



**The Ordinary Meeting of the
Kawerau District Council will be held
on Tuesday, 29 March 2022
in the Council Chambers
commencing at 9.00am**

AGENDA

GUIDELINES FOR PUBLIC FORUM AT MEETINGS

1. A period of thirty minutes is set aside for a public forum at the start of each Ordinary Council or Standing Committee meeting, which is open to the public. This period may be extended on by a vote by members.
2. Speakers may address meetings on any subject. However, issues raised must not include those subject to legal consideration, or be issues, which are confidential, personal, or the subject of a formal hearing.
3. Each speaker during the public forum is permitted to speak for a maximum of three minutes. However, the Chairperson has the discretion to extend the speaking time.
4. Standing Orders are suspended for the duration of the public forum.
5. Council and Committees, at the conclusion of the public forum, may decide to take appropriate action on any of the issues raised.
6. With the permission of the Chairperson, members may ask questions of speakers during the period reserved for public forum. Questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

**Minutes of the Ordinary Meeting of the Kawerau District Council
will be held on Tuesday 22 February 2022
in the Council Chamber commencing at 9.00am**

Present: Deputy Mayor F K N Tunui
Councillor B J Julian
Councillor C J Ion
Councillor S Kingi
Councillor D Sparks
Councillor W Godfery
Councillor A Rangihika
Councillor R G K Savage

In Attendance: Chief Executive Officer (R George)
Group Manager, Operations & Services (H van der Merwe)
Group Manager, Regulatory and Planning (M Glaspey)
Group Manager, Finance & Corporate Services (P Christophers)
Acting Economic and Development Manager (L Barton)
Communications Manager (T Humberstone)
Administration Officer (T Barnett)

Apologies

Resolved **Deputy Mayor Tunui / Councillor Sparks**

An apology from His Worship the Mayor was received.

Leave of Absence

No leave of absence were received.

Public Forum

No public forum was heard.

Declarations of Conflict of Interest

No declarations of conflict of interest were received.

1 CONFIRMATION OF COUNCIL MINUTES

1.1 Ordinary Council – 14 December 2021

Resolved

Councillors Sparks / Savage

That the minutes of the Ordinary Council Meeting held on 14 December 2021 is confirmed as a true and accurate record.

1.2 Extraordinary Council – 28 January 2022

Resolved

Councillors Savage / Julian

That the minutes of the Extraordinary Council Meeting held on 28 January 2022 is confirmed as a true and accurate record.

2 RECEIPT OF COMMITTEE MINUTES

2.1 Creative NZ Communities Scheme Assessment Committee – 8 December 2021

Resolved

Chair Kingi / Councillor Godfery

That the Minutes of the Creative NZ Communities Scheme Assessment Committee held on 8 December 2021 is confirmed as a true and accurate record.

2.2 Regulatory and Services Committee – 14 December 2021

Resolved

Chair Ion / Councillor Julian

That the Minutes of the Regulatory and Services Committee held on 14 December 2021 is confirmed as a true and accurate record.

2.3 Regulatory and Services Committee – 8 February 2022

Resolved

Chair Ion / Councillor Sparks

That the Minutes of the Regulatory and Services Committee held on 8 February 2022 is confirmed as a true and accurate record.

2.4 Regulatory and Services Committee (Supplementary Agenda) – 8 February 2022

Resolved

Chair Ion / Councillor Godfery

That the Minutes of the Regulatory and Services Committee (Supplementary Agenda) held on 8 February 2022 is confirmed as a true and accurate record.

2.5 Audit and Risk Committee – 15 February 2022

Resolved

Councillors Sparks / Rangihika

That the Minutes of the Audit and Risk Committee held on 15 February 2022 is confirmed as a true and accurate record.

3 Action Schedule (101120)

Resolved

Councillors Kingi / Sparks

That the updated Action Schedule of resolutions/actions requested by Council is received.

4 His Worship the Mayor's Report (101400)

Resolved

Deputy Mayor Tunui / Councillor Ion

That His Worship the Mayor's report for the period Wednesday 8 December 2021 to Tuesday 22 February 2022 is received.

5 Request for Alleyway Closure – Between 8 and 9 Shepherd Road (Corporate Manager) (408140)

Council discussed the report 'Request for Alleyway Closure – Between 8 and 9 Shepherd Road'.

Resolved

Councillors Ion / Sparks

- 1. That the report "Request for Alleyway Closure – Between 8 and 9 Shepherd Road" is received.*
- 2. That Council approve the closure subject to Council ownership of the land being confirmed.*

6 Appointment of Local Recovery Manager (Chief Executive Officer) (310000)

Council considered a report outlining the appointment of a Local Recovery Manager.

Resolved

Councillors Julian / Rangihika

- 1. That the report "Appointment of Local Recovery Manager" be received.*
- 2. That Council endorses the appointment of Michaela Glaspey as Local Recovery Manager for the Kawerau District and commends these appointments to BOP Civil Defence Emergency Management Group.*

7 Regional Economic Development Agency Trust exemption as a Council Controlled Organisation (Chief Executive Officer) (309102)

Council discussed a report exempting ToiEDA from provisions relating to Council Controlled Organisations.

Resolved

Councillors Rangihika / Ion

1. *That the report "Regional Economic Development Agency Trust exemption as a Council Controlled Organisation" be received.*
2. *That Council resolves to renew the exemption of the Eastern Bay of Plenty Regional Economic Development Trust (ToiEDA) from the provisions related to Council Controlled Organisations as provided under Section 7 of the Local Government Act 2002.*

8 Exclusion of the Public

Resolved

Councillors Sparks / Kingi

That the public is excluded from the following part of the proceedings of this meeting, namely:

1. Porritt Glade – Construction Stage 4 (x11 Units) (Group Manager, Finance and Corporate Services) (206700)
2. Appointment of Commissioner for the District Licencing Committee (Group Manager, Regulatory and Planning) (308000)

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Information & Meetings Act 1987 for the passing of this resolution is as follows:

General Subject of the matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1. Porritt Glade – Construction Stage 4 (x11 Units). 2. Appointment of Commissioner for the District Licencing Committee.	<i>Maintain the effective conduct of public affairs through the free and frank expression of opinions.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48 (1) (a) (i)</i>

This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.

