AGENDA

Ordinary Council Meeting
Tuesday, 10 August 2021

Date	**Tuesday, 10 August 2021**
Time	**3pm**
Location	**Council Chamber**
	District Council Building
	King George Place
	Timaru
File Reference	**1439148**

TIMARU
DISTRICT COUNCIL

Timaru District Council

Notice is hereby given that a meeting of the Ordinary Council will be held in the Council Chamber, District Council Building, King George Place, Timaru, on Tuesday 10 August 2021, at 3pm.

Council Members

Mayor Nigel Bowen (Chairperson), Clrs Allan Booth, Peter Burt, Barbara Gilchrist, Richard Lyon, Gavin Oliver, Paddy O'Reilly, Sally Parker, Stu Piddington and Steve Wills

Quorum – no less than 5 members

Local Authorities (Members' Interests) Act 1968

Councillors are reminded that if they have a pecuniary interest in any item on the agenda, then they must declare this interest and refrain from discussing or voting on this item and are advised to withdraw from the meeting table.

Bede Carran

Chief Executive

TIMARU
DISTRICT COUNCIL

Order Of Business

1   Opening Prayer and Waiata

2   Apologies

3   Public Forum

4   Identification of Urgent Business

5   Identification of Matters of a Minor Nature

6   Declaration of Conflicts of Interest

7 Confirmation of Minutes

7.1 Minutes of the Council Meeting held on 29 June 2021

Author: Jo Doyle, Governance Advisor

Recommendation

That the Minutes of the Council Meeting held on 29 June 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Attachments

1. **Minutes of the Council Meeting held on 29 June 2021**

MINUTES

Ordinary Council Meeting

Tuesday, 29 June 2021

Ref: 1439148

Minutes of Timaru District Council
Ordinary Council Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Tuesday, 29 June 2021 at 3pm

Present:	Mayor Nigel Bowen (Chairperson), Cr Allan Booth, Cr Peter Burt, Cr Barbara Gilchrist, Cr Richard Lyon, Cr Gavin Oliver, Cr Paddy O'Reilly, Cr Sally Parker, Cr Stu Piddington (from 3.20pm), Cr Steve Wills
In Attendance:	Lucy Millar – Chairperson, Orari-Temuka-Opihi-Pareora Water Zone Committee – for item 9.2

Wayne O'Donnell Chairperson - Geraldine Community Board
Neville Gould – Pleasant Point Community Board

Chief Executive (Bede Carran), Group Manager Infrastructure (Andrew Dixon), Acting Group Manager Commercial and Strategy (Ashley Harper), Group Manager People & Digital and Acting Group Manager Community Services (Symon Leggett), Group Manager Environmental Services (Paul Cooper), Strategy and Corporate Planning Manager (Mark Low), Governance Support Officer (Joanne Brownie)

1   Opening Prayer and Waiata

Kathleen MacDonald of Restoration Ministries offered a prayer for the work of the Council, followed by the singing of the Council Waiata.

2   Apologies

Apology

Resolution 2021/105

Moved: Cr Steve Wills
Seconded: Cr Barbara Gilchrist

That the apology received from Stephanie McCullough – Temuka Community Board be accepted.

Carried

3   Public Forum

Kristy Phillips, local branch president of the Hospitality Association and national board member, addressed the meeting on the role of the Association, the challenges being faced by the industry and its important support of its members. The Association's main function is to support its members, through contact and advice during the Covid 19 lockdown, advocacy, developing training programmes, assistance with District Licensing processes and liaising with local and central government. appreciate being able to work with Council at times.

The Association is also working on innovations to future proof the industry, with a learning management system via an online learning tool, that can be customised to suit different

establishments, development of a Kiwi Access identification system, and establishment of a new gift voucher system.

Consistency of messaging from central government for various tourism activities is an issue, making it hard for operators. Also a current issue is the impact on the hospitality industry of reduced immigration and the resultant reduction in workers. The industry is seeking to have overseas workers currently in the country permitted to work,

Despite the Covid pandemic, the industry itself is growing and there has been good community support for the industry. Kristy Phillips acknowledged the ability to engage with Council and indicated the Association would be interested in being involved in council based activities such as the city hub.

4   Identification of Urgent Business

There were no urgent business items.

5   Identification of Matters of a Minor Nature

Motion

Resolution 2021/106

Moved: Mayor Nigel Bowen
Seconded: Cr Barbara Gilchrist

That advisories on 3Waters be discussed as a minor nature item at this meeting.

Carried

6   Declaration of Conflicts of Interest

There were no conflicts of interest declared.

7   Confirmation of Minutes

7.1   Minutes of the Council Meeting held on 11 May 2021

Resolution 2021/107

Moved: Cr Sally Parker
Seconded: Cr Gavin Oliver

That the Minutes of the Council Meeting held on 11 May 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Carried

7.2   Minutes of the Council Meeting held on 31 May 2021

Resolution 2021/108

Moved: Cr Peter Burt

Seconded: Cr Barbara Gilchrist

That the Minutes of the Council Meeting held on 31 May 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Carried

8   Schedules of Functions Attended

8.1   Schedule of Functions Attended by the Mayor, Deputy Mayor and Councillors

Resolution 2021/109

Moved: Mayor Nigel Bowen
Seconded: Cr Steve Wills

That the report be received and noted.

Carried

8.2   Schedule of Functions Attended by the Chief Executive

Resolution 2021/110

Moved: Cr Richard Lyon
Seconded: Cr Paddy O'Reilly

That the report be received and noted.

Carried

9   Reports

9.1   Affixing of the Common Seal

Council considered the affixing of the Common Seal to Warrants of Appointment.

Resolution 2021/111

Moved: Cr Barbara Gilchrist
Seconded: Cr Peter Burt

That the affixing of the Common Seal to the following document be noted:

4 May 2021   Warrants of Appointment.

Carried

9.2   Orari-Temuka-Opihi-Pareora Water Zone Annual Progress Report

The 2020 Annual Report of the Orari-Temuka-Opihi-Pareora Water Zone (OTOP) was presented by OTOP Chairperson Lucy Millar. The report covers the 2020 Calendar year. The year was a challenging one for the committee. Having completed its input into the plan change process for the Land and Water Regional Plan, establishing a new role for the committee is still being worked through. The aim is to focus on a ground-up approach, with less of a focus on meetings. A success

of note was the support for the new Catchment Collective SC Society, which helped the society become a legal entity and therefore be in a position to apply for national funding. The continued biodiversity focus is another positive for OTOP.

Cr Gilchrist, Council's representative on OTOP, thanked Lucy Millar for her chairmanship in what has been a very challenging time and she looks forward to being part of the new focus going forward. The Mayor also congratulated Lucy on her leadership through the difficult period and noted that it is important for Council to support OTOP initiatives, which impact on both the urban and rural community.

Resolution 2021/112

Moved: Cr Barbara Gilchrist
Seconded: Cr Peter Burt

That the Orari-Temuka-Opihi-Pareora Water Zone Annual Progress report be received.

Carried

9.3   Adoption of Timaru District Council Long Term Plan 2021-31

The final Long Term Plan 2021-31 was presented to Council, including the Financial Strategy 2021-31, the Infrastructure Strategy 2021-51 and the Fees and Charges for the period 1 July 2021 to 30 June 2022 for adoption.

While Council expected to approve the Long Term Plan at todays meeting in order to meet statutory deadlines, Audit NZ has given very late notice to Council that Audit is still deliberating on the presentation of the Capital Work Programme in the LTP and has not given its approval.

The issue concerning Audit NZ is how the 90% delivery of the capital expenditure programme is presented in the LTP, and how the 10% undelivered is shown. It was noted that Council in the past has included a 100% delivery programme for its Capital Works and therefore the issue has not arisen before.

Council voiced its disappointment at Audit NZ advising of its concerns at such late notice, especially given that earlier indications from Audit signalled that all was in order and in an acceptable presentation format. Council has taken the same presentation in the LTP consultation document (which was approved by Audit NZ) through to the final LTP and therefore the questions being raised now are frustrating, and may cause the Council to not meet the deadline, despite every effort to do so.

It was suggested that until confirmation is received from Audit NZ, Council is not in a position to adopt the Long Term Plan or to set the rates.

9.4   Resolution to Set Rates 2021/2022

Council considered the resolution to set the rates for the 2021/22 financial year.

The instalment date of 20 December was raised, being so close to Christmas, this could pose a problem for some ratepayers. While it is too late to alter this date for the coming year it was agreed that options for payment systems, dates and methods etc could be part of the planned rating review.

10   Consideration of Urgent Business Items

There were no urgent business items.

11   Consideration of Minor Nature Matter

3Waters Information Campaign

There have been concerns expressed from various parts of the country in regard to the communications from the Department of Internal Affairs regarding 3Waters. Councillors supported the concerns and expressed disquiet about the whole process and the lack of independent control local authorities have in the process. There appears to be a certain amount of predetermination of whole process and a control of the narrative.

Further announcements are due to be made in the next few days.

12   Long Term Plan and Resolution to Set Rates (cont'd)

The meeting adjourned at 3.50pm to allow for officers to check as to any confirmation being received from Audit NZ to allow for the meeting business in respect of the Long Term Plan adoption and the setting of the rates, to be dealt with.

The meeting resumed at 4pm, with the Chief Executive informing the meeting that confirmation from Audit NZ has still not been granted.

An Extraordinary meeting will be called at the earliest opportunity to confirm the Long Term Plan after re-conferring with Audit NZ on the capital works programme issue. This will mean that Council will not meet its statutory deadline.

Council asked that its protest at Audits very late notice of its concerns, be conveyed to Audit NZ, particularly when earlier communications with Audit indicated that Council's Long Term Plan was in order.

Resolution 2021/113

Moved: Cr Steve Wills
Seconded: Cr Gavin Oliver

That the meeting's business items in respect to the adoption of the Long Term Plan and the Resolution to Set the Rates, be deferred until confirmation has been received from Audit NZ.

Carried

12   Public Forum Items Requiring Consideration

There were no public forum issues requiring consideration.

13   Resolution to Exclude the Public

Resolution 2021/115

Moved: Mayor Nigel Bowen
Seconded: Cr Barbara Gilchrist

That the public be excluded from the following parts of the proceedings of this meeting on the grounds under section 48 of the Local Government Official Information and Meetings Act 1987 as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
13.1 - Public Excluded Minutes of the Council Meeting held on 11 May 2021	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	To protect a person's privacy
		To prevent disclosing a trade secret
	s7(2)(b)(i) - The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret	Commercial sensitivity
		To protect all communications between a legal adviser and clients from being disclosed without the permission of the client.
	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	To enable commercial activities
		To enable commercial or industrial negotiations
	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege	
	s7(2)(h) - The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	
	s7(2)(i) - The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	

13.2 - Public Excluded Minutes of the Council Meeting held on 31 May 2021	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	To protect a person's privacy

Carried

14   Public Excluded Reports

13.1   Public Excluded Minutes of the Council Meeting held on 11 May 2021

13.2   Public Excluded Minutes of the Council Meeting held on 31 May 2021

15   Readmittance of the Public

Resolution 2021/116

Moved: Cr Stu Piddington
Seconded: Cr Gavin Oliver

That the meeting moves out of Closed Meeting into Open Meeting.

Carried

The meeting closed at 4.08pm.

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Mayor Nigel Bowen
Chairperson

7.2 **Minutes of the Tenders and Procurement Committee Meeting held on 29 June 2021**

Author: **Jo Doyle, Governance Advisor**

Recommendation

That the Minutes of the Tenders and Procurement Committee Meeting held on 29 June 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Attachments

1. **Minutes of the Tenders and Procurement Committee Meeting held on 29 June 2021**

MINUTES

Tenders and Procurement Committee Meeting

Tuesday, 29 June 2021

Ref: 1439148

**Minutes of Timaru District Council
Tenders and Procurement Committee Meeting
Held in the Chief Executive's Office, District Council Building, King George Place, Timaru
on Tuesday, 29 June 2021 at 1.30pm**

Present:	Nigel Bowen (Chairperson), Cr Peter Burt, Cr Barbara Gilchrist, Cr Sally Parker
In Attendance:	Chief Executive (Bede Carran), Group Manager Infrastructure (Andrew Dixon), Land Transport Manager (Suzie Ratahi), Transport Procurement Advisor (Josie McNee), Executive Assistant to Chief Executive (Jacky Clarke)

1   Apologies

There were no apologies.

2   Identification of Items of Urgent Business

There were no items of urgent business.

3   Identification of Matters of a Minor Nature

There were no matters of a minor nature.

4   Declaration of Conflicts of Interest

There were no conflicts of interest.

5   Consideration of Urgent Business Items

There were no items of urgent business.

6   Consideration of Minor Nature Matters

There were no matters of a minor nature.

7   Exclusion of the Public

Committee Recommendation

Moved: Cr Barbara Gilchrist
Seconded: Cr Peter Burt

That the public be excluded from the following parts of the proceedings of this meeting on the grounds under section 48 of the Local Government Official Information and Meetings Act 1987 as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
8.1 - Contract 2522 - Timaru and Waimate District Council Resurfacing Contract 2021-2023	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the	Commercial sensitivity

	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	

8   Public Excluded Reports

8.1   Contract 2522 - Timaru and Waimate District Council Resurfacing Contract 2021-2023

9   Readmittance of the Public

Committee Recommendation

Moved: Chairperson Nigel Bowen
Seconded: Cr Barbara Gilchrist

That the meeting moves out of Closed Meeting into Open Meeting.

The Meeting closed at 1.16pm.

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Mayor Nigel Bowen
Chairperson

7.3   Minutes of the Extraordinary Council Meeting held on 14 July 2021

Author: **Jo Doyle, Governance Advisor**

Recommendation

That the Minutes of the Extraordinary Council Meeting held on 14 July 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Attachments

1.   Minutes of the Extraordinary Council Meeting held on 14 July 2021

PALMA·NON·SINE·PULVERE

MINUTES

Emergency Council Meeting

Wednesday, 14 July 2021

Ref: 1439148

Minutes of Timaru District Council
Emergency Council Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Wednesday, 14 July 2021 at 2.30pm

Present:	Mayor Nigel Bowen (Chairperson - via Zoom Video Link), Cr Peter Burt, Cr Barbara Gilchrist (via Zoom Video Link), Cr Richard Lyon (via Zoom Video Link), Cr Sally Parker, Cr Stu Piddington, Cr Steve Wills (via Zoom Video Link until 2.35pm)
In Attendance:	Chief Executive (Bede Carran), Group Manager Infrastructure (Andrew Dixon), Acting Group Manager Commercial and Strategy (Ashley Harper), Group Manager People & Digital and Acting Group Manager Community Services (Symon Leggett), Group Manager Environmental Services (Paul Cooper), Acting Chief Financial Officer (Jason Rivett - via Zoom Video Link), Strategy and Corporate Planning Manager (Mark Low), Policy Analyst (Fabia Fox), Governance Advisor (Jo Doyle)
	John Mackey (Director – Audit NZ - via Zoom Video Link)

1   Apologies

Resolution 2021/105

Moved: Mayor Nigel Bowen
Seconded: Cr Steve Wills

That the apology received from Cr Allan Booth, Cr Gavin Oliver and Cr Paddy O'Reilly be accepted and leave of absence granted.

Carried

2   Declaration of Conflicts of Interest

There were no conflicts of interest.

3   Reports

3.1   Adoption of Timaru District Council Long Term Plan 2021-31

Council was presented with the final Long Term Plan (LTP) 2021-31, including the Financial Strategy 2021-31, the Infrastructure Strategy 2021-51 and Fees and Charges for the period 1 July 2021 to 30 June 2022 for adoption.

Audit NZ Director John Mackey advised that there have been ongoing issues to address, including the addition of the corporate activities group to the Long Term Plan since the 29 June Council meeting.

Two events were noted by Audit NZ as having a further effect on the final audit process, the significant reduction in funding from Waka Kotahi announced in June 2021 and the May 2021 floods.

Audit NZ is now able to provide an unmodified audit opinion that will have two emphasis of matter statements, one in reference to the uncertainty with the three waters reform and the missed statutory deadline for the Long Term Plan.

Discussion was held about the missed deadline and why the concerns were not identified earlier. The Auditor General has deemed it appropriate to include the emphasis on matter on Council's that did not achieve the statutory deadline.

At 2:35 pm, Cr Steve Wills left the meeting.

Resolution 2021/106

Moved: Mayor Nigel Bowen
Seconded: Cr Barbara Gilchrist

That Council amends the Rates Remission and Postponement Policy, included in the Long Term Plan, removing the requirement for a statutory declaration from applicants for remissions on separate self-contained flats.

Carried

Resolution 2021/107

Moved: Cr Richard Lyon
Seconded: Cr Sally Parker

That Council agrees to move the following capital projects in the Council's work programme to ensure the Council remains under the Debt cap of 2.1 in 2026/27:

- Water Metering from Years 4-6 to Years 5-8

- Claremont Water Treatment Plant upgrade from Year 8 to Year 9.

Carried

Resolution 2021/108

Moved: Cr Peter Burt
Seconded: Cr Sally Parker

That Council sets the Fees and Charges for 2021/22.

Carried

Resolution 2021/109

Moved: Mayor Nigel Bowen
Seconded: Cr Stu Piddington

That Council adopts the Financial Strategy 2021-31.

Carried

Resolution 2021/110

Moved: Cr Barbara Gilchrist
Seconded: Cr Richard Lyon

That Council adopts the Infrastructure Strategy 2021-2051.

Carried

Resolution 2021/111

Moved: Cr Sally Parker
Seconded: Cr Peter Burt

That Council resolves to permit an unbalanced budget in accordance with Section 100 of the Local Government Act 2002 for Year 3 (2023/24) of the Long Term Plan 2021-31.

Carried

Resolution 2021/112

Moved: Cr Barbara Gilchrist
Seconded: Cr Peter Burt

That Council adopts the Long Term Plan 2021-31.

