

POSITION TITLE:	Senior Investigator		
GROUP:	Policy & Regulation	SECTION:	Compliance
REPORTS TO:	Team Leader Pollution Response and Enforcement		
RESPONSIBLE FOR:	NA		
FAMILY:	TS4	GRADE:	16
DATE REVIEWED:	October 2021		

HBRC STRATEGY

Our Vision:

We want a healthy environment and a resilient and prosperous community.

Our Purpose:

We work with our community to protect and manage the region's precious taonga of rivers, lakes, soils, air, coast and biodiversity for health, wellbeing and connectivity.

Our Values:

- **Partnership and Collaboration:** We work with our community in everything we do
- **Accountability:** We hold ourselves to account to deliver results, be responsive to community expectations, and the best use of ratepayers' funds and assets
- **Transparency:** We report on what we do and the value this delivers for our community
- **Excellence:** We set our sights and expectations high, and never stop striving to do better

Our Focus:

- **Water quality, safety and climate-resilient security** ~ *Te kouniga o te wai, te haumarutanga me te mārohirohi ā-āhuarangi o te whakamarutanga.*
- **Climate-smart and sustainable land use** ~ *Kia koi, kia toitū hoki te whakamahinga o te whenua.*
- **Healthy, functioning and climate-smart biodiversity** ~ *kio ora, kia āhe, kia mārohirohi ā-āhuarangi hoki te rerenga rauropi.*
- **Sustainable and climate-resilient services and infrastructure** ~ *kia toitū, kia mārohirohi ā-āhuarangi hoki ngā ratonga me ngā hanganga ā-whare.*

POSITION SUMMARY

The role of the Senior Investigator within the Policy & Regulation Group is responsible for ensuring an appropriate level of enforcement is undertaken and that any enforcement activities are robust, defensible and an effective option. The role will investigate serious non-compliance, with a view to building case files and managing prosecutions through legal counsel and the Courts. The role will support the Team Leader Pollution Response & Enforcement and the Compliance Manager with the maintenance and development of operational processes and systems including the development of quality practice documentation and guides to ensure effective and efficient delivery of a comprehensive and proactive regulatory compliance activities consistent with HBRC's enforcement policy.

GROUP AND TEAM GOALS:

The Compliance team provides the following role and functions as part of the Policy and Regulation Group:

- Promote, monitor, and investigate compliance with the Resource Management Act, Maritime Transport Act, any other Act or associated regulations as required and take any appropriate action when necessary.
- Lead and supervise enforcement investigations and prepare and present expert evidence in the Court.
- Provide specialist advice and reports on pollution and resource use in order to input: resource consent application processing; preparation of policy statements and plans; monitoring and reporting of the state of the environment.
- Provide guidance, education and advice on compliance matters to stakeholders including the community, tangata whenua, resource consent holders, interested or affected parties and to HBRC and HBRC staff on the sustainable use of natural resources and regulatory compliance.
- Ensure recovery of compliance monitoring costs.
- Establish and apply procedures for monitoring resource consents.
- Obtain and record evidence in a professional manner that is credible, admissible in Court proceedings and will withstand cross examination.
- Prepare and present evidence, making recommendations for enforcement to the Enforcement Decision Group.
- Provide Compliance input to resource management investigations and policy development as and when required. Be proficient at responding to large scale pollution events to adequately manage the environmental effects and appropriate investigation.
- A 24-hour pollution incident response service.

ORGANISATIONAL CONTEXT



JOB SPECIFIC ACCOUNTABILITES

- Management and oversight of enforcement cases. Determining which cases may warrant prosecution action and referring these to the Enforcement Decision Group (EDG) for consideration.
- Ensure investigations and evidence collection is maintained to a high standard and is compliant with the Evidence Act 2006.
- Compliance investigations of serious breaches of the legislation – including covert operations.
- Initiate and undertake enforcement proceedings – in a timely manner. Key contributor and senior within the Enforcement Decision Group

- Deal with irate and confrontational individuals in a firm but fair manner – escalated via team.
- Support operational staff throughout the Council who may administer other legislation other than the Resource Management Act and Evidence Act, such as the Marine and Coastal Area Act, Maritime Transport Act, Biosecurity Act, Land Drainage Act or any other Act and take a leading role in any enforcement action if required.
- Variety of other delegated authorities relating to Resource Management Act compliance and enforcement (including issuing, changing and cancelling abatement notices; giving authority to undertake emergency works; requiring reimbursement of costs for emergency works; applying for search warrants and issuing infringement notices).
- Contribute to the Quality Management System as part of everyday business practice, including developing, reviewing, and improving business processes, maintaining a strong customer focus and a commitment to the continuous improvement program.
- Effective response to complaints including written or verbal response to the complainant in accordance with response guidelines.
- Thorough investigation of possible sources of pollution.
- Effective determination of any immediate remedial action required.
- Effective cost recovery process undertaken.
- There is a requirement for the position holder to be part of the afterhours pollution response roster.

FUNCTIONAL RELATIONSHIPS

Internal

- Group Managers
- Team members

External

- Consultants and contractors
- Government agencies and departments
- Local authorities
- Technical and legal professionals
- Iwi and other community groups
- Members of our community

COMMUNITY RELATIONSHIPS

Fostering good working relationships is fundamental to the successful achievement of strategic goals for HBRC. We know we can't achieve change without the people (our community) outside our business. As expressed under our purpose statement, "working with our community" is at the heart of everything we do. This is particularly relevant to our relations with Tāngata Whenua in terms of co-governance and co-management. Successful relationships involve building trust. Which in turn enables us to support each other to respond to new challenges as they arise.