Meeting closed 9.49am

F K N Tunui

Deputy Mayor

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**Minutes of the Regulatory & Services Committee
held on Tuesday, 15 March 2022
via Zoom commencing at 9.15am**

Present: Councillor C J Ion (Chairperson)
His Worship the Mayor M J Campbell
Councillor B Julian
Councillor W Godfery
Councillor A Rangihika
Councillor D Sparks

In Attendance: Chief Executive Officer (R George)
Manager, Finance and Corporate Services (P Christophers)
Manager, Regulatory and Planning (M Glaspey)
Manager, Operations and Services (H van der Merwe)
Acting Economic and Community Development Manager (L Barton)
Communications and Engagement Manager (T Humberstone)
Administration Officer (T Barnett)

Apologies

Resolved **His Worship the Mayor / Councillor Rangihika**

That apologies were from Deputy Mayor Tunui, Councillor Savage and Councillor Kingi were received.

Declarations of Conflict of Interest

No conflict of interest was declared.

PART A – REGULATORY

1 Monthly Report - Regulatory and Planning Services (340000)

The Committee discussed a report covering Planning, Compliance and Capability activities for the month of February 2022.

Resolved **Councillors Rangihika / Sparks**

That the report on Regulatory and Planning Services activities for the month of February 2022 is received.

PART B – NON REGULATORY

2 Monthly Report - Finance and Corporate Services (211000)

The Committee discussed a report from the Manager, Finance and Corporate Services covering activities for the month of February 2022.

Resolved

Councillors Sparks / Godfery

That the report from the Manager, Finance and Corporate Services for the month of February 2022 is received.

3 Monthly Report - Operations and Services (440000)

The Committee discussed a report from the Manager, Operations and Services covering activities for the month of February 2022.

Resolved

Councillors Rangihika / Sparks

That the report from the Manager, Operations and Services for the month of February 2022 is received.

4 Monthly Report - Economic and Community Development (Acting Economic and Community Development Manager) (309005)

The Committee discussed a report from the Acting Economic and Community Development Manager covering economic and community activities for the month of February 2022.

Resolved

Councillors Rangihika / Sparks

That the report from the Acting Economic and Community Development Manager for the month of February 2022 is received.

Meeting closed at 9.46am

C J Ion

Chairperson

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Action Schedule

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Completion Date
A&R 04.02.20	Council's Risk Maturity - Improvement Programme Arrange KPMG to review Council's Risk Management Maturity profile once the tasks in progress / underway are completed.	GM F&CS	In Progress	Council has now completed all areas recommended for improvement and will be engaging a consultant to further assess Council's risk maturity	April 2022
Council 26.05.20	Results of 2020 NRB Survey Elected Members agreed to review the way in which Council engages community satisfaction.	GM F&CS	Pending	Staff are reviewing alternative methods of measuring community satisfaction for the 2022-23 Annual Plan.	July 2022
EC 28.01.21	COVID-19 Protection Framework Inform Community of the different phases of Omicron and stages of the traffic light system.	CEO	Ongoing	Links to the Governments COVID-19 website that provides information on the traffic light system are on the front page of Council's website.	Ongoing
R&S 08.02.22	Monthly Report - Regulatory and Planning Services Discuss with New Zealand Police the signage for liquor ban areas and more presence of Police to enforce it.	GM R&P	Ongoing	Approval from NZ Police to include their logo on Liquor Ban Signage. Signage received 9/3/22; arranging installation throughout alcohol ban areas. Arrange meetings with Tristan Murray.	31 March 2022 (Signage) Ongoing
R&S 08.02.22	Monthly Report - Operations and Services Update Elected Members on the cleanup of the town's gutters.	GM O&S	In Progress	Discussions with Amenity & Gardens Team is underway. There is a delay due to staff in isolation.	March 2022

Completed Items

Meeting Date	Action	Comments
R&S 08.02.22	<p>Monthly Report – Operations and Services</p> <p>Provide a report to Elected Members detailing graffiti vandalism of Council owned walls.</p> <p>Inform residents at Shepherd Road and Delamere Drive of the reticulation replacement programme.</p> <p>Make a Council submission to Waka Kotahi regarding 80km Speed limit on SH30</p>	<p>A report was presented to Elected Members at the February Council workshop.</p> <p>Letters were dropped to residents at Shepherd and Delamere Drive.</p> <p>A Council letter was submitted to Waka Kotahi on Friday 18 February.</p>
R&S 16.11.21	<p>Monthly Report – Finance and Corporate Services</p> <p>Service request process via the website to be reiterated to residents via Council Communications. Flow chart to be included.</p> <p>Waste Management NZ Ltd expenditure to be confirmed.</p>	<p>Included in the November Newsletter was a portion titled “How to make a Service Request” The flowchart was revised and included in the March 2022 Newsletter.</p> <p>An update was emailed to Elected Members confirming the payment to Waste Management Ltd.</p>
R&S 08.02.22	<p>Monthly Report – Finance and Corporate Services</p> <p>Provide data to Elected Members on the hottest temperatures for Kawerau over December and January.</p>	<p>The highest temperatures for Kawerau, recorded by NIWA were:</p> <ul style="list-style-type: none"> December 2021 - 33.4 degrees on 24 December *Recorded as the <i>highest temperature in NZ for December</i> January 2022 - 33.1 degrees on 3 January February 2022 - 30.7 degrees on 8 February

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OC: Ordinary Council EC: Extraordinary Council A&R: Audit & Risk Committee R&S: Regulatory & Services Committee
 GMF&CS: Group Manager, Finance & Corporate Services GMO&S: Group Manager, Operations & Services
 GMR&P: Group Manager, Regulatory & Planning CE&M: Communication & Engagement Manager
 AECDM: Acting Economic & Community Development Manager

Meeting Council
Meeting Date: 29 March 2022
Subject: His Worship the Mayor's Report
File No. 101400

1 Purpose

The purpose of this report is to outline meetings, functions and events that I have hosted, attended and/or participated in from the period Wednesday, 16 February to Tuesday, 22 March 2022.

