

**MINUTES OF CENTRAL OTAGO DISTRICT COUNCIL
AUDIT AND RISK COMMITTEE
HELD VIA MICROSOFT TEAMS AND LIVE STREAMED
ON FRIDAY, 25 FEBRUARY 2022 AT 9.34 AM**

PRESENT: Ms L Robertson (Chair), Cr S Jeffery, Cr N McKinlay

IN ATTENDANCE: Cr C Laws, L Macdonald (Executive Manager - Corporate Services), J Muir (Executive Manager - Infrastructure Services), L van der Voort (Executive Manager - Planning and Environment), L Fleck (Executive Manager – People and Culture), S Righarts (Chief Advisor), N McLeod (IS Manager), I Evans (Water Services Manager), A McDowall (Finance Manager), A Crosbie (Senior Policy Advisor), P Bain (Water Services Team Leader), R Williams (Governance Manager) and W McEnteer (Governance Support Officer)

1 APOLOGIES

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Jeffery

That apologies from His Worship the Mayor T Cadogan and Cr N Gillespie be received and accepted.

CARRIED

2 PUBLIC FORUM

There was no public forum.

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Jeffery

That the public minutes of the Audit and Risk Committee Meeting held on 3 December 2021 be confirmed as a true and correct record.

CARRIED

4 DECLARATION OF INTEREST

Members were reminded of their obligations in respect of declaring any interests. There were no further declarations of interest.

5 REPORTS

22.1.2 POLICY AND STRATEGY REGISTER

To consider the updated Policy and Strategy Register. A question was raised about the Staff Interests Policy and whether or not current practise reflected the policy or not in terms of the Executive Team considering staff interests on a six monthly basis. An update on this was requested for the June meeting.

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Jeffery

That the report be received.

CARRIED

22.1.3 AUDIT AND RISK COMMITTEE TERMS OF REFERENCE

To consider the terms of reference for the Audit and Risk Committee.

After discussion it was agreed that there should be two further amendments before the document was presented to Council. The first was to delete reference to the Deputy Chair as the position did not exist. The second was regarding the appointment cycle of the Chair, where an additional clarification was to be included to say that the Chair was appointed "each triennium following the year of election or as required."

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Jeffery

That the Audit and Risk Committee

- A. Receives the report and accepts the level of significance.
- B. Recommends to Council that they accept the proposed amendments to the Audit and Risk Committee's terms of reference as detailed in appendix 2 of the report.
- C. Recommends to Council that the reference to the Deputy Chair is removed from the delegation and that the term of the appointment of the Chair is clarified to include the words "each triennium following the year of election or as required."

CARRIED

22.1.4 EXTERNAL AND INTERNAL AUDIT UPDATES

To consider an update on the status of the external and internal audit programme and any outstanding actions for completed external and internal audits.

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Jeffery

That the report be received.

CARRIED

22.1.5 FINANCIAL REPORT FOR THE PERIOD ENDING 31 DECEMBER 2021

To consider the financial performance for the period ending 31 December 2021.

COMMITTEE RESOLUTION

Moved: Robertson

Seconded: Jeffery

That the report be received.

CARRIED

22.1.6 CYBER SECURITY PLAN 2018-2021 UPDATE

To consider an update on the 2018-2021 Cyber Security Plan.

COMMITTEE RESOLUTION

Moved: Robertson

Seconded: Jeffery

That the report be received.

CARRIED

22.1.7 LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 (LGOIMA) REQUEST POLICY

To review and recommend the Chief Executive approves the Local Government Official Information and Meetings Act 1987 (LGOIMA) Request Policy, which is related to Council granting requests for information under the Local Government Official Information and Meetings Act 1987.

After discussion it was decided that the Committee should not recommend Chief Executive approval, rather they could support it.

COMMITTEE RESOLUTION

Moved: Robertson

Seconded: Jeffery

That the Audit and Risk Committee

- A. Receives the report and accepts the level of significance.
- B. Supports the Chief Executive approval of this policy and issues to staff for implementation.

CARRIED

22.1.8 PRIVACY POLICY

To review and recommend the Chief Executive approves the Privacy Policy for council staff use, which is related to Council's code of practice and legal obligations in accordance with the Privacy Act 2020.

The Committee asked if the scope of the policy included the Council's obligations as an employer and it was agreed that the scope of the policy should be expanded to include this prior to final sign off.

It was also decided that the Committee should support the Chief Executive's approval of the policy rather than recommend it.

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Jeffery

That the Audit and Risk Committee

- A. Receives the report and accepts the level of significance.
- B. Supports the Chief Executive approval of the policy and suggests its scope is expanded to include internal privacy relating to staff prior to implementation.

CARRIED

22.1.9 HEALTH, SAFETY AND WELLBEING REPORT

To provide with information on health, safety and wellbeing risks and controls at Central Otago District Council.

COMMITTEE RESOLUTION

Moved: Robertson
Seconded: Jeffery

That the report be received.

CARRIED

6 CHAIR'S REPORT**22.1.10 FEBRUARY 2022 CHAIR'S REPORT**

To consider the February Chair's report.

The Chair had nothing to report.

7 MEMBERS' REPORTS

22.1.11 FEBRUARY MEMBERS' REPORTS

To consider the February members' reports.

Councillor McKinlay reported that he was a member of subcommittee overseeing the Cromwell Hall project and noted that a timetable for the project was currently being put in place.

COMMITTEE RESOLUTION

Moved: Robertson

Seconded: Jeffery

That the reports be received.

CARRIED

8 STATUS REPORTS

22.1.12 FEBRUARY GOVERNANCE REPORT

To report on items of general interest, consider the Audit and Risk Committee's forward work programme and the current status report updates.

COMMITTEE RESOLUTION

Moved: Robertson

Seconded: Jeffery

That the report be received.

CARRIED

9 DATE OF THE NEXT MEETING

The date of the next scheduled meeting is 3 June 2022.

10 RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION

Moved: Robertson

Seconded: Jeffery

That the public be excluded from the following parts of the proceedings of this meeting.

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 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
<p>Confidential Minutes of the Audit and Risk Committee</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(c)(ii) - 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 otherwise to damage the public interest</p> <p>s7(2)(d) - the withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(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>
<p>22.1.13 - Wastewater Overflow Procedure review</p>	<p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	<p>s48(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>
<p>22.1.14 - Water Services Capital Projects Update</p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary 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</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations</p>	<p>s48(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>

	(including commercial and industrial negotiations)	
22.1.15 - Strategic Risk Register	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(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
22.1.16 - Litigation Register	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(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
22.1.17 - February 2022 Confidential Governance Report	s7(2)(c)(ii) - 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 otherwise to damage the public interest s7(2)(d) - the withholding of the information is necessary to avoid prejudice to measures protecting the health or safety of members of the public	s48(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

CARRIED

The public were excluded at 10.33 am and the meeting closed at 11:37 am.