This means:

- Professional attitude is projected at all times in dealing with external contacts.
- Information is accurate and is provided in a timely manner.
- Outcomes that are fair and clearly understood by both parties are achieved
- Customers are satisfied with responses to written or verbal requests for information.

CONTINUOUS IMPROVEMENT

All Hawke's Bay Regional Council (HBRC) staff are expected to actively and enthusiastically promote the concept of continuous improvement in their work for HBRC. This means:

- Maintaining a positive overall attitude in the workplace, including promoting HBRC in a positive manner, as assessed by your peers and Manager
- Taking part in training opportunities provided by HBRC with an open mind, as assessed by pre and post training meetings with your Manager.

- Practicing the skills provided in training offered by HBRC, as assessed by regular feedback meetings with your Manager.
- Showing a strong team commitment, as indicated by peer feedback and your Manager's assessment.
- Practicing the concept of continuous improvement by showing initiative with new ideas and positively acknowledging other ideas.
- Giving honest and open feedback as and when required, aiming to constructively deal with all issues, as assessed by regular feedback meetings with your Manager.
- Deliver on project outcomes: on time and on budget.
- Displaying sound judgment and making responsible decisions.
- Working to high quality standards and where applicable contributes to maintenance of ISO 9001:2015 accreditation of the Quality Management System.

HEALTH AND SAFETY

All staff are expected to follow established health and safety procedures while working for HBRC, and in accordance with policies developed by HBRC. This means:

- Complying with and adhering to HBRC's accepted standards and procedures.
- Where appropriate, taking responsibility for workplace hazards/risks you identify and communicated to management.
- Undertaking regular reviews of workplace risks/hazards that are present in your work.
- When, and if, necessary, participate in the investigation of accidents/incidents according to HBRC procedures.
- Undertaking appropriate and effective staff training when required or necessary.
- Promoting a healthy and safe workplace.
- Actively supporting health and safety initiatives.
- Comply with any rehabilitation plan designed with you for a return to work after an accident.

EMERGENCY MANAGEMENT

When a Civil Defence event happens, you may be required to assist with carrying out the Council's Civil Defence responsibilities after providing required support for your family and dependants. All HBRC staff are expected to undertake such Emergency Management functions as are determined appropriate to meet HBRC's role and function in this area. This means:

- Undertaking such a role as is allocated for emergency management requirements.
- Participating in such exercises as are required to maintain a state of preparedness in HBRC.
- Responding to such requests to assume an emergency management role as are required by events.
- Understanding the contents of the relevant section of the Business Continuity Plan (BCP) and its implications for your role.
- Where the requirements of the role require it, review the relevance of the BCP for your team, section or Group on a regular basis.

PERSON SPECIFICATION

Minimum Qualifications and Experience required

- Relevant tertiary degree in Science, Law, Environmental Resource Management or Qualified Investigator (As New Zealand Police Detective or equivalent).
- Understanding of the compliance process within Local government and an ability to recognise the differences between Local Government compliance and other compliance environments.
- Experience in applying legislation to unique and dynamic situations to identify breaches, leading complex investigations resulting in prosecution including planning, investigative interviewing of witnesses and offenders, preparing and briefing files for court.
- Proven record of scene examination including gathering of evidence and exhibits and management of these to recognised evidential sufficiency standard.

- Demonstrate coordination of multiple cases simultaneously.
- Preferably proven experience working in a Local government regulation/compliance/enforcement environment.
- Experience in planning operations, including preparing and executing search warrants, applying risk assessment methodology and in applying tactical communication skills in confrontational situations.
- Proven ability to identify, analyse and diagnose problems in a logical and rational manner in an environment that could be high pressure and rapidly changing.
- Proven experience of supporting, mentoring and developing less experienced staff.
- Valid driver's licence required

Knowledge

The following indicates what would typically be expected for this role at a competent level:

- Proficiency in MS Word, Excel, PowerPoint, GIS and other database and information management systems.
- Analytical skills.
- Ability to communicate effectively to convey and interpret data/information.
- Able to interpret legislation, legal opinions and case law.
- Ability to analyse and predict non compliance cases that will or may escalate to formal enforcement.
- Political awareness and skill in dealing with sensitive and confidential issues (including cultural sensitivity).
- Collaborative work practices to build strong working relationships.
- High standard of written and verbal communication skills.
- Knowledge of industrial site activities and management.

Personal Attributes

- Sound judgement and initiative.
- Be decisive and assertive when necessary.
- Effective interpersonal skills and experience in dealing with a wide range of situations, people and organisations.
- Ability to effectively gather multiple sources of information and apply technical and analytical skills to make effective decisions.
- Ability to effectively plan, organise and co-ordinate work to ensure that goals are achieved with the highest quality of work possible within agreed timeframes.
- Ability to clarify objectives, identify key issues, consider all perspectives and evaluate.
- Ability to cope with a variety of work and on occasion difficult situations.
- A high level of courtesy and listening skills.

Awareness

- Demonstrated awareness of Te Tirith o Waitangi and including Te Rao Māori in relevant and practical ways in interaction and engagement to demonstrate respect and value of Tikanga Māori in appropriate settings.

CHANGES TO JOB DESCRIPTION

From time to time, it may be necessary to consider changes in the job description in response to the changing nature of our work environment. Such changes, including technological requirements or statutory changes, may be initiated by the manager of this job with due consultation with the position holder. This job description should be reviewed as part of the preparation for performance planning for the annual performance cycle.

ACKNOWLEDGEMENT

I have read this job description and fully understand the requirements set forth therein. I understand that this is to be used as a guide and that I will be responsible for performing other duties as assigned. I further understand that this job description does not constitute an employment contract with Hawke's Bay Regional Council.

Employee Signature

Date

Printed Name