February

- Emergency Management Workshop with Hon Kiritapu Allan, via Zoom
- Monthly Council Meeting, via Zoom
- Monthly catch-up with Te Haukakawa (Boycie) Te Rire
- Quarterly catch-up with Hon Kiritapu Allan
- Meeting with Generation Homes to discuss Te Ariki Place/Bell Street subdivision

March

- Meeting with Eastern Bay of Plenty Mayors to discuss public transport options for the Eastern Bay
- Catch-up with Kawerau Mayors Taskforce for Jobs Coordinators, via Zoom
- Kawerau Youth Council Swearing In Ceremony
- Regulatory & Services Committee Meeting, via Zoom
- Civil Defence Emergency Management Group Joint Committee, via Zoom
- Catch-up with Bill Clark, Eastern BOP Regional Councillor
- Council Workshop, via Zoom
- Stakeholder Meeting with the CE and Director of NZ Transport Agency regarding the opportunities and challenges in the Bay of Plenty

2 RECOMMENDATION

That His Worship the Mayor's report for the period Wednesday, 16 February to Tuesday, 22 March 2022 be received.



Malcolm Campbell, JP
Mayor

Meeting: Council

Meeting Date: 29 March 2022

Subject: Annual Plan Performance for the six months ended 31 December 2021

File No.: 110400

1 **Purpose**

The purpose of this report is to review and compare Council's actual financial and non-financial performance to 31 December 2021 with what is in the Long Term Plan for 2021/22.

Comments are provided where expenditure/revenue is likely to vary from the budget by year end, and the performance target may not be achieved for the year.

A summary of this report will also go to the Audit and Risk Committee.

2 **Financial Performance**

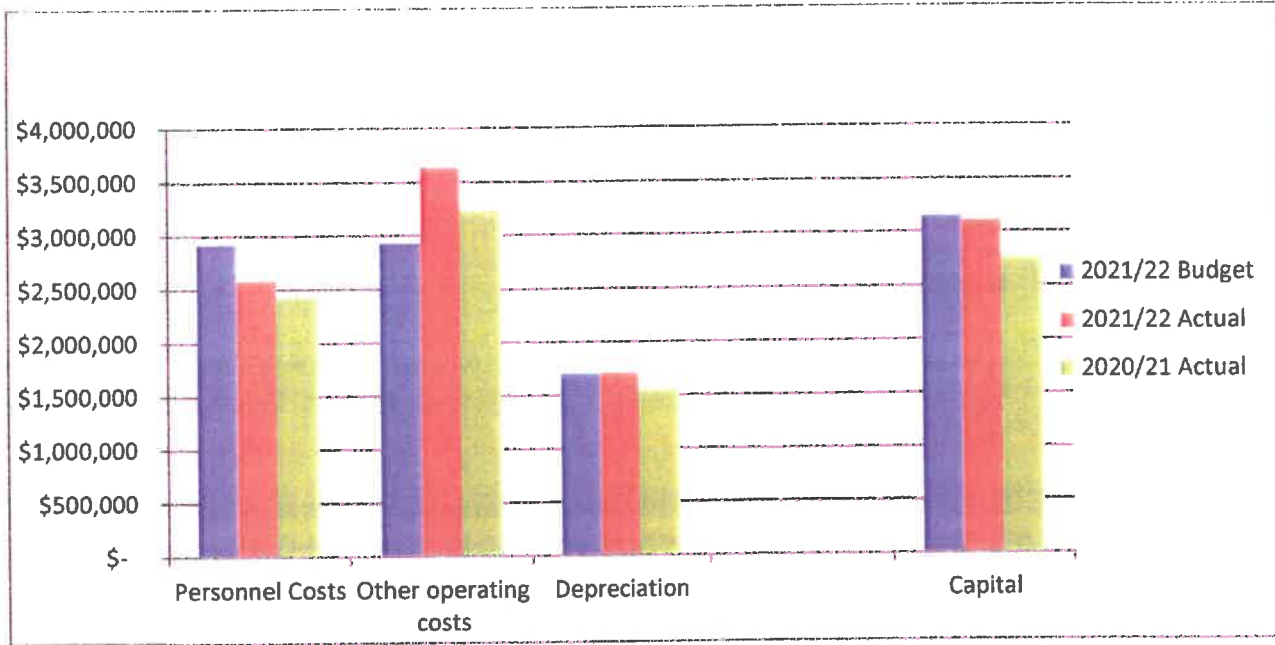
2.1 **Statement of Comprehensive Revenue and Expense**

The following table shows Council's financial performance to date, the annual budget and the amended annual budget. The amended budgets include the carried forward figures as well as any budget amendments approved by Council.

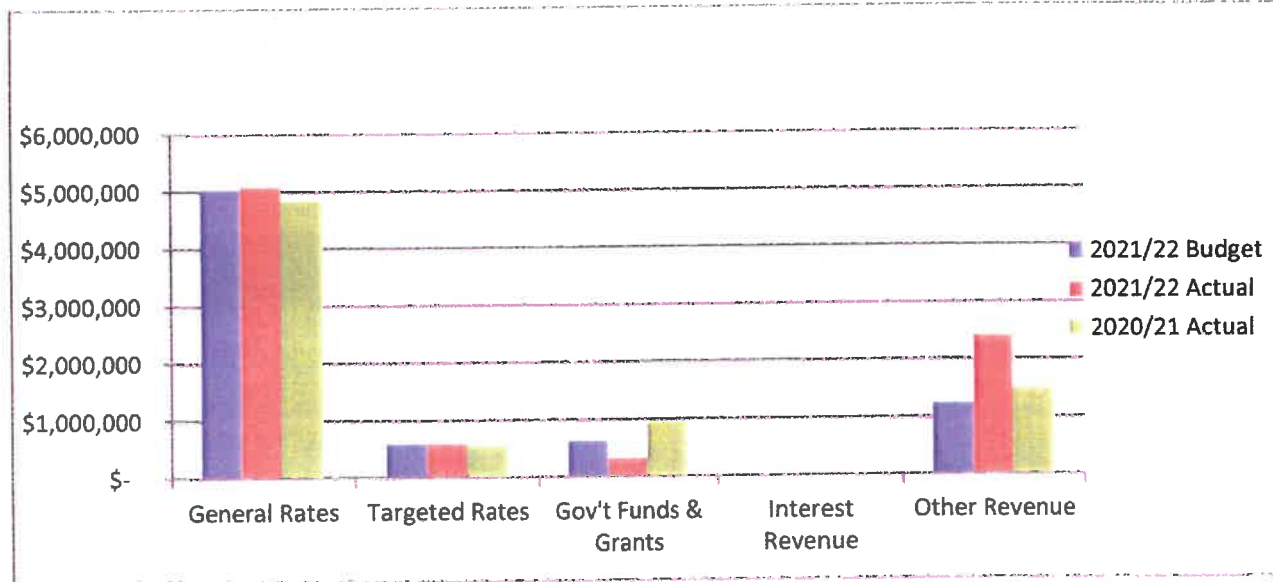
	Adopted Budget	Actual 31-12-21	Comments
Revenue:	\$	\$	
Rates	11,206,244	5,647,803	
Subsidies and Grants	1,241,850	221,359	Roadwork done in 2 nd half of year
Interest Revenue	18,734	5,587	
Fees and Charges	2,403,080	2,417,352	Includes section sales
Other Revenue	70,000	5,536	Petrol Tax
Total Revenue	14,939,908	8,297,637	
Expenditure:			
Personnel Costs	5,835,070	2,586,941	Some staff vacancies
Depreciation	3,243,184	1,707,160	
Finance Costs	3,999	808	
Other Expenses	5,714,780	3,633,347	Additional expenditure for refuse disposal, KPTW & events
Total Expenditure	14,797,033	7,928,256	
Surplus (Deficit)	142,875	369,381	

