transactions. The first review was due over the transactions for the April 2024 to June 2024 period in July but has not occurred to date.</p>

		<p>Management comment</p> <p><i>A change in the team monitoring this matter has been made so reviews will be undertaken from 1 July 2024 (first quarter report/review is underway).</i></p>
Deposits held		
<p>Appropriate processes are established to track deposits held, including reconciliations and lists of all deposits held</p>	<p>2021/22</p>	<p>In progress</p> <p>A list of all deposits held is still not available but the movements in the general ledger have been reconciled since 2023.</p> <p>We continue to recommend a listing similar to a creditor listing be prepared, as this enables the aging of deposits to be monitored and assists council in refunding deposits or following up on old deposits.</p> <p>Management comment</p> <p><i>Whilst TCC is operating two accounting systems it is not currently possible to provide a single listing of Deposits Held. Council refined their processes 18+ months ago to manually monitor accounts and these have been provided to audit over the last two years.</i></p>
Assets in use with no book value		
<p>Review the useful lives for all assets that remain in use beyond their recorded useful lives.</p>	<p>2020/21</p>	<p>Outstanding</p> <p>Our testing identified 104 assets held at nil value at balance date. This indicates useful lives may be inappropriate, which in turn impacts depreciation expense.</p> <p>Management comment</p> <p><i>TCC will continue to review assets useful lives as part of Council's annual impairment process and adjust those lives appropriately.</i></p>

Recommendation	First raised	Status
Performance measures		
<p>We recommended:</p> <ul style="list-style-type: none"> • sufficient details and clearer descriptions are provided in the report for each event to help the data processor and reviewer make informed judgments on whether the event has met the criteria of the performance measure per DIA guidance; • record and use the number of connections as per 30 June for three waters related performance result calculation; • regularly review the event report and adjust types of events accordingly. This is to ensure three-waters issues have been correctly differentiated and classified; and; • regularly review the event report and ensure all private nature related events are removed from year-end population. 	2019/20	<p>Outstanding</p> <p>We again found misclassified complaints in the customer management system that impacted the fault response time and wastewater overflow performance measure results.</p> <p>Management comment</p> <p><i>The last 3 recommendations will be taken on board by the Corporate Planning and 3 waters teams to help ensure the correct data is being identified and reported on. They will be actioned during the quarterly monitoring reports and for the Annual Report for 2024/25.</i></p> <p><i>Regarding the first recommendation - Providing sufficient details and clearer descriptions is a work in progress. There are restrictions with our reporting system and one of those is that job notes are not displayed. That makes it difficult for both us and the auditor. There is a project in its infancy which will hopefully see this rectified however this isn't a quick fix, and any changes would likely be around 18 months away.</i></p>

Implemented or closed recommendations

Recommendation	First raised	Status
<p>Classification of property plant and equipment assets.</p> <p>Assign assets to classes of similar nature, rather than on a functional basis unless the intention is to revalue all the assets in the class at the same time.</p>	2021/22	<p>Closed.</p> <p>No issues were identified with the overall classification of assets this year.</p>

Appendix 2: Disclosures

Area	Key messages
Our responsibilities in conducting the audit	<p>We carried out this audit on behalf of the Controller and Auditor-General. We are responsible for expressing an independent opinion on the financial statements and performance information and reporting that opinion to you. This responsibility arises from section 15 of the Public Audit Act 2001.</p> <p>The audit of the financial statements does not relieve management or the Council of their responsibilities.</p> <p>Our Audit Engagement Letter contains a detailed explanation of the respective responsibilities of the auditor and the Council.</p>
Auditing standards	<p>We carried out our audit in accordance with the Auditor-General's Auditing Standards. The audit cannot and should not be relied upon to detect all instances of misstatement, fraud, irregularity, or inefficiency that are immaterial to your financial statements. The Council and management are responsible for implementing and maintaining your systems of controls for detecting these matters.</p>
Auditor independence	<p>We are independent of the City Council in accordance with the independence requirements of the Auditor-General's Auditing Standards, which incorporate the independence requirements of Professional and Ethical Standard 1: <i>International Code of Ethics for Assurance Practitioners</i>, issued by New Zealand Auditing and Assurance Standards Board.</p> <p>In addition to the audit, we have carried out engagements in the areas of the Debenture Trust Deed, which is compatible with those independence requirements. Other than the audit and the debenture trust deed engagement, we have no relationship with or interests in the City Council or its subsidiaries.</p>
Fees	<p>The audit fee for the year is \$385,781, excluding the audit of any Council Controlled Organisations, as detailed in our Audit Proposal Letter of 5 July 2023.</p> <p>Other fees charged during the period are \$143,200 for the audit of the consultation document and long-term plan and \$11,800, for the Debenture Trust Deed audit.</p>

Area	Key messages
Other relationships	<p>We are not aware of any situations where a spouse or close relative of a staff member involved in the audit occupies a position with the City Council or its subsidiaries that is significant to the audit.</p> <p>We are not aware of any situations where a staff member of Audit New Zealand has accepted a position of employment with the City Council or its subsidiaries during or since the end of the financial year.</p>



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8.2 Audit & Risk Committee Proposed Forward Work Plan

File Number: A17424884

Author: Chris Smith, Risk & Business Continuity Advisor

Authoriser: Alastair McNeil, General Manager: Corporate Services

PURPOSE OF THE REPORT

1. The purpose of this report is to introduce risk and risk management practices undertaken by Tauranga City Council (TCC), and an outline a proposed forward-looking work plan for consideration.

RECOMMENDATIONS

That the Audit & Risk Committee:

- (a) Receives the report "Audit & Risk Committee Proposed Forward Work Plan".
- (b) Approves the draft forward work plan.

EXECUTIVE SUMMARY

2. The forward work plan is designed to align activities with organisational goals, address emerging risks, and ensure compliance with best practices in public sector governance:
 - a) A key recommendation is to conduct regular, in-depth reviews of critical risks through workshops with subject matter experts. These deep dives provide valuable insights to ensure risks are appropriately managed in a dynamic evolving environment.
 - b) A clear definition of the Council's risk appetite is essential to balance innovation and risk management, promote accountability and transparency. Establishing this framework supports effective decision-making and enhances public safety.
 - c) The Office of the Auditor General emphasises the importance of appointing an independent chair for the committee to reinforce governance, objectivity, and accountability. Until an independent chair is appointed, the committee may consider delaying discussions on defining the Council's risk appetite to ensure alignment with best practices and expert guidance.

BACKGROUND

3. The forward work plan, guided by an independent chair, is focused on aligning activities with organisational goals, addressing emerging risks, and ensuring compliance with best practices in public sector governance. It is recommended deep dives on Council's critical risks are conducted on a regular basis through workshops with subject matter experts. The overarching purpose of deep dives is to give the committee insight into whether a risk is being managed appropriately. To note, as councils operate in a complex environment the forward work plan needs to be flexible, agile, and responsive to changing environments:
 - a) Risk appetite, as set by resolution of Council (refer Risk Policy, 5.2.1), should be set during strategic planning processes, reviewed regularly, and updated when there are significant changes to legislation, community priorities, or the Council's operational environment, at a minimum each triennium. It involves defining the level and type of risk

the Council is willing to accept to achieve strategic objectives while ensuring the safety of public assets and services. By establishing a clear risk appetite, the committee provides a framework for decision-making, enabling the Council to balance innovation and risk management effectively. This promotes accountability, transparency, and alignment with best governance practices, ensuring risks are managed appropriately while pursuing council priorities.

- b) The Office of the Auditor-General (OAG) recommends appointing an independent Chair for the Audit and Risk Committee to strengthen governance, impartiality, and oversight. An independent chair brings objectivity, enhances accountability, and ensures the committee affectively addresses critical areas such as financial reporting, risk management, and internal controls. In line with best practice, the chairperson holds a critical role through sharing their subject matter expertise with the committee to enable members to effectively discharge their responsibilities. The committee may choose to wait until an independent chair is appointed to facilitate the discussion on setting a risk appetite.

