

Minutes for a meeting of the Risk & Assurance Committee of the Waikato District Council to be held in Committee Rooms 1 & 2, 15 Galileo Street, Ngaaruawaahia on **TUESDAY, 26 MARCH 2024** commencing at **9.30am**.

Present:

Mr P Stubbs (Chairperson)
Cr J Gibb (Deputy Chairperson)
Her Worship the Mayor, Mrs JA Church
Cr C Eyre
Cr K Ngataki
Cr P Thomson

Attending:

Mr C Susan, Audit NZ
Ms K Maccown, Audit NZ

Mr T Whittaker (Chief Operating Officer)
Ms A Diaz (Chief Financial Officer)
Ms M May (Service Delivery General Manager) – until 10.52am
Mr W Gauntlett (Community Growth General Manager)
Mrs L Shirley (Zero Harm Manager) – from 11.01am
Mr V Ramduny (Strategic Initiatives & Partnership Manager)
Ms K Newell (Resilience Manager)
Mr C Bailey (Finance Manager)
Mr G Mohanarangam (Senior Risk Advisor)
Ms T McDowell (Senior Audit & Assurance Advisor)
Mr G Wareham (Business Resilience Advisor)

Ms E Saunders (Senior Democracy Advisor)

The meeting was opened with a karakia.

APOLOGIES AND LEAVE OF ABSENCE

All members were present.

CONFIRMATION OF STATUS OF AGENDA

Resolved: (Crs Ngataki/Gibb)

THAT the agenda for a meeting of the Risk & Assurance Committee held on Tuesday, 26 March 2024 be confirmed:

- a. all items therein be considered in open meeting, with the exception of those items detailed at agenda item 8 which shall be discussed with the public excluded; and**
- b. all reports be received.**

CARRIED

R&A2403/01

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Cr Eyre/Her Worship the Mayor, Mrs JA Church)

THAT the Risk & Assurance Committee confirms the minutes as a true and correct record for the meeting held on Monday, 11 December 2023 with the following amendments:

- a. *Agenda Item 6.2 - update the wording to say "state of the market"; and***
- b. *Agenda Item 6.4 - 4th bulletpoint needs to be separated out into two paragraphs.***

CARRIED

R&A2402/02

ACTIONS REGISTER

The report was received [*R&A2402/02 refers*] and no further discussion was held.

REPORTS

Chief Financial Officer Report

Agenda Item 6.1

The report was received [*R&A2402/02 refers*], and the following discussion was held:

- An overview of the Waka Kotahi report that was presented to the Council on Monday, 25 March was provided by the Chief Financial Officer.
- A discussion was held regarding our Waters contract issue and whether this should be included as a strategic risk.
- A query was raised in relation to the risk register and the need to ensure all risks are included and none ignored? The Chairperson noted the difference between Operational and Strategic Risks and the focus of the Committee is on the Strategic Risks, being those that could impact on the delivery of strategic goals.
- The Chief Financial Officer explained the Cross Boundary Development noted in the report and how this would operate across two local authorities. It was further noted that conversations are being held with the developer to ensure all relevant information is shared to mitigate any risks with development.

Strategic Risk Register & Emerging Risks

Agenda Item 6.2

The report was received [*R&A2402/02 refers*], and the following discussion was held:

- The Chairperson advised that he will undertake a pre-meeting with the Resilience Manager & Senior Risk Advisor once the report is completed but prior to the next meeting.
- The Chairperson requested a "Maturity Assessment Key table" at the start of the report to better understand the content.
- It was noted that the Affordable Services point (4.2.4) was written prior to the decision to proceed with an Enhanced Annual Plan.
- A query was raised in relation to point 4.2.12. The Strategic Initiatives & Partnership Manager provided some detail on the opportunities Council has to influence the policy agenda from Central Government.

- It was noted the Three Waters risk was being considered for elevation to a strategic risk.
- The Chief Financial Officer outlined the consenting numbers in point 4.4.4 and gave an overview of subdivision consent and building consent numbers.

Deep Dive – Community Climate Resilience Agenda Item 6.3A

The report was received [*R&A2402/02 refers*], and the following discussion was held:

- The Resilience Manager framed up the Community Climate Resilience risk and how it compared to and connected with other organisation risks such Business Resilience.

ACTION: The Chairperson requested a diagram showing the interconnection of risks and plans in this area.

- It was noted a report has been released on the response by Civil Defence to Cyclone Gabrielle and local government agencies were being held to account.
- It was important to note that this deep dive is focused on Community resilience and enabling the community to respond accordingly to climate events.
- The Chairperson acknowledged the honesty of the statements in point 3.3 (page 44) and noted that it was okay to acknowledge when different approaches are tried and are unsuccessful. The preference is to fail fast and move on to other initiatives.
- It was noted that the word 'unit' in the Treatment for Climate Action refers to an internal council team.
- It was noted there are already 14 community response plans underway but staff are unsure at this stage what the final number will be.
- The Committee asked various questions on the interdependency of Marae Resilience Plans and Community Plans. The challenge was resource requirements to support them all. The Chief Operating Officer noted that this issue would be discussed with Council.

Deep Dive – Infrastructure Climate Resilience Agenda Item 6.3B

The report was received [*R&A2402/02 refers*], and the following discussion was held:

- The General Manager Service Delivery spoke to the report and outlined the challenges Council is facing.
- It was noted although there is a recommendation in the report to increase the risk appetite this will go to Council for consideration.