Council's expenditure and revenue for the six months to 31 December 2021 are shown in the graphs below, compared to the budget and expenditure/revenue for 31 Dec 2020.

Expenditure to 31 December 2021



Revenue to 31 December 2021



2.2 Statement of Financial Position

The following shows Council's financial position at 31 December 2021 compared to the budget (at 30 June 2022). The financial position does not include all the final accruals for receivables and payables.

	Budget @ 30/6/2022	Actual to 31 Dec 2021	Comments
Assets:			
Current assets:			
Cash & cash equivalents	\$4,839,694	\$4,606,642	
Receivables	\$1,736,730	\$1,183,510	
Inventories	\$778,550	\$1,167,908	Includes residential developments
Non-current assets:			
Property, plant and equipment	\$71,417,175	\$69,063,309	
Intangible assets	\$58,070	\$40,389	
Other financial assets	\$36,250	\$36,252	
Total Assets	\$78,866,469	\$76,098,010	
Liabilities:			
Current liabilities:			
Payables, provisions & employee benefits	\$3,560,676	\$1,835,328	
Borrowing	\$16,500	\$4,004	
Non-current liabilities:			
Provisions & employee benefits	\$214,189	\$220,820	
Borrowing	\$2,040,420	\$5,046	
Total Liabilities	\$5,831,785	\$2,065,198	
Ratepayers Equity	\$73,034,684	\$74,032,812	
Total liabilities & ratepayers equity	\$78,866,469	\$76,098,010	

2.3 Statement of Cashflow

The cashflow statement shows a reduction of \$10k in Council's cash position up to 31 December 2021.

	Budget @ 30/6/2022	Actual to 31 Dec 2021	Comments
Cashflow from operating activities:			
Rates	\$11,250,300	\$5,781,348	
Subsidies	\$1,241,850	\$821,359	
Fees & Charges	\$2,464,357	\$1,468,647	
Interest Received	\$16,990	\$5,856	
Payments to suppliers and employees	\$(11,593,013)	\$(6,295,597)	
Interest paid on debt	\$(28,980)	\$(808)	
Net cashflow from Operations	\$3,351,504	\$1,780,805	
Net cashflow from investing:			
Disposal of Assets	\$3,500,000	\$1,985,000	6 x retirement units
Property, Plant & Equipment purchase (less asset disposals)	\$(9,530,450)	\$(3,794,926)	
Net cashflow from investing:	\$(6,030,450)	\$(1,779,926)	
Net cashflow from financing:			
Loans raised	2,056,000	0	
Debt repayment	\$(19,000)	\$(10,868)	
Net cash inflow/(outflow)	\$1,897,054	\$(9,989)	
Opening balance (1/7)	\$2,942,640	\$4,616,631	
Closing cash balance	\$4,839,694	\$4,606,642	

3 Non-Financial Performance

The following is a summary of the non-financial targets performance to date:

Activity	2021/22 No. of Targets	On track to achieve	2020/21 Achievement Rate
Democracy	3	2	80%
Economic & Community Development	5	4	86%
Environmental Services (excludes N/As)	13	12	56%
Roading (including Footpaths)	7	5	50%
Stormwater	3	3	100%
Water Supply	12	12	75%
Wastewater	7	6	57%
Solid Waste Management	2	2	100%
Leisure and Recreation	14	10	63%
TOTAL	66	56	68%

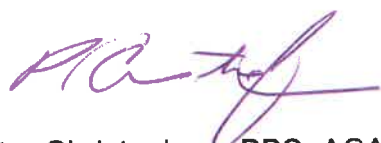
4 Capital Expenditure

The following is Council's capital budget (excluding carry forwards and amendments) and expenditure for the year.

Activity	2021/22 Budget	Actual	Comments
Economic & Community Development	\$1,831,400	\$1,262,227	Residential developments – Porritt Glade
Environmental Services	\$720,000	\$13,332	Dog Pound building
Roading	\$1,175,960	\$178,245	
Stormwater	\$221,400	\$0	Pipe renewal
Water Supply	\$2,293,000	\$736,356	Pipe replacement
Wastewater	\$1,075,000	\$263,340	WW pipe renewals
Solid Waste	\$23,000	\$9,627	Includes Recycle Shed
Leisure & Recreation	\$1,860,340	\$453,171	Pool & Library renewals
Plant, Depot and Office	\$410,350	\$192,182	New plant/vehicles, PCs & office building
Total	\$9,620,450	\$3,108,480	

5 RECOMMENDATION

That the report "Annual Plan Performance for the six months ended 31 December 2021" be received.



