

**MINUTES OF KAPITI COAST DISTRICT COUNCIL
RISK AND ASSURANCE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 15 AUGUST 2024 AT 9.31AM**

PRESENT: Mr David Shand (Chair), Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Cr Liz Koh, Cr Jocelyn Prvanov, Cr Glen Cooper
Via Zoom: Mr David Cochrane

IN ATTENDANCE: Mr Bernie Randall, Mr Richard Mansell, Mr Cam Butler, Cr Martin Halliday, Mr Andrew Pervan, Mr Darren Edwards, Mr Sean Mallon, Ms Hara Adams, Ms Kris Pervan, Ms Rach Wells, Ms Laura Willoughby, Mr Ian Georgeson, Ms Sarah Wattie, Ms Nienke Itjeshorst, Mrs Anna Smith, Ms Kate Coutts, Ms Jessica Mackman
Via Zoom: Mr Ahmed Sofe and Mr Sam Nicolle (Ernst & Young), Ms Sheryl Gavin

WHAKAPĀHA | APOLOGIES: There were none.

LEAVE OF ABSENCE: There were none.

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 Mark de Haast, Group Manager Corporate Services, was absent due to illness.

**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**

There were no members of the public present that wished to speak.

6 NGĀ TEPUTEIHANA | DEPUTATIONS

There were no deputations scheduled.

7 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) The Chair, David Shand raised two matters for discussion; the credit rating report from Standard & Poors which retained Council's credit rating and recent central government announcements regarding water reforms.

Darren Edwards, Chief Executive provided an update on the Standard & Poors Global Credit Rating received and central government water reform 'Local Water Done Well'.

Members discussed the matters and Mr Edwards answered members' questions.

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

8 HE KŌRERO HOU | UPDATES

8.1 FIRST DISCUSSION ON RECOVERY, AS THE SECOND COMPONENT OF THE EMERGENCY MANAGEMENT PROGRAMME.

Kris Pervan, Group Manager Strategy and Growth introduced the item and took the report as read.

Ms Pervan introduced Daniel Neely, Community Resilience and Recovery Manager and Scott Dray, Senior Recovery Advisor of the Wellington Region Emergency Management Office (WREMO) and Council officers, Brigid Jenkins, Chief Advisor Strategy and Growth, Gina Anderson-Lister, Manager Strategy and Nicole Davey, Principal Advisor - Recovery Lead.

Mr Neely, Mr Dray and Ms Pervan, spoke to the presentation contained in the agenda to provide an update on emergency planning and recovery.

The meeting adjourned at 10.21am for an evacuation drill and resumed at 10.28am.

The presentation continued following the adjournment and the group answered members' questions.

COMMITTEE RESOLUTION RAC2024/31

Moved: Mr David Shand

Seconder: Deputy Mayor Lawrence Kirby

That the Risk and Assurance Committee:

- A. Note that Kāpiti Coast District and the wider Wellington Region is vulnerable to a number of significant natural hazards and that pre-planning for Recovery is an increasing priority.
- B. Note the focus for the Kāpiti District Recovery Programme, which forms part of the wider Emergency Management requirements, and progress to date.
- C. Note that the Recovery Programme Team will come back to this Committee with an update on Phase 1 activity, as noted in attachment 1, in early 2025.

CARRIED

9 PŪRONGO | REPORTS

9.1 AUDIT CLOSING REPORT FOR THE 2024-34 LONG-TERM PLAN

Ahmed Sofe, Associate Director Ernst & Young alongside Sheryl Gavin, Principal Advisor Corporate Services introduced the item and provided a brief overview of the report.

Mr Sofe and Sam Nicolle, Partner Ernst and Young answered members' questions.

Cr Jocelyn Prvanov left the meeting at 11.10am and returned at 11.12am.

Cr Jocelyn Prvanov left the meeting at 11.12am.

COMMITTEE RESOLUTION RAC2024/32

Moved: Mr David Shand

Seconder: Cr Liz Koh

- A. That the Risk and Assurance Committee receives and notes this report including the Ernst & Young Closing Report for the audit of the 2024-34 Long-term Plan in Appendix 1.

CARRIED

9.2 EY CONTROL FINDINGS: 2022-23 AUDIT - UPDATE

The Chair, David Shand introduced the item alongside Nienke Itjeshorst, Lead Risk and Assurance.

COMMITTEE RESOLUTION RAC2024/33

Moved: Mayor Janet Holborow

Seconder: Deputy Mayor Lawrence Kirby

- A. That the Risk and Assurance Committee notes the progress made to resolve the Control Findings from Ernst & Young for the year ended 30 June 2023 to be re-assessed as part of their audit for the year ended 30 June 2024.

CARRIED

9.3 HEALTH AND SAFETY QUARTERLY REPORT: 1 APRIL 2024 TO 30 JUNE 2024

Kelly Newbold, Manager Health Safety and Wellbeing alongside Rach Wells, Group Manager People and Capability introduced the item and provided a brief overview of the report.

Ms Newbold, Ms Wells and Sean Mallon, Group Manager Infrastructure and Asset Management answered members' questions.

Cr Glen Cooper left the meeting at 11.38am and returned at 11.41am.

Cr Jocelyn Prvanov returned to the meeting at 11.43am.