STATUTORY CONTEXT

- 4. Effective risk management contributes to improved management systems, and informed-decision-making.

STRATEGIC ALIGNMENT

- 5. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city	✓
We can move around our city easily	✓
We are a city that supports business and education	✓

- 6. Identified TCC risks have impacts on, at differing levels, each of the community outcomes, and therefore on TCC organisational activity. Regular review and assessment of our risk management processes helps better understand and manage key organisational and city risks.

OPTIONS ANALYSIS

- 7. There are no specific options for this meeting to consider in respect of this report, although direction may be given in respect of the forward work plan.

FINANCIAL CONSIDERATIONS

- 8. Not applicable

LEGAL IMPLICATIONS / RISKS

- 9. Not applicable

CONSULTATION / ENGAGEMENT

10. Risk analysis is an integral part of developing the Long-Term Plan and Annual Plan which are consulted upon with community to align with their needs and expectations. As the Audit and Risk Committee work plan focuses on internal process to ensure effective governance and risk management, community consultation is not required in this instance.

SIGNIFICANCE

11. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals, and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
12. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) The current and future social, economic, environmental, or cultural well-being of the district or region.
 - (b) Any persons who are likely to be particularly affected by, or interested in, the matter.
 - (c) The capacity of the local authority to perform its role, and the financial and other costs of doing so.

In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of high significance, however the decision proposed in this report is of low significance.

ENGAGEMENT

13. Taking into consideration the above assessment, that the matter is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

14. Regular workshops will be planned involving subject matter experts to review and analyse the Council's critical risks (deep dives):
 - (a) The setting of workshop to develop a clear and comprehensive risk appetite framework will be prioritised in line with direction.
15. The forward workplan will remain adaptable to emerging risks and changing environments.

ATTACHMENTS

1. **Audit & Risk Committee - Proposed Work Plan to June 2026 - A17430246** [↓](#) 

DRAFT Outline work programme for Audit & Risk Committee to June 2026

(agenda items in normal font; *workshop items in red italics*)

	19-Feb-25	21-May-25	30-Jul-25	19-Nov-25	Feb-26	May-26
Risk Management						
Risk Update	Risk Report	Risk Report	Risk Report	Risk Report	Risk Report	Risk Report
		<i>Risk Appetite</i>		Risk Appetite - Approval		
Deep Dive	TBA					
	Program Deep Dives to follow Strategic Risk discussions (to be confirmed)					
Fraud	Update on actual fraud / losses (as required)	Update on actual fraud / losses (as required)	Update on actual fraud / losses (as required)	Update on actual fraud / losses (as required)	Update on actual fraud / losses (as required)	Update on actual fraud / losses (as required)
		Fraud / Integrity Controls				Fraud / Integrity Controls
Policies		Risk Management policy – Oct '24 review – draft	Risk Management policy – Oct '24 review – recommend for Council adoption		Business Continuity policy – review draft TBA	Business Continuity policy – recommend for Council adoption
Audit & Assurance						
Internal Audit Update	IA&A Report	IA&A Report	IA&A Report	IA&A Report	IA&A Report	IA&A Report
		Internal Audit Plan (FY25/26 – FY26/27) - approve	Internal Audit Charter			
External Audit		Audit Report - Annual Report (TBC)		Audit Report - LTP (TBC)		
Finance / Treasury						
	Insurance Update					
	TBC					
Health & Safety						
Health & Safety Update	H&S Report	H&S Report	H&S Report	H&S Report	H&S Report	H&S Report
		<i>HSW Act</i>				
Legal / Regulation						
	Litigation Report	Litigation Report	Litigation Report	Litigation Report	Litigation Report	Litigation Report
	LGOIMA Report	LGOIMA Report	LGOIMA Report	LGOIMA Report	LGOIMA Report	LGOIMA Report
Other						

8.3 Insurance Update

File Number: A17098545

Author: Frazer Smith, Manager: Strategic Finance & Growth
Kat Mills, Financial Accountant

Authoriser: Paul Davidson, Chief Financial Officer

PURPOSE OF THE REPORT

1. This report presents the current insurance holdings for Tauranga City Council for the period from 1 November 2024 to 1 November 2025.

RECOMMENDATIONS

That the Audit & Risk Committee:

- (a) Receives the report "Insurance Update".

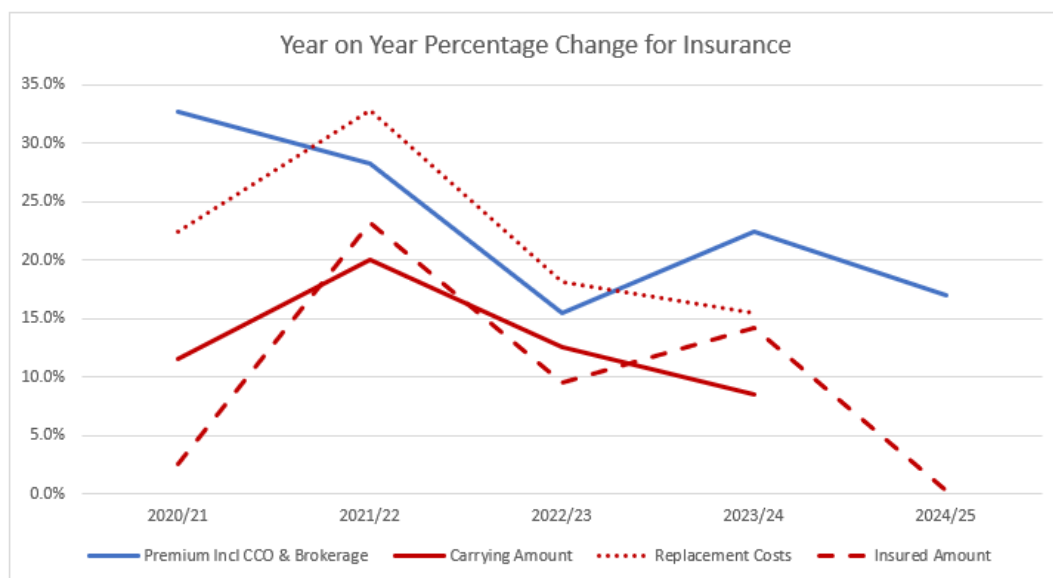
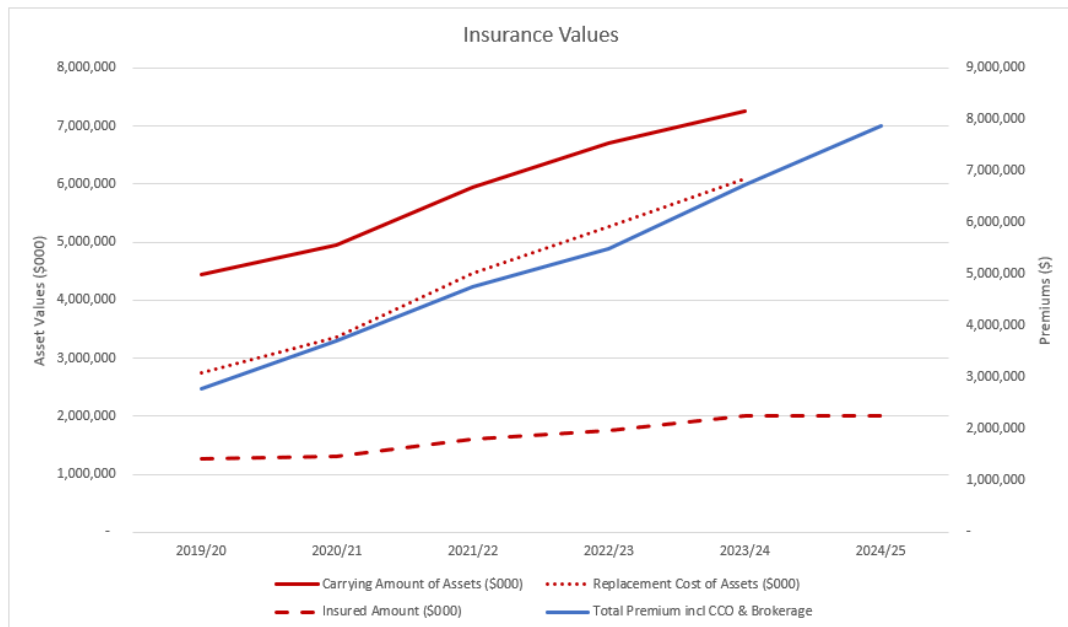
EXECUTIVE SUMMARY

