

**MINUTES OF KAPITI COAST DISTRICT COUNCIL
RISK AND ASSURANCE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 23 MAY 2024 AT 9.30AM**

PRESENT: Mr David Shand, Mayor Janet Holborow, Deputy Mayor Lawrence Kirby,
Cr Glen Cooper, Mr David Cochrane

IN ATTENDANCE: Mr Cam Butler, Cr Martin Halliday, Cr Sophie Handford, Mr Mark de Haast,
Mr Darren Edwards, Ms Hara Adams, Mr James Jefferson, Ms Kris Pervan,
Mr Brendan Owens, Ms Rach Wells, Ms Anna Smith, Ms Maria Cameron,
Mr Evan Dubisky, Mr Dave Hardy, Mr Sam Nicolle (Ernst & Young),
Ms Sharon Foss, Ms Nienke Itjeshorst

WHAKAPĀHA | APOLOGIES: Mr Bernie Randall, Mr Richard Mansell

LEAVE OF ABSENCE: Cr Liz Koh, Cr Jocelyn Prvanov

1 NAU MAI | WELCOME

The Chair, David Shand welcomed everyone to the meeting.

2 KARAKIA A TE KAUNIHERA | COUNCIL BLESSING

The Chair read the Council blessing.

3 WHAKAPĀHA | APOLOGIES

The Chair noted that Waikanae Community Board Chair, Richard Mansell would be absent.

APOLOGY

COMMITTEE RESOLUTION RAC2024/17

Moved: Mayor Janet Holborow

Seconder: Deputy Mayor Lawrence Kirby

That apologies received from Cr Liz Koh, Cr Jocelyn Prvanov (absent on council business), Bernie Randall and Richard Mansell be accepted.

CARRIED

**4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE |
DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

There were no declarations of interest made.

5 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

John Andrews spoke to the audit items on the agenda; Item 9.1 Ernst & Young Audit Plan for the Year ended 30 June 2024, and Item 9.2 Progress Update Regarding Audit Control Findings 2022/23, and read out the tabled statement attached.

The Chair invited Mr Andrews to stay for Item 9.1 Ernst & Young Audit Plan for the Year ended 30 June 2024.

Salima Padamsey, in her capacity as Chair of Coastal Ratepayers United (CRU) spoke to item 9.6 Legislative Compliance 1 January to 31 March 2024.

TABLED DOCUMENTS

John Andrews - Tabled Document
Salima Padamsey - Tabled Document

Appendices

- 1 John Andrews Tabled Document 2024 05 23
- 2 Salima Padamsey - Tabled Document 2024 05 23

6 NGĀ TEPUTEIHANA | DEPUTATIONS

There were no deputations.

7 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) There were no updates by the Chair.
- (b) No requests were made for a leave of absence.
- (c) No matters of an urgent nature had been notified to the Chair prior to the commencement of the meeting.

8 HE KŌRERO HOU | UPDATES

There were no updates.

9 PŪRONGO | REPORTS

9.1 ERNST & YOUNG AUDIT PLAN FOR THE YEAR ENDED 30 JUNE 2024

Sam Nicolle, Partner at Ernst & Young, took the report as read and answered questions from members.

COMMITTEE RESOLUTION RAC2024/18

Moved: Mayor Janet Holborow
Seconder: Mr David Shand

- A. That the Risk and Assurance Committee receives and notes the Ernst & Young Audit Plan for the year ended 30 June 2024 attached as Appendix 1 to this report.

CARRIED

9.2 PROGRESS UPDATE REGARDING AUDIT CONTROL FINDINGS 2022/23

Sharon Foss, Manager Risk and Assurance, took the report as read.

COMMITTEE RESOLUTION RAC2024/19

Moved: Mr David Shand

Seconder: Deputy Mayor Lawrence Kirby

A. That the Risk and Assurance Committee:

A.1 notes the progress update regarding Ernst & Young's Report on Control Findings for the year ended 30 June 2023, attached as Appendix 1 to this report, and

A.2 that Ernst & Young will re-assess these as part of their audit for the year ended 30 June 2024.

CARRIED

**9.3 HEALTH AND SAFETY QUARTERLY REPORT :
1 JANUARY 2024 - 31 MARCH 2024**

Rach Wells, Group Manager People and Capability, took the report as read and answered questions from members.

COMMITTEE RESOLUTION RAC2024/20

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Glen Cooper

A. That the Risk and Assurance Committee notes the Health and Safety Quarterly Report for the period 1 January 2024 – 31 March 2024 attached as Appendix One to this Report.

CARRIED

9.4 TOP 10 ORGANISATIONAL RISK REPORT

Nienke Itjeshorst, Lead Risk and Assurance Advisor, took the report as read, highlighting the Discussion section on page 47, sections 12 through to 14, regarding changes and answered questions from members.

COMMITTEE RESOLUTION RAC2024/21

Moved: Cr Glen Cooper

Seconder: Mayor Janet Holborow

A. That the Risk and Assurance Committee receives and notes this report, including Appendix 1 to this report.

CARRIED

9.5 INTERNAL AUDIT WORK PROGRAMME - PROGRESS UPDATE

Sharon Foss, Manager Risk and Assurance, introduced the report and provided a brief summary.

COMMITTEE RESOLUTION RAC2024/22

Moved: Mr David Cochrane

Secunder: Deputy Mayor Lawrence Kirby

- A. That the Risk and Assurance Committee receives and notes the Internal Audit progress update on the work programme for 2023/24.

