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## Risk and Assurance Committee

### OPEN MINUTES UNCONFIRMED

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Minutes of a meeting of Risk and Assurance Committee held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 1 March 2023 at 1:00pm.

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#### PRESENT

|                           |                     |                    |
|---------------------------|---------------------|--------------------|
| <b>Chairperson</b>        | Cr Sam Jennings     |                    |
| <b>Deputy Chairperson</b> | Cr Paul Olsen       |                    |
| <b>Members</b>            | Cr Alan Young       |                    |
|                           | Cr Clint Grimstone  |                    |
|                           | Cr Jonathan Procter |                    |
|                           | Mayor Bernie Wanden |                    |
|                           | Jenny Livschitz     | Independent Member |
|                           | Sarah Everton       | Independent Member |

#### IN ATTENDANCE

|                          |                    |   |
|--------------------------|--------------------|---|
| <b>Reporting Officer</b> | Monique Davidson   | Chief Executive                                   |
|                          | Daniel Haigh       | Group Manager - Community Infrastructure          |
|                          | Jacinta Straker    | Group Manager - Organisation Performance          |
|                          | Brent Harvey       | Group Manager - Community Experience and Services |
|                          | David McCorkindale | Group Manager – Community Vision and Delivery     |
|                          | Blair Spencer      | Group Manager – Housing & Business Development    |
|                          | Ashley Huria       | Business Performance Manager                      |
| <b>Meeting Secretary</b> | Grayson Rowse      | Principal Advisor – Democracy                     |
|                          | Tanya Glavas       | Health and Safety Lead                            |
|                          | Rob Benefield      | Risk Manager                                      |

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The Chairperson welcomed all to the meeting, and noting the attendance of the independent members.

**1 Apologies**

There were no apologies.

**2 Public Participation**

There was no public participation.

**3 Late Items**

There were no late items

**4 Declaration of Interest**

There were no declarations of interest.

**5 Confirmation of Minutes**

There were no minutes to confirm as this was the first meeting of the committee.

The Chair introduced members of the committee and acknowledged the presence of the newly appointed independent members, Jenny Livschitz, and Sarah Everton.

Prior to receiving reports the Chair iterated the Committee's purpose.

## 6 Reports for Noting

### 6.1 Health, Safety and Wellbeing Quarterly Report - March 2023

To provide the Committee with health, safety and wellbeing information and insight up to the end of February 2023 and to update the Committee on key health and safety critical risks and initiatives.

#### **Resolution Number RAACC/2023/1**

MOVED by Cr Jennings, seconded Cr Young:

That Report 23/94 Health, Safety and Wellbeing Quarterly Report - March 2023 be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

Officers presented the report.

Cr Piri-Hira Tukapua attending the meeting and was invited to the table and asked for clarification around how all Councillors will be involved in meeting the delivery of the Charter.

Site health and safety visits for elected members used to demonstrate the work around mitigating health and safety risks.

Aim for the next two years is to move from performing to leading in the next MWLASS Safeplus assessment.

Health and safety training this year is lower than previous as this year has more targeted training.

E-Road reporting significant reduction over-speed reports. Reported monthly to ELT. There is a low tolerance for over speed. The Chief Executive reassured the committee that over speed is covered by the employee code of conduct.

Aquatics incidents spike during school holiday period. Aquatics report even the most minor incident.

Contractor incidents are reported as ultimately the council is responsible for safety on those worksites.

## 6.2 Risk Management Status Quarterly Report - March 2023

The purpose of this paper is to report to the Risk and Assurance Committee the risk landscape, risk management work in progress and to ignite discussion with the committee about risk.

### **Resolution Number RAACC/2023/2**

MOVED by Cr Jennings, seconded Cr Olsen:

That Report 23/95 Risk Management Status Quarterly Report - March 2023 be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

Does further work needed to be done on the risk framework and risk appetite prior to adoption. A foundation document is needed for us to move forward.

Clarity is required around the level of risk reporting. Top ten risks will always be reported to the Committee. The risks are managed in real time. Level of risk tolerance may need some further work, particularly round level of financial loss.

Risk appetite statement needs to have recent input from councillors. The risk appetite influences the distribution of resource. the roll and responsibility of elected members to set the level of risk appetite. This will be supported by a risk induction for elected members on 15 March 2023.