Carried

Resolution 2021/113

Moved: Mayor Nigel Bowen
Seconded: Cr Richard Lyon

That Council authorises the Chief Executive to make any non-material changes to the Long Term Plan 2021/31 prior to publication to improve the quality and the readability.

Carried

Attachments

1   Long Term Plan Audit Opinion

3.2   Resolution to Set Rates 2021/2022

Council was presented with the rates resolution for the 2021/22 financial year in accordance with the Funding Impact Statements nothing that a legal review has been undertaken.

Resolution 2021/114

Moved: Mayor Nigel Bowen
Seconded: Cr Barbara Gilchrist

That following adoption of the Long Term Plan 2021-31 and in accordance with the Funding Impact Statement (FIS) and relevant provisions of the Long Term Plan, Council sets and assesses the rates in the following resolution.

That Council resolves:

1   To set the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing 1 July 2021 and ending on 30 June 2022. Such rates shall become due and payable by instalments on the dates prescribed in clause 11 of this resolution.

2   All rates and charges are inclusive of the Goods and Services Tax (GST).

3   **General Rate**

That pursuant to Section 13(2)(b) and Section 14 of the Local Government (Rating) Act 2002 a general rate set as a rate in the dollar on the land value of all rating units within the Timaru District, assessed on a differential basis as described below:

Timaru District - Accommodation	$0.01174
Timaru District - Commercial Central	$0.01174
Timaru District - Commercial Other	$0.01174
Timaru District - Community Services	$0.00270
Timaru District - Industrial	$0.01174
Timaru District - Primary	$0.00181
Timaru District - Recreational	$0.00270
Timaru District - Residential General	$0.00270
Timaru District - Residential Multi Unit	$0.00521

Differentials are defined in the Funding Impact Statement 2021-31.

4   **Uniform Annual General Charge**

That pursuant to Section 15(1)(a) of the Local Government (Rating) Act 2002 a uniform annual general charge of $870.00 per rating unit is set and assessed on every rating unit within the Timaru District.

5   **Community Works and Services**

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002 a targeted community works and services rate set and assessed as a rate in the dollar on the land value of all rating units within each of the community areas where the service is provided. Community areas are defined in the Funding Impact Statement 2021-31.

Geraldine	$0.00148
Rural	$0.00005
Temuka	$0.00165
Timaru	$0.00115

6   **Community Board**

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002, targeted uniform annual Community Board rates set and assessed per rating unit within each of the Temuka, Geraldine and Pleasant Point Wards.

Geraldine	$5.00
Pleasant Point	$5.00
Temuka	$3.50

7   **Sewer**

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002 a targeted uniform rate for sewerage disposal set per water closet or urinal connected either directly or through a private drain to a public sewerage drain subject to the proviso that every rating unit used primarily as a residence of not more than one household shall be treated to have not more than one water closet or urinal.

Sewer $339.00

8   **Waste Management**

That pursuant to Section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 a differential targeted rate set and assessed on all rateable and non-rateable rating units based on the extent to which the "four bin" waste collection service is actually provided

(a)   of $162.00 per standard size "four bins" provided to each rating unit;
(b)   of $210.00 per large "four bins" provided to each rating unit;
(c)   of $41.00 per additional small (140 litres) recycling bin provided to each rating unit; and
(d)   of $46.00 per additional large (240 litres) recycling bin provided to each rating unit; and
(e)   of $63.00 per additional small (140 litres) compost bin provided to each rating unit; and
(f)   of $73.00 per additional large (240 litres) compost bin provided to each rating unit; and
(g)   of $78.00 per additional small (140 litres) rubbish bin provided to each rating unit; and
(h)   of $110.00 per additional large (240 litres) rubbish bin provided to each rating unit; and
(i)   of $41.00 per additional small (80 litres) glass bin provided to each rating unit.
(j)   of $46.00 per additional large (240 litres) glass bin provided to each rating unit.

9   **Water**

That pursuant to Section 16(3)(b), (4)(b) and section 19 of the Local Government (Rating) Act 2002 targeted rates for the supply of water in the following areas as follows.

(a)   Urban Water

A differential annual rate of $442.00 set and assessed per separately used or inhabited part of a rating unit for all connected rating units and $221.00 set and assessed per rating unit on all rating units situated within 100 metres from any part of the water works to which water can be but is not supplied within the urban areas Geraldine, Pleasant Point, Peel Forest, Temuka, Timaru and Winchester urban supplies.

Differential categories are defined in the Funding Impact Statement 2021-31.

(b)   Rural Water

(i)   **The Rangitata-Orari Water Supply District**
A targeted rate of $16.50 set and assessed per hectare within the rating unit.

(ii)   **The Te Moana Downs Water Supply District**
a)   A targeted rate of $252.00 set and assessed for each unit of water supplied;
b)   A targeted rate of $527.00 set and assessed for each tank except where there is more than one tank to any rating unit as a technical requirement of the scheme, in which case only one charge will apply.

(iii) **The Orari Township Water Supply District**
A targeted rate of $345.00 set and assessed for each unit of water supplied.

(iv) **The Seadown Water Supply District**
a) A targeted rate of $28.60 set and assessed per hectare within the rating unit;
b) A targeted rate of $713.00 set and assessed per separately used or inhabited part of a rating unit for each domestic supply;

(v) **Beautiful Valley Water Supply District**
A targeted rate of $8.90 set and assessed per hectare within the rating unit.

(vi) **Downlands Water Supply District**
On so much of the rating unit appearing on District Valuation Rolls number 24640, 24660, 24670, 24680, 24690, 24700, 24710, 24820, 24840, 24850, 24860, and part 25033, as is situated within the Downlands Water Supply District.

a) A targeted rate of $774.00 set and assessed for each separately used or inhabited part of a rating unit within the Pareora Township and for rating units used as halls within the scheme.
b) A targeted rate of $1,326.00 set and assessed per rating unit for rating units used as schools within the Pareora Township.
c) In addition, a targeted rate of $553.00 set and assessed for each separate connection (excluding Pareora Township) to the water supply except where there is more than one connection to any rating unit as a technical requirement of the scheme, in which case only one charge will apply.
d) In addition to the charge assessed in (c) above, a targeted rate of $221.00 set and assessed per unit of water or where water supplied in one half units a charge of $110.50 set and assessed per half unit supplied.

Differential categories are defined in the Funding Impact Statement 2021-31.

(c) Water by Meter
Targeted rates for water supply, set under Section 19 of the Local Government (Rating) Act 2002 per cubic metre of water consumed to any rating unit situated in the following areas which has been fitted with a water meter:

Seadown	$0.94
Urban	$0.72

10   Community Centre

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002, the following uniform targeted rates are set and assessed in respect of each separately used or inhabited part of a rating unit situated in the following Community Centre Areas:

Claremont Community Centre	$19.00
Fairview Community Centre	$30.00
Kingsdown Community Centre	$36.00
Otipua Community Centre	$19.00
Seadown Community Centre	$33.00

11   **Instalment Dates**

The above rates and charges (except for metered water) are due and payable in four equal instalments on the following dates:

All Ratepayers

Instalment	Due Date
1	20 September 2021
2	20 December 2021
3	21 March 2022
4	20 June 2022

The due dates for metered water charges are as follows:

Month invoice raised	Due Date
July 2021	20 August 2021
August 2021	20 September 2021
September 2021	20 October 2021
October 2021	22 November 2021
November 2021	20 December 2021
December 2021	20 January 2022
January 2022	21 February 2022
February 2022	21 March 2022
March 2022	20 April 2022
April 2022	20 May 2022
May 2022	20 June 2022
June 2022	20 July 2022

12   **Penalties**

That pursuant to Section 57 of the Local Government (Rating) Act 2002 the District Council prescribes the following penalties to be added to unpaid rates:-

(a)   A Penalty
A penalty under section 58(1)(a) of 10% of the amount of the instalment remaining unpaid will be added if not paid on or before the instalment due date, on the following dates:

Instalment	Penalty Date
1	24 September 2021
2	24 December 2021
3	25 March 2022
4	24 June 2022

(b)   Further Penalties

A further penalty under section 58(1)(b) and 58(1)(c) of 10% of the amount of any rates assessed in any previous financial year remaining unpaid on 7 July 2021 will be added on 24 September 2021. An additional penalty will be added to any unpaid rates assessed in any previous financial years that remain unpaid on 25 March 2022. This penalty will be added on 25 March 2022.

Penalties will not be applied to the metered water targeted rates.

Carried

The meeting closed at 2.45pm.

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Mayor Nigel Bowen
Chairperson

7.4 Minutes of the Council Meeting held on 20 July 2021

Author: Jo Doyle, Governance Advisor

Recommendation

That the Minutes of the Council Meeting held on 20 July 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Attachments

1. Minutes of the Council Meeting held on 20 July 2021

MINUTES

Ordinary Council Meeting
Tuesday, 20 July 2021

Ref: 1439148

Minutes of Timaru District Council
Ordinary Council Meeting
Held in the Geraldine Domain Pavilion, 39 Hislop Street, Geraldine
on Tuesday, 20 July 2021 at the Conclusion of Standing Committees at 11.02am

Present: Cr Steve Wills (Acting Chairperson), Cr Allan Booth, Cr Peter Burt, Cr Barbara Gilchrist, Cr Richard Lyon, Cr Gavin Oliver, Cr Paddy O'Reilly, Cr Sally Parker, Cr Stu Piddington

In Attendance: Chief Executive (Bede Carran), Governance Advisor (Jo Doyle)

1   Apologies

Resolution 2021/115

Moved: Cr Barbara Gilchrist
Seconded: Cr Sally Parker

That the apology received from Mayor Nigel Bowen be accepted and leave of absence granted.

Carried

2   Identification of Urgent Business

A request was made that item 10.1 Chief Executive Term of Employment be moved from the public excluded agenda to the public agenda.

The public excluded agenda was therefore released to the public and will be made available on the Timaru District Council website.

Resolution 2021/116

Moved: Cr Stu Piddington
Seconded: Cr Allan Booth

That item 10.1 Chief Executive Term of Employment be heard in the public part of the meeting.

A division was called with the results as follows:

<u>In Favour:</u>   Crs Allan Booth, Barbara Gilchrist, Gavin Oliver, Sally Parker and Stu Piddington

<u>Against:</u>   Crs Peter Burt, Richard Lyon, Paddy O'Reilly and Steve Wills

Carried 5/4

Attachments

1   Attachment to Council Minutes - 20.07.21 - PUBLIC EXCLUDED Agenda to be released to Public

3   Identification of Matters of a Minor Nature

The meeting agreed to discuss Theatre Royal concerns as a minor nature item.

4   Declaration of Conflicts of Interest

There were no conflicts of interest.

5   Consideration of Minor Nature Matter

Concerns were expressed about the redevelopment of the Theatre Royal in particular that only cosmetic changes are being made with no Theatre expert involved providing specialist advice.

The changing rooms at the back of house do not function appropriately and are small, dark and dingy with no disability access.

There is concern that the opportunity to provide suitable functionality of this theatre will be missed and that the majority of money being spent is going to the front of house.

Additional concerns of where to place the piano, and issues around water leaks were also raised.

Council recommended a report be prepared to address the issues raised. The South Canterbury Drama League should be involved at this point.

It was agreed that a reference group that includes elected members should be established before the project progresses any further.

6   Reports

6.1   Chief Executive Term of Employment

Council was presented with the Chief Executive's Term of Employment.

The People and Performance Committee has met to discuss the employment contract and formulate a recommendation, which has been thoroughly researched.

The next two years will be critical for Local Government with transformational changes likely to affect how Council operates.

Robust discussion was held on the restructures occurring at council and the procedure which the People and Performance Committee followed to reach its recommendation.

Some Elected Members advised they would have favoured going to the market for applications for the Chief Executive position, not excluding the incumbent.

Resolution 2021/117

Moved: Cr Richard Lyon
Seconded: Cr Peter Burt

That Council grants an extension to Chief Executive, Bede Carran's contract for a further two years commencing on the 5th December 2021.

A division was called with the result as follows:

In Favour: Clrs Peter Burt, Barbara Gilchrist, Richard Lyon, Paddy O'Reilly, Sally Parker and Steve Wills

Against: Clrs Allan Booth, Gavin Oliver and Stu Piddington

Carried 6/3

The meeting closed at 11.29am.

....
Cr Steve Wills
Chairperson

7.5   Minutes of the Tenders and Procurement Committee Meeting held on 27 July 2021

Author: Jo Doyle, Governance Advisor

Recommendation

That the Minutes of the Tenders and Procurement Committee Meeting held on 27 July 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Attachments

1.   Minutes of the Tenders and Procurement Committee Meeting held on 27 July 2021

MINUTES

Tenders and Procurement Committee Meeting

Tuesday, 27 July 2021

Ref: 1439148

**Minutes of Timaru District Council
Tenders and Procurement Committee Meeting
Held in the Chief Executive's Office, District Council Building, King George Place, Timaru
on Tuesday, 27 July 2021 at 2.30pm**

Present:	Nigel Bowen (Chairperson), Cr Peter Burt, Cr Barbara Gilchrist, Cr Sally Parker
In Attendance:	Cr Paddy O'Reilly, Chief Executive (Bede Carran), Group Manager Infrastructure (Andrew Dixon), Land Transport Manager (Suzy Ratahi), Governance Advisor (Jo Doyle)

1   Apologies

There were no apologies.

2   Identification of Items of Urgent Business

There was no urgent business.

3   Identification of Matters of a Minor Nature

There were no minor nature items.

4   Declaration of Conflicts of Interest

There were no conflicts of interest.

5   Consideration of Urgent Business Items

There was no urgent business.

6   Consideration of Minor Nature Matters

There were no minor nature items.

7   Exclusion of the Public

Resolution 2021/10

Moved: Cr Barbara Gilchrist
Seconded: Cr Peter Burt

That the public be excluded from the following parts of the proceedings of this meeting on the grounds under section 48 of the Local Government Official Information and Meetings Act 1987 as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
8.1 - Contract 2536 - Timaru Richard Pearse Airport - Partial Runway Reseal 2021	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the	Commercial sensitivity

	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	

Carried

8   Public Excluded Reports

8.1   Contract 2536 - Timaru Richard Pearse Airport - Partial Runway Reseal 2021

9   Readmittance of the Public

Resolution 2021/11

Moved: Cr Sally Parker
Seconded: Cr Barbara Gilchrist

That the meeting moves out of Closed Meeting into Open Meeting.

Carried

The Meeting closed at 2.43pm.

....

Mayor Nigel Bowen
Chairperson

8   Schedules of Functions Attended

8.1   Schedule of Functions Attended by the Mayor, Deputy Mayor and Councillors

Author: **Alesia Cahill, Executive Assistant to the Mayor**

Authoriser: **Nigel Bowen, Mayor**

Recommendation

That the report be received and noted.

Functions Attended by the Mayor for the Period 21 June 2021 to 30 July 2021.

21 June 2021	Attended OTOP workshop
22 June 2021	Chaired People and Performance Committee meeting
23 June 2021	Attended meeting with Environment Canterbury Leadership team
24 June 2021	Attended Long Term Plan Audit meeting
	Attended Prime Minister visit in Ashburton
	Attended Three Waters update meeting
26 June 2021	Attended 5th Anniversary Celebration for Tongan Society
28 June 2021	Attended meeting with Zone 5 Chair
29 June 2021	Chaired People and Performance Committee meeting
	Chaired Tenders and Procurement Committee meeting
	Attended Three Waters update
	Chaired Council meeting
	Attended Rotary South Canterbury function
2 July 2021	Attended Future for Local Government workshop in Christchurch
5 July 2021	Attended Canterbury Health Review and Future of Local Government meeting with Canterbury DHB's
7 July 2021	Attended opening of Taumatakahu and Taiao buildings at Opihi College
9 July 2021	Spoke with OJ from the Breeze for monthly Mayoral Musing
	Met with South Canterbury Chamber of Commerce Board Members
12 July 2021	Met with Local MP Jo Luxton
	Attended Downlands Joint Standing Committee meeting
13 July 2021	Attended Council workshops
14-17 July 2021	Attended Local Government New Zealand Conference
16 July 2021	Attended Groundswell Protest in Blenheim
26 July 2021	Attended South Canterbury Rural Support meeting

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27 July 2021   Attended City Hub Project Steering Group meeting

                               Chaired Tenders and Procurement Committee meeting

                               Attended Council workshops

28 July 2021   Attended and spoke at Timaru District Council BA5 event

29 July 2021   Attended Peel Forest Outdoor Centre partnership meeting

In addition to these duties I met with 19 members of the public on issues of concern to them.

Functions Attended by the Deputy Mayor for the Period 21 June 2021 to 30 July 2021.

24 June 2021   Attended and Judged TBHS House Singing competition

29 July 2021   Attended Timaru District Council BA5 event

Attachments

Nil

8.2   Schedule of Functions Attended by the Chief Executive

Author: **Jacky Clarke, Executive Assistant to Chief Executive**

Authoriser: **Bede Carran, Chief Executive**

Recommendation

That the report be received and noted.

Functions Attended by the Chief Executive for the Period 18 June 2021 and 30 July 2021.