2. Tauranga City Council's annual insurance renewal programme has been completed for the 2024/2025 period.
3. There have been significant increases in premiums over the last few years. These increases have been driven both by a tight inflation market and significant increases in the values of insurable assets. While material damage markets have started to ease (not for Professional Indemnity), asset price increases are still driving inflation increases.
4. Council have had a significant modelling exercise completed (not finalised) that confirms that our underground cover is sufficient at \$380M. A similar exercise is likely to commence for rest of BOPLASS Councils.

BACKGROUND

5. Insurance is a key plank in Council's risk mitigation strategy. Insurance enables some of Council's residual risks to be passed to another entity.
6. Insurance is a global market with a very small number of large organisations. Premiums are largely set on an international basis.
7. Tauranga City Council's insurance is arranged through a broker, currently Aon, who is appointed through a tender process for BOPLASS Councils'.
8. Insurance is renewed from the first of November each year.
9. Council holds cover around:
 - (a) organisational activities;
 - (b) asset protection;
 - (c) specialised operations e.g. Airport; and
 - (d) business continuity/interruption.
10. Council also provides insurance services to our CCO's, Bay Venues Ltd and Tauranga Art Gallery, with costs recovered via invoicing.

11. Insurance information is available in the annual report:
 - (a) Insurance expense – Other Operating Expenses Note (pg. 273 in 2024 Annual Report), and
 - (b) Asset values – Property, Plant & Equipment Note (pg. 306 in 2024 Annual Report).
12. Three Waters Assets contributes approximately 40% of the total insurance premium.
13. The below graphs present year on year change in the total insurance values and the percentage increases:
 - (a) Premiums,
 - (b) Replacement cost of Assets (NB replacement costs for 2024/25 have not yet been updated as asset valuations are in progress),
 - (c) Carrying Amount of Assets, (NB Carrying amounts for 2024/25 have not yet been updated as asset valuations are in progress),
 - (d) Insured Amount of Assets. (NB for underground assets this has stayed the same (\$380M) even though the value and number of assets has increased).



14. Recent Issues in Insurance

(a) Market

- (i) Material Damage - Recently the global insurance market has faced increasing pressures (multiple global events in short period of time), which meant that insurance was more difficult to obtain, and what was available was more expensive. The most recent renewal saw a lessening in these pressures on the market, and therefore a decline in premiums rates but Council’s increase in asset holdings outweighed the small gain in premiums.
- (ii) General Liability & Indemnity (Including building consents) – these types of insurance are more difficult to obtain and maintain, and therefore the pricing pressures on these types continue to increase.

(b) New Limits to Claims

- (i) Building Claims under Primary Policy Layer of Professional Indemnity have been limited to a total of \$45m in any policy period, across the 37 Councils in New Zealand (excludes Auckland and Wellington). Tauranga City Council has participated in a secondary layer which will cover claims in excess of \$15m, up to a joint limit to \$145m.

(c) Reworking of Probable Loss Modelling for Underground Assets

- (i) Tauranga City Council has undertaken a review with Aon and Tonkin & Taylor, of the probable loss for these assets, the final report is still pending, but we have been given assurance that our current limit is sufficient. The review and report is based upon the most recent seismic survey pronouncements.
- (ii) BOP LASS as a whole is to undertake a similar review to ensure the total loss limit of \$500m is appropriate.
- (iii) Taupo District Council has recently joined the BOP LASS Underground Infrastructure Assets Policy (previously they were self-insuring) but Taupo District Council held other BOP LASS Group policies.

- (d) Riskpool, is a now defunct mutual liability entity created by Councils in the 1990s, which is no longer in operation. Council has been notified of a likely call in March 2025 (Tauranga City Council portion estimated to be less than \$100k).

STATUTORY CONTEXT

- 15. Effective risk management contributes to improved management systems, and informed-decision-making.

STRATEGIC ALIGNMENT

- 16. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	✓
We are a well-planned city	✓
We can move around our city easily	✓
We are a city that supports business and education	✓

17. Insurance provides Tauranga City Council with the capability to continue to operate and recover quickly in the event of natural disaster, which impacts on community outcomes, and Council's overall organisational activity.

OPTIONS ANALYSIS

18. There are no options presented in this report.

FINANCIAL CONSIDERATIONS

19. There are no specific financial implications directly associated with this report.

LEGAL IMPLICATIONS / RISKS

20. There are no specific legal implications or risk directly as a result of this report.

CONSULTATION / ENGAGEMENT

21. Community consultation is not deemed necessary for this report.

SIGNIFICANCE

22. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
23. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the matter.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
24. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of medium significance; however, the decision proposed in this report is of low significance.

ENGAGEMENT

25. Taking into consideration the above assessment, that the matter is of low significance, officers are of the opinion that no further engagement is required prior to Council making a decision.

NEXT STEPS

26. Council will continue to work with BOPLASS for insurance.

ATTACHMENTS

1. **Insurance Desk File - January 2025 - A17432026** [↓](#) 

Insurance

General Background

Insurance covers council for unexpected events.

Our insurance is arranged through a broker (currently Aon) in conjunction with all of the other BOPLASS Council’s. The broker (Aon) then arranges insurance with various insurance companies and will assist Council with any claims.

Every three years BOPLASS’ Council’s will either renew the broker contract or put out to tender; if Council’s are satisfied with the broker after the initial term, the broker contract can be renewed without tender for another three/five years, renewal without tender can only occur once.

Most insurance is arranged through insurance companies that operate on a global scale. New Zealand makes up (in the vicinity of) 1-2% of the global insurance market. This means that TCC has little direct influence on the market (i.e. we are price takers).

Insurance is renewed from the first of November each year (insurance is an annual contract).

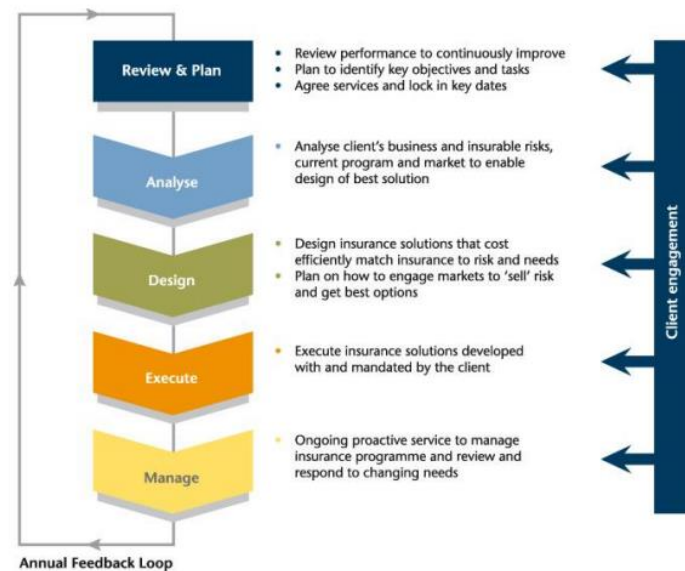


Table 1: Aon Service Methodology

Council also provides insurance services to our CCO’s. Bay Venues Ltd (BVL) and Tauranga Art Gallery (TAGT). We then invoice them for their share of costs.