Peter Christophers, BBS, ACA
Group Manager, Finance & Corporate Services

ACTIVITY GROUP 1: DEMOCRACY

Funding Impact Statement

	Budget	Actual
Operating funding – Rates & Charges (A)	\$703,773	\$389,564
Applications of operating funding – Staff & Suppliers (B)	\$686,790	\$399,967
Surplus (deficit) of operating funding (A - B)	\$16,983	\$(10,403)
Sources of capital funding (C)	0	0
Less (D):		
Renewals/capital	0	0
Increase/(decrease) in reserves	\$16,983	\$(10,403)
Surplus (deficit) of capital funding (C - D)	\$(16,983)	\$10,403
Funding balance ((A - B) + (C - D))	\$0	\$0

Statement of Service Provision

Levels of Service	Measures	Target	Status	Comment
Financial management is prudent, effective and efficient.	Percentage completion of the annual work programme.	>90%	On track	There are 34 significant projects in the annual work programme and 5 were completed by 31 December 2021
Council informs the Community about key issues and activities.	Number of newsletters.	At least 20	On track	12 newsletters were published to 31 December 2021
Council encourages the Community to contribute to Council decision-making.	Provision of a public forum at public Council and Committee meetings.	Every meeting	Not achieved	Public forums have not been provided for council and committee meetings due to COVID restrictions.

ACTIVITY GROUP 2: ECONOMIC AND COMMUNITY DEVELOPMENT

Funding Impact Statement

	Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$1,928,561	\$1,599,869	Proceeds from section sales
Applications of operating funding – Staff & Suppliers (B)	\$1,881,220	\$1,195,268	
Surplus (deficit) of operating funding (A - B)	\$47,341	\$404,601	
Sources of capital funding (C)	\$3,500,000	\$1,985,000	Proceeds from unit sales (x4)
Less (D):			
Renewals/capital	\$1,831,400	\$1,262,227	Development of retirement village
Increase/(decrease) in reserves	\$1,715,941	\$1,127,374	
Surplus (deficit) of capital funding (C - D)	\$(47,341)	\$(404,601)	
Funding balance ((A - B) + (C - D))	\$0	\$0	

Statement of Service Provision

Levels of Service	Measures	Target	Status	Comment
Economic Development				
Council is actively involved in the Eastern Bay of Plenty Regional Economic Development Agency.	Representation at Trustee Meetings.	Representation at 90% of Trustee meetings.	Achieved to date	CEO has attended all trustee meetings to date
Council provides a local information centre.	Number of days open each year.	At least 360 days.	On track	The i-SITE was open 183/184 days.
Council encourages positive perceptions of Kawerau by supporting local events.	At least 1 event ¹ held per month from February to December.	At least 1 event held per month from February to December.	Not achieved	Due to COVID restrictions under the traffic light system there were no events held in December but staff assisted with vaccination clinics during this period
Council supports young people to develop skills and attitudes needed to take a positive part in society.	Youth Council in place.	Annual appointments made.	Achieved to date	Youth Council appointed March 2021 and sworn in.
	Satisfaction with youth council collaboration from collaborating groups	>78% satisfaction	Achievement anticipated	Survey of collaborating groups undertaken later in year.

¹ An 'event' is a public gathering of people for a distinctly defined celebratory, educational, commemorative or exhibition purpose. It occurs for a limited time and may be repeated on a cyclical basis (e.g. annually) but is not regularly scheduled (e.g. regular organised Saturday sport, a series of regular meetings, or ongoing gallery or commercial art exhibitions). Conferences are also considered to be events.

ACTIVITY GROUP 3: ENVIRONMENTAL SERVICES

Funding Impact Statement

Both revenue and expenditure are on target for these activities.

	Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$1,264,175	\$713,769	
Applications of operating funding – Staff & Suppliers (B)	\$1,221,860	\$570,089	
Surplus (deficit) of operating funding (A - B)	\$42,315	\$143,680	
Sources of capital funding (C)	\$0	\$0	
Less (D):			
Renewals/capital	\$720,000	\$13,332	New dog pound
Increase/(decrease) in reserves	\$(677,685)	\$130,348	
Surplus (deficit) of capital funding (C - D)	\$(42,315)	\$(143,680)	
Funding balance ((A - B) + (C - D))	\$0	\$0	

Statement of Service Provision

Levels of Service	Measures	Target	Status	Comment
Building Control				
Service users consider Council's Building Control Activity to be effective	Satisfaction survey of service users - building consents processes	>90%	N/A	Surveys only sent out in 2 nd quarter due to COVID, but 0 returned to date
	Satisfaction survey of service users - building inspection processes	>90%	100% (3/3)	
Council provides in-house building consent, inspection and approval services	Bi-annual Building Consent Authority accreditation re-assessment	Accreditation and registration retained.	On track	BCA accreditation has been retained to date
Relevant Kawerau buildings comply with Building Warrant of Fitness requirements.	Buildings audited for BWOF requirements	35%	On track	Inspections commenced

Levels of Service	Measures	Target	Status	Comment
Environmental Health				
Registered premises comply with statutory requirements.	Audit of food premises operating Food Control Plans	100% annually.	On track	17/29 inspections to date
	Inspection of registered premises for compliance with relevant standards.	100% annually.	On track	1/6 Inspections
	Inspection of licensed premises for compliance	100% annually.	On track	Inspections commenced
	Response to noise complaints.	80% within 20 minutes and 98% within 30 minutes.	On track	83% within 20 minutes 93% within 30 minutes
	Response to other environmental health service requests/complaints.	100% within 1 working day.	Not achieved	1 response exceeded 1 working day.
Dog Registration and Control				
Service requests about public nuisance and intimidation by uncontrolled dogs are actioned.	Adherence to complaint response process to respond, investigate and record the complaint and advise complainant of progress or the outcome within 24 hours.	80% within 20 minutes and 98% within 30 minutes.	On Track	83% within 20 minutes 95% within 30 minutes (Were 1 staff member down)

Levels of Service	Measures	Target	Status	Comment
Civil Defence				
Council provides community education initiatives to increase public awareness and readiness for local and regional hazards	% of residents that have an understanding of what the consequences would be if a disaster struck their area	>80%	On track	Survey to be undertaken 22 June 2022
	% of residents that have taken any action to prepare for an emergency	>80%	On track	Survey to be undertaken 22 June 2022
Council will maintain capability to effectively respond to an emergency	Council is prepared for and can respond to an emergency	>60%	Achievement anticipated	At 30 June 2021, 80% staff identified and trained