COMMITTEE RESOLUTION RAC2024/34

Moved: Deputy Mayor Lawrence Kirby

Seconder: Mayor Janet Holborow

- A. That the Risk and Assurance Committee notes the Health and Safety Quarterly Report for the period 1 April 2024 to 30 June 2024 attached as Appendix One to this Report.

CARRIED

9.4 TOP 10 ORGANISATIONAL RISK REPORT

Nienke Itjeshorst, Lead Risk and Assurance introduced the item and took the report as read highlighting section 10 of report.

Ms Itjeshorst answered members' questions.

COMMITTEE RESOLUTION RAC2024/35

Moved: Cr Liz Koh

Seconder: Mr David Cochrane

- 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 - UPDATE

Nienke Itjeshorst, Lead Risk and Assurance introduced the item and took the report as read highlighting sections 7 and 9 of report.

Ms Itjeshorst answered members' questions.

COMMITTEE RESOLUTION RAC2024/36

Moved: Cr Jocelyn Prvanov

Seconder: Cr Liz Koh

- A. That the Risk and Assurance Committee receives and notes the progress update on the 2024 Internal Audit work programme.

CARRIED

9.6 QUARTERLY TREASURY COMPLIANCE

Ian Georgeson, Chief Financial Officer introduced the item and provided an overview of the report.

COMMITTEE RESOLUTION RAC2024/37

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Liz Koh

- A. That the Risk and Assurance Committee:
- A.1 Receives and notes this report.
- A.2 Notes the Council's non-compliance with its old Policy in three areas:
- i. Debt maturities (6% in 5-10 year bucket vs policy minimum 10%)
 - ii. Fixed/Floating Risk Control limit (54% hedged vs policy minimum 55%)
 - iii. Hedging Instrument maturities (14% in 5-10 year bucket vs policy minimum 15%)

(these non-compliant areas have been further discussed in this report).

- A.3 Notes the Council has fully complied with all other requirements of the old Policy for the three months ended 30 June 2024.

CARRIED

9.7 LEGISLATIVE COMPLIANCE 1 APRIL TO 30 JUNE 2024

Sarah Wattie, General Counsel introduced the item and took the report as read.

Ms Wattie and Ms Laura Willoughby, Principal Advisor, Regulatory & Environment answered members' questions.

COMMITTEE RESOLUTION RAC2024/38

Moved: Deputy Mayor Lawrence Kirby

Seconder: Mayor Janet Holborow

A. That the Risk and Assurance Committee:

A.1 Notes legislative non-compliance for the fourth quarter of the financial year from 1 April 2024 to 30 June 2024 as outlined in Attachment 1 to this report.

CARRIED

9.8 FORWARD WORK PROGRAMME 2024/25 FOR RISK AND ASSURANCE COMMITTEE

The Chair, David Shand introduced the item and provided an overview of the proposed forward work programme noting minor amendments.

Sheryl Gavin, Principal Advisor Corporate Services answered members' questions.

COMMITTEE RESOLUTION RAC2024/39

Moved: Mr David Cochrane

Seconder: Cr Liz Koh

A. That, with the amendments suggested by the Chair, the Risk and Assurance Committee approves its Forward Work Programme for the 2024/2025 calendar year as set out in Appendix 1 to this report.

CARRIED

10 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES**10.1 CONFIRMATION OF MINUTES****COMMITTEE RESOLUTION RAC2024/40**

Moved: Mr David Shand

Seconder: Mr David Cochrane

That the minutes of the Risk and Assurance Committee meeting of 23 May 2024 be accepted as a true and correct record.

CARRIED

11 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION RAC2024/41

Moved: Mr David Shand

Seconder: Deputy Mayor Lawrence Kirby

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>
11.2 - 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</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</p>

	<p>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>under section 6 or section 7</p>
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CARRIED

The Te Komiti Whakamauru Tūraru | Risk and Assurance Committee meeting went into public excluded session at 12.17pm.

COMMITTEE RESOLUTION RAC2024/44

Moved: Mr David Shand

Secunder: Deputy Mayor Lawrence Kirby

That the Te Komiti Whakamauru Tūraru | Risk and Assurance Committee moves out of a public excluded meeting.

CARRIED

The Te Komiti Whakamauru Tūraru | Risk and Assurance Committee came out of public excluded session at 12.29pm.

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.

11.2 LITIGATION AND EXTERNAL INVESTIGATIONS REPORT

COMMITTEE RESOLUTION RAC2024/453

Moved: Deputy Mayor Lawrence Kirby

Secunder: Mr David Shand

A. That the Risk and Assurance Committee:

A1. note the status of litigation and external investigations for quarter 4 of the 2023-24 financial year.

- A2. 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).
- A3. agree that only this report and Attachment 3 of this report be released from public excluded business.
- A4. agree that the resolutions be released from public excluded business.

CARRIED**Appendices**

- 1 Litigation and External Investigations Report 15 August 2024 (For Public Release)

12 KARAKIA WHAKAMUTUNGA | CLOSING KARAKIA

The Chair, David Shand closed the meeting with karakia.

The Te Komiti Whakamauru Tūraru | Risk and Assurance Committee meeting closed at 12.30pm.

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HEAMANA | CHAIRPERSON