



Minutes of a meeting of the Audit and Risk Subcommittee held in
the Council Chamber on Wednesday 17 February 2021,
commencing at 2PM

Membership

Cr Hilary Calvert	<i>(Chairperson)</i>
Mr Andrew Douglas	<i>(Independent Member)</i>
Cr Kevin Malcolm	
Cr Andrew Noone	
Cr Kate Wilson	

Welcome

Chairperson Hilary Calvert welcomed Councillors, members of the public and staff to the meeting at 2 p.m. Staff present included Sarah Gardner (Chief Executive), Nick Donnelly (GM Corporate Services), Amanda Vercoe (Executive Advisor), Liz Spector (Governance Support), Peter Kelliher (Legal Counsel), Nicole Ross (Manager People and Safety), and Rebecca Webster (Safety and Wellbeing Partner).

For our future

1. APOLOGIES

There were no apologies.

2. PUBLIC FORUM

No public forum was held.

3. CONFIRMATION OF AGENDA

Cr Wilson moved that the agenda be confirmed as published.

Moved: Cr Wilson

Seconded: Cr Malcolm

CARRIED

4. CONFLICT OF INTEREST

No conflicts of interest were advised.

5. CONFIRMATION OF MINUTES

Resolution

That the minutes of the public portion of the meeting held on 26 November 2020 be received and confirmed as a true and accurate record.

Moved: Cr Noone

Seconded: Cr Wilson

CARRIED

6. ACTIONS (STATUS OF COMMITTEE RESOLUTIONS)

There are no outstanding resolutions of the Audit and Risk Subcommittee (public).

7. MATTERS FOR CONSIDERATION

7.1. A&R2102 Safety and Wellbeing

The report was provided to summarise progress towards the Safety and Wellbeing Team's key strategic priorities and safety performance indicators for the period October 2020 – December 2020 (Quarter 2, FY 20/21) and highlighted key areas of focus for the Safety and Wellbeing team for the 2020/21 financial year and beyond. Rebecca Webster (Safety and Wellbeing Partner) and Nicole Ross (Manager People and Safety) were present to respond to questions about the report.

After a discussion of the report, Cr Wilson moved:

Resolution

That the Subcommittee:

- 1) **Receives this report.**

Moved: Cr Wilson

Seconded: Cr Malcolm

CARRIED

7.2. CS2105 Legislative Compliance

The 2020 legislative Warrant of Fitness and Mandatory Documents Register were provided to the subcommittee for review. Peter Kelliher, ORC Legal Counsel, was present to speak to the report and respond to questions. Mr Kelliher noted the reports are tools to review and monitor performance against the legislative framework and identify areas where improvement or action is required. Cr Calvert requested any document or area marked as non-compliant be tracked to show how the non-compliance is being addressed and when compliance is expected to be achieved. Cr Wilson suggested that this tracking be done through an additional column on the Mandatory Documents register. Cr Calvert then suggested anything marked as non-compliant be added to a separate list for the subcommittee to receive updates on non-compliances. Chief Executive Sarah Gardner said this can be done and reported back to the subcommittee at its next meeting.

Cr Calvert suggested that when external reviews of Council business have been performed and reported back with areas for improvement, that these also be tracked by the subcommittee to ensure any deficiencies noted are being followed up on. Mr Kelliher said this could be fitted into the Warrant of Fitness. Mr Douglas asked that any recommendations coming from recent legislative reviews be tracked.

Cr Wilson asked how information held by the ORC related to land held by individual property owners is disseminated. She asked if deficiencies uncovered by the Natural Hazards team are added to LIMS or public databases. Chief Executive Gardner said a future report on how this works can be brought to the subcommittee for discussion as the staff who work with these issues are not present.

Mr Douglas again suggested a one-page report tracking any internal or external reviews be provided and suggested that staff review and include any areas of concern they would like to focus on as well. Cr Malcolm said it would be a good tool and would show how the Council is tracking towards general compliance. Mr Douglas asked Mr Kelliher if he could suggest any specific areas he would like to see included. Mr Kelliher said the primary list for the Mandatory Documents Register came from the Society of Local Government Managers but would consider what could be beneficial to include.