ACTIVITY GROUP 4: ROADING

Funding Impact Statement

	Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$1,401,618	\$862,973	
Applications of operating funding – Staff & Suppliers (B)	\$1,110,520	\$475,006	
Surplus (deficit) of operating funding (A - B)	\$291,098	\$387,966	
Sources of capital funding (C)	\$790,500	\$36,557	
Less (D):			
Renewals/capital	\$1,175,960	\$178,245	Work delayed due to COVID-19
Increase/(decrease) in reserves	\$(94,362)	\$246,279	
Surplus (deficit) of capital funding (C - D)	\$(291,098)	\$(387,973)	
Funding balance ((A - B) + (C - D))	\$0	\$0	

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Capital Renewals

Item	Budget	Actual	Comment
Kerb replacement	\$80,000	\$12,591	
Street light renewals and upgrades	\$62,000	\$0	
Reseals	\$130,000	\$0	
Pavement treatment	\$60,000	\$0	
Minor safety improvements (speed humps)	\$35,000	\$0	
Footpath repairs/Paving	\$155,000	\$36,153	
Lane realignment, hardscaping/walkway	\$532,000	\$0	
Bins/seating/music system/lights	\$14,060	\$27,309	
Town centre video cameras	\$3,500	\$14,091	
Town Centre Upgrade	\$80,000	\$88,102	
Town centre – xmas lights	\$10,000	\$0	
Carparks and turnarounds	\$14,400	\$0	
Total	\$1,175,960	\$178,245	

Statement of Service Provision

Levels of Service	Measures	Target	Status	Comment
Roading				
Council provides a network of roads which facilitates the safe movement of people and vehicles around the District.	The change from the previous financial year in the number of fatalities and serious injury crashes on the local road network, expressed as a number.	Increase of zero or less.	Achieved to date	There have been no fatalities/serious injuries on the roads controlled by Council.
Road Quality.	The average quality of ride on a sealed local road network, measured by smooth travel exposure. ²	Not less than 95%.	Unlikely to achieve	Road roughness survey to be completed May 2022
Road maintenance.	The percentage of the sealed local road network that is resurfaced.	Between 5 and 6.5 % per annum.	Achievement anticipated	Resealing undertaken in March 2022
Response to service requests. (Roads)	The percentage of customer service requests relating to roads to which Council responds within the time frame specified.	Potholes: 90% within 14 days and 100% within 28 days. Streetlights: 90% within 14 days and 100% within 28 days.	Achieved to date Not Achieved	
Footpaths				
Footpath condition	Percentage of footpaths that fall within the level of service or service standard for the condition of footpaths set out in the Long Term Plan.	95%. ³	Achievement anticipated	Survey undertaken in December 2021 – awaiting results

² The percentage of Vehicle Kilometres Travelled in the District exposed to roads with roughness less than the threshold for urban roads set by the National State Highway Strategy

³ Against a standard of no more than 20 lips in the 70 km of footpaths (each lip above 20 mm equates to three metres of footpath needing replacement).

Levels of Service	Measures	Target	Status	Comment
Response to service requests.	The percentage of customer service requests relating to footpaths to which Council responds within the time frame specified.	100% within 14 days.	Achieved to date	No requests for dangerous footpaths

ACTIVITY GROUP 5: STORMWATER

Funding Impact Statement

	Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$147,435	\$51,673	
Applications of operating funding – Staff & Suppliers (B)	\$85,430	\$15,176	
Surplus (deficit) of operating funding (A - B)	\$62,005	\$36,497	
Sources of capital funding (C)	\$166,050	\$0	
Less (D):			
Renewals/capital	\$221,400	\$0	
Increase/(decrease) in reserves	\$6,655	\$36,497	
Surplus (deficit) of capital funding (C - D)	\$(62,005)	\$ (36,497)	
Funding balance ((A - B) + (C - D))	\$0	\$0	

Capital Renewals

Item	Budget	Actual	Comment
Stormwater pipe renewals	\$221,400	\$0	

Statement of Service Provision

Levels of Service	Measures	Target	Status	Comment
Council provides an effective stormwater network which removes stormwater to protect dwellings from flooding (System adequacy)	The number of flooding events that occur in the District. For each flooding event, the number of habitable floors affected.	No more than 0	Achieved to date	There were <i>no</i> flooding events
Council provides an effective stormwater network which removes stormwater to protect dwellings from flooding (Customer satisfaction)	The number of complaints received by Council about the performance of its stormwater system.		Not applicable. ⁴	
Response times	The median response time to attend a flooding event.	Less than one hour.	Achieved to date	There were <i>no</i> flooding events
Discharge compliance.	Compliance with Council's resource consents for discharge from its stormwater system, measured by the number of: <ul style="list-style-type: none"> • abatement notices • infringement notices • enforcement orders, and • convictions, received by Council in relation to those resource consents.	No notices, orders or convictions	Achieved to date	Council has complied with all the conditions of its resource consent. Council did not receive any notices, orders or convictions.

⁴ The mandatory measure per 1,000 properties connected to Council's stormwater system is not applicable, because properties in Kawerau are not permitted by building consents to connect to the stormwater system.

⁵ The mandatory measure per 1,000 properties connected to Council's stormwater system is not applicable, because properties in Kawerau are not permitted by building consents to connect to the stormwater system.

ACTIVITY GROUP 6: WATER SUPPLY

Funding Impact Statement

Both revenue and expenditure are on target.

	Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$1,431,699	\$751,176	
Applications of operating funding – Staff & Suppliers (B)	\$875,370	\$404,477	
Surplus (deficit) of operating funding (A - B)	\$556,329	\$346,699	
Sources of capital funding (C)	\$2,000,000	\$0	
Less (D):			
Renewals/capital	\$2,293,000	\$736,356	
Increase/(decrease) in reserves	\$263,329	\$(389,657)	
Surplus (deficit) of capital funding (C - D)	\$(556,329)	\$(346,699)	
Funding balance ((A - B) + (C - D))	\$0	\$0	

Capital Renewals

Item	Budget	Actual	Comment
Pipework replacement	\$1,810,000	\$659,670	
Toby replacement	\$150,000	\$12,107	
Valve refurbishment	\$40,000	\$357	
UV Tube Replacement	\$13,000	\$1,290	
Pump Refurbishment	\$200,000	\$3,535	
Water flow Restrictor	\$80,000	\$47,290	
Headworks & Fence	\$0	\$12,108	
Total	\$2,293,000	\$736,356	

Statement of Service Provision

Levels of Service	Measures	Target	Status	Comment
Customer satisfaction.	<p>The total number of complaints received about any of the following:</p> <ul style="list-style-type: none"> a) drinking water clarity b) drinking water taste c) drinking water odour d) drinking water pressure or flow e) continuity of supply, and f) Council's response to any of these issues expressed per 1,000 connections to the networked reticulation system. 	<ul style="list-style-type: none"> a) No more than 4 per 1,000 connections b) No more than 2 per 1,000 connections c) No more than 1 per 1,000 connections d) No more than 2 per 1,000 connections e) No more than 2 per 1,000 connections f) 0 per 1,000 connections 	Achievement anticipated	Council has 2,880 connections
Safety of drinking water.	<p>The extent to which Council's drinking water supply complies with:</p> <ul style="list-style-type: none"> a) part 4 of the 2008 drinking-water standards (bacteria compliance criteria), and b) part 5 of the 2008 drinking-water standards (protozoal compliance criteria). 	<ul style="list-style-type: none"> a) No more than 1 instance of bacteria non-compliance, and b) No instances of protozoal non-compliance. 	<ul style="list-style-type: none"> a) Achieved to date b) Achieved to date 	There were no instances of bacteria or protozoal non-compliance

Levels of Service	Measures	Target	Status	Comment
Maintenance of the reticulation network.	The percentage of real water loss from the Council's networked reticulation system, measured using the minimum night flow (MNF) analysis method contained in the DIA Guidelines.	<200 litres per connection per day ⁶	Achievement anticipated	Measured in June 2022
Demand management.	The average consumption of drinking water per day per resident within the district.	< 0.6 m3	Achieved to date	Measured in June 2022
	Where the local authority attends a call-out in response to a fault or unplanned interruption to its networked reticulation system, the median response times are:			
Fault response times.	a) attendance for urgent call-outs: from the time that Council receives notification to the time that service personnel reach the site, and	Less than two hours.	Achieved to date	There were no urgent call outs received to date
	b) resolution of urgent call-outs: from the time that Council receives notification to the time that service personnel confirm resolution of the fault or interruption.	Less than 8 hours.	Achieved to date	N/A
	c) attendance for non-urgent call-outs: from the time that Council receives notification to the time that service personnel reach the site.	24 hours.	Achieved to date	27 non-urgent call outs and median response time 2 hours 27 minutes
	d) resolution of non-urgent call-outs: from the time that Council receives notification to the time that service personnel confirm resolution of the fault or interruption	48 hours.	Achieved to date	Median resolution was 19 hours 13 minutes.

⁶ Measured using the minimum night flow (MNF) analysis method contained in the DIA Guidelines.

Levels of Service	Measures	Target	Status	Comment
The water supply is reliable and has minimal disruptions.	Number of unplanned shutdowns – reticulation.	No more than 12.	Achieved to date	No unplanned shutdowns occurred.
	Number of unplanned shutdowns - pump stations.	None.	Achieved to date	No unplanned shutdowns of the pump stations.
	Number of water main breaks.	No more than 8.	Achieved to date	No water main breaks occurred to date.
Water is sourced with minimal environmental effects.	Compliance with BOP Regional Council water supply resource consents as reported in Annual Consents and Compliance Field Sheet.	Compliance ⁷	Achieved to date	Complying with old consent.

⁷ BOPRC inspection reports state either compliance or non-compliance.

ACTIVITY GROUP 7: WASTEWATER

Funding Impact Statement

	Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$1,812,611	\$946,719	
Applications of operating funding – Staff & Suppliers (B)	\$1,290,700	\$754,526	
Surplus (deficit) of operating funding (A - B)	\$521,911	\$192,193	
Sources of capital funding (C)	\$0	\$0	
Less (D):			
Renewals/capital	\$1,075,000	\$263,340	
Increase/(decrease) in reserves	\$(463,089)	\$(71,147)	
Surplus (deficit) of capital funding (C - D)	\$(521,911)	\$(192,193)	
Funding balance ((A - B) + (C - D))	\$0	\$0	

Capital Renewals

Item	Budget	Actual	Comment
Pipework Renewal	\$700,000	\$130,749	
Pump refurbishment	\$35,000	\$1,679	
Milliscreen bearings	\$140,000	\$2,106	
Wastewater treatment plant & computer equipment	\$200,000	\$104,692	
Pumping Station	\$0	\$23,352	
Polymer Dosing	\$0	\$763	
Total	\$1,075,000	\$263,340	

Statement of Service Provision

Levels of Service	Measures	Target	Status	Comment
Customer satisfaction.	<p>The total number of complaints received about any of the following:</p> <ul style="list-style-type: none"> a) sewage odour b) sewerage system faults c) sewerage system blockages, and d) Council's response to issues with its sewerage system, (expressed per 1,000 connections to the sewerage system). 	<ul style="list-style-type: none"> a) No more than 1 per 1,000 connections b) No more than 15 per 1,000 connections c) No more than 15 per 1,000 connections d) 0 per 1,000 connections 	Achieved to date	<p>Council has 2,860 connections</p> <ul style="list-style-type: none"> a) No odour issues b) 0 faults c) 4 blockage (1.4 per 1,000) d) No complaints about response to service.
System adequacy.	The number of dry weather sewage overflows from Council's sewerage system, expressed per 1,000 connections to that sewerage system.	0 per 1,000 connections to the sewerage system.	Achieved to date	No dry weather overflows.
Fault response times.	<p>Where Council attends to sewage overflows resulting from a blockage or other fault in its sewerage system, the median response times are:</p> <ul style="list-style-type: none"> a) attendance time: from the time that Council receives notification to the time that service personnel reach the site, and 	Less than 1 hour.	Achieved to date	No sewerage overflow to date

Levels of Service	Measures	Target	Status	Comment
	b) resolution time: from the time that Council receives notification to the time that service personnel confirm resolution of the blockage or other fault.	Less than 8 hours.	Achieved to date	No sewerage overflow to date
Council provides a reliable domestic wastewater collection and disposal service.	Number of disruptions to wastewater collection service.	No more than 50.	Achieved to date	There was no disruptions to the waste water collection service to date.
Discharge compliance.	Compliance with resource consents for discharge from Council's sewerage system measured by the number of: a) abatement notices b) infringement notices c) enforcement orders, and d) convictions, received in relation those resource consents.	No notices, orders or convictions.	Achieved to date	Council has not received infringement notices to date
The wastewater treatment plant operates effectively.	Compliance with BOPRC wastewater treatment plant resource consents as reported in annual Consents and Compliance Field Sheet.	Compliance. ⁸	Not achieved	Council did not comply with all conditions of the resource consent due to material received from the dairy factory

⁸ BOPRC inspection reports state either compliance or non-compliance.