Outline

- 1. Basic Information**
 - 1.1. Material Damage
 - 1.2. Business Continuity
 - 1.3. Infrastructural (Underground) Assets
 - 1.3.1. Crown 60/40
 - 1.4. Public Liability cover
 - 1.4.1. Hall Hirers
 - 1.5. Professional Indemnity cover
 - 1.5.1. Umbrella Public Liability and Professional Indemnity cover
 - 1.5.2. Riskpool
 - 1.6. Motor Vehicle Insurance
 - 1.6.1. Driver cover
 - 1.7. Cyber Liability
 - 1.8. Crime Cover
 - 1.9. Environmental Impairment Liability Insurance
 - 1.10. Life Assurance Cover
 - 1.11. Other Insurance Covers
- 2. Insurance as part of Contract Tenders**
 - 2.1. Contract Insurance
 - 2.1.1. Contractor arranged contract insurance
 - 2.1.2. Principle arranged contract insurance
 - 2.2. Public Liability Cover
 - 2.3. Professional Indemnity Cover
 - 2.4. Motor Vehicle and Plant
- 3. Insurance on Professional Services Contracts**
 - 3.1. Contractors within TCC
- 4. Insurance Claims**
 - 4.1. Small claims
- 5. Insurance Broker (Aon) (including Contacts)**
- 6. BOPLASS (including Contacts)**

1. Basic Information

1.1. Material Damage

This relates to Insurance on above ground assets. Above ground assets relate to all of councils normal building and contents. It includes treatment plants, pump-stations, reservoirs and bridges. It does not include roads (non-insurable). Total Assets covered under this policy is in excess of \$1.6B for 2024/25 year (including CCOs).

Basic insurance cover relating to damage to any asset. Includes theft, fire (Fire Service Levy (FSL)) earthquake (Earthquake Commission (EQC)) act of god etc.

Insurance doesn't cover roads (uninsurable) or underground assets – see Infrastructure cover below. There is an expectation that in the event of a significant event TCC is likely to have a significantly increased level of NZTA funding (as happened for the Christchurch earthquakes) which, along with money already budgeted for capital works (renewals and new roads) should mean that the financial impact or rebuilding the roading infrastructure should not be outside our means.

These assets are revalued every 3 years at the same time as building assets. They are valued at a specific insurance value (as opposed to Financial Valuation), which approximates the replacement cost of these assets..

Excess is \$25,000 (if a claim is less than excess then probably not worthwhile making unless third party did the damage)

1.2. Business Continuity

If a business is closed for a period of time, then this insurance will provide for ongoing operating costs.

Material damage schedule also shows the assets over which there is a specific Business continuity cover (including amount and duration). There is a \$6M general cover for Council as a whole.

Excess is \$25,000

1.3. Infrastructural (Underground) Assets

TCC's underground assets (pipe assets with a replacement value of around \$2.6b) have not been able to be covered under standard insurance.

Through TCC brokers (Aon) these assets are able to be insured through London. This is achieved through providing details of our assets and information in our GIS to Aon, who have used a model (developed by Tonkin & Taylor) to determine likely outcomes in various disaster scenario's. This determines Council's (and BOPLASS's) Maximum Probable Loss (MPL).

Earthquakes are the primary risk, and approximately 70% of the premium weightings relates to this risk. The Hikurangi Subduction Zone is a major risk that could invoke an 8.9 magnitude earthquake, catastrophic to the North Island and the BOPLASS group. Flooding is the other significant risk, which incurs 20% premium weighting, with the last 10% being for other risks e.g. geothermal, tsunami, volcanic (3-5%).

From this work we have obtained insurance quotes directly from the London market. This provides disaster cover only (i.e. natural hazards).

We are currently updating the advanced modelling information which will provide better understanding of potential losses in the event of a major disaster. This work incorporates the latest version of the New Zealand Seismic Hazard Model (NSHM22). However, based upon current scenarios, Council’s current \$380M cover is sufficient.

An update to BOPLASS Councils total probability loss modelling is currently being pursued to ensure the group maximum of \$500 million is still appropriate, the policy provides for automatic reinstatement in the event of earthquake peril. The option to add an extra \$200M to the group cover obtained in 2024 indicated the extra premium would be approximately \$430,000. This option was not taken up pending review of the group as a whole.

The cover (\$500M for BOPLASS) is represented by the following sub-limits for each Council.

Council	Values (\$) as at 1 November 2024	2024 Limit (\$) including proposed
Tauranga City Council	3,600,973,525	380m
Rotorua District Council	1,069,247,669	250m
Whakatane District Council	675,422,601	120m
Gisborne District Council	661,710,977	350m
Western Bay of Plenty District Council	619,524,834	84m
Bay of Plenty Regional Council	533,419,648	130m
Taupo District Council	522,129,093	90m
Opotiki District Council	230,873,618	30m
Kawerau District Council	120,376,750	40m

Table 2: Current sub-limits for BOPLASS Council’s including Taupo District Council (NEW in 2025)

The sublimit should more than cover TCC for a 1 on 500 Average Recurrence Interval (ARI) event and most (about 94%) of a 1 in 1,000 ARI event.

1.3.1.Crown 60/40

The current infrastructural insurance cover is based upon an understanding that central government would, in the event of a disaster, provide 60% of the cost of rebuilding underground assets if local government could demonstrate that they had provided for the other 40%. (Referred to as the 60/40 split).

The 60/40 split has in recent years after significant disaster been confirmed by the Crown (Christchurch Earthquake, Auckland Anniversary Floods, and Cyclone Gabrielle).

1.4. Public Liability cover

Council has a primary Public Liability cover of \$15m. Public Liability predominantly covers TCC in the event of a legal claim being made against us. The level of cover has been consistent since 2020.

Elected members and all staff are covered under this policy for any work they are doing in relation to Council business.

Excess is \$10,000

1.4.1. Hall Hirers

Within Council's Public Liability there is 'Hall Hirers' extension cover which provides cover for individuals, small community or sporting groups that may not have their own liability cover (under their Domestic Contents Insurance) when they are hiring a council property or venue. This means that the Council's PL policy would cover for them for any liability they may incur arising from their use of the Council property or venue while they are hiring or using it.

This extension of cover is only available to individuals and small community/sporting groups, other hirers would need to have their own PL policy in place (e.g. businesses, large organisations etc).

1.5. Professional Indemnity cover

Professional Indemnity is similar to Public Liability cover, but is linked to errors of professional judgement. This is where Council's have had significant exposure through building consent issues (e.g. leaky buildings and Bella Vista). Council has a primary Professional Indemnity Cover of \$15m.

There are now a significant number of exclusions from the policy (e.g. leaky buildings), but there are still a number of building claim faults that are still covered. For example, with the Cayman apartments claim, the leaky building issues had no insurance cover, but the building defects exposed when the leaky covering was removed were.

Excess is \$25,000

1.5.1.Limitation on Professional Indemnity Cover

From 1 November 2024 there is an additional limitation on this cover. For a group of 36 local authorities (excludes Auckland, Christchurch and Wellington) there is a limit of \$45M of cover in any one year. This is used up on a first come first served basis.

1.5.2.Umbrella Public Liability and Professional Indemnity cover

In order to provide cover for claims over \$15M our brokers (Aon) have arranged an umbrella cover for a number of Local Authorities (36) which will provide cover from \$15 up to \$160m. This umbrella cover is provided on a first come first serve basis and is shown below.