- It was suggested that prior to Council considering a change in risk appetite, an understanding of the relationship between asset management plans and actions versus funding availability was required.
- The criteria to be applied to define a lifeline route was outlined by the General Manager Service Delivery. It was noted that having Council confirm the methodology was being prioritised.

The meeting adjourned at 10.52am for morning tea and resumed at 11:04am.

Annual Report Risk Assessment Agenda Item 6.4

The report was received [*R&A2402/02 refers*], and the following discussion was held:

- A brief overview of the report was provided by the Finance Manager and the Chief Financial Officer provided further details in relation to Councils performance measures and Audit NZ's response.
- In response to a query the Chief Financial Officer advised a pre-election report outlining all the Council financial figures will be prepared prior to the next local body elections.

Zero Harm Update – April 2024 Agenda Item 6.5

The report was received [*R&A2402/02 refers*], and the following discussion was held:

- It was noted there are 79 critical controls for working with animals. The question was asked whether this was realistic for staff to manage. The Zero Harm Manager outlined the process undertaken with the Animal Control Team and confirmed she thought it was realistic given the controls sit across different levels of the business.
- A question was raised in relation to the frequency of reporting on the Zero Harm report. It was noted that this is a standing report which is also presented at Council meeting. The Chief Operating Officer outlined the reasons for having this report in front of the Committee but will reconsider how report between this Committee and Council could be reshaped to limit duplication.

ACTION: The Chief Operating Officer will reconsider reporting to the Committee in conjunction with the Zero Harm Manager.

Risk & Assurance Committee Survey Results
Agenda Item 7.1

The report was received [*R&A2402/02 refers*], and no further discussion was held.

Resolved: (Mr Stubbs/Cr P Thomson)

THAT the Risk and Assurance Committee approves:

- a. an increase in the frequency of the survey from “at least once every two years” to once a year until such time as improvement in the areas of training and induction are improved; and**
- b. identify the consistent number of recipients for the annual committee performance evaluation/survey, with a compulsory expectation that recipients complete the survey, ensuring quality data to inform future insights and improvements; and**
- c. undertake a Deep Dive in consultation with the committee chair, into the specific areas surrounding training and induction to properly understand why gaps in expectation exist and then specific measures to address those concerns, for implementation following endorsement from the committee.**

CARRIED

R&A2402/03

Quality & Governance Assurance Update
Agenda Item 8.1

The report was received [*R&A2402/02 refers*], and the following discussion was held:

- It was noted that the Waikato District Alliance Contract is in place until June 2025.

Copy of Infrastructure Report – Capital Project Delivery Portfolio Update
Agenda Item 8.2

The report was received [*R&A2402/02 refers*], and the following discussion was held:

- It was noted by the Chairperson that the Capital Project Delivery is still looking on target for 90% completion.

Copy of Performance & Strategy Report – Long Term Plan Update December 2023
Agenda Item 8.3

The report was received [*R&A2402/02 refers*], and no further discussion was held.

Future Work Plan Update
Agenda Item 8.4

The report was received [*R&A2402/02 refers*], and the following discussion was held:

- The Chief Operating Officer highlighted the request in the report to move the review of Strategic risks and Risk Appetite to the September meeting (following a workshop in July). The Chairperson noted his support of this particularly as the Enhanced Annual Plan is not signed off until the end of June 2024.

Register of Interests – Elected & Appointed Members
Agenda Item 8.5

The report was received [*R&A2402/02 refers*], and no further discussion was held.

Prior to the meeting going into Public Exclusion the Chairperson noted the following requests:

- A specific date is required for all risk Treatment Action Plans.
- Clarify the impact measures have had on the risk leading up to the report being presented to the Committee. It was acknowledged these were included in the deep dive reports.
- The team is to continue to focus on report quality.

EXCLUSION OF THE PUBLIC

Resolved: (Mr Stubbs/Cr Ngataki)

THAT the Risk & Assurance Committee exclude the public from the following parts of the proceedings of this meeting.

- a. 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:**

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item number PEX 2 Confirmation of Minutes Item PEX 3.1 Risk Assessment of Council Controlled Organisations Statement of Intent Item PEX 3.2 Tax Compliance Update Item PEX 3.3 Fraud & Corruption Risk Management Update Item PEX 3.4 Audit Fees Item PEX 3.5 Fraud Declaration Item PEX3.6 Senior Staff Register of Interests Item PEX3.7 Committee Time with Audit New Zealand (Management Excluded)	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

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:

Item No.	Section	Interest
Item PEX 1 Minutes from Meeting held on Monday, 11 December 2023		Refer to the previous Public Excluded reason in the agenda for this meeting.
Item PEX 3.1 Risk Assessment of Council Controlled Organisations Statement of Intent	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position.
Item PEX 3.2 Tax Compliance Update	7(2)(a)	Protect the privacy of natural persons, including that of deceased natural persons.
Item PEX 3.3 Fraud & Corruption Risk Management Update	7(2)(a) 7(2)(c)(i) 7(2)(c)(ii)	Protect the privacy of natural persons, including that of deceased natural persons. To protect information that is subject to an obligation of confidence and to ensure the information avenue remains open, when it is in the public interest for it to do so. To protect information which is subject to an obligation of confidence to protect the public's interest.
Item PEX 3.4 Audit Fees	7(2)(a)	To protect the privacy of natural persons, including that of deceased natural persons.
Item PEX3.5 Fraud Declaration	7(2)(a) 7(2)(c)(ii)	To protect the privacy of natural persons, including that of deceased natural persons. 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 - i. would be likely otherwise to damage the public interest