18 June 2021	Attended Canterbury Civil Defence Emergency Management Meeting
	Meeting with General Manager of Arowhenua Marae
	Meeting with representatives from Bank of New Zealand
21 June 2021	Meeting with Chief Executive Venture Timaru District
22 June 2021	Meeting with Chief Executive Prime Port Timaru
	Attended workshop on Three Waters Reform Support Package
23 June 2021	Attended meeting with Environment Canterbury Leadership Team
24 June 2021	Attended Local Government New Zealand Three Waters Update
29 June 2021	Attended People and Performance Committee Meeting
	Attended Tenders and Procurement Meeting
	Attended Council Meeting
1 July 2021	Meeting with Audit New Zealand
2 July 2021	Meeting with Chief Executive Venture Timaru District
	Attended Equip Board Meeting
5 July 2021	Meeting with Chief Executives of Fire and Emergency New Zealand and National Emergency Management Agency
	Attended Rangitata River Restoration Project - Steering Group Meeting
8 July 2021	Meeting with Environment Canterbury Regional Manager for South Canterbury
9 July 2021	Meeting with Regional Civil Defence Group Controller
13 July 2021	Attended Council Workshops
14 July 2021	Attended Emergency Council Meeting
15 July 2021	Attended Local Government New Zealand Conference
16 July 2021	Attended Local Government New Zealand Conference
17 July 2021	Attended Local Government New Zealand Conference
20 July 2021	Attended Standing Committee Meetings

	Attended Council Meeting
	Attended Theatre Royal and Heritage Hub Project Steering Group Meeting
21 July 2021	Meeting with General Manager of Arowhenua Marae
22 July 2021	Meeting with General Manager Timaru District Holdings Limited
	Meeting with Chief Executive Venture Timaru District Limited
	Meeting with Chair of Audit and Risk Committee
	Attended Local Government New Zealand Three Waters Update
27 July 2021	Attended Tenders and Procurement Meeting
	Attended Council Workshops
28 July 2021	Meeting with Deloitte Partner
	Meeting with representatives of Ara Institute of Canterbury Ltd
	Attended Timaru District Council Business After 5 Event
29 July 2021	Attended Timaru District Holdings Board Meeting

Meetings were also held with various ratepayers, businesses and/or residents on a range of operational matters.

Attachments

Nil

9   Reports

9.1   Affixing of the Common Seal

Author: **Jo Doyle, Governance Advisor**

Authoriser: **Bede Carran, Chief Executive**

Recommendation

That the affixing of the Common Seal to the following document be noted:

2 June 2021   Warrants of Appointment
9 July 2021   Warrants of Appointment

Purpose of Report

1   To report the affixing of the Common Seal to Warrants of Appointment.

Attachments

1.   **Warrants of Appointment - 23 June 2021** ⇩ 🄿
2.   **Warrants of Appointment - 9 July 2021** ⇩ 🄿

TIMARU

DISTRICT COUNCIL
Te Kaunihera ā-Rohe
o Te Tihi o Maru

Approval of warrants

I, Bede Carran, Chief Executive of the Timaru District Council have delegated authority pursuant to clause 8.2.2 of the Timaru District Council delegations manual to appoint and authorise the Council Officers listed in the table below, and issue warrants to those Council Officers under the relevant legislation and the Council's bylaws, including delegating the exercise of powers under those warrants, and affixing the Council's common seal to warrants. I hereby approve the attached warrants.

Bede Carran

Nigel Bowen

23/6/21

Date

1/3 #1428708

TIMARU

DISTRICT COUNCIL
Te Kaunihera ā-Rohe
o Te Tihi o Maru

███████████	Building Control Manager
███████████	Building Control Officer Team Leader Compliance
████████████	Building Control Officer Team Leader Approvals
███████████	Building Control Officer
███████████	Building Control Officer
████████████	Building Control Officer
███████████	Building Control Officer
████████████	Building Control Officer
██████████	Building Control Officer
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█████████	Building Control Officer
█████████████	Building Control Officer
██████████	Building Control Officer
█████████	Building Control Officer
██████████	Compliance Monitoring Officer
████████████	Compliance Officer
█████████	Compliance Officer
█████████	Wastewater Treatment Operator
██████████	Water Services Reticulation Engineer
█████████	Drainage and Water Manager
██████████	Drainage Technician
████████	Water and Drainage Services Technician
██████	Water Services Reticulation Technician
██████████	Trade Waste Officer
█████████	Water Services Operations Engineer
███████████	Water Services Stimulus Package Technical Specialist
██████████	Wastewater Treatment Operator
█████████	Water Treatment Technician
█████████	Wastewater Treatment Operator
████████	Water Services Technician
██████████	Water Services Project Manager - Capital Expenditure
█████████	Wastewater Treatment Team Leader
████████	Water Services Projects Engineer
█████████	Wastewater Treatment Operator
██████████	Stormwater Specialist
██████████	Water Services Engineer
████████████	Water Services Project Manager - Capital Expenditure
████████	Stormwater Engineer
█████████	Water Treament Operator
████████████	Water Treament Operator

2/3 #1428708

TIMARU

DISTRICT COUNCIL
Te Kaunihera ā-Rohe
o Te Tihi o Maru

████████████	Water Treament Operator
████████████	Licensing Inspector & Enforcement Officer
██████	Licensing Inspector
█████████████	Environmental Health Officer, Enforcement Officer & Licensing Inspector
████████████	Environmental Health Officer, Enforcement Officer & Licensing Inspector
███████████	Environmental Health Officer, Enforcement Officer & Licensing Inspector
███████████	Environmental Health Support Officer, Enforcement Officer & Licensing Inspector
███████	Environmental Health Officer, Enforcement Officer & Licensing Inspector
████████	Environmental Health Officer, Enforcement Officer & Licensing Inspector
██████	Environmental Health Support Officer, Enforcement Officer & Licensing Inspector
████████████	Animal Control Officer
████████████	Animal Control Officer
███████████	Animal Control Officer
█████████	Bylaws Monitoring Officer
█████████	Animal Control Officer
████████	Bylaws Monitoring Officer
█████████	Parking Warden
████████	Parking Warden
██████	Parking Warden
█████████	Parking Warden
█████████	Group Manager Environmental Services
█████████	Survey Technician
█████████	Roading Design Technician
████████	Projects Officer
████████	Infrastructure Planner
█████████████	Road Network Operations Technician
█████████	Road Compliane Officer
██████████	Senior Planner
██████████	Senior Planner
█████████	Team Leader Consents & Compliance
█████████	Subdivision & Compliance Officer
█████████	Resource Consent Monitoring Officer
███████	Planner
█████████	Planner
████████	Senior Planner
██████████	Waste Transition Officer
█████████	Waste Advisor
███████████	Waste Administrator
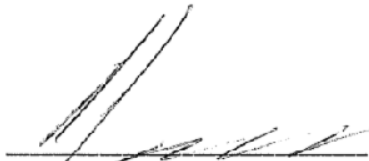
3/3 #1428708
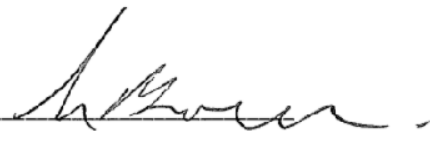
Approval of warrants

I, Bede Carran, Chief Executive of the Timaru District Council have delegated authority pursuant to clause 8.2.2 of the Timaru District Council delegations manual to appoint and authorise the Council Officers listed in the table below, and issue warrants to those Council Officers under the relevant legislation and the Council's bylaws, including delegating the exercise of powers under those warrants, and affixing the Council's common seal to warrants. I hereby approve the attached warrants.

Bede Carran

9/7/21

Date

Bowen

Contractor	Organisation
█████████████	First Security
█████████████	First Security
█████████████	First Security
█████████████	First Security
█████████████	First Security
█████████████	First Security

#1431572

9.2 Contracts Let By Tenders and Procurement Committee

Author: **Jo Doyle, Governance Advisor**

Authoriser: **Andrew Dixon, Group Manager Infrastructure**

Recommendation

That the following information on a contract let by the Tenders and Procurement Committee be received.

Contract Description	Number of Tenders	Price Range	Successful Tenderer and Price
Contract 2522 – Timaru and Waimate District Council Resurfacing Contract 2021-2023	**3**	**$8,544,263.90 to $9,998,229.68**	Fulton Hogan Limited $8,544,263.90
Contract 2522 - Tenders were evaluated using Timaru District Council price quality method.			
Contract 2536 – Timaru Richard Pearse Airport – Partial Runway Reseal 2021	**2**	**$2,033,592.93 to $2,399,071.90**	Downer NZ $2,033,593.93
Contract - Tenders were evaluated using Timaru District Council weighted attributes method.			

All prices exclude GST

Purpose of Report

1   To advise of contracts let by the Tenders and Procurement Committee.

Attachments

Nil

9.3   Delegations Manual

Author: **Erik Barnes, Acting Group Manager Commercial and Strategy**

Authoriser: **Bede Carran, Chief Executive**

Recommendation

That Council:

1.   Receives the report: Timaru District Council Delegations Review 2021

2.   Approves the delegations to the Chief Executive;

3.   Approves the removal of delegations for committees and sub committees from the delegations manual; Noting these are approved under separate resolution by Council (October 2019 and November 2019 Ordinary meetings);

4.   Receives and notes, as updates, the Financial Delegations, Statutory Delegations and Non-Statutory Delegations contained in the Delegations Manual (June 2021) from the Chief Executive to Council Officers.

5.   Notes the Legal Authority and Reserved Powers to Council noted in Section 1.2 of the Delegations Manual including those under clause 32(1) schedule 7 of the LGA.

Purpose of Report

1   To obtain Council's approval of the delegations to the Chief Executive.

2   To provide Elected Members with the updated delegations to the Chief Executive, and for Council information, those required from the Chief Executive to Council Officers such as to conduct the business and operations of Timaru District Council.

Assessment of Significance

3   This matter does not require consultation under Council's significance and engagement policy. Delegations support Council in the effective and efficient delivery of its services and activities. It does not affect levels of service, the retention or disposal of assets or budget allocations for the delivery of the services and activities.

Discussion

4   As a statutory body Council exercises its powers and functions by delegations to various officers. The delegations are provided on an as required basis so that there is an effective and efficient administration of its functions, activities and services. Officers must act according to and within the delegations provided to them and so delegations are important part of our administration. Delegations should be reviewed regularly to ensure that they are fit for purpose and fit the roles of various officers in carrying out their functions.

5   More specifically the purpose of the delegations in the manual are to assist the Council in:

    5.1   achieving the goals and objectives recorded in any Long Term Plan, annual plan, strategic plan or other approved documents;

5.2   implementing Council's decisions; and

5.3   carrying out Council's statutory roles and functions as provided in but not limited to legislation, regulations, policies, bylaws, standards.

6   The delegations recorded in the manual will ensure the Council meets the needs of its customers and suppliers in a timely, appropriate, efficient and effective manner.

7   The review and update of the delegations manual includes: a review of delegations to ensure Council staff positions are aligned with appropriate delegations to enable staff to conduct Council business; checks to ensure satisfactory delegations are in place for staff to have appropriate warrants; removal of authority to carry out statutory declarations; the removal of delegations for committees and sub committees to a separate document; creation of a separate financial schedule; and addition of a section for delegations by position to improve clarity for staff delegations.

8   To enhance the separation of Governance and Operations and to improve efficiencies the delegations for committees and sub committees have been removed. At its inaugural Council meeting in October 2019, it was resolved to establish Committees and Sub-Committees and confirmed member composition and delegations of these groups at that time. Council also resolved at that time to form or confirm its Community Boards with agreed delegations. Further delegations were agreed by Council and conferred on Sub-Committees in November 2019, following the confirmation of these groups by the newly appointed Sub-Committee Chairs, and following Council formation in October 2019. These decisions are recorded in Council's Minutes.

9   The Local Government Act (2002) requires Local Authorities to record all delegations, from Council to Committees and Chief Executive, and from Chief Executive to Council Officer. The Delegations Manual (June 2021) is the output and record of the reviewed delegations relevant to Timaru District Council's operations.

10   Council retains a number of delegations which cannot be further delegated including to the Chief Executive. These are specified in clause 32(1) schedule 7 of the LGA and listed in the Delegations Manual section 1.2 "Legal Authority and Reserved Powers to Council".

11   The governing body appoints only one employee, the Chief Executive. The Chief Executive is the Council's principal administrative officer and as a consequence of his or her employment contract, is delegated all of those tasks and accountabilities necessary for the Council to function and operate effectively and efficiently.

12   For the purpose of performing his or her duties, the Council delegates to the Chief Executive all of its responsibilities, duties and powers to act on any matter, subject to the restrictions set out in the Delegations Manual, as per the Local Government Act 2002.

13   The Chief Executive may delegate to any other officer of the Council any of his or her powers except any power that the law requires only the Chief Executive to exercise.

14   The purpose of the delegations in the Delegations Manual are to assist Council in achieving the goals and objectives recorded in any Long Term Plan, annual plan, strategic plan or other approved documents. The delegations recorded will assist Council in meeting the needs of its customers in a timely, efficient and effective manner.

15   The update in the documentation of delegations in the Delegations Manual (June 2021) consisted of the following:

15.1   Council engaged Anderson Lloyd to review the operative delegations in line with changes to legislation or regulatory effect. The recommendations from that review have been included in the updated manual.

15.2   The Building Act 2004 (s15) requires Council, as a Building Consent Authority, to undergo routine assessment in order to maintain certification and continue to process and issue building consents through to Code of Compliance Certification. Delegations are currently recorded in both the Delegations Manual and a separate BCA Delegations Register. Anderson Lloyd's review has included the specific requirements of the Building Act 2004 including subsequent amendments. A single and definitive document is now possible, being the Delegations Manual (June 2021).

15.3   International Accreditation New Zealand (IANZ) is the independent body appointed by Ministry of Building Innovation and Employment (MBIE) to undertake assessment of each Building Consent Authority (BCA). The latest assessment of Timaru District Council as a BCA was concluded in February 2020 with audit recommendations, notably around updates to seismic assessment and earthquake prone building works, updated and now recorded in the Delegations Manual (June 2021).

15.4   Unit and Group Managers have been actively responsible for the review of amendments to this Manual and subsequent update as a result of staff title changes and both regulatory and non-regulatory changes.

Relevant legislation, council policy and plans

16   Local Government Act 2002

17   Building Act 2004

18   Council Operative Delegations Manual (January 2020).

Attachments

1.   Delegations Manual (under separate cover)

9.4   Risk Management Framework

Author: **Ernest Bernard, Risk and Assurance Manager**

Authoriser: **Erik Barnes, Acting Group Manager Commercial and Strategy**

Recommendation

That Council adopts the revised Risk Management Policy and Risk Management Framework that has been endorsed by the Audit and Risk Committee.

Purpose of Report

1   To provide Council with the revised Risk Management Policy and Risk Management Framework that has been endorsed by the Audit and Risk Committee for adoption.

Assessment of Significance

2   This matter does not require consultation under Council's significance and engagement policy. The Risk Management Policy and Risk Management Framework support Council in the effective and efficient delivery of its services and activities. It does not affect levels of service, the retention or disposal of assets or budget allocations for the delivery of the services and activities.

Background

3   The purpose of risk management is the creation and protection of value. It improves performance, encourages innovation and supports the achievement of objectives.

4   The revised Risk Management Policy consists of formal statements of principles that indicate how the TDC will respond to risks. It is a high level risk statement that establishes a principle-based approach towards risk management. The risk management policy is proposed to be updated as attached.

5   The principles of the risk management policy are outlined in the Risk Management Framework and provides detailed guidance on the characteristics of effective and efficient risk management, communicating its value and explaining its intention and purpose.

6   The purpose of the draft Risk Management Framework is to provide the basis for the development and maintenance of a coordinated set of activities to respond to risks that may affect the ability of the Timaru District Council (TDC) to achieve its Long Term Plan (LTP) and strategic objectives.

Discussion

7   At the end of 2019 Timaru District Council (TDC) carried out a review of TDC's Risk Management Framework.   This was carried out with the assistance of risk management experts Navigatus Consulting.

8   The review identified a number of enhancements for TDC to consider to ensure risk management adds greater value to the organisation, in three main areas:

8.1   Clarification of the scope of risk management activities;

8.2 Enhancement of the risk management process; and

8.3 Refinement of the Risk Management Policy and development of guidelines for risk management.

9 The recommendations from that review were approved by the Audit and Risk Committee in December 2019. The main areas of the review was actioned by:

9.1 Reviewing and updating the Risk Management Policy; and

9.2 Developing a Risk Management Framework to provide a structured process to identify potential threats and to define the strategy for eliminating or minimising the impact of these risks.

10 The Risk Management Policy provides a consistent process to enhance efficient operations, effective processes and successful strategies that increase the likelihood of achieving the best outcomes for the district and the Council by:

10.1 Ensuring risk-based information is available to support good decision-making

10.2 Providing assurance that risks are being appropriately addressed and managed, and

10.3 Ensuring compliance with applicable legislation and regulation.

11 The Council's Audit and Risk Committee considered the revised risk management policy and framework at the 9th of March 2021 meeting and recommended that they be put forward to Council for adoption.

Options and Preferred Option

12 To adopt the Draft Risk Management Policy and Draft Risk Management Framework.

Consultation

13 Risk management experts, Navigatus, was engaged at the end of 2019 to carry out a review of TDC's Risk Management Framework.

14 The Councils Audit and Risk Committee discussed and provided direction with a recommendation to Council to adopt the policy and framework.

Relevant Legislation, Council Policy and Plans

15 The Risk Management Framework is based on the Australia/New Zealand Risk Management Standard AS/NZS ISO 31000:2018

Attachments

1. **Draft Risk Management Policy** ⇩ 📄
2. **Draft Risk Management Framework** ⇩ 📄

Risk Management Policy

Approved by	Council
Date Approved	

1.0 Purpose

Policy Objectives

To provide a consistent process to enhance efficient operations, effective processes and successful strategies that increase the likelihood of achieving the best outcomes for the district and the Council by:

- Ensuring risk-based information is available to support good decision-making
- Providing assurance that risks are being appropriately addressed and managed, and
- Ensuring compliance with applicable legislation and regulation.

The purpose of risk management is the creation and protection of value. It improves performance, encourages innovation and supports the achievement of objectives. The principles are outlined in the Risk Management Framework and provides detailed guidance on the characteristics of effective and efficient risk management, communicating its value and explaining its intention and purpose. The principles are the foundation for managing risk and should be considered when establishing the organization's risk management framework and processes. These principles should enable an organization to manage the effects of uncertainty on its objectives.

2.0 Background

Principles

The Council's approach to risk management is consistent with the International Standard ISO 31000:2018 Risk management guidelines. That Standard states that effective risk management should be:

- Integrated
  Risk management is an integral part of all organizational activities

- Structured and comprehensive
  A structured and comprehensive approach to risk management contributes to consistent and comparable results.
  - Customized
    The risk management framework and process are customized and proportionate to the organization's external and internal context related to its objectives.

