


## Minutes of the Risk and Assurance Committee Meeting 1 March 2024

 <p><b>WHAKATĀNE</b> District Council <i>Kia Whakatāne au i ahau</i></p>	Details of Meeting:	<b>RISK AND ASSURANCE COMMITTEE MEETING HELD IN THE TOTARA MEETING ROOM, WHAKATĀNE DISTRICT COUNCIL, COMMERCE STREET, WHAKATĀNE, ON FRIDAY 1 MARCH 2024, COMMENCING AT 9:00 AM.</b>
	Present:	S Henderson (Independent Chair), His Worship the Mayor Dr V Luca, Deputy Mayor L Immink, Councillors W James and J Pullar, and P Lucioli (independent member)
	In Attendance:	Councillor Rangiaho, S O’Sullivan (Chief Executive), G Connolly (CFO and GM Business Partnering), D Bewley (GM Development and Services), A Pickles (Acting GM People and Capability), I McNiven (Procurement and Risk Manager), C Tongariro (Governance Support Advisor), and S French (Senior Governance Support Advisor) <i>Via Teams:</i> S Perdia (GM Strategy and Transformation)
	Visitors:	
	Apologies:	Councillor T O’Brien

The Chairperson opened the meeting with a Karakia at 9:00 AM.

### 1 MEETING NOTICES

Meeting participants were advised that the meeting was being live streamed.

### 2 APOLOGIES

Moved Deputy Mayor Immink / Seconded Councillor James

#### RESOLVED:

**THAT** the Risk and Assurance Committee Resilience Committee accept the apology from Councillor T O’Brien.

#### CARRIED

### 3 ACKNOWLEDGEMENTS / TRIBUTES

Nil

### 4 CONFLICTS OF INTEREST

There were no conflicts of interest declared.

## **5 PUBLIC PARTICIPATION**

No prior approval requests were made to the Chief Executive (or via the Governance team) for public participation at this meeting.

## **6 CONFIRMATION OF MINUTES**

Refer to page 8 of the agenda.

Action items were reviewed and agreed.

Moved Councillor James / Seconded Member Luciola

### **RESOLVED:**

**THAT** the minutes of the Risk and Assurance Committee meeting held on 13 November 2023 be confirmed as true and correct record.

### **CARRIED**

## **7 REPORTS**

### **7.1 External Assurance Report 2022-23**

Refer pages 10-61 of the agenda.

**Attendance:** The Chief Executive left the meeting at 9:31 am.

Moved Member Luciola / Seconded Deputy Mayor Immink

### **RESOLVED:**

**THAT** the report titled 'Report to the Council on the audit of Whakatāne District Council for the year ended 30 June 2023' from Audit NZ be received.

### **CARRIED**

### **7.2 Treasury Management Reporting as at 31 December**

Refer pages 62-69 of the agenda.

**Attendance:** The Chief Executive re-entered the meeting at 9:38 am.

ACTION – Debt management graphs to be circulated, and to be reinstated in future reporting.

Moved Mayor Luca / Seconded Deputy Mayor Immink

### **RESOLVED:**

**THAT** the Treasury Management report as at 31 December 2023 be received.

### **CARRIED**

**Adjournment:** The meeting adjourned at 9:49 am and reconvened at 10:05 am.

**Attendance:** Procurement and Risk Manager entered the meeting at 10:05 am.

### **7.3 Treasury – Proposal to seek Credit Rating**

Refer page 70 of agenda and pages 6-30 of the supplementary agenda.

**Attendance:** The Chief Executive left the meeting at 10.28 am.

Moved Councillor Pullar / Seconded Councillor James

**RESOLVED:**

1. **THAT** the Proposal to seek Credit Rating report, and the supporting information in the PWC 'Whakatāne District Council - Credit rating assessment report [Draft]' be **received**; and
2. **THAT** that it be recommended to the Council to **approve** the Proposal to seek Credit Rating.

**CARRIED**

**7.4 Risk and Assurance Policies Review – Risk Management Policy**

Refer pages 71-87 of agenda.

Moved Councillor James / Seconded Deputy Mayor Immink

**RESOLVED:**

1. **THAT** the Risk and Assurance Policies Review – Risk Management Policy report be received; and
2. **THAT** the draft Risk Management Policy be received and that it be adopted from 1 March 2024.

**CARRIED**

**7.5 Enterprise Risk Report**

Refer pages 88-119 of agenda.

**Attendance:** The Chief Executive re-entered the meeting at 10:52 am.

Moved Deputy Mayor Immink / Seconded Councillor Pullar

**RESOLVED:**

1. **THAT** the Enterprise Risk report dated February 2024 be approved and;
2. **THAT** changes in the risk assessment identified in Section 5 *Changes in Risk Rating* are agreed and;
3. **THAT** the Risk and Assurance Committee review and provide guidance on our Enterprise Risks and responses to these risks including:
  - i) Key and Emerging Risk review.
  - ii) Residual Risk Rating (Figure 1).
  - iii) Risk Direction (Figure 2).
  - iv) Actions to treat & control enterprise risks & the status updates (Figures 2 and 3).

**CARRIED**

**7.6 Risk and Assurance Committee Work Plan 2024**

Refer pages 120-121 of agenda.

The Treasury Policy review was deferred to the May 2024 Risk and Assurance Committee meeting.

**7.7 Resolution to Exclude the Public**

Refer pages 120-121 of agenda.

Moved Deputy Mayor Immink/ Seconded Mayor Luca

**RESOLVED:**

**THAT** the public be excluded from the following parts of the proceedings of this meeting, namely:

1. Confirmation of Risk and Assurance Committee Public Excluded Minutes 13 November 2023

2. Legal Proceedings Report – February 2024
3. Insurance Renewals Update
4. Boat Harbour Project Update

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 are as follows:

	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
1.	Confirmation of Risk and Assurance Committee Public Excluded Minutes 14 November 2023	Good reason to withhold exists under Section 7.	That 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 exists. Section 48(1)(a)
2.	Legal Proceedings Report – February 2024	Good reason to withhold exists under Section 7.	That 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 exists. Section 48(1)(a)
3.	Insurance Renewals Update	Good reason to withhold exists under Section 7.	That 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 exists. Section 48(1)(a)
4.	Update of the Boat Harbour project	Good reason to withhold exists under Section 7.	That 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 exists. Section 48(1)(a)

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

<b>Item No</b>	<b>Interest</b>
1, 2	Maintain legal professional privilege (Schedule 7(2)(g))
1, 2	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))

Item No	Interest
3	Protect information, which if public made available would: <ul style="list-style-type: none"> <li>i) Disclose a trade secret; or</li> <li>ii) reasonably prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b))</li> </ul>
4	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(a))

**CARRIED**

The meeting moved to public excluded and returned to the public meeting at 12:30 pm.

**THE MEETING WAS CLOSED AT 12:32 PM.**

Confirmed at the meeting dated:
CHAIRPERSON