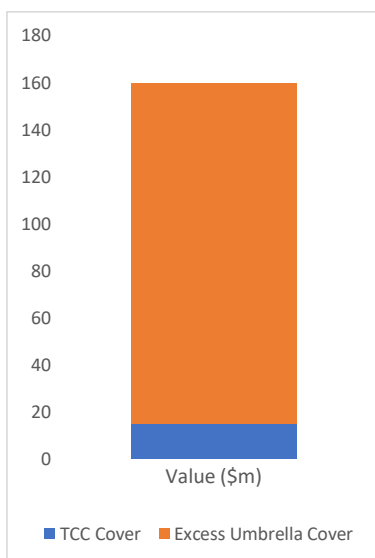


Table 3: Umbrella cover provided in relation to PL and PI.

This umbrella cover is provided by the same insurance companies (and in same proportion) as the standard cover.

1.5.3.Riskpool

In the late 1990’s public liability/ professional indemnity cover for Council’s in NZ became very difficult to obtain. The answer to this was a mutual liability entity (Riskpool) set up under Civic Insurance. Riskpool was a NZ mutual liability scheme, of which Tauranga City Council is a member.

TCC changed from Riskpool and now insures Public Liability as a standard insurance contract (under BOPLASS) with a commercial insurer. The Riskpool Scheme is now in wind down; however, the council has an ongoing obligation to contribute to the scheme should a call be made in respect of any historical claims (to the extent those claims are not covered by insurance), and to fund the ongoing operation of the scheme.

TCC has a potential liability to cover past claims in relation to Riskpool, as a result of a Supreme Court decision on 1 August 2023, it has been clarified that Riskpool now has liability for member's claim in respect of non-weather-tight defects. Riskpool has advised that it is working through the implications of the Supreme Court decision. TCC made a significant payment in November 2023.

1.6. Motor Vehicle Insurance

TCC has extensive cover for all of its motor vehicle fleet. A schedule of TCC's vehicles is maintained by the fleet manager (cover includes both owned and leased vehicles). BVL's vehicles are also included in this policy.

Excess is 1% of vehicle insured value, minimum of \$500

1.6.1. Driver cover

TCC coverage is pretty extensive. As long as the vehicle is being driven with the knowledge and permission of a TCC staff member (and they have valid drivers licence etc) then contractors and temporary staff can still be covered by the policy. Also covers insurance for hire cars.

1.7. Cyber Liability

This covers TCC for the following:

- Business Interruption (cyber only)
- Hacker theft cover
- Third Party liability
- Costs to restore
- Breach consultation services
- Identity Theft
- Public Relations Expenses
- Network Extortion Coverage
- Data Forensics Expenses
- Forensic Services Costs

Since 2015/2016 TCC (through BOPLASS) has held cyber liability cover losses arising from cyber crimes. These are a growing threat and have had a significant impact on at least one Council within NZ but maintaining cyber liability cover is increasingly difficult.

Apart from Hacker Theft Cover and Forensic Services Costs (\$500K) the Policy Limit is \$1.5m. Excess is \$25,000.

1.8. Crime Cover

This policy covers financial crimes committed by TCC staff.

Cover is \$2 M with a deductible of \$50,000.

1.9. Environmental Impairment Liability Insurance

This type of cover provides for Gradual damage caused by pollution over time, which is not covered by the standard public liability policy. It also includes cover for issues such as asbestos, which are specifically excluded from public liability cover.

This cover has been around for some time but has not used by TCC. Initially this was because the risks had not been considered high (especially with no landfills in use). We did look at getting this cover a couple of years ago, but the information requirements proved impractical (i.e. a detailed inventory of every land title TCC owned or controlled). We have had some indication that the requirements have become more practical and could relook at this in the coming years.

The final part of the Southern Pipeline (under the harbour and through Matapihi) was considered to be changing the level of risk in an extremely sensitive area. We arranged Environmental Liability cover in relation to this project.

1.10. Life Assurance Cover

TCC has a group life insurance policy established for permanent employees. This includes cover for personal accidents, terminal illness, and loss of life. This insurance comes at no cost to staff and covers all full and part time permanent employees who work a minimum of 15 hours per week and are under the age of 75. Staff are covered from the day they start at Tauranga City Council.

The cover provides a lump sum payment of \$100,000 paid to the staff member's estate upon death from all causes.

1.11. Other Insurance Covers

Insurance Type	Covers	Limit (\$M)	Excess
Employers Liability	Personal injury not ACC covered	\$1M *	\$1K
Statutory Liability	Total for defence costs and penalties arising from a statutory breach	\$2M *	\$10K \$25k H&S / RMA
Travel	Overseas Travel	\$2.5M *(various sublimits)	nil \$250 for mobile electronic
Marine Activity	Marine Precinct Business Activity	\$245k	\$1k
Forestry	Standing timber	\$2.7M	\$50K \$75k for Harvesting

Insurance Type	Covers	Limit (\$M)	Excess
Airport Owners	Legal liability from aircraft loss	\$75M	\$2.5K \$5k for aircraft
Directors Liability (BVL) **	Defence costs and penalties arising from breach	\$2M	\$2.5K
Combined Liability (TAGT) **	Defence costs and penalties arising from breach	\$1M	\$1K
Fine Arts **	Art Gallery collection	\$4.9M	\$750

Amounts per 2024/25 schedules & policies

* Combined BOPLASS Limit

** Recovered from CCOs

2. Insurance as part of Contract Tenders

Most contracts are tendered using a standard (3910) contract template. There are a number of options in relation to insurance. There are likely to be several questions around these that come up. You should principally deal with these by forwarding the query to our brokers (Aon currently) to get an answer.

2.1. Contract Insurance

Contract insurance covers the cost of fixing any damages to the contract works caused by the contractor.

Council staff arranging contract tenders need to be aware that many construction companies have had to make significant payouts (e.g. SkyCity convention centre) and are therefore putting significant limitations into contracts to reduce their liability. These need to be reviewed on a case by case basis. As noted above, you should principally deal with these by forwarding the query to our brokers (Aon currently).

There are two main ways of dealing with Contract Insurance

2.1.1. Contractor arranged contract insurance

This is more common and means that the Contractor will need to take out the insurance cover and include this within their tender bid. It should cover the entire cost of the contract works.

2.1.2. Principle arranged contract insurance

This is where TCC take out the contract insurance for the project. It is normally applicable only when the contract works are an addition to an existing structure. The risk is that the contractor could extensively damage an existing structure and this leads to a conflict between our normal material damage cover and the contract insurance as to who is liable. If we arrange the insurance as the principle (done when putting the tender together), it removes this risk.

If this is the recommendation then you will need to get the TCC contract manager to get in touch with the Aon contact to get the application forms. Any tenderers should be informed of this situation and should be able to reduce their tender prices accordingly.

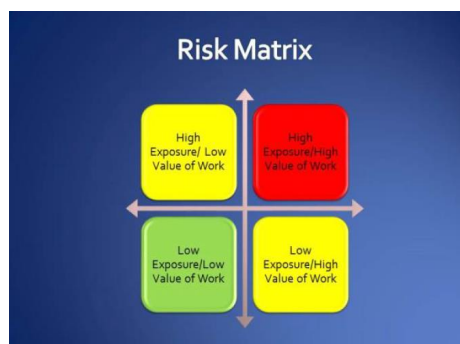
2.2. Public Liability Cover

This covers the risk of the contractor getting sued in relation to their performance of the contract. We **always** get the contractor to arrange this (ie never use principle arranged insurance for public liability). We have some guidance from Aon as to the amount of insurance recommended.

Refer: Liability Issues Contractual and Indemnity Clauses 2016 – BOP LASS Guidance.