1

- Inclusive
  Appropriate and timely involvement of stakeholders enables their knowledge, views and perceptions to be considered. This results in improved awareness and informed risk management.

- Dynamic
  Risks can emerge, change or disappear as an organization's external and internal context changes. Risk management anticipates, detects, acknowledges and responds to those changes and events in an appropriate and timely manner.

- Best available information
  The inputs to risk management are based on historical and current information, as well as on future expectations. Risk management explicitly takes into account any limitations and uncertainties associated with such information and expectations. Information should be timely, clear and available to relevant stakeholders.

- Human and cultural factors
  Human behaviour and culture significantly influence all aspects of risk management at each level and stage.

- Continual improvement
  Risk management is continually improved through learning and experience.

Objectives

Risks are defined in relation to relevant objectives.

At the highest level, Council's objectives are expressed through its Vision of:
- Fantastic sustainable lifestyle second to none
- Thriving and innovative economy where opportunities abound
- Strong and enviable reputation and identity
- Inspiring, people-focused leadership

In addition, the Council's Community Outcomes are:
- High quality infrastructure to meet community and business needs
- Smart, diversified economic success and growth supported and enabled
- Communities that are safe, vibrant and growing
- People enjoying a high quality of life
- A strong identity forged and promoted
- A valued, healthy and accessible environment

2

Risks

Risks can be positive or negative.

Risks can also be 'risks to Council' or 'risks to the district'.
Positive risks, or opportunity risks, should be embraced, in a cost-effective manner, to the extent that they help Council or the district to meet its objectives.
Negative risks should be managed in a cost-effective manner so that they do not detract from Council or the district meeting its objectives.
In tabular form these concepts can be shown as follows:

	Negative risk	Positive risk
District risks	3 Understanding risks to the district achieving its strategic objectives and Council's role in managing those risks	4 Understanding opportunities for the district and Council's role in developing those opportunities
Council risks	1 Understanding and managing risks to Council and its immediate stakeholders achieving strategic objectives	2 Understanding and exploiting opportunities for Council

Council's initial approach will be to focus on quadrant 1 while remaining aware of the responsibilities and possibilities under quadrants 2, 3 and 4.

Council is establishing a comprehensive formal risk management framework that principally focuses on quadrant 1 risks. This approach will be reviewed in time.

3

3.0   Key Definitions

- **Control** is a process, policy, device, practice or other action that reduces the likelihood of a risk event occurring or reduces the potential consequence of that risk event should the risk event occur.

- **Council** means the entity known as the Timaru District Council and includes the governing body and the organisation.

- **Governing body** means the Mayor and Councillors.

- **Mitigation** is a process, policy, device, practice or other action that is intended to reduce the consequence of a risk event after the risk event has occurred.

- **Organisation** means the operations, processes and staff of Timaru District Council led by the Chief Executive.

- **Residual risk** is the risk remaining after risk treatment. (ISO 31000/2018)

- **Risk** is the effect of uncertainty on objectives. (ISO 31000/2018)

- **Committee responsible for risk** means the Audit and Risk Subcommittee, or a subsequent Committee of Council established with similar roles, responsibilities and powers.

- **Risk event** is an occurrence or a change in a particular set of circumstances that gives rise to a risk.

- **Risk management** is the coordinated activities to direct and control an organisation with regard to risk. ISO 31000/2018)

- **Risk management framework** is the combined suite of tools and processes, including this policy and supporting procedures, by which Council manages risk.

- **Risk Register** is a schedule that records risks and the controls, mitigations, risk treatments, and accountabilities associated with those risks.

- **Risk treatment** is the process to modify risk. (ISO 31000/2018)

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4.0 Policy

Commitment to risk management

Council recognises that early and systematic identification, analysis and assessment of risks and the development of plans for managing risk are necessary to achieve its desired objectives. As such, Council is committed to identifying, analysing, assessing and appropriately managing the risks to achieving its objectives.

Risk management is the responsibility of everyone.

Council encourages intelligent and informed risk-taking and risk-acceptance in pursuit of its objectives.

It is the Policy of Timaru District Council to ensure the risks that it is exposed to are either avoided or if it is not possible or practicable to avoid those risks that they are managed to an acceptable level of exposure.

Identification of risks

All staff members are empowered, and expected, to identify and communicate risks. Identified risks will be recorded in a risk register.

Where, for whatever reason, direct reporting lines are not able to be used to communicate identified risks, alternative methods will be made available. These will include, but not be restricted to, direct notification to Group Managers or the Chief Executive.

Analysis of risks

Risks will be analysed to determine potential causes, the likelihood of occurrence, and the potential consequences if they do occur.

The causes, likelihood and consequence will be recorded in the risk register.

In accordance with the principle that risk management is tailored to the organisation, the analysis of risks will reflect the relevant objectives of the Council, organisation, group, unit or project.

For the high-level 'corporate risk management plan:

- The potential consequences if a risk event occurs will be assessed in accordance with the Consequence Table included as Attachment 1.
- The likelihood of a risk event occurring will be assessed in accordance with the Likelihood Table included as Attachment 2
- The assessments of the likelihood of a risk event occurring and the potential subsequent consequences will be considered together in accordance with the Risk Matrix included as Attachment 3.

The analysis of risks at subsidiary levels will be undertaken in a manner consistent with the above but may be tailored to suit the relevant circumstances.

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Evaluation of risks

Analysed risks will be evaluated against criteria to determine whether a risk is tolerable in its current state or whether further action is required.

The evaluation of risks will consider established risk tolerances for such risks, as well as any risk-specific factors.

In the first instance the evaluation of risk will include reference to the Risk Response table included as Attachment 4.

Treatment of risks

Where residual risk is considered to be too high, risk treatments will be applied to reduce the residual risk to an acceptable level.

In considering risk treatments consideration will be given to both the costs and effort involved in the treatment and the potential benefit from the risk reduction.

Risk treatment can involve:

Avoiding a risk by deciding not to start or continue with the activity that gives rise to the risk.

- Taking or increasing risk in order to pursue an opportunity
- Removing the risk source
- Changing the likelihood of the risk occurring
- Changing the consequence if the risk occurs
- Sharing the risk with another party or parties, or
- Retraining the risk by informed decision.

Recording of risks

Risks, controls and mitigations will be recorded in a Corporate Risk Register.

A high level organisation-wide 'corporate risk register' will be maintained to record and report on risks of Council-wide significance.

Subsidiary risk registers will be prepared as appropriate throughout the organisation. These may include, but will not be limited to:
- Group risk registers
- Activity risk registers (within Activity Management Plans)
- Asset risk register (if appropriate to be separate from Activity Management Plans)
- Specialists risk register (for example, health and safety)
- Project risk registers, and
- Any other risk registers relevant to helping Council achieve its objectives.

Subsidiary risk management plans will be prepared as appropriate throughout the organisation. These may include, but will not be limited to:
- Group risk management plans
- Activity risk management plans (within Activity Management Plans)
- Asset risk management plans (if appropriate to be separate from Activity Management Plans)
- Specialists risk management plans (for example, health and safety)
- Project risk management plans, and
- Any other risk management plan relevant to helping Council achieve its objectives.

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Reporting of risks

Identified risks, and the associated controls, mitigations and accountabilities, will be reported in accordance with the Risk Response table included as Attachment 4.

Risk management plans will be reported regularly to both the Management Team and the Committee responsible for risk.

Accountability for risks

Specific accountability for each risk, control and mitigation will be identified and recorded in a risk management plan.

Roles and responsibilities

Assigning specific responsibilities to specific roles provides clarity and strengthens the overall risk management framework.

Governance	Responsibility
Council	To be assured that an effective risk management framework is in place and that risks are being appropriately managed. Establish Councils risk appetite statement/tolerance to risk.
Committee responsible for risk	Subject to the governing body's delegated authority, the Committee responsible for risk has responsibility to: • Review the risk management framework • Recommend the Council's appetite for risk • Oversee the management of risk • Consider matters related to the quality assurance and internal controls in the organisation including by enquiry and monitoring of risk matters • Advise the governing body on matters of risk and provide objective advice and recommendations for the governing body's consideration

Management	Responsibility
Chief Executive	Approve the risk management framework and recommend it to the Committee responsible for risk. Lead and promote a risk aware culture across the organisation. Implement the risk management framework across the organisation. Ensure risks are appropriately managed

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Management	Responsibility
Management Team	Endorse the risk management framework and champion it to the organisation.

Monitor effective implementation of the risk management framework across the organisation.

Receive and consider risk registers on a quarterly basis

Receive and consider other risk-related reports on an as-required basis.

Provide direction on risk tolerance at a general and risk-specific level.

Periodically review the risk management framework to ensure it remains appropriate. |
| Group Managers | 'Own' risks relevant to, or arising from, their groups.

Lead and promote a risk aware culture within their groups. |
| Group Manager Commercial and Strategy | Develop and maintain the risk management framework.

Facilitate the population and ongoing review of the high level 'corporate risk management plan'.

Manage the interface between subsidiary risk management plans and the high level 'corporate risk management plan'.

Advise on potential risk treatments for identified risk.

Consider and, where necessary, challenge the risks, controls, mitigations and accountabilities included (or not included) in risk management plans across the organisation.

Support unit managers to implement the risk management framework in their divisions and teams.

Lead the integration of risk management principles into other Council decision-making processes. |
| Unit Managers | Develop, populate and manage the risk management plan for their unit in accordance with the risk management framework.

'Own' risks relevant to or arising from, their teams.

Lead and promote a risk aware culture within their units. |
| Staff and Contractors | Provide support in identifying risk.

As appropriate, 'own' risks, controls or mitigations. |

Relevant Delegations
The Chief Executive or his/her nominee has delegated authority for the implementation of this policy.

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References and Relevant Legislation
ISO 31000:2018 Risk Management Guidelines (

Attachments: 1   Consequence Table
                      2   Likelihood Table
                      3   Risk Matrix
                      4   Risk Response Table

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Attachment 1

Categories and Descriptors of Consequence

	1	1	2	3	4	5
		Insignificant	**Minor**	**Moderate**	**Major**	**Extreme**
Achievement of the Vision and Community Outcomes	No impact on the Vision and Community Outcomes	Inconvenience or delay in achieving the Vision and Community Outcomes	Significant difficulty introduced to achievement of the Vision and Community Outcomes Lost opportunity to contribute positively to one or more of the Vision and Community Outcomes	Failure to achieve a specific community Outcome Lost opportunity to significantly advance a specific Community Outcome	Failure to achieve multiple Community Outcomes Lost opportunity to significantly advance multiple Community Outcomes
Financial	Financial impact up to $100k	Financial impact of over $100k to 250k	Financial impact of over $250k to $1M	Financial impact of over $1M to $5M	Financial impact of more than $5m
Health and Safety (customers, staff, contractors)	Minor injury, first aid not required	First aid or minor treatment	Medical treatment required	Serious harm, for example broken bones, hospitalisation	Loss of life; multiple serious harms; permanent severe disability
Service delivery to community	Short-term reduction in service delivery which is easily restored and does not compromise	Reduced service delivery that does not compromise the community's h3ealth and wellbeing	Key service not available to some of the community for ten hours or more	Key service not available to a significant portion of the community for two days or more	Key service not available to a large proportion of the community for one week or more

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				Continued severe service degradation for one week or more	Continued severe service degradation for one month or more
the community's health and wellbeing		Continued service degradation for two days or more			

	1	2	3	4	5
	Insignificant	**Minor**	**Moderate**	**Major**	**Extreme**
Organisational capability and capacity	Temporary problem with organisational capability resulting in no impact on external service delivery	Loss of organisational capability in some areas resulting in sub-optimal support to external delivery activities	Organisation unable to function for less than 10 hours Serious reduction in organisational capability for one week or more	Organisation unable to function for more than 10 hours Serious reduction in organisational capability for two weeks or more	Organisation unable to function for more than two days Serious reduction in organisational capability for one month or more
Reputational	Negative feedback from individuals Short-term 'letters to the editor' (or online equivalent) commentary	Short-term loss of confidence among small sections of the community Regional adverse political or media comment for one or two days Sustained 'letters to the	Short-term and manageable loss of community confidence Regional adverse political or media comment for more than two days Significant social media commentary or	Loss of community confidence requiring significant time to remedy National adverse political or media comment for more than two days Regional adverse	Insurmountable loss of community confidence National adverse political or media comment for more than one week Requirement for (televised) public apology or defence

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		editor' (or online equivalent) commentary in usual sources	campaign from new sources	political or media comment for more than one week Requirement for (televised) public explanation	Adverse comments or questions in Parliament
Legislative / regulatory compliance	One-off minor regulatory or legislative non-compliance with no direct impact on the community's health or wellbeing	One-off minor regulatory or legislative non-compliance with potential impact on the community's health or wellbeing	Complaint to the Ombudsman, Auditor-General or other statutory office Multiple related minor non-compliances due to an underlying systemic issue Significant breach or non-compliance resulting in regulatory scrutiny	Significant breach or non-compliance, or multiple breaches or non-compliances, resulting in regulatory action and/or restrictions on Council activities	Court proceeding or criminal action for breach or non-compliance; potential for imprisonment of elected member or staff Judicial review on a matter of rates or other funding, or on a matter with significant financial impact

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Attachment 2

Categories of <u>Likelihood</u>

Almost certain	90% or greater chance of occurring in next 12 months or Certain to occur in next 5 years and It would be unusual if this didn't happen
Likely	60% to 90% chance of occurring in next 12 months or Expected to occur in next 5 years and It would be unusual if this didn't happen
Possible	25% to 60% chance of occurring in next 12 months or Likely will occur in next five years and Occurrence is always possible
Unlikely	2% to 25% chance of occurring in next 12 months or Expected to occur once every 5 to 20 years and May occur
Rare	Up to 2% chance of occurring in next 12 months or Could occur once every 50 or more years and Will only occur in exceptional circumstances

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Attachment 3
Risk Rating Matrix

LIKELIHOOD		Insignificant	Minor	Moderate	Major	Extreme
	Almost certain					
	Likely					
	Possible					
	Unlikely					
	Rare					
		Insignificant	**Minor**	**Moderate**	**Major**	**Extreme**

CONSEQUENCE

SEVERITY RATING

LOW	MEDIUM	HIGH	EXTREME

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Attachment 4

Risk Response

Overall risk rating	Action	Reporting
Extreme	Urgent and active management required. Risk treatment plan must be implemented immediately to reduce the risk exposure to an acceptable level. Regular reporting required.	Immediate notification to Audit and Risk Committee, Chief Executive and relevant Group Manager. Advise Group Manager Commercial and Strategy to allow tracking of risk.
High	Management attention is required. Risk treatment plan required. Regular reporting required.	Notification to relevant Group Manager. Advise Group Manager Commercial and Strategy to allow tracking of risk.
Medium	Management responsibility to monitor. Focus on ensuring internal controls are effective and monitoring the ongoing risk.	Included on management-level risk registers Group Manager Commercial and Strategy to review risk registers periodically.
Low	Can be monitored using routine practices. Focus on ensuring internal controls are effective.	Included on management-level risk register. Group Manager Commercial and Strategy to review risk registers periodically.

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Revision	Owner	Date Approved	Approval By	Next Review	Doc Ref
	Chief Executive				

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Draft Risk Management Framework

Document Control					
Version No.	Date	Revision Details	Author	Endorsed	Approved
1.0		Draft for consultation	Ernest Bernard	GM Commercial and Strategy	
1.1		Draft incorporating changes following consultation	Keiran Horne	Audit and Risk Committee	
1.2		Final version			

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Acknowledgements

Risk and Assurance acknowledge those who created and implemented the existing Risk Management Framework, processes and tools at the Timaru District Council. These have created the foundation and context of this framework.

Further, the 'Risk management – Principles and guidelines', ISO AS/NZS 31000:2018 resource documents have been relied on for development of this framework.

Contents

Acknowledgments

1.   Purpose

The purpose of the Risk Management Framework is to provide the basis for the development and maintenance of a coordinated set of activities to respond to risks that may affect the ability of the Timaru District Council (TDC) to achieve its Long Term Plan (LTP) and strategic objectives.

The framework outlines the plans, relationships, accountabilities, resources, processes, and activities that need to be undertaken to manage risk.

The framework is based on ISO 31000:2018 and aims to establish a framework that follows the principles that risk management is:

- Integrated – Risk Management is an integral part of all organisational activities.

- Structured and Comprehensive – A structured and comprehensive approach to risk management contributes to consistent and comparable results.

- Customized – The risk management framework and process are customized and proportionate to the organization's external and internal context related to its objectives

- Inclusive – Appropriate and timely involvement of stakeholders enables their knowledge, views and perceptions to be considered. This results in improved awareness and informed risk management.

- Dynamic – Risks can emerge, change or disappear as an organization's external and internal context changes. Risk management anticipates, detects, acknowledges and responds to those changes and events in appropriate and timely manner.

- Best available information – The inputs of risk management are based on historical and current information, as well as on future expectations. Risk Management explicitly takes into account any limitations and uncertainties associated with such information and expectations. Information should be timely, clear and available to relevant stakeholders.

2.   Scope

This framework applies to all areas of TDC's business, including its infrastructure, community services, administrative, project and commercial activities. All business units are responsible for their own risk management activities and provide reports on the status of risk to TDC's Audit & Risk Committee periodically (every two-monthly) and at the request of the Committee.

3.   Benefits

The Risk Management Framework and associated activities:

- Link risk management to TDC's planning processes – this provides a structured approach to the identification and management of risks that could impact on TDC's strategic and operational objectives.

- Improve the quality of decision making by providing methods and approaches for the exploration of threats and opportunities.

- Support a culture of openness that encourages staff to identify risks and respond appropriately.
- Contribute to a robust and ethical culture of excellence in corporate governance.
- Provides assurances to the Councillors, Mayor, Chief Executive and SLT that critical risks are being managed.
- Helps to ensure that suppliers and contractors are aware of TDC's expectations regarding risk.