CARRIED

9.6 LEGISLATIVE COMPLIANCE 1 JANUARY TO 31 MARCH 2024

Sarah Wattie, Governance & Legal Services Manager, took the report as read and answered members' questions.

COMMITTEE RESOLUTION RAC2024/23

Moved: Mr David Shand

Secunder: Mayor Janet Holborow

- A. That the Committee:

- A.1 notes legislative non-compliance for the third quarter of the financial year from 1 January 2024 to 31 March 2024 as outlined in Attachment 1 to this report.

CARRIED

9.7 QUARTERLY TREASURY COMPLIANCE

Mark de Haast, Group Manager Corporate Services, took the report as read, spoke to some specifics in the report and answered questions from the Committee.

Cr Glen Cooper left the meeting at 10:52 am and returned to the meeting at 10:54 am.

Mr David Cochrane left the meeting at 11:00 am and returned to the meeting at 11:01 am.

Mr David Shand left the meeting at 11:10 am and returned to the meeting at 11:12 am.

Cr Glen Cooper left the meeting at 11:16 am and returned to the meeting at 11:17 am.

COMMITTEE RESOLUTION RAC2024/24

Moved: Mayor Janet Holborow

Secunder: Deputy Mayor Lawrence Kirby

- A. That the Risk and Assurance Committee:

- A.1 Receives and notes this report.
- A.2 Notes the Council's non-compliance with its current Treasury Management Policy Fixed/Floating Risk Control limit in March 2024.
- A.3 Notes that the Council's Fixed/Floating Risk Control Limit is fully compliant with its new draft Treasury Management Policy, developed in conjunction with Bancorp, for the reporting period, adopted by Council on 28 March 2024 together with its draft 2024-34 Long Term Plan.
- A.4 Notes the Council has fully complied with all other requirements of the current Treasury Management Policy for the three months ended 31 March 2024.
- A.5 Notes the Council has fully complied with all other requirements of the current Treasury Management Policy for the three months ended 31 March 2024.

CARRIED

9.8 2024 COUNCIL INSURANCE UPDATE

Mark de Haast, Group Manager Corporate Services, took the report as read. Sam Ketley from Aon spoke via zoom to specifics in the report and answered questions from members.

Cr Glen Cooper left the meeting at 11:29 am and returned to the meeting at 11:36 am.

COMMITTEE RESOLUTION RAC2024/25

Moved: Mr David Shand

Seconder: Deputy Mayor Lawrence Kirby

- A. That the Risk and Assurance Committee notes the Council's 2024 insurance renewals and the progress update regarding alternative risk financing options.

CARRIED

10 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES**10.1 CONFIRMATION OF MINUTES****COMMITTEE RESOLUTION RAC2024/26**

Moved: Cr Glen Cooper

Seconder: Mr David Cochrane

That the minutes of the Risk and Assurance Committee meeting of 15 February 2024 be accepted as a true and correct record.

CARRIED

11 TE WHAKAŪNGA O NGĀ ĀMIKI KĀORE E WĀTEA KI TE MAREA | CONFIRMATION OF PUBLIC EXCLUDED MINUTES**12 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS****RESOLUTION TO EXCLUDE THE PUBLIC****PUBLIC EXCLUDED RESOLUTION RAC2024/27**

Moved: Mayor Janet Holborow

Seconder: Mr David Shand

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered.

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(1) 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
11.1 - Confirmation of Public Excluded Minutes	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	<p>Section 48(1)(a)(i) - 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</p>
12.1 - Litigation and External Investigations Report	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied</p> <p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal</p>	<p>Section 48(1)(a)(i) - 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</p>

	professional privilege	
CARRIED		

The Te Komiti Whakamauru Tūraru | Risk and Assurance Committee meeting went into public excluded session at 11.54am.

MOVE OUT OF PUBLIC EXCLUDED BUSINESS

COMMITTEE RESOLUTION RAC2024/30

Moved: Deputy Mayor Lawrence Kirby

Seconder: Mr David Cochrane

That the meeting moves out of public exclude business.

CARRIED

The Te Komiti Whakamauru Tūraru | Risk and Assurance Committee came out of public excluded session at 12.21pm.

The following resolution was passed during the public excluded session to release the report (excluding attachments 1 and 2) and the resolutions from public excluded business.

12.1 LITIGATION AND EXTERNAL INVESTIGATIONS REPORT

COMMITTEE RESOLUTION RAC2024/29

Moved: Deputy Mayor Lawrence Kirby

Seconder: Mr David Cochrane

A. That the Risk and Assurance Committee.

A.1 Note the status of litigation and external investigations for quarter 3 of the 2023-24 financial year.

A.2 Note the approach to the proactive release of information in this report in keeping with guidance from the Office of the Ombudsman New Zealand.

A.3 Agree that Attachment 1 and Attachment 2 of this report be excluded from public release to protect the privacy of natural persons, the obligation of confidence and legal professional privilege (Section 7(2)(a), Section 7(2)(c)(i) and Section 7(2)(g) of the Local Government Official Information and Meetings Act 1987).

A.4 Agree that only this report and Attachment 3 of this report be released from public excluded business.

A.5 Agree that the resolutions be released from public excluded business.

CARRIED

Appendices

1 Litigation and External Investigations Report 23 May 2024 (For Public Release)

The Chair asked Mayor Janet Holborow to close the meeting with karakia.

The Te Komiti Whakamauru Tūraru | Risk and Assurance Committee meeting closed at 12.21pm.

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HEAMANA | CHAIRPERSON