Extract from document

Look at risk



Depending on risk then consider limit

Public Liability

- Low exposure operations minimum of \$2,000,000.
- Medium Exposure operations minimum of \$5,000,000
- High Exposure operations minimum of \$10,000,000

Professional Indemnity

- Low exposure operations minimum of \$500,000.
- Medium Exposure operations minimum of \$1,000,000
- High Exposure operations minimum of \$5,000,000

Feel free to run suggestions past Aon for confirmation.

Special consideration needs to be given to sublimits, particularly vibration damage (the risk of damaging nearby houses when drilling etc) depending on the work being done. These can be set at lower levels than the main contract level. If vibration is potentially an issue you might want to talk to contract manager about extra procedures to put in place (e.g. photographing any house potentially impacted to identify current cracking).

Another consideration is contracts that have hotworks involved (e.g. welding). Contractors will need to provide information on the controls they have in place to prevent mistakes (e.g. setting fire to the works).

2.3. Professional Indemnity Cover

This relates to situations where professional judgement is required. Things like design & build contracts. This covers for when an error in professional judgment. This type of cover is more common for professional services contracts. Us the same matrix as outlined above in Public Liability section.

We always get the contractor to arrange this. Same guidance from Aon as to the amount of insurance required as above.

2.4. Motor Vehicle and Plant

Normally these are non-applicable for contracts. This is because, unless they are specialised vehicles or plant, it is pretty easy to get a replacement. An example of an exception was a beach grooming contract where a specialised piece of equipment was manufactured for the job.

3. Insurance on Professional Services Contracts

For professional Services Contracts generally the only relevant cover is for Public Liability and Professional Indemnity. These should generally be treated the same as for Contract Insurance as outlined above. Professional Indemnity cover tends to be fairly important for Professional Service Contracts.

3.1. Contractors within TCC

Where TCC cannot find an employee to fill a function and contracts an individual instead. These individuals can be pretty reluctant to go to the cost of obtaining Public Liability or Professional Indemnity cover (which at the end of the day protects them). We have accepted these individuals without cover in some circumstances. This tends to be where:

- They report to a TCC staff member (i.e. not responsible for decisions and do not direct the work they do).
- They do not have final decision making ability.

We would tend to require separate cover where:

- They are employed through an agency.
- They have other clients (non TCC).
- They are a separate GST registered entity.

4. Insurance Claims

In general all insurance claims are handled by the legal team in conjunction with our brokers (currently Aon). Therefore generally just forward any claims/ questions to the legal department.

4.1. Small Claims

We sometimes get very small claims from individual members of the public. Examples are bursting a car tyre in a pothole or a tree branch falling on car or tripping on a broken footpath. These are not insurance claims as they are too small (under TCC excess). However we can make a gratuity payment. This is the asset managers decision and needs to come from their operational budgets (not insurance codes).

Direct any such queries to the legal team (as above). They have a standard form that **must** be completed by anyone **before** we make a payment to them (basically agrees that payment is a full and final settlement).

5. Insurance Broker (Aon)

Rather than deal with insurance companies directly TCC obtains insurance through a broker. An insurance broker has the advantages of being experts in advocating on their clients behalf in negotiating insurance premiums. They also manage our claims processes far more efficiently than if we were trying to manage these directly.

We go through a tender process for a broker every five (5) years. This process is managed through BOPLASS for a large conglomerate of Local Authorities. Our most recent tender process was completed in 2019 and was won by Aon (who were the incumbents). Aon is a global organisation and has extensive experience with Local Government in NZ.

6. BOPLASS (Bay of Plenty Local Authority Shared Services)

BOPLASS is Council's shared services CCO and owned by all of the Councils in the Environment BOP area. TCC has purchased Insurance through BOPLASS since the 2009/10 financial year.

The larger value of assets insured and the greater geographic distribution of the assets is more attractive to insurance companies, who therefore offer lower premiums (on a per \$ of assets basis). We also have a combined cover for some items (e.g. public liability and fire service levy) which has had a significant impact in reducing premiums.

Those responsible for insurance at each Council get together with the brokers (Aon) about 2 or 3 times a year. This has been very useful to get a sharing of knowledge and expertise across this group. It also means that Aon tend to bring more 'experts' to the table than they probably would if they were holding 9 separate meetings each time.

All of TCC's Council Controlled Organisations get their insurance through this arrangement.

8.4 LGOIMA and Privacy Request Combined Quarter 1 and 2 Report 2024/2025**File Number:** A17468779**Author:** Kath Norris, Team Leader: Democracy Services**Authoriser:** Christine Jones, General Manager: Strategy, Growth & Governance**PURPOSE OF THE REPORT**

The purpose of this report is to update the Committee on Local Government Official Information and Meetings Act 1987 (LGOIMA) and Privacy requests for Q1 and Q2 of the 2024/25 financial year.

RECOMMENDATIONS

That the Audit & Risk Committee:

- (a) Receives the report "LGOIMA and Privacy Request Combined Quarter 1 and 2 Report 2024/2025".

ATTACHMENTS

1. Attachment LGOIMA and Privacy Combined Report Quarter 1 & 2 for 2024-25 - A17468799 [↓](#) 

LGOIMA and Privacy Combined Quarter 1 & 2 Report 2024/25

How many requests did we receive?

471 = 275 LGOIMA + 22 Privacy + 14 combined LGOIMA & Privacy + 160 CCTV

- The number of requests, excluding CCTV, has increased **154%** since the same six-monthly period of 2023/24 year.
- The number of CCTV requests we are now responding to has increased by 615%. CCTV is detailed further at the end of this report, the rest of the data excludes CCTV requests.
- There are 8 requests remaining open from Q2 and all are within the statutory time frame for response.

How long did it take us to respond?

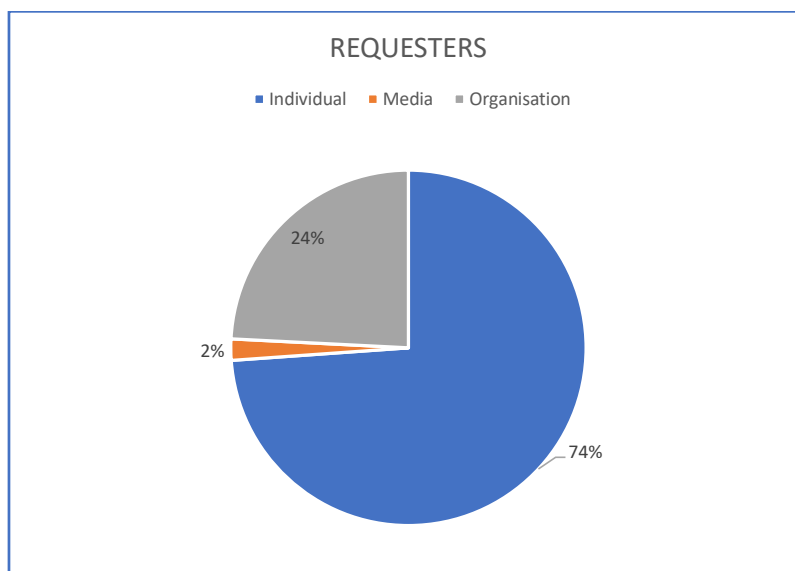
11 = the average number of days to provide a response.

- The same period for 2023/24 had 13 average number of days to respond.
- **99.7%** Requests responded to in the statutory timeframe.
- Of these not responded to within statutory timeframe, eight extensions were notified, seven responded to within the extended time frame, one extended response was not sent within the timeframe.

1.6 = average hours of staff time per request, excluding sign off processes and legal review if needed.

Who did the requests come from?