4.   Risk Governance

Risk governance refers to the culture and arrangements developed by TDC to manage the risk to its LTP and strategic objectives. It includes leadership, accountabilities and oversight and is an essential part of TDC's overall governance responsibilities.

Effective risk governance:

- Guides required risk management behaviours.
- Establishes consistent processes.
- Drives informed decision making.

The alignment of corporate and business planning to the Risk Management Framework is an essential component of good governance and provides value to decision makers as it will:

- Identify what could impact TDC's objectives.
- Provide an opportunity to develop strategies to minimise the impact.
- Support decisions on how much risk can be taken to achieve an objective.

4.1   Risk Appetite

TDC's risk appetite is the shared view of the Councillors, its Committees and the senior leadership team, and refers to the type and amount of risk that TDC is prepared to accept or avoid to achieve its strategic objectives.

The risk appetite influences and guides decision making, clarifies strategic intent and helps to ensure choices align with the capacities and capabilities of TDC. Ideally it will be aligned to the strategic objectives.

In pursuing its vision, mission and strategic objectives TDC will accept a level of risk proportionate to the expected benefits to be gained, and the impact or likelihood of damage.

The Council has a high appetite for taking risk to achieve its aspirational objectives and low appetite for taking risk where there is a likelihood of significant financial damage, harm to the public and our staff, or breach of regulatory obligations.

TDC shall seek to formally identify and appropriately manage all potentially major and significant risks. Thresholds for identifying and managing less significant risks shall take account of the time and resources required for such activities.

The risk appetite established helps determine the criteria and scales for assessing the consequence of the risk and hence the risk rating (refer Appendix 4).

4.2 The Three Lines of Defence

The Three Lines of Defence Model is designed to ensure the effective and transparent management of risk by making accountabilities clear. Each of the three lines has a distinct role in TDC's governance and oversight. The Council, its Committees and senior management are the primary stakeholders that are served by the established lines and are in a position to ensure that the three lines of defence are reflected in TDC's risk management control processes.

- First line of defence - TDC Operations and operational management has ownership, responsibility and accountability for directly assessing, controlling and mitigating risks.

- Second line of defence - consists of oversight and support functions such as Risk Management, Compliance, Quality, Finance.

- Third line of defence - Internal Audit, External Audit, regulators and other independent assurance providers who independently challenge both the first and second lines of defence.
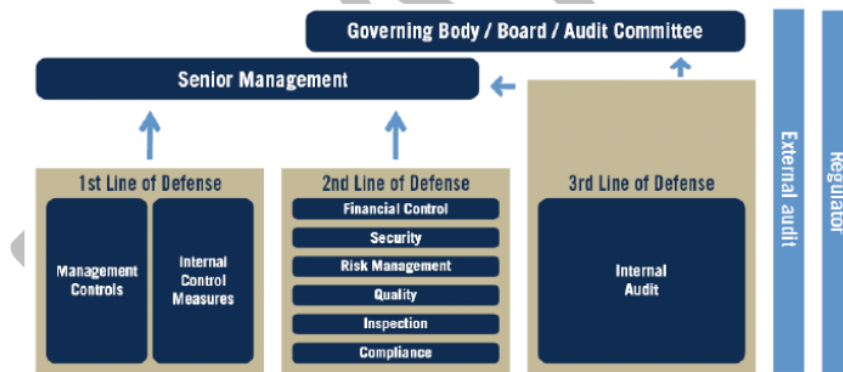
The Three Lines of Defence model[1]

4.3 Audit & Risk Committee

At each meeting of the Audit & Risk Committee, a high-level status report and commentary on risk management will be provided as part of standard reporting to the Committee. A key focus of the Committee will be assurance that:

- Risks are clearly understood and managed to appropriate levels of exposure

- New and emerging risk are identified and assessed

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[1] The Institute of Internal Auditors. (2013) *The Three Lines of Defence in Effective Risk Management and Control.* Almonte Springs. IIA Global

In addition, risks assessed as high or very high will be reported to the Committee via the Corporate Risk Register. The Corporate Risk Register will include significant and aggregated risks drawn from subsidiary registers maintained for Groups, Projects, Health & Safety, and Legal Compliance.

4.4   Risk Management Policy

The Risk Management Policy outlines the intent of TDC with respect to risk management and describes governance arrangements and expectations. It provides guidance and helps to clarify expectations regarding attitude, awareness and accountabilities relating to risk management. A copy of the Risk Management Policy will be loaded on TDC's website once it has been approved by Council.

5.   The Risk Management Process

The risk management process is best summarised in the following diagram drawn from ISO 31000:2018 Risk Management Guidelines. The *principles* of risk management are incorporated into a *framework* that employs a structured *process* for the identification, treatment and communication of risk.
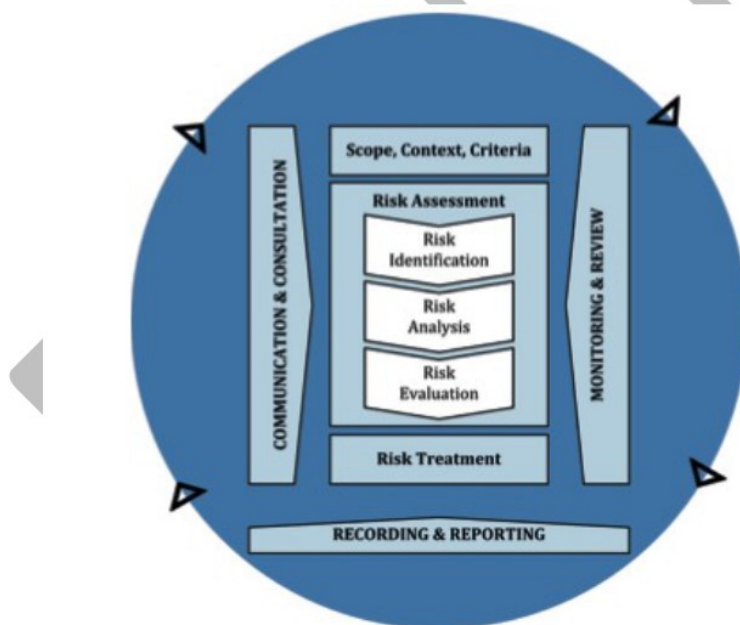
ISO 31000:2018 Risk management process

5.1   Establish the Context

The objectives, scope and parameters of the activity where the risk management process is to be applied, should be established. The context may vary according to the activity under review and may involve an evaluation of the following:

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External Context

- The social, cultural, political, legal, regulatory, financial, technological, economic, natural, and competitive environment in which the activity occurs.

- Key drivers and trends.

- Stakeholder interests and perceptions.

Internal Context

- Strategic and/or operational objectives of TDC and activity.

- TDC's structure, culture, roles and responsibilities.

- Policies, procedures, and guidelines.

- Capabilities and resources.

- Information flows and decision-making processes (both formal and informal).

- Reports, surveys, questionnaires, business plans, audits, records or people that could provide expert judgement or knowledge.

5.2   Risk Identification

The aim of the risk identification process is to generate a list of risks based on events that might enhance, prevent, accelerate or delay the achievement of strategic or operational objectives. The identification process should include all significant risks, regardless of whether or not the source of the risk is under the control of TDC.

Risk identification should include sources of quantitative or qualitative data in the identification process to assist in the analysis of the risk and the application of risk ratings i.e. past records, industry practice, knowledge experts, and performance indicators.

Common approaches to identifying risks include:

- Workshops

- Brainstorming sessions

- Benchmarking

- Questionnaires

- Interviews and meetings with stakeholders

Risk descriptions should be specific and avoid broad statements and "types" of risk e.g. 'Health & Safety'; 'Information Technology'. Such descriptions are less informative and may make the identification of controls and risk mitigation strategies difficult. Incidents or issues are the materialisation of potential risk and are evidence of an underlying risk with treatment plans focussing on managing the incident or the issue itself (rather than on proactively preventing the incident or issue from occurring).

The broad categories of risk provided in **Appendix 3** may assist with the identification and subsequent aggregation of risks.

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5.3   Risk Analysis

Risk analysis and risk evaluation (refer part 5.4) are separate activities but are frequently undertaken together.

Risk analysis involves developing a greater understanding of a risk and provides the basis upon which subsequent decisions regarding treatment options are made. The causes and sources of risk and the potential impact of the risk occurring are considered together with the likelihood of an event occurring.

Step 1 – Inherent (unmanaged) risk – Consequence and Likelihood

The consequence of the risk occurring should be assessed as if that there are no controls in place. The tables in Appendix 4 provide guidelines for this assessment.

The likelihood of the more sever consequence occurring should then be assessed on the basis that there are no controls in place using the tables provided in **Appendix 5**.

This establishes the 'inherent' or unmanaged risk rating.

Step 2 – Assess Existing Controls

The effectiveness of existing controls to mitigate risk is then assessed during this analysis. Advice on controls should be sourced from the **risk owner** (providing their assessment is objective), although specialist advice may be required depending on the nature of the risk.

To determine the effect of existing controls, look at what systems, procedures and practices currently exist to control the risk in question. There are a wide range of mechanisms that can be used.

Examples of common controls include:

- Delegated Authority
- Committees
- Internal and External Reporting
- Published Policies, procedures and guidance material
- Qualifications
- Insurance
- Employment management techniques including screening, objectivs and reviews
- Training and required learning
- Position descriptions
- Code of conduct
- Reconciliations
- Segregation of duties
- Audits, reviews and investigations
- Checklists, templates
- Personal protective equipment
- Physical access controls

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- IT firewalls
- Passwords
- Independent checks
- Project Planning
- Establishing work flows and process documentation

Step 3 - Residual (Managed) Risk

The effectiveness of existing controls will influence the consequence and/or likelihood ratings to determine the level of residual risk.

A simple and reasonable approach is to consider whether the controls are:

- Fully effective and reliable.
- Partially effective and reliable.
- Ineffective and unreliable.

It may not be possible to accurately assess the effectiveness of existing controls and the residual risk rating may be an intuitive assessment by those most familiar with the risk.

The level of detail produced during the analysis phase will vary, depending on the risk and the purpose of the analysis. The analysis can also be qualitative or quantitative and should involve key stakeholders and knowledge experts where appropriate.

5.4   Risk Evaluation

The purpose of risk evaluation is to assess the level to which identified risks may be verified which risks can be accepted as is and which risks require treatment and determine priorities for implementing risk treatments. These should be made in accordance with legal and regulatory requirements and include the potential likelihood and consequences of a risk eventuating.

Risk evaluation should also take into account the degree of control over each risk and the cost impact, benefits and opportunities presented by the risk.

5.5   Risk Treatment

Risk treatment involves selecting one or more options for modifying risks, and implementing those options.

Options for treating risks are usually not mutually exclusive and may include the following approaches:

- Avoid – do not start or continue with the activity that gives rise to the risk.
- Transfer or share risk – through contracts, partnerships, risk financing, insurance, etc.
- Reduce – implement controls and other treatments to reduce the impact or likelihood of an event.
- Accept – retain the risk by informed decision and develop a contingency plan if appropriate to minimise the impacts should they arise.

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The following questions may also help to decide the options to treat risks:

- What is the feasibility of each treatment option?
- What is the cost of implementing versus the benefits?
- What is the extent of risk treatment versus the benefits?
- What are the resources needed (staff, funds, technical)?
- Do the risk treatments comply with legal requirements, government and organisational policies including those concerning access, equity, ethics and accountability?
- What opportunities are created by the risk?

After careful consideration, risk treatments may also involve decisions to take or increase the risk in order to pursue an opportunity for TDC.

The most appropriate treatment option involves balancing costs against benefits together with due regard to legal, regulatory and other requirements such as social responsibility, the mission and the strategic objectives of TDC and the safety of the public or staff.

If, after treatment, there remains an unacceptably high residual risk, a decision should be taken about whether to retain this risk, repeat the risk treatment process, continue to monitor and review the risk or cease the activity which gives rise to the risk.

The actions required based on the residual risk ratings can also be found in the Risk Rating/Classification table in Appendix 3.

Risk Treatment Plans

For significant risk issues it may be appropriate to develop a detailed risk treatment plan that outlines the treatment options and the priority in which they will be implemented. The plans should ideally include:

- Proposed treatment actions.
- Responsibilities for approving the plan and implementing the plan.
- Resourcing requirements.
- Reporting and monitoring requirements.
- Timeframes for completion including the frequency of review of the treatment plan.
- Ongoing monitoring of risk outcomes and reduction outcomes

Preferably treatment options should be embedded into practices and processes.

Contingency Plans

A contingency plan is an action or set of activities that will be implemented once a trigger is reached and it is used to help manage a risk as it shifts towards being an issue. A trigger may be an event, a threshold, a date or other item that indicates that it is time to put plans into action. Contingency plans should be developed for risks that are unlikely or rare but if realised, would have a substantive impact, but may be developed for any level of risk.

The plans should ideally include:

- Trigger, timeline and actions.

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- Realistic goals/objectives and the purpose of the plan.

- Actions and proposed responses.

- Responsibilities of nominated staff.

5.6   Communication and Consultation

Stakeholders relevant to each particular risk should be identified and communication and consultation with stakeholders should occur at all stages of the risk management process and plans to communicate risks, causes, impacts, and treatments. This will help with the development of:

- Ensure the interests of stakeholders are understood.

- Bring different areas of expertise together to better analyse risk and reduce uncertainty.

- Assist with the development of risk criteria.

- Secure endorsement and support for the treatment of risk.

Stakeholders are people who are, or perceive themselves to be directly affected by a decision or activity and can supply essential information and valuable feedback during the risk analysis process.

Stakeholders are likely to make judgments about risk based on their perceptions. These can vary due to differences in values, needs, assumptions and concerns as they relate to the risks or the issues under discussion. Since the views of stakeholders can have a significant impact on the decisions made, it is important to identify and document their differing perception of risks and benefits.

Communication is essential if a risk is to be well understood and this understanding is essential if people are to appreciate the role they play in managing a risk

Communications Plan

A Communications Plan can be used to ensure that:

- All stakeholders have been identified.

- Consistent messages are sent to relevant stakeholder groups.

- Risk messages are sent out at times and with a frequency that supports business objectives and follows business planning cycles.

The template provided in Appendix 7 can be used to develop a communication approach. The plan should link to the risk mitigation strategies and provide a summary of key risk management communications planned over a period, typically 1 year.

Communications could include:

- Regular reports on the status of the risk management process for the Council, ; Audit & Risk Committee; or senior management.

- Reports to Project Teams and other stakeholders identified when establishing the context.

- Invitations to periodic risk assessment workshops/meetings as nescessary.

- Articles to be included in staff newsletters, intranet etc.

- Risk management progress reports included in reporting cycles e.g. project reports, annual reports.

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5.7   Risk Monitoring and Control

Monitoring and review is an essential and ongoing component of the risk process and is undertaken in order to:

- Detect any changes in the internal or external context.

- Identify emerging risks.

- Assess the performance of treatment options.

- Assess if a risk has changed and requires escalation, or is no longer valid and can be archived.

The reviews may be self-initiated or undertaken by independent assessors such as internal or external auditors.

Ideally, active risks should be a standing item on Business Units, Group, Corporate and Committee/Council meeting agendas.

5.8   Risk Management Process Summary

Process Step	Step Summary	Tools & Resources
Step 1 Establish the Context	• Establish the external, internal and risk management context in which the rest of the process will take place. Reference risk categories, such as, legal or regulatory requirements and the objectives to be achieved.	• Operational or Strategic Plans • Financial data • Stakeholder input • Subject matter experts • Workshops • Risk Categories • Environmental scam
Step 2 Risk Identification	• Identify where, when, why and how events could prevent, delay or enhance the achievement of operational or strategic objectives.	• Risk categories • Reports, audits and reviews • Historical data/trends • Stakeholder input • Subject matter experts • Workshops
Step 3 Risk Analysis	• Analyse identified risks to determine the level of inherent risk. • Identify and evaluate existing controls. • Revise likelihood and impact ratings to gauge the level of residual risk.	• Risk Classification Table • Risk Matrix
Step 4 Risk Evaluation	• Evaluate risks by comparing the level found during the analysis process with the risk categories established. • Consider resources required to address or pursue risk.	• Cost/benefit assessments • Risk appetite statement • Risk Categories
Step 5 Risk Treatment	• Develop and implement specific strategies/controls and action plans to mitigate/pursue risk.	• Risk Register • Risk Treatment Plan

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		• Contingency Plan
Steps 6 Communicate and Consult	Continual Process: Monitor and review the effectiveness of all steps taken in the risk management process. Communicate and consult with internal and external stakeholders.	• Stakeholders • Communications Plan • Workshops • Interviews
Steps 7 Monitor and Review	Continual Process: Monitor and review the effectiveness of all steps taken in the risk management process. Monitor, record and report on risks and the effectiveness of treatment measures to ensure that changing circumstances do not alter priorities.	• Reports, audits and reviews • Risk Registers

6.   Related Assurance Frameworks and Plans

The Risk Management Framework is the means by which intelligence regarding risk across the entire Council is identified and aggregated. This information is used to support the achievement of TDC's mission and strategic objectives by proactively responding to threats and providing an additional source of guidance when pursuing opportunities. There are a number of key frameworks and activities at TDC that identify and respond to risk that support the development and implementation of TDC's framework:

6.1   Project Risk and Issues Management Framework

The Project Risk and Issues Management Framework has been designed to ensure TDC has an effective system in place to manage risks within the project environment.

The framework provides a management tool to project participants conducting projects on behalf of TDC. It has the following goals that align with TDC's Risk Management Framework:

- Facilitate the achievement of TDC's strategic and project goals by managing risks that could otherwise create barriers.

- Apply risk management practices as part of long term and day-to-day project planning and decision making.

- Develop a culture of openness that encourages project participants to quickly identify risks and to respond appropriately.

- Facilitate continual improvement of TDC project activities.

- Create a robust and ethical culture of excellence in corporate and project governance.

- Provide assurance to the Chief Executive, Council and the Project Control Group (PCG) that critical risks are being managed effectively.

A Risk Register is maintained for each major project.