### **Resolution Number RAACC/2023/3**

MOVED by Cr Jennings, seconded Cr Young:

The Risk and Assurance Committee endorse the Draft Risk Management Framework, Strategy and Work Plan in providing a key part in leading the Risk Management architecture and culture within the organisation, subject to further engagement with the Committee and all other elected members as discussed.

**CARRIED**

Three waters continues to represent a significant risk to the organisation. An unintended consequence of three waters legislation means the Council faces an unfavourable audit (adverse) opinion.

### 6.3 Local Government Funding Agency (LGFA) Annual Meeting 2022

To update elected members on Council's position on the matters put forward for consideration at the Local Government Funding Agency (LGFA) Annual Meeting (AM) on 23 November 2022.

#### **Resolution Number RAACC/2023/4**

MOVED by Cr Jennings, seconded Mayor Wanden:

That Report 23/37 Local Government Funding Agency (LGFA) Annual Meeting 2022 be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

#### **Resolution Number RAACC/2023/5**

MOVED by Cr Jennings, seconded Cr Olsen:

That the Committee notes the Local Government Funding Agency Annual Meeting was held on 23 November 2022 in Wellington.

That the Committee notes the appointment of Monique Davidson, Chief Executive Officer, as the shareholder representative for Horowhenua District Council at the Annual Meeting.

That the Committee note the appointments of Jacinta Straker, Group Manager Organisation Performance, and Pei Shan Gan, Financial Services Manager, as Council's proxy in her place.

That the Committee notes the proxy or alternate voted in favour of the following proposals which require ordinary shareholder resolutions:

- Anthony Quirk was re-elected to the Local Government Funding Agency's board as an independent director;
- Helen Robinson was elected to the Local Government Funding Agency's board as an independent director;
- Bay of Plenty Regional Council was re-elected to the Shareholders' Council;
- Hamilton City Council was re-elected to the Shareholders' Council.

**CARRIED**

#### 6.4 Risk and Assurance Committee Resolutions and Actions Monitoring Report

The purpose of this report is to report to the Risk and Assurance Committee on previous resolutions.

##### **Resolution Number RAACC/2023/6**

MOVED by Cr Jennings, seconded Cr Grimstone:

That Report 23/99 Risk and Assurance Committee Resolutions and Actions Monitoring Report be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

##### **Resolution Number RAACC/2023/7**

MOVED by Cr Jennings, seconded Cr Young:

That the Risk & Assurance Committee notes the Risk & Assurance Committee resolution and actions monitoring report.

**CARRIED**

## 6.5 Risk and Assurance Committee Work Programme

The purpose of this report is to provide the Risk and Assurance Committee with an outline of a Draft Work Programme.

### Resolution Number RAACC/2023/8

MOVED by Cr Jennings, seconded Cr Young:

That Report 23/96 Risk and Assurance Committee Work Programme be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

### Resolution Number RAACC/2023/9

MOVED by Cr Jennings, seconded Cr Olsen:

That the Risk and Assurance Committee notes the Risk and Assurance Committee Work Programme.

**CARRIED**

## 7 Procedural motion to exclude the public

### Resolution Number RAACC/2023/10

MOVED by Cr Jennings, seconded Cr Procter:

That the public be excluded from the following part(s) of the proceedings of this meeting.

The general subject 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 follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

#### C1 Risk Management - Risk Register March 2023

| Reason for passing this resolution in relation to each matter  | Particular interest(s) protected (where applicable)   | Ground(s) under section 48(1) for the passing of this resolution  |
|--|---|---|
| The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7. | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.<br>s7(2)(f)(i) - the free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) applies, in the course of their duty;. | s48(1)(a)<br>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7. |

#### C2 GST compliance evaluation findings report by PwC

| Reason for passing this resolution in relation to each matter  | Particular interest(s) protected (where applicable)  | Ground(s) under section 48(1) for the passing of this resolution  |
|--|--|---|
| The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7. | s7(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. | s48(1)(a)<br>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7. |

That Councilors who are not members of the committee but are present are permitted to remain at this meeting after the public has been excluded because of



their knowledge of Council risks and processes.. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because *(specify)*. *(Delete if inapplicable.)*

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

**CARRIED**

3.08 pm The public were excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

This meeting was resumed on Wednesday 26 April 2023.

6.30 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF RISK AND ASSURANCE  
COMMITTEE HELD ON

**DATE:** .....

**CHAIRPERSON:**