230 individuals + **75** organisations + **6** media organisations

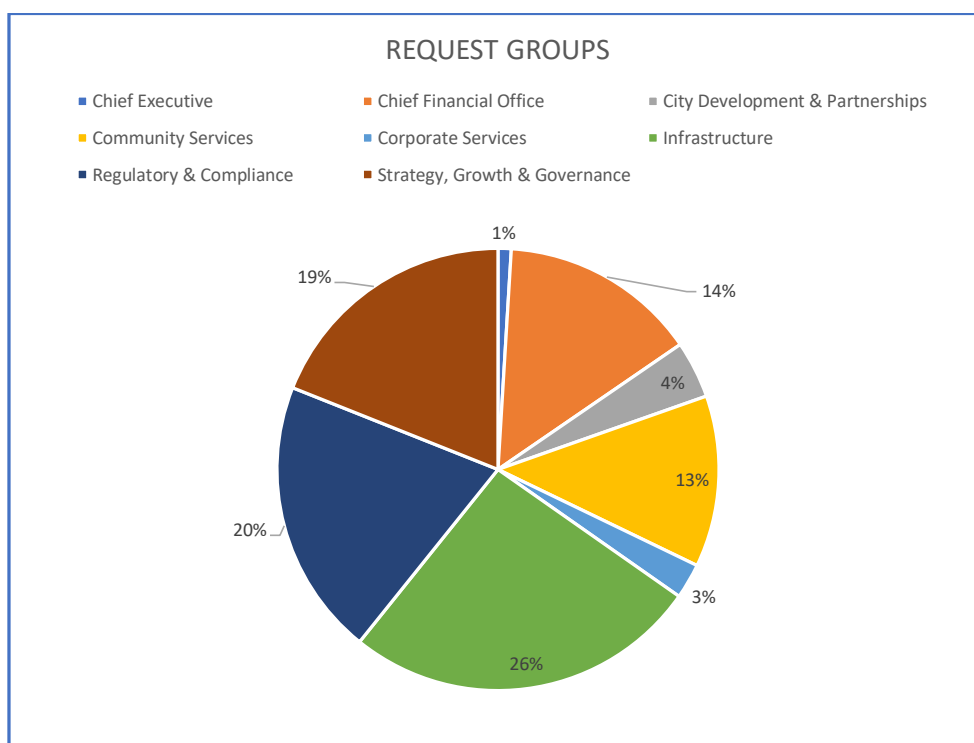


37 = number of requesters who made two or more requests in Q1&Q2 2024

- Twenty individuals made two requests.
- Eight individuals made three requests.
- Two individuals made four requests.
- Three individuals made seven requests.
- One individual made ten requests.
- New Zealand Police made six requests related to investigations.
- Eleven requests were made by central government parties MPs or ministries.
- Eleven requests come from law firms.
- Media were the source of six requests.
- NZ Taxpayers Union made eight requests.

What groups received the requests?

81 Infrastructure + **63** Regulatory & Compliance + **59** Strategy, Growth & Governance + **45** Chief Financial Office + **39** Community Services + **8** Corporate Services + **13** City Development & Partnerships + **3** Chief Executive

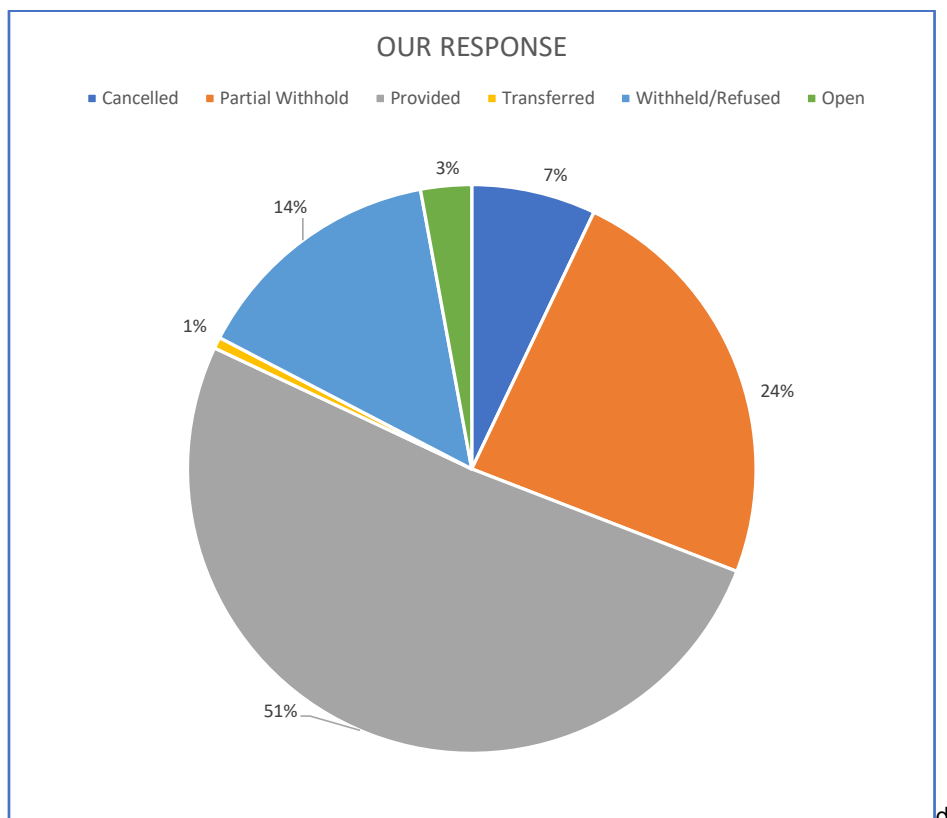


What was our response?

160 provided in full + **74** partially withheld + **45** refused.

In addition, **22** cancelled + **2** transferred + **8** open.

1 request this quarter had a charge applied



Common themes of requests

- Council expenditure **(36)**
- Water fluoridation **(37)**
- Consents **(8)**
- Noise complaints **(8)**
- Unelected members **(5)**

Responses with broad community interest continue to be published on the TCC website.

CCTV Requests

There were **160** requests for CCTV footage. TTOC provides the footage and Democracy Services manages the request.

Of the CCTV requests, 90 were withheld/refused for privacy reasons or because we did not have the footage.

Investigations**Office of Ombudsman July-December 2024**

4 notifications of investigations received

1 closed

3 remain under investigation by the Office

3 cases from previous quarters awaiting decisions from the Office

Office of Privacy Commissioner July- December 2024

1 complaint open

8.5 Health, Safety and Wellbeing Quarterly Report: Q2 October to December 2024**File Number: A17469227****Author: Tracy Benjamin, Health, Safety & Wellness Manager****Authoriser: Alastair McNeil, General Manager: Corporate Services****PURPOSE OF THE REPORT**

1. To provide a summary of Health, Safety and Wellbeing activities over the October to December 2024 quarter.

RECOMMENDATIONS

That the Audit & Risk Committee:

- (a) Receives the report "Health, Safety and Wellbeing Quarterly Report: Q2 October to December 2024".

EXECUTIVE SUMMARY

2. This is a quarterly report provided to the Committee, designed to monitor Health, Safety, and Wellbeing activities and share learnings.
3. Any feedback regarding content or topics that the Committee would like is welcomed.

ATTACHMENTS

1. **Health Safety & Wellbeing Quarterly Report - Q2 October to December 2024 - A17469180**  



Health, Safety & Wellbeing

Q2 October - December



Safe + well every day

Introduction

Within this Health, Safety and Wellbeing report:

- Employee Counselling service (OCP).
- Event data (injury, incident)
- Safety due diligence
- Critical risks

TCC Counselling Service (OCP)

- Uptake of OCP services is above national average
- Community Services, council's largest division, leads the usage of OCP services
- Personal issues significantly outweigh work issues
- Workload remains the top work issue

OCP Annual Report: 1 Sep 23 - 31 Aug 24

Anonymised data gathered from TCC's counselling and advisory services.

Service Uptake: 14.67%
(based on 1200 employees)

National Average: 8-10%

Top three divisions utilising counselling services.

	Community Services	Infrastructure	Strategy & Growth
People	62	33	28
%	35%	19%	16%

Top four categories across work and personal issues.