6.2   Workplace Health & Safety

TDC is committed to providing a safe and healthy workplace for employees and visitors. Accordingly, TDC actively seeks to comply with the relevant Workplace Health and Safety legislation, codes of practice, guidelines, and standards.

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The health and safety management structure supports and facilitates the development of health and safety policies, risk registers, risk control strategies, hazard management processes, defines responsibilities, and ensures open communication on health and safety issues.

TDC also maintains an online Health and Safety management system. The system allows all staff, contractors and visitors to TDC premises to report any health and safety related event on site.

Further information regarding workplace health and safety management systems can be accessed on TDC's website or by contacting the Health and Safety Officer.

6.3   Legal Compliance Framework

A Legal Compliance Framework is currently under development.

6.4   Emergency Management Planning

The Emergency Management Plan sets out the arrangements for a co-ordinated action by TDC in response to an emergency.

These emergencies cover a very wide field of possible events that include:

- Natural disasters such as flooding, earthquake, or storms.
- Hazardous substance, leaks, or spills.
- Terrorism.
- Violence.
- Criminal activity and unrest.

TDC's main objectives in its initial response to all emergencies are:

- To protect human life and alleviate suffering, and, as far as possible, protect property and reputation.
- To support the continuity of everyday activity and the restoration of disrupted services at the earliest possible time.

The Emergency Management Plan supports these objectives by providing a clear and organised response strategy supported by pre-defined response procedures and agreed priorities.

Further information regarding emergency management planning can be accessed on TDC's website or by contacting the Emergency Management Advisor.

6.5   Business Continuity Management

TDC's Business Continuity Management Framework is currently being developed, further information can be obtained from the Group Manager People and Digital.

6.6   Disaster Recovery Planning

The Disaster Recovery Plan provides guidance on how to respond to Information Technology Services disasters where critical information technology services are physically damaged due to fire, flood, electrical failure, sabotage by personnel, malicious attack or some other harmful event. The Plan is designed to help ensure TDC is able to:

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- Ensure the availability of services.

- Minimise loss and facilitate recovery of core IT infrastructure assets.

- Preserve TDC's public image and reputation within the community.

- Prevent the disaster from threatening TDC's long term stability and viability.

- Heighten organisational awareness, allow for advanced preparation and workforce education and training.

For further information regarding Disaster Recovery Planning contact Information Technology Services.

6.7 Internal and External Assurance/Audit

TDC management is responsible for ensuring that satisfactory systems of internal control are in place to ensure that the financial information produced is reliable, that TDC assets are safeguarded and that TDC resources are used efficiently and effectively.

One of the mechanisms for ensuring that these objectives are achieved is the establishment of an independent Internal Audit function. The Internal Assurance/Audit function reviews accounting records, management information systems and other administrative policies and practices throughout TDC and reports outcomes to the Audit & Risk Committee. The role includes the identification and recommendation of measures to achieve greater effectiveness, efficiency and economy. It also assesses non-compliance with policies or regulatory requirements and contribute to measures to prevent fraud and corruption.

The integrity of internal controls is also routinely assessed by TDC's external auditors when undertaking financial statement audits.

Risk and Assurance reviews TDC's insurance strategy on an annual basis, taking into account the risk profile, the prevailing status of the insurance market and TDC's risk appetite

6.8 Financial Management Assurance

The Financial Services Unit contributes to the mitigation of financial risks through its maintenance of financial planning, performance and reporting systems. Significant strategic and operational matters relating to budgets, business cases and forecasting are managed by its financial and management accounting functions. The Finance Office also:

- Mitigates risk associated with procurement.

- Prepares the annual financial statements.

7. Emerging Risks

In order to identify emerging risks, TDC will develop and maintain a Risk Data Management (RDM) system. The database will be populated with information arising from incidents and near miss events that are routinely reported from across all areas of TDC i.e.

- Workplace Health & Safety - reportable incidents and aggregated data (Vault system).

- Key Risk Indicators – metrics established when significant risks are first identified or when the negative impact of a risk significantly increases.

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- Services - complaints and issues reported from both internal and external sources.

- Learning from Adverse Events - the outcomes of investigations, audits, reviews and organisational learning processes.

- Governance - in the course of their business it is anticipated that the various Council Committees and controlled entities will identify new and emerging risks.

- Data analysis −other metrics relating to performance, workforce, finance and quality extracted from major corporate IT systems (Finance, Human Resource).

This data will be aggregated and reviewed by Risk and Assurance and the outcomes used to co-ordinate a proactive response to emerging risk.

8. Training and Support

To ensure that adequate risk management competency levels are achieved and maintained, TDC will provide regular training courses in the risk management process and its application in TDC.

Specific risk management training sessions will also be held with business units on a regular basis, aimed at providing an overview of the Risk Management Framework. The training will be facilitated by Risk and Assurance. Additional ad-hoc training will also be provided as required/on request.

9. Roles and Responsibilities

The roles and responsibilities of the Council, Audit and Risk Committee and staff are detailed in the Risk Management Policy which can be accessed on TDC website. Additional roles include:

Risk and Assurance Manager
- Undertakes regular independent reviews of the adequacy and effectiveness of the Risk Management Framework and related risk management processes.

- Reports outcomes to the Audit & Risk Committee.

Risk Owner
- Monitors the status of their assigned risks.

- Advises the owner of the Risk register on the appropriateness of responses to the risk and control measures.

- Confirms that control and risk mitigation measures are in place and working effectively.

Action Owners
- Inform the relevant Risk Owner of any issues relating to the implementation of assigned actions.

- Manages and allocates resources to ensure that the mitigating actions they are responsible for are undertaken and completed within the time frame specified.

- Updates their assigned risks in the Risk Register located in RM8 when they occur or at the time of quarterly reporting to the Audit & Risk Committee.

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10. Risk Escalation and Reporting

10.1   Escalation

Risks recorded in the subsidiary Risk Registers maintained for Project Management, Legal and Health & Safety may be escalated and included in the Corporate Risk Register. This will occur if the risk represents an issue that has the potential to hinder achievement of the strategic objectives detailed in Long Term Plan and the underlying activities. The decision to escalate a risk will invariably be based on professional judgement. However, if there is any uncertainty staff are encouraged to refer the matter to Risk and Assurance Manager.

Risk and Assurance also reviews risks rated as High and Extreme risks in subsidiary risk registers with a view to escalation where:

- There has been a significant adverse change in the status of a significant risk.
- To reflect the aggregated significance of similar risks presenting on several risk registers.

10.2   Reporting

The Subsidiary and Corporate Risk Registers should be regularly reviewed and updated, ideally on at least a monthly basis. A full review will be undertaken on a quarterly basis and outcomes will form part of progress reports to the Audit & Risk Committee. Reporting deadlines will be communicated to staff at the commencement of each calendar year.

Reports to the Audit & Risk Committee will include:

- All High and Very High corporate risks.
- An executive summary of significant changes in TDC risk profile.
- Commentary on significant residual risks and associated mitigation efforts.

10.3   Closing of Risks

A risk should only be closed when the circumstances which give rise to the risk cease.

Where a risk is managed to a level that is no longer serious it does not mean that the risk has ceased, simply that it is well managed. If the risk is closed, the management activities might be reduced and the risk could become serious again.

The Audit & Risk Committee is to be formally notified when closing High and Extreme risks maintained in the Corporate Risk Register. This notification will form part of regular risk reports to the Committee at each Committee meeting. It is envisaged that this would be rare.

10.4   Risk Registers

The Risk Registers will be located RM8 which is accessible from TDC's website and instructions for accessing the Registers can be obtained from Risk and Assurance.

The registers have been designed to capture risks, facilitate an enterprise-wide response to risk and provide a means for recording risks and the active mitigation of risk.

Access to RM8 is controlled and, whilst the information it contains is not strictly confidential, it is for internal use only and access should be on a needs-to-know basis only.

Please note that workplace health and safety issues should still be reported separately in accordance with TDC's Health & Safety Policy. The Health & Safety Officer will in turn determine which health and safety issues will be escalated from its system to the Corporate Risk Register.

With the exception of workplace health and safety, all Groups are required to maintain registers on RM8– any exceptions should be communicated to Risk and Assurance.

11. Contact Information

For further information regarding the Risk Management Framework contact Risk and Assurance.

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Glossary of Terms

Context - *the internal and external environment that is considered when commencing a risk assessment, it helps define the scope of activities and is used to define risk criteria.*

Controls - *the measures that modify or reduce risk. Controls include any process, policy, device, practice or other action that reduces negative risks or contains them to an acceptable level.*

Corporate Risks - *those that may have a major impact on the strategic objectives of TDC in the delivery of its objectives or the achievement of performance measures. Corporate risks are listed in the Corporate Risk Register, which is the responsibility of the Group Managers*

Group Risks - *those which would seriously inhibit the achievement of the aims and objectives of a Group.*

Governance - *the framework by which an organisation is directed and controlled.*

Issue - *an event that has happened or which has a high likelihood of happening that may impede the achievement of objectives if not resolved. Issues are not risks.*

Inherent Risk - *the initial assessment of the impact and likelihood of a risk prior to considering any existing controls, i.e., in the absence of controls.*

Impact (or **consequence**) - *the outcome of an event which impact objectives either positively or negatively. The impact may be certain or uncertain and may be expressed qualitatively or quantitatively.*

Legal Compliance Programme - *system for identifying and monitoring compliance with legislation that raises employee awareness of legal obligations and aims to embed a compliance culture in the organisation.*

Likelihood - *the chance of something happening, whether defined, measured or determined objectively or subjectively, qualitatively or quantitatively.*

RM8 - *TDC's electronic document and records management system.*

Residual Risk - *the risk remaining after risk treatment/application of controls.*

Risk - *an uncertain event or condition that, if it occurs, has a positive or negative effect on objectives. It is often expressed in terms of a combination of the impact of an event and the associated likelihood of occurrence.*

Risk Appetite - *the amount and type of risk that an organisation is willing to pursue or retain.*

Risk Assessment - *the overall process of identifying, analysing, and evaluating risks. It may also be referred to as 'risk profiling' and may involve a qualitative and/or quantitative assessment.*

Risk Attitude - *refers to TDC's approach to assess and eventually pursue, retain, take, or turn away from risk.*

Risk Management - *coordinated activities to direct and control an organisation with regard to risk.*

Risk Management Framework - *the set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation.*

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Risk Matrix - a tool for ranking and displaying risks by defining ranges for impacts and likelihood.

Risk Owner - the person or entity with the accountability and authority to manage a risk.

All risks in the risk register are 'owned' by a single named individual on the understanding that it may take shared responsibility to mitigate the risk successfully. Ownership of corporate risks is assigned by the Chief Executive. Ownership of Group risks is assigned by the Group Manager.

Risk Profile - description of any set of risks. It is a structured approach to the identification and assessment of risk. The output of the risk identification and assessment process is a completed risk profile i.e. a Risk Register or in a graphical/chart format.

Risk Register - a document containing the results of the qualitative risk analysis, quantitative risk analysis, and risk response planning. The register includes identified risks, descriptions, category, cause, likelihood of occurring, impact on objectives, mitigation strategies, owners, and status. The risk register facilitates standardised reporting of risks within the approved TDC governance framework.

Stakeholder - a person or organisation that can affect, be affected by or perceive themselves to be affected by a decision or activity.

Note: Definitions are in some instances, paraphrased from the **Joint Australian New Zealand International Standard Risk Management,** pp 2-5 [ISO 31000:2018].

Appendices

1. Risk Management Principles

2. Risk Appetite Summary and Statement

3. Categories and Descriptors of Consequence

4. Categories of Likelihood

5. Risk Rating/Classification Table

6. Risk Response

7. Communication Plan Template

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Appendix 1: Risk Management Principles

Principles
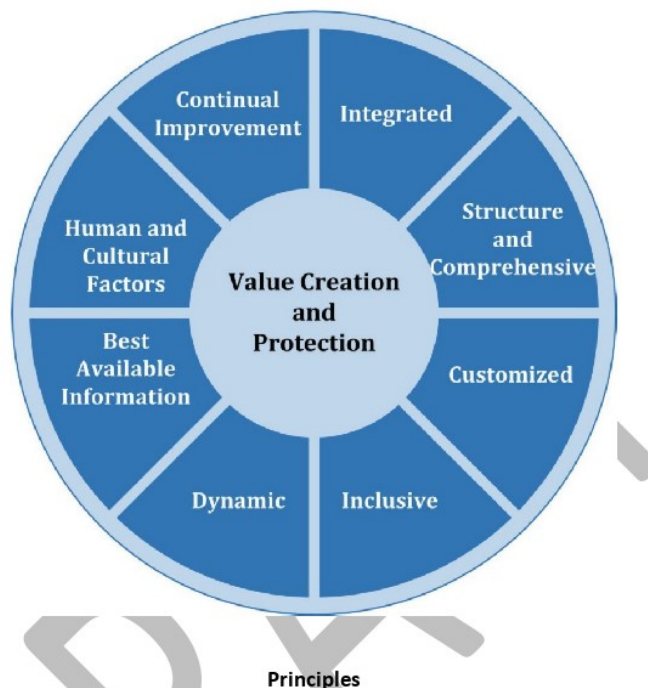
Effective risk management requires the elements of Figure 2 and can be further explained as follows:

a) **Integrated**

Risk management is an integral part of all organizational activities.

b) **Structured and comprehensive**

A structured and comprehensive approach to risk management contributes to consistent and comparable results.

c) **Customised**

The risk management framework and process are customized and proportionate to the organization's external and internal context related to its objectives.

d) **Inclusive**

Appropriate and timely involvement of stakeholders enables their knowledge, views and perceptions to be considered. This results in improved awareness and informed risk management.

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e) **Dynamic**

Risks can emerge, change or disappear as an organization's external and internal context changes. Risk management anticipates, detects, acknowledges and responds to those changes and events in an appropriate and timely manner.

f) **Best available information**

The inputs to risk management are based on historical and current information, as well as on future expectations. Risk management explicitly takes into account any limitations and uncertainties associated with such information and expectations. Information should be timely, clear and available to relevant stakeholders.

g) **Human and cultural factors**

Human behavior and culture significantly influence all aspects of risk management at each level and stage.

h) **Continual improvement**

Risk management is continually improved through learning and experience.

(Source: ISO 31000:2018)

Appendix 2: Risk Appetite Summary and Statement

Risk Appetite Summary									
	Low Appetite			Moderate Appetite			High Appetite		
	Accept little or zero risk, taking a cautious approach towards taking risk			A balanced and considered approach is adopted to taking risk			A more assertive or aggressive approach to taking risk is accepted to realise strategic objectives		
Strategic Growth						▓	▓	▓	
Financial		▓	▓	▓					
Compliance	▓	▓	▓						
Health & Safety	▓	▓							
Reputation				▓	▓	▓			

Area	TDC Risk Appetite Description
Strategic Growth	We want to be nimble, try new things and staff need to feel safe to fail in the environment we set for them.
Financial	As a publicly funded entity there is a need to ensure sound financial decision making that takes between a cautious to balanced approach towards taking risk.
Compliance	There is a low risk appetite for compliance areas which will result in a breach of regulation or have flow on implications to public health and safety. A moderate risk appetite where there is flexibility in the decision and we don't want to slow down business or community activity.
Health & Safety	A strong need to ensure a safe environment for staff, contractors and the community.
Reputation	A realisation that Councils have to make tough decisions in the short term for the benefit of long-term objectives, however it is important to ensure a strong and positive community engagement.