Cr Calvert then discussed whether a Transport-specific report should be provided to the subcommittee. Nick Donnelly, GM Corporate Services, said financial and activity reports including Transport-related functions were provided quarterly to the Finance Committee. CE Gardner said other transport-related reports were provided to the Implementation Committee, the Data and Information Committee and to Strategy and Planning. Mr Douglas said it would be a useful conversation to determine whether the subcommittee is comfortable all risks were being managed properly through the three-committee reporting or whether that reporting should be pulled together into one report for review at Audit and Risk. Cr Noone said he would have this conversation with the Chief Executive.

There was no further discussion and Cr Wilson moved that the report be received.

Resolution

That the Audit and Risk Subcommittee:

- 1) **Receives** this report.

Moved: Cr Wilson

Seconded: Cr Malcolm
CARRIED

7.3. CS2106 Audit Management Letter Response - Follow Up

This report was provided to update the subcommittee on the ORC response to the Audit Management Letter from the audit of the 2020 Annual Report and Financial Statements, focusing on the three items added to the Actions Register (Public-excluded). The initial report was provided to the Audit and Risk Subcommittee in public-excluded session on 26 November 2020. Sarah Munro (Manager Finance - Reporting) and Nick Donnelly (GM Corporate Services) were present to speak to the report and respond to questions.

After questions and discussion of the report, Cr Wilson moved:

Resolution

That the Audit and Risk Subcommittee:

- 1) **Receives** this report.
- 2) **Acknowledges** and understands the progress that has been made in reducing the annual leave liability and appreciates the difficulty in progressing.

Moved: Cr Wilson
Seconded: Cr Malcolm
CARRIED

7.4. CS2104 Audit and Risk Work Programme

This paper was provided to outline a proposed work programme to be covered at each Audit and Risk Subcommittee meeting to ensure responsibilities as outlined in the Terms of Reference are fulfilled. Nick Donnelly (GM Corporate Services) was present to speak to the report and respond to questions. Following questions and discussion, Cr Wilson moved:

Resolution

That the Audit and Risk Subcommittee:

- 1) **Receives** this report.
- 2) **Endorses** the proposed work programme for the 2021 calendar year.

Moved: Cr Wilson
Seconded: Cr Malcolm
CARRIED

7.5. CS2102 Local Government Funding Agency Membership Proposal

The report was provided to request the Subcommittee's recommendation to Council that the ORC should join the Local Government Funding Agency (LGFA) and to approve commencement of the process for that to occur. Nick Donnelly (GM Corporate Services) was present to speak to the report and respond to questions. After a discussion of the report, Cr Wilson moved:

Resolution

That the Audit and Risk Subcommittee:

- 1) **Receives** this report and the attached LGFA Presentation to the Audit and Risk Committee from Bancorp Treasury Services.
- 2) **Recommends to Council that** staff commence the process of joining the LGFA including preparing a statement of proposal, amending the Treasury Management Policy, and preparing a consultation plan and documentation to undertake a special consultative process (SCP).
- 3) **Notes** that Bancorp Treasury Services will assist Council with this process.

Moved: Cr Wilson

Seconded: Cr Noone

CARRIED

8. RESOLUTION TO EXCLUDE THE PUBLIC

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

- Minutes of the 26 November 2020 A & R Subcommittee Public-Excluded Meeting
- 3.1 Managed Fund Report – December 2020
- 3.2 Risk Report

Moved: Cr Calvert

Seconded: Cr Wilson

CARRIED

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
<i>Minutes of the 26 November 2020 A & R Subcommittee Public-Excluded Meeting</i>	To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a) To protect information where the making available of the information— would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section 7(2)(b)(ii) 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	

	<p>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 – Section 7(2)(c)(i)</p> <p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)</p>	
<p><i>3.1 Managed Fund Report – December 2020</i></p>	<p>To protect information where the making available of the information— would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information – Section 7(2)(b)(ii)</p> <p>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 – Section 7(2)(c)(i)</p> <p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p>	<p>Sec 48(1)(a) - Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds:</p> <p>(a) that the public conduct of the whole or 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><i>3.2 Risk Report</i></p>	<p>To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a)</p> <p>To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities – Section 7(2)(h)</p> <p>To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial</p>	<p>Sec 48(1)(1) - Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds:</p> <p>(a) that the public conduct of the whole or the relevant part of the proceedings of</p>

	negotiations) – Section 7(2)(i)	the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
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This resolution was 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 or [section 6](#) or [section 7](#) or [section 9](#) of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

9. CLOSURE

There was no further public business and Chairperson Calvert declared the public meeting closed at 03:45 pm.



 Chairperson

13 May 2021

 Date