Work Issues	Visits	TCC %	Personal Issues	Visits	TCC %
Workload	18	22%	Anxiety	65	23%
Relationship with Co-worker	13	16%	Relationship Issues	59	21%
Career	11	13%	Grief	32	11%
Relationship with Manager	10	12%	Family / Children	23	8%

Across total of 83 visits for work issues

Across total of 279 visits for personal issues



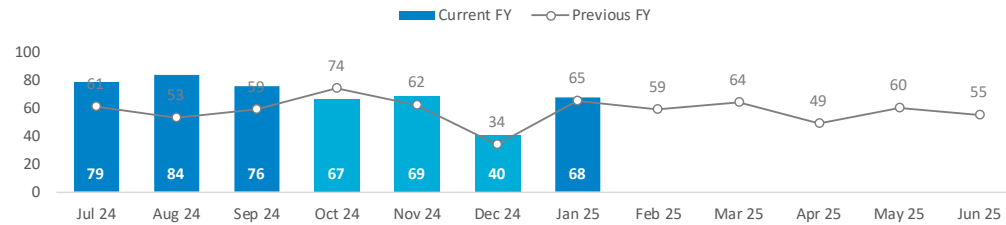
Health, Safety & Wellbeing

Q2 October - December



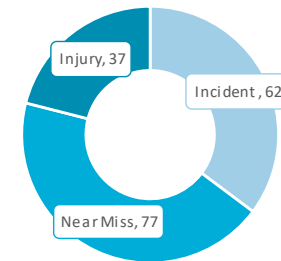
Safe + well every day

ALL EVENTS BY MONTH

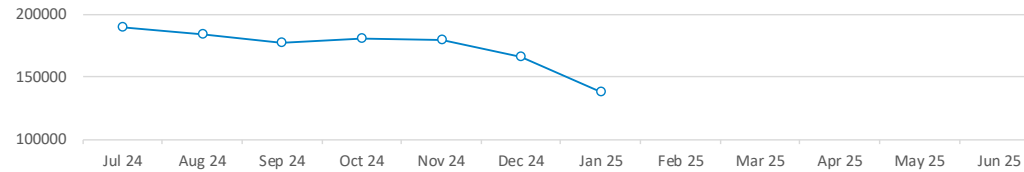


Q2 EVENT DATA (OCT - DEC)

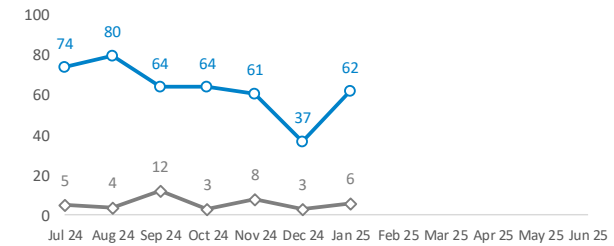
EVENT TYPE - Q2



HOURS WORKED BY MONTH



EVENTS BY PERSON TYPE



TOP EVENT CATEGORIES - Q2

CATEGORY	Q2	Q1	TRENDING
Assault (verbal/ physical) or antisocial behaviour	58	80	▼
Security/ trespass/ criminal activity/ terrorism/ damage...	21	18	▲
Hit into stationary object	11	11	—
Hit by moving object	10	13	▼
Power tools/ hand tools/ equipment	10	14	▼

▲ Trending Up ▼ Trending Down — No Change

176
TOTAL EVENTS IN Q2

63 ↓
LESS THAN Q1

37
INJURY EVENTS

0
NOTIFIABLE EVENTS

7
DUE DILIGENCE



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Why is safety due diligence important?

Tauranga City Council (TCC) is a large organisation with widespread operations that impact not only staff, but also our community and the diverse group of people within it. TCC's Officers, including Elected Members, have an ability to influence the outcomes of the organisation and the Health, Safety and Wellbeing of these people.


The Health and Safety at Work Act 2015 sets out six areas of due diligence that an officer must meet. While an officer doesn't have to be an expert in health and safety, they must seek enough information and evidence to give assurance that the organisation is meeting its duties to keep people healthy & safe, every day. This includes understanding the work of the organisation, ensuring the organisation has appropriate systems of work and staying informed about relevant health and safety issues.

Safety due diligence site-visit

Chief Executive, Marty Grenfell, and Councillors visited various operational sites over the October to December quarter. These due diligence visits provided them with valuable opportunities to observe operations firsthand and engage directly with the workers. Enabling practical insights into day-to-day activities and further understanding of the risks our workers are exposed to. The visits over this quarter included:

- 10 October to Waiari Water Treatment Plant
- 17 October to Chapel Street Water Treatment Plant
- 25 October to City Operations site
- 22 November to TTOC and the Contact Centre

KNOW



Keep up to date on HSW matters:

- Familiarise yourself with the Institute of Directors Good Governance Guidelines.
- Familiarise yourself with the information available at the Business Leaders Health and Safety Forum.
- Subscribe to the weekly Safeguard Updates.

UNDERSTAND
RESOURCE
MONITOR
COMPLY
VALIDATE



Health, Safety & Wellbeing

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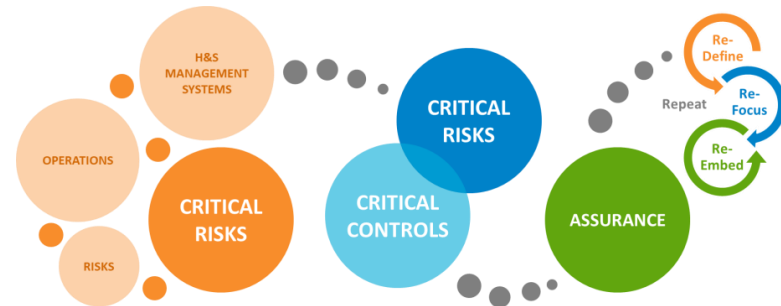
Critical risk

Not all risks are equal in terms of the potential for causing significant injury, illness, or loss of life. Focusing on risks that could cause the greatest harm, even if they are less likely to occur, provides a safer work environment for everyone.

A critical risk is any risk that can or has the potential to seriously injure or cause a loss of life in the workplace.

TCC has adopted the following to critical risk management.

- Defining – identification of critical risks at TCC and assessment of the critical risk
- Focusing - development of controls by each business unit with worker participation and where appropriate expert input
- Embedding critical risk controls and effectiveness will be monitored, reviewed, and reported on to enable visibility.



Defining critical risks

TCC’s Risk Management Standard guides how we identify and manage critical risks. As an organisation, TCC has identified 13 critical risks, each with a list of controls for consideration in risk mitigation.

Each business unit agrees on the critical risks that exist within their area and the controls needed to mitigate these risks. Not all critical risks will be present in all business units, and some units may face critical risks that are not on the TCC critical risk list below.

CRITICAL RISKS FOR EVERYONE

- ASSAULT & VIOLENCE AT WORK
- DRIVING FOR WORK
- FIRE
- MENTAL ILLNESS

CRITICAL RISKS FOR SPECIFIC ROLES

- ASBESTOS EXPOSURE
- CONFINED SPACE
- FALL FROM HEIGHT
- INADEQUATE CONTRACT MANAGEMENT
- INTERACTION BETWEEN PEOPLE & MOBILE POWERED EQUIPMENT
- PATHOGENS
- STRUCTURE FAILURE
- SUBSTANCES HAZARDOUS TO HEALTH
- WORKING NEAR WATER

9 DISCUSSION OF LATE ITEMS

10 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RECOMMENDATIONS

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
10.1 - Digital/Cyber Risk Presentation	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(b)(i) - The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.2 - Internal Audit & Assurance - Quarterly Update	s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.3 - Risk Register - Quarterly Update	s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

11 CLOSING KARAKIA