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Appendix 3: Categories and Descriptors of Consequence

	1	2	3	4	5
1	**Insignificant**	**Minor**	**Moderate**	**Major**	**Extreme**
Achievement of the Vision and Community Outcomes	No impact on the Vision and Community Outcomes	Inconvenience or delay in achieving the Vision and Community Outcomes	Significant difficulty introduced to achievement of the Vision and Community Outcomes Lost opportunity to contribute positively to one or more of the Vision and Community Outcomes	Failure to achieve a specific community Outcome Lost opportunity to significantly advance a specific Community Outcome	Failure to achieve multiple Community Outcomes Lost opportunity to significantly advance multiple Community Outcomes
Financial	Financial impact up to $100k	Financial impact of over $100k to 250k	Financial impact of over $250k to $1M	Financial impact of over $1M to $5M	Financial impact of more than $5m
Health and Safety (customers, staff, contractors)	Minor injury, first aid not required	First aid or minor treatment	Medical treatment required	Serious harm, for example broken bones, hospitalisation	Loss of life; multiple serious harms; permanent severe disability
Service delivery to community	Short-term reduction in service delivery which is easily restored and does not compromise the community's health and wellbeing	Reduced service delivery that does not compromise the community's h3ealth and wellbeing	Key service not available to some of the community for ten hours or more Continued service degradation for two days or more	Key service not available to a significant portion of the community for two days or more Continued severe service degradation for one week or more	Key service not available to a large proportion of the community for one week or more Continued severe service degradation for one month or more

	1	2	3	4	5
	Insignificant	**Minor**	**Moderate**	**Major**	**Extreme**
Organisational capability and capacity	Temporary problem with organisational capability resulting in no impact on external service delivery	Loss of organisational capability in some areas resulting in sub-optimal support to external delivery activities	Organisation unable to function for less than 10 hours Serious reduction in organisational capability for one week or more	Organisation unable to function for more than 10 hours Serious reduction in organisational capability for two weeks or more	Organisation unable to function for more than two days Serious reduction in organisational capability for one month or more
Reputational	Negative feedback from individuals Short-term 'letters to the editor' (or online equivalent) commentary	Short-term loss of confidence among small sections of the community Regional adverse political or media comment for one or two days Sustained 'letters to the editor' (or online equivalent) commentary in usual sources	Short-term and manageable loss of community confidence Regional adverse political or media comment for more than two days Significant social media commentary or campaign from new sources	Loss of community confidence requiring significant time to remedy National adverse political or media comment for more than two days Regional adverse political or media comment for more than one week Requirement for (televised) public explanation	Insurmountable loss of community confidence National adverse political or media comment for more than one week Requirement for (televised) public apology or defence Adverse comments or questions in Parliament

	1	2	3	4	5
	Insignificant	Minor	Moderate	Major	Extreme
Legislative / regulatory compliance	One-off minor regulatory or legislative non-compliance with no direct impact on the community's health or wellbeing	One-off minor regulatory or legislative non-compliance with potential impact on the community's health or wellbeing	Complaint to the Ombudsman, Auditor-General or other statutory office Multiple related minor non-compliances due to an underlying systemic issue Significant breach or non-compliance resulting in regulatory scrutiny	Significant breach or non-compliance, or multiple breaches or non-compliances, resulting in regulatory action and/or restrictions on Council activities	Court proceeding or criminal action for breach or non-compliance; potential for imprisonment of elected member or staff Judicial review on a matter of rates or other funding, or on a matter with significant financial impact

Appendix 4: Risk Rating/Classification Table

Categories of Likelihood Descriptors

Almost certain	5	90% or greater chance of occurring in next 12 months or Certain to occur in next 5 years and It would be unusual if this didn't happen
Likely	4	60% to 90% chance of occurring in next 12 months or Expected to occur in next 5 years and It would be unusual if this didn't happen
Possible	3	25% to 60% chance of occurring in next 12 months or Likely will occur in next five years and Occurrence is always possible
Unlikely	2	2% to 25% chance of occurring in next 12 months or Expected to occur once every 5 to 20 years and May Occur
Rare	1	Up to 2% chance of occurring in next 12 months or Could occur once every 50 or more years and Will only occur in exceptional circumstances

Appendix 5: Risk Map – Diagrammatic Representative of the Risk Rating

LIKELIHOOD		Insignificant	Minor	Moderate	Major	Extreme
Almost certain						
Likely						
Possible						
Unlikely						
Rare						
		Insignificant	Minor	Moderate	Major	Extreme
				CONSEQUENCE		

SEVERITY RATING

LOW	MEDIUM	HIGH	EXTREME

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Appendix 6: Risk Rating/Classification Table

Overall Risk (L X C)	Likelihood (L)	Consequence (I)	Risk Rating/Classification - Corporate/Groups	Risk Response
Extreme	Almost Certain	Very Serious	• Failure to achieve multiple Community Outcomes. Lost opportunity to significantly advance multiple Community Outcomes • Financial impact of more than $5million. • Detrimental impact on operations or major projects • Sustained loss in reputation • Key service not available to a large proportion of the community for one week or more. Continued service degradation for one month or more • Loss of public confidence with the Council • Contractual, legislative, or regulatory non-compliance with certain litigation • Loss of life; multiple serious harms; permanent severe disability	• Immediate notification to Audit & Risk Committee • Requires immediate CE/ Senior Management attention • Requires a detailed risk treatment plan within 30 days • Immediate notification to relevant Group Manager • Advise Group Manager Commercial and Strategy to allow tracking of risk.
High	Likely	Major	• Failure to achieve a specific Community Outcome. Lost opportunity to significantly advance a specific Community Outcome • Financial impact of over $1 million to $5 million. • Major impact on operations or major projects • Serious loss in reputation • Key service not available to a significant portion of the community for two days or more. Continued severe service degradation for one week or more • Probable loss of public confidence with the Council • Contractual, legislative, or regulatory non-compliance with probable litigation • Serious harm for example broken bones, hospitalisation	• Requires prompt senior management action/ attention • Requires a detailed risk treatment plan within 60 days • Reported to Audit & Risk Committee • Notification to relevant Group Manager. • Advise Group Manager Commercial and Strategy to allow tracking of risk.
Medium	Possible	Moderate	• Significant difficulty introduced to achievement of the Vision and Community Outcomes. Lost opportunity to contribute positively to one or more of the Vision and Community Outcomes	• Requires ongoing management of control effectiveness

Overall Risk (L X C)	Likelihood (L)	Consequence (I)	Risk Rating/Classification - Corporate/Groups	Risk Response
			• Financial impact of over $250,000 to $1 million. Moderate impact on operations or major projects • Short-term loss in reputation • Serious reduction in organisational capability for one week or more • Possible loss of public confidence with the Council • Contractual, legislative, or regulatory non-compliance with potential for litigation • Medical treatment required	• Manage by specific monitoring or response procedures • May require a risk treatment plan • Included on management-level risk registers • Group Manager Commercial and Strategy to review risk registers periodically.
Low	Unlikely	Minor	• Inconvenience or delay in achieving the Vision and Community Outcomes • Financial impact of over $100k to $250kMinor impact on operations or major projects • No loss in reputation • Minor impact on services or quality • No loss of public confidence with the Council • Contractual, legislative, or regulatory non-compliance but litigation unlikely • First aid or minor treatment	• Manage by routine procedures • Monitor control effectiveness by local management • May require a risk treatment plan • Included on management-level risk register. • Group Manager Commercial and Strategy to review risk registers periodically
	Rare	Insignificant	• Financial impact up to $100k • No Impact on the Vision and Community Outcomes • Minor injury, first aid not required	• Impact to be absorbed by daily business running costs or managed through routine procedures

Risk Rating Health and Safety

Overall Risk	Likelihood (L)	Consequence (C)	Health and Safety
Extreme	Almost Certain	Extreme	Life threatening: • Loss of life(s) • Major health and safety incident involving staff or members of the public • Multiple serious injuries • Permanent disability • Permanent ill-health
High	Likely	Major	Extensive injuries: • • Significant health and safety incident involving staff or members of the public • Long term illness/disability

Risk Rating Project Management

Overall Risk	Likelihood (L)	Consequence (C)	Project Management
Extreme	Almost Certain	Extreme	• Capital cost impact – 25% above budget with a minimum of $25k. • Significant project delay resulting in a legislative deadline not met and / or 40% or more of the project isn't completed within the financial year of planned completion • Consenting unobtainable • Catastrophic impact on project objectives, identified benefits, deliverables • Irreversible injury/illness, permanent disability or fatality • Level of Service not met • Dispute resulting in mediation and law suit (often as a result from omission of key matters in the contractual agreement)
High	Likely	Major	• Capital cost impact – 20% above budget with a minimum of $20k. • 25% or more of the project isn't completed within the financial year of planned completion • Consenting obtainable but late and /or with onerous conditions • Significant impact on project objectives, identified benefits, deliverables • Level of Service not met • Serious injury/illness – lost time of more than 4 days • Dispute resulting from omission of key matters in the contractual agreement resulting in mediation and law suit (often as a result from omission of key matters in the contractual agreement)

Overall Risk	Likelihood (L)	Consequence (C)	Health and Safety
Medium	Possible	Moderate	Minor injuries: • Possible hospitalisation • Numerous days lost • Short term illness
Low	Unlikely	Minor	Potential for injury: • Medical/ First Aid treatment required • Some days lost
Near Miss	Rare	Insignificant	No injuries: • Report, record and review.

Overall Risk	Likelihood (L)	Consequence (C)	Project Management
Medium	Possible	Moderate	• Capital cost impact – 15% above budget • Consenting obtainable late and /or with onerous conditions • Project 85% completed within the financial year of completion • Some impact on project objectives, identified benefits, deliverables
Low	Unlikely	(Minor	• Minor cost impact • Project almost completed (90%+) within the financial year of completion • Small impact on project objectives, identified benefits, deliverables
1 - 2	Rare	Insignificant	• Capital cost impact – specific to project • Other negligible impact on project objectives, benefits, deliverables.

Appendix 7: Risk Response

Overall risk rating	Action	Reporting
Extreme	Urgent and active management required. Risk treatment plan must be implemented immediately to reduce the risk exposure to an acceptable level. Regular reporting required.	Immediate notification to Audit Risk Committee Chair, Chief Executive and relevant Group Manager Advise Group Manager Commercial and Strategy to allow tracking of risk.
High	Management attention is required. Risk treatment plan required. Regular reporting required.	Notification to relevant Group Manager. Advise Group Manager Commercial and Strategy to allow tracking of risk.
Medium	Management responsibility to monitor. Focus on ensuring internal controls are effective and monitoring the ongoing risk.	Included on management-level risk registers Group Manager Commercial and Strategy to review risk registers periodically.
Low	Can be monitored using routine practices. Focus on ensuring internal controls are effective.	Included on management-level risk register. Group Manager Commercial and Strategy to review risk registers periodically.

Appendix 8: Communication Plan

Stakeholders/ Target Audience	Purpose / Objective of Communication	Key Message / Content	Communication Channel/ Method	Timing/ Date	Frequency	Communication Prepared By	Communication Approved By	Status
Internal:								
Council								
Chief Executive								
Management								
Project Team/s								
All Staff								
Specific Business Units/Groups								
External:								
Clients								
Business Partners /Suppliers								
Other Councils								
Media								

9.5   Orari-Temuka-Opihi-Pareora Water Zone Committee Letter of Shared Priorities

Author: **Joanne Brownie, Governance Support Officer**

Authoriser: **Erik Barnes, Acting Group Manager Commercial and Strategy**

Recommendations

1. That Council approves the Orari-Temuka-Opihi-Pareora Water Zone Committee Letter of Shared Priorities.

2. That Council notes the confirmation and implementation of changes to the role and function of the CWMS Zone Committees, as reviewed in 2020.

3. That Council confirms the revised CWMS Terms of Reference for the CWMS OTOP Water Zone Committee.

Purpose of Report

1   To approve the Draft Letter of Shared Priorities from the Timaru, Mackenzie, and Waimate District Councils and Environment Canterbury to the Orari-Temuka-Opihi-Pareora Water Zone Committee (OTOP).

Assessment of Significance

2   This matter is not significant according to the Significance and Engagement Policy as it has low impact on our community and levels of service.

Background

3   The Letter of Shared Priorities (attachment 1) supports the work of the OTOP Committee in working to achieve the shared outcomes and targets of the Canterbury Water Management Strategy (CWMS).

4   The letter covers the period July 2021 to July 2024.

5   The letter sets out the Councils' priorities in regard to water management in the OTOP zone and aims to:

   • provide the Timaru District Council with an update on the confirmation and implementation of changes to the role and function of zone committees designed to support the implementation of the Canterbury Water Management Strategy (CWMS).

   • provide the revised Canterbury Water Management Strategy's zone committee's Terms of Reference as confirmed by Environment Canterbury on 10 December 2020.

6   The Mayoral Forum, in 2019, affirmed the Canterbury Water Management Strategy and zone committees, and requested Environment Canterbury lead the development of advice on how to help zone committees' transition from a focus on policy and planning to one of implementation.

7   The Canterbury Mayoral Forum confirmed the revised Terms of Reference and the introduction of the Letter of Shared Priorities and Zone Committee Action Plans for the CWMS

zone committees at their meeting 27 November 2020. The revised Terms of Reference were then confirmed by the Regional Council (Environment Canterbury) on 10 December 2020.

8   Having been confirmed by the Regional Council, it is being provided to Territorial Authorities with the guidance they follow a similar confirmation process.

9   By May 2021, eight territorial authorities had drafted and/or confirmed their Letter of Shared Priorities.

10   Since their establishment, zone committees have played a lead role in their communities to advance recommendations that sub-regional sections of the Land and Water Regional Plan have been based.

Revised Zone Committee Terms of Reference

11   The proposed changes to the Terms of Reference for zone committees aims to provide committees with clarity on their purpose (uphold the mana of freshwater bodies within their zone by facilitating enduring land and water management solutions that give effect to the Canterbury Water Management vision, principles and targets in their zone) and to shift their focus to implementation.

12   The new functions of zone committees are to:

   a)   Facilitate community engagement and collaboration – continuing an active programme of engaging with communities on freshwater management matters; and

   b)   Facilitate the provision of advice through to councils (relevant Territorial Authorities and Environment Canterbury) and others (e.g. private sector) contributing to freshwater management; and

   c)   Enhance delivery capability and coalition of the willing – working with stakeholders across all sectors to extend the resources available to implement the CWMS, including connecting others to additional resources and seeking opportunities to promote, support, leverage and expand catchment-based initiatives that deliver the CWMS; and

   d)   Provide progress reports – annual progress reporting to Councils and Rūnanga on progress towards delivery of the zone-specific priorities and CWMS target areas identified in the Zone Committee Action Plan.

13   The intention is to have a generic Terms of Reference that apply across the Canterbury region. For three zone committees, Christchurch West Melton, Banks Peninsula and Selwyn Waihora, Christchurch City Council has requested their Terms of Reference be amended to enable an alternate for the Council's representative if/when the nominated representative is unavailable. Hurunui District Council is continuing to explore options for a new joint committee focused on water and land in the Hurunui district.

New Letter of Shared Priorities

14   A new tri-annual joint Letter of Shared Priorities from councils, and Rūnanga who choose to do so, has been introduced as a way for the Canterbury Water Management Strategy partners to clarify their priorities and expectations of zone committees.

15   The Letter of Shared Priorities aims to provide committees with specific regional and zone priorities that councils and Rūnanga wish to progress and would welcome opportunities to work in concert with zone committees. The Letter of Shared Priorities provides short-term (3 year), challenging but achievable goals, to help guide a zone committee's Action Plan.

16 The Letter is a more dynamic mechanism than the Terms of Reference and can respond to specific circumstances within a zone (e.g., recognise Co-Governance in Selwyn Waihora zone and Mackenzie Alignment in Upper Waitaki zone) and be amended and changed if councils and Rūnanga covering the zone agree.

17 A summary of the work Timaru District Council has underway that contributes to the Canterbury Water Management Targets and areas for further work was developed by Timaru District Council and Environment Canterbury staff in the Operations Forum. This summary has been used to develop a draft Letter of Shared Priorities for consideration.

18 Environment Canterbury, Waimate District Council and Mackenzie District Council have approved their priorities as listed in the letter.

Zone Committee Action Plans

19 Zone Committee Action Plans are another new mechanism that has been introduced to help committees focus on the actions they can take. When developing Action Plans zone committees are to work within their Terms of Reference, the CWMS and Targets and the Letter of Shared Priorities, and to be guided by Iwi Management Plans, Zone Implementation Plans and their Addendums and community engagement and feedback.

20 Committees will report, at least annually, to councils on the progress and actions they have taken to implement their Action Plan.

Discussion

21 The OTOP Facilitator Janine Roux will be in attendance to speak to the report and answer any questions.

Options and Preferred Option

22 To approve the letter as presented.

23 To amend the letter in respect of the Timaru District Council section.

Consultation

24 Rūnanga are invited to add their priorities to these Letters of Shared Priorities, if they wish to do so.

25 Zone committees are drafting and finalising their Action Plans for July 2021 – June 2024.

26 As part of the Fit for Future project (populating the CWMS with 2025 and 2030 targets) the Mayoral Forum reaffirmed their support for zone committees and then asked Environment Canterbury to lead further advice on how to help zone committees focus more on implementation.

Financial Implications

27 No financial implications are anticipated.

Relevant Legislation, Council Policy and Plans

28 Timaru District Council CWMS Work Programme

29 Canterbury Water Management Strategy

30 Canterbury Land and Water Plan

CWMS Terms of Reference

31   There will be significant uncertainty over the next few years for local communities and councils as a number of nationally led initiatives, such as the Essential Freshwater package, Three Waters Reform, the Draft National Policy Statement for Indigenous Biodiversity and responses to the Randerson Report are progressed. The recent court action taken by Ngāi Tahu seeking a declaration of their rangatiratanga over freshwater in their takiwā is another significant initiative currently underway. Zone committees' actions and work programmes will need to evolve as understanding of the implications of each of these initiatives becomes clearer.

Attachments

1.   **Draft letter of shared priorities** ⇩ 📄
2.   **Timaru District Council CWMS Work Programme** ⇩ 📄
3.   **CWMS Terms of Reference** ⇩ 📄
4.   **Timetable** ⇩ 📄

The Chairperson
Orari-Temuka-Opihi-Pareora Water Zone Committee

Dear Lucy Millar,

Timaru, Mackenzie, Waimate District Councils and Environment Canterbury Priorities for the Period July 2021 — July 2024

We would like to take this opportunity as the Mayors of Timaru, Mackenzie, and Waimate District Councils and Chair of Environment Canterbury to convey our Councils' priorities as they relate to water management in Canterbury and identify where our council would like the assistance of the Orari-Temuka-Opihi-Pareora (OTOP) Zone Committee over the period July 2021 — July 2024.

A fundamental principle of the Canterbury Water Management Strategy (CWMS) is that we need to work together to achieve our shared outcomes and targets. Our councils are committed to working together alongside Papatipu Rūnanga and communities for better freshwater and biodiversity outcomes in the zone. As such, we have set out the priorities of our councils, and to seek your assistance to support the implementation of the CWMS.

Timaru District Council Priorities
The Timaru District Council is committed to continue supporting the OTOP Zone Committee. Looking ahead, we would like the OTOP Zone Committee to focus on the following actions/priorities within our District:

- Lowland stream health – collaborate to reduce ecological damage to stream health from sediment and contaminants from stormwater and wastewater. Community education/ behaviour change campaigns on stormwater issues and management.
- Indigenous biodiversity – Advocate for indigenous biodiversity. Education/behaviour change campaigns to improve understanding of the importance of protecting and conserving indigenous vegetation as well as the management of Significant Natural Areas (SNAs).
- Safe drinking water – collaboration to ensure Drinking-water Standards for New Zealand are met. Education on land-use activities within drinking water protection zones.
- Water use management and conservation - community education/behaviour change campaigns on water use management and conservation.

Mackenzie District Council Priorities
- Support Catchment Groups
- Drinking water supplies (awareness and education)
- Recognise and protect culturally significant sites
- Protect and enhance mahinga kai.
- Protect and enhance biodiversity.

Waimate District Council Priorities
- Safe drinking water free of contaminants for humans and animals
- Rivers and wetlands have healthy ecological flows and high-quality water
- Rural and urban communities are fully engaged and have ownership of water management processes
- Native and indigenous wildlife associated with waterways have adequate habitats

Environment Canterbury Priorities
Environment Canterbury is committed to playing its part to implement the CWMS. In our term

of Council, we wish to see greater progress being made to achieve freshwater outcomes that promote resilient and sustainable community priorities.

We have therefore set the following priorities where we believe zone committees can make the greatest difference over the balance of the term. These priorities are in line with the Environment Canterbury Strategic Direction and the functions of a regional council:

- Kaitiakitanga Wahi Toanga and mahinga kai Targets

In particular, working alongside landowners, Rūnanga, communities, Councils and others to inspire and grow support and resources to achieve the 2025 mahinga kai goal of five mahinga kai projects in each zone.

- Ecosystem Health and Biodiversity Targets

In particular, working alongside landowners, Rūnanga, communities, Councils and others to inspire and grow support and resources to achieve the 2025 target goal covering all freshwater ecosystems through:

  I.   increased riparian management to protect aquatic ecosystems
  II. reducing the number of fish barriers in the zone
  III. protection and enhancement of named wetlands

- Recreation and Amenity Targets

In particular, the water based recreational opportunity through working alongside landowners, Rūnanga, communities, Councils and others to support and grow resources to achieve the 2025 target to restore priority freshwater recreation opportunities in each zone, that do not meet contact recreation standards and developing plans and actions to achieve and show measurable progress.

Timaru, Mackenzie, and Waimate District Councils and Environment Canterbury look forward to receiving your Action Plan specific to your zone for the period July 2021 — July 2024 and to continue to work alongside you and your communities to deliver the CWMS.

Yours sincerely

Nigel Bowen Mayor Timaru District Council	
Graham Smith Mayor Mackenzie District Council	

Craig Rowley Mayor Waimate District Council	
Jenny Hughey Chair Environment Canterbury	

DRAFT

Timaru District Council
CWMS work programme

DEVELOPMENT OF THE REGIONAL WORK PROGRAMME

The Joint Working Group set up by the Operations Forum in September 2019 has:

- undertaken a stocktake of current work by all councils towards meeting the CWMS 2025 goals and completed a gap analysis
- developed a draft regional work programme to enable progress towards 2025 goals through the development of councils' Long-Term Plans 2021–2031 (LTPs).

Region-wide emerging issues were identified including:

- a need for more effort in compliance, monitoring and enforcement
- a greater focus on biodiversity outcomes monitoring and reporting
- opportunities for councils to share approaches and share resources
- addressing scale and complexities of issues, recognising the size of rating bases and capacities of councils.

The Joint Working Group's draft regional work programme has been provided to territorial authorities as a reference document for consideration in the LTP process. Each territorial authority is also provided with a tailored work programme developed in discussion with its staff for use during councils' LTP planning.

NATIONAL DIRECTION

Significant policies and regulations that will influence policy settings

Water Services Bill – to implement
- new drinking water regulatory system
- new National Environmental Standards for Sources of Human Drinking Water and Wastewater Discharges and Overflows (due 2021)

Essential Freshwater –
- manage freshwater in a way that 'gives effect' to Te Mana o te Wai
- avoid any further loss or degradation of wetlands and streams, map existing wetlands and encourage their restoration
- an expanded national objectives framework that covers threatened species and mahinga kai - join ecosystem health and human health for recreation, as compulsory values

NPS – Indigenous Biodiversity (to be released in April 2021) will require:
- proactive district-wide identification of SNAs within 5 years
- management of adverse effects on SNAs from any new subdivision, use and development
- identification and management of taonga and highly mobile fauna habitat in addition to SNAs
- monitoring of indigenous biodiversity
- a regional biodiversity strategy with a strong focus on implementation

SUMMARY OF CURRENT PROJECTS AND WORK

Key work supporting Ecosystem Health and Biodiversity Targets and Water-Use Efficiency Targets includes:

Proposed DP to be released in mid-2021. Proposed amendments include improved integration of takata whenua values, improved alignment with the CRPS, inclusion of provisions to improve water management and strengthening rules around indigenous biodiversity. A **Significant Natural Areas Fund** (providing $100k/year) and the **Biodiversity Steering Group** supports council and community projects to help protect and enhance biodiversity values in SNAs.   Sites of indigenous dryland vegetation identified. Oliver Dryland reserve established and enhanced for biodiversity values.

Three waters management: Drinking water renewals and upgrades planned for treatment plants to meet DWSNZ. Identified water quality concerns at hut settlements. Planned renewals and replacements of existing **wastewater infrastructure.** TDC provides and manages public toilet facilities at reserves. **Stormwater Strategy 2018-2048** directs future management of stormwater. **Stormwater management plans** being prepared for key townships to improve stormwater quality; **Global stormwater consent** being prepared. TDC is a partner of the multi-agency taskforce working to improve the health of the Waitarakao Washdyke environment.

Regular messaging is provided to the community to manage public water use through water conservation messages. Water consumption remains steady although the population has grown and funding has been allocated for the installation of water meters. Community involvement in stormwater management encouraged through regular messaging and hands-on engagement (e.g. the **"Blue Fish on Drains"** project).

ACTIONS TO MEET 2025 GOALS

ECOSYSTEM HEALTH

Biodiversity
Lowland Stream health

Fulfil requirements to obtain and comply with stormwater consents by 2025.
Continue with planned renewal and replacement of wastewater infrastructure.
Progress improvements to stormwater and wastewater infrastructure to reduce ecological damage to stream health from sediment and contaminants.
Continue regular community education/ behaviour change campaigns on stormwater issues and management.

Biodiversity
Drylands

Review status of SNAs in line with NPSIB criteria and requirements by 2026. Work with Environment Canterbury to develop a biodiversity monitoring strategy.
Ensure revised vegetation clearance rules provide for indigenous biodiversity and dryland protection and strengthen existing framework to enable use of other tools to enable enhancement.
Advocate for indigenous biodiversity through regular education/behaviour change campaigns to improve understanding of the importance of protecting and conserving indigenous vegetation.

SOURCE WATER QUALITY

Treatment upgrades to community supplies to meet DWSNZ by 2025.
Identify options to manage DW supplies to hut settlements on council owned land.
Continue to work with Waimate and Mackenzie District Councils to manage land-use activities within drinking water protection zones.
Identify the viability of a third water source to provide water quality security for the Timaru district.

WATER EFFICIENCY

Improve compliance with national regulations on the measurement and reporting of water takes.
Manage water demand through meeting requirements under LWRP and continue regular community education/behaviour change campaigns on water use management and conservation.

REPORTING PROGRESS TO MAYORAL FORUM

Environment Canterbury provides quarterly updates to the Chief Executives Forum and Mayoral Forum on the region-wide progress towards implementing the CWMS. These quarterly reports provide a summary of the last three months' progress of zone committee projects and provide information on the latest freshwater related policy and RMA planning. As work progresses on implementing the Fit for Future work programme, future quarterly reports to the Mayoral Forum will focus on reporting on the delivery of the CWMS Targets and review of the Cantebury Biodiversity Strategy in line with national direction.

CWMS Zone Committees – Revised Terms of Reference 2020

Confirmed by Canterbury Regional Council (10 December 2020)

Canterbury Water Management Strategy (CWMS) – Terms of Reference **Orari-Temuka-Opihi-Pareora Water Management Zone Committee**
AREA The area of the Orari-Temuka-Opihi-Pareora Water Management Zone is shown on the attached map. The Orari-Temuka-Opihi-Pareora Water Management Zone includes the takiwā of Te Rūnanga o Arowhenua and the administrative areas of Timaru District Council, MacKenzie District Council, Waimate District Council, and Environment Canterbury.
BACKGROUND The committee is an expression of the partnership between Timaru District Council, MacKenzie District Council, Waimate District Council, Environment Canterbury (the Regional Council), Te Rūnanga o Arowhenua and local communities to implement the Canterbury Water Management Strategy. The committee is established under the auspices of the Local Government Act 2002 in accordance with the Canterbury Water Management Strategy 2009. The committee is a joint committee of Timaru District Council, MacKenzie District Council and Waimate District Council (the Territorial Authorities) and Environment Canterbury (the Regional Council). Relevant Territorial Authority Standing Orders apply to the operation of the committee. This includes requirement to make a declaration of conflict of interest, keeping a register of interests and guidance on attendance and absences at meetings. The committee will work as a committee and as individual members in accordance with Canterbury Water Management Strategy Zone Committee Code of Conduct.
PURPOSE AND FUNCTIONS The Committee's purpose is to uphold the mana of the freshwater bodies within their zone by facilitating enduring land and water management solutions that give effect to the Canterbury Water Management Strategy vision, principles and targets in their zone. The committee functions include:

a. **Facilitating community engagement and collaboration** – continuing an active programme of engaging with communities on freshwater management matters; and

b. **Facilitating the provision of advice** through to councils (relevant Territorial Authorities and Environment Canterbury) and others (e.g. private sector) contributing to freshwater management; and

c. **Enhancing delivery capability and coalition of the willing** – working with stakeholders across all sectors to extend the resources available to implement the CWMS, including connecting others to additional resources and seeking opportunities to promote, support, leverage and expand catchment-based initiatives that deliver the CWMS; and

d. **Progress Reporting** – annual progress reporting to CWMS partners on progress towards delivery of the zone-specific priorities and CWMS target areas identified in the Zone Committee Action Plan.

ZONE COMMITTEE ACTION PLAN AND PROGRESS REPORT

1. Ensure the purpose and functions of the committee are fulfilled by preparing a Zone Committee Action Plan that:

   a. Covers a three-year period
   b. Focuses on three – five priorities
   c. States objectives that the zone committee is seeking to achieve
   d. States the actions that the zone committee will take to achieve the objective
   e. States SMART measures to track actions and outcomes.

2. Review and amend the Zone Committee Action Plan at the beginning of every year to ensure the zone committee is still in agreement with the priority areas and the actions are still those the zone committee believes will achieve their objectives.

3. Prepare a Progress Report annually that:

   a. Highlights the actions of the zone committee and the progress it has made toward its objectives.
   b. Identifies the challenges and opportunities the zone committee see in the coming year.
   c. Present the report to CWMS partners.

4. In developing the Zone Committee Action Plan, the committee must work within and be aligned to the:

   a. Zone Committee Terms of Reference.
   b. Canterbury Water Management Strategy and Targets.

5. In developing the Zone Committee Action Plan, the committee will also be guided by:

a. Committee's Zone Implementation Programme and Zone Implementation Programme Addendum.
b. Iwi management plans that cover the zone.
c. Community engagement and feedback.
d. The triennial 'letter of shared priorities' providing joint direction on priorities for the zone committee from the relevant Territorial Authorities, Environment Canterbury and Rūnanga.

LIMITATIONS OF POWER

The Committee does not have the authority to commit any Council to any path or expenditure and its recommendations do not compromise the Council's freedom to deliberate and make decisions.

The Committee does not have the authority to submit on proposed Resource Management or Local Government Plans.

COMMITTEE MEMBERSHIP

The committee will comprise:

1. One elected member appointed by Timaru District Council, MacKenzie District Council and Waimate District Council.

2. One elected member appointed by Environment Canterbury.

3. Two nominated representatives from Te Rūnanga o Arowhenua, with provision for an alternate Rūnanga member to attend zone committee meetings where desired.

4. Between 4-7 community members with provision that this number may be exceeded if Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury agree. Community members are to be appointed in accordance with the process below.

5. One youth representative may be added to committee (in addition to the 4-7 community members) on recommendation of the zone committee on a case-by-case basis.

6. Where a youth representative is recommended, expressions of interest will be drawn from Environment Canterbury's Youth Rōpū, Timaru District, MacKenzie District and Waimate District Youth Councils, and Te Rūnanga o Arowhenua, and confirmed by Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury.

7. Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury will appoint their own representatives on the Committee. Te Rūnanga o Arowhenua will appoint their representatives and notify Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury.

8. Proxies or alternates are not permitted except for Rūnanga representatives.

9. Any Committee may co-opt such other expert or advisory members as it deems necessary to ensure it's able to achieve it purpose. Any such co-option will be on a non-voting basis.

SELECTION AND APPOINTMENT OF COMMUNITY MEMBERS

Community representatives are appointed by a panel of CWMS partners – a councillor from each council and a Rūnanga representative from each Rūnanga whose takiwā is within the zone. The panel will be chaired by an Independent Chair.

To be eligible for appointment to a Committee the candidate must live in or be able to demonstrate a significant relationship with the zone.

The process involves:

1. A public call for expressions of interest.
2. Application
3. Interview and/or workshop

Assessment will be based on the:

- Ability of an applicant to:
    o Work in a collaborative, consensus seeking manner
    o Work with local Rūnanga
    o Establish effective partnerships
    o Understand the complexity of freshwater management issues
    o Focus on solutions and actions, considering future generations
    o Understand the CWMS, the vision, principles, and ways of working
    o Demonstrate:
        ▪ Commitment to community
        ▪ Existing community networks
        ▪ Previous experience in a leadership role
        ▪ Experience working with community processes and/or groups
        ▪ Initiate and inspire local action
- The Committee's:
    o Geographic spread of members across the zone
    o Balance of backgrounds, experience and interests

The selection process above will be primarily focused on appointment of community members to zone committee and may also serve to identify potential future appointees should a community member vacancy arise.

QUORUM

The quorum at a meeting consists of:

- Half of the members if the number of members (including vacancies) is even; or
- A majority of members if the number of members (including vacancies) is odd.

CHAIR AND DEPUTY CHAIR

Each year, the committee shall appoint the Chair and Deputy Chair from the membership by simple majority. There is no limit on how long a person can be in either of these positions.

TERM OF APPOINTMENT

Members of Committees are appointed for a term of three years, which may be extended on a case-by-case basis if Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury agree.

Youth members will initially be appointed for a term of one year, with the option to extend their term up to three years subject to availability.

Each Committee requires confirmation of membership by Timaru District Council, MacKenzie District Council, Waimate District Council and Environment Canterbury.

Committee membership refresh will not occur within four months of Local Government elections.

There is no limit on the number of consecutive terms a member may serve.

FINANCIAL DELEGATIONS

None.

OPERATING PHILOSOPHY

The Committee will always operate in accordance with the requirements of the Local Government Official Information and Meetings Act 1987 and Standing Orders of Territorial Authorities.

The Committee will observe the following principles:

1. Be culturally sensitive observing Ngāi Tahu tikanga.

2. Apply a Ki Uta Ki Tai (from the mountains to the sea) holistic approach that also enables cultural elements including mahinga kai philosophies held by mana whenua to be encompassed.

3. Consider and balance the interests of all water interests in the region in debate and decision making.

4. Work in a collaborative solution-focused approach using best endeavours to reach solutions that take account of interests of all sectors of the community.

5. Contribute knowledge and perspectives but not promote the views or positions of any interest or stakeholder group.

6. Promote a philosophy of integrated water management to achieve multiple objectives of the range of interests in water.

7. Seek consensus in decision-making. If neither unanimous agreement can be reached nor a significant majority view formed, in the first instance seek assistance from an external facilitator to further Committee discussions and deliberations. Where the Committee encounters fundamental disagreements, despite having sought assistance and exhausted all avenues to resolve matters, recommend that respective Councils disband them and appoint a new Committee.

MEETING AND REMUNERATION GUIDELINES

1. The Committee will formally meet at least four times per annum and will hold workshops and host additional community engagement opportunities as required throughout the year. At times, the workload will be substantially higher.

2. Remuneration for members will be paid in the form of an honorarium currently set at the following levels:

    a. Appointed members $ 4,000 pa
    b. Deputy Chair $ 5,000 pa
    c. Chair $ 6,000 pa

3. An expert or adviser who has been co-opted on to the committee is eligible for an honorarium at the same rate as an appointed member.

4. Staff or elected members of Territorial Authorities or Environment Canterbury are not eligible for remuneration.

5. Mileage will be reimbursed.

COMMITTEE SUPPORT

The committee shall be supported by staff from the Territorial Authority and Environment Canterbury, primarily through the Committee Secretary and the Zone Facilitator and senior staff member from relevant Territorial Authority and Zone Manager/Lead from Environment Canterbury.

CWMS Zone Committee 2021 Review Timeline

The timeline to confirm the CWMS Zone Committee Review is set out below:

CWMS Zone Committee Review and 2021 Refresh Timeline

Terms of Reference

- **Feedback on Zone Committee Terms of Reference and Letter of Shared Priorities**

  May – October 2020 – Feedback received on the Terms of Reference review paper, including the introduction of the Letter of Shared Priorities and zone committee action plans from zone committees, Territorial Authorities, and Ngā Rūnanga to advance a revised TOR and draft Letter of Shared Priorities for all CWMS zone committees.

- **Canterbury Mayoral Forum**

  27 November 2020 – Confirmed of the revised Terms of Reference, introduction of the Letter of Shared Priorities and Zone Committee Action Plans for the Canterbury Water Management Strategy zone committees.

- **Environment Canterbury**

  10 December 2020 – Confirmation of the revised Terms of Reference

- **Territorial Authorities**

  February–July 2021 – Confirmation of the revised Terms of Reference for their zone committees

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Letter of Shared Priorities

- **Environment Canterbury**
  10 December 2020 – Notes the priorities set out in the Letters of Shared priorities.

- **Territorial Authorities**
  February - May 2021 – Confirmation of priorities and Letter of Shared Priorities signed and shared.

Zone Committee Action Plans

February – June 2021 – zone committees draft and advance their action plans

July - August 2021 – refreshed zone committees adopt their 3-year action plans (2021-2024)

10   Consideration of Urgent Business Items

11   Consideration of Minor Nature Matters

12   Public Forum Items Requiring Consideration

13 Exclusion of Public

13.1 Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 29 June 2021

13.2 Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 27 July 2021

13.3 Orari-Temuka-Opihi-Pareora Water Zone Committee Refresh Membership

Recommendation

That the public be excluded from the following parts of the proceedings of this meeting on the grounds under section 48 of the Local Government Official Information and Meetings Act 1987 as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
13.1 - Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 29 June 2021	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	Commercial sensitivity
13.2 - Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 27 July 2021	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	Commercial sensitivity
13.3 - Orari-Temuka-Opihi-Pareora Water Zone Committee Refresh Membership	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	To protect a person's privacy