ACTIVITY GROUP 8: SOLID WASTE

Funding Impact Statement

Both revenue and expenditure are likely to exceed the budget due to additional waste volumes.

	Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$1,905,033	\$998,998	
Applications of operating funding – Staff & Suppliers (B)	\$1,903,420	\$1,131,019	
Surplus (deficit) of operating funding (A - B)	\$1,613	\$(132,021)	
Sources of capital funding (C)	\$0	\$0	
Less (D):			
Renewals/capital	\$23,000	\$8,213	Recycling shed
Increase/(decrease) in reserves	\$(21,387)	\$(140,234)	
Surplus (deficit) of capital funding (C - D)	\$(1,613)	\$132,021	
Funding balance ((A - B) + (C - D))	\$0	\$0	

Statement of Service Provision

Levels of Service	Measures	Target	Status	Comment
Refuse Collection and Disposal				
Council's refuse collection and disposal services meet the needs of the Kawerau Community and help maintain public health and a clean environment.	Level of compliance with BOP Regional Council refuse disposal resource consents as reported in annual Consents and Compliance Field Sheet.	Compliance. ⁹	Achieved to date	No notices, abatement notices, enforcement orders or convictions.
Zero Waste (Recycling)				
Material that would otherwise go to landfill as household refuse is collected by the recycling collection service.	Average amount of recyclable material collected from each household.	No less than 178 kg per annum.	On track	2,880 households. Measured at year end

⁹ BOPRC inspection reports state either compliance or non-compliance

ACTIVITY GROUP 9: LEISURE AND RECREATION

Funding Impact Statement

Costs and revenue are on track and it is expected to be close to budget at year end

	Original Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$4,188,663	\$2,211,530	
Applications of operating funding – Staff & Suppliers (B)	\$3,569,540	\$1,763,277	
Surplus (deficit) of operating funding (A - B)	\$619,123	\$448,253	
Sources of capital funding (C)	\$0	\$0	
Less (D):			
Renewals/capital	\$1,860,340	\$453,172	
Increase/(decrease) in reserves	\$(1,241,217)	\$(4,919)	
Surplus (deficit) of capital funding (C - D)	\$(619,123)	\$(448,253)	
Funding balance ((A - B) + (C - D))	\$0	\$0	

Capital Renewals

Item	Budget	Actual	Comment
Library:			
Collection renewals	\$72,940	\$26,236	Replacement books
Equipment, Fixtures and Fittings	\$50,600	\$2,590	
Building	\$13,700	\$0	
Swimming Pool:	\$884,500	\$354,712	
Recreation Centre	\$71,600	\$1,658	
Town Hall	\$2,700	\$0	
Concert Chambers	\$14,600	\$2,796	
Toilets	\$70,000	\$0	
Sports fields and amenity buildings	\$622,000	\$50,889	
Passive Reserves	\$53,800	\$14,291	Boundary fences, carparks and outlet
Playgrounds	\$3,900	\$0	Fence renewals
Total	\$1,860,340	\$453,172	

Statement of Service Provision

Levels of Service	Measures	Target	Status	Comment
Library				
The library is accessible to the public.	Percentage of the population who are active members of the library. ¹⁰	>25%	Unlikely to achieve	Currently 1,583 (22.1%) of the population are active members of the library.
	Number of visits to the library annually	>90,000	Unlikely to achieve	24,491 people visited the library to 31/12
	New items per 1,000 population added to the collection each year.	>500	On Track	1,350 new items (190 per 1,000 population) were added to date
Museum				
Council provides a museum service which reflects Community needs.	Number of exhibitions held.	6	On track	5 exhibitions have been held to date.
	Number of objects accessioned to the museum collection per annum.	200	On track	There were 87 objects accessioned into the museum collection to 31 Dec 2021
Swimming Pools				
Swimming pool water meets water quality standards.	Level of compliance with standards.	Full compliance in 95% of tests.	Achieved to date.	97% compliance of tests done.
Council provides a Swimming Pool Complex which is accessible to the Community.	Weeks open per year.	At least 48.	Not achieved	Pool was not open for 23/26 weeks for the year to date.
Public Halls and Facilities				
Four Community halls are available for hire: Ron Hardie Recreation Centre, Town Hall,	Number of weeks public halls available for hire	Each hall is available for 50 weeks. ¹¹	Not achieved	All halls were closed for 5 weeks due to COVID lockdown.

¹⁰ Those who have used library services in the past two years.

¹¹ Each hall is closed for scheduled maintenance for up to two weeks per year.

Levels of Service	Measures	Target	Status	Comment
Concert Chambers and the Bert Hamilton Hall.				
Clean public toilets are provided in the central business district.	Council provides town centre public toilets.	Open at least 360 days.	On track	The town centre public toilets were open 184/184 days
Parks and Reserves				
Playing surfaces at sports fields are maintained to the requirements of the codes for which they are used.	Implementation of recommendations of NZ Sports Turf Institute advisory reports.	100%	On track	NZ Sports and Turf inspected the sports fields in August and provided recommendations
Bedding displays are attractive and updated to suit the season.	Number of bedding displays.	2 (1 summer and 1 winter).	On track	Summer displays were planted in October and the winter displays will be planted in May.
Playground equipment is safe for children to use.	Monthly inspections of all playground equipment.	12 inspections conducted.	On track	6 inspections have been undertaken to date.
	Remediation of all identified ¹² problems.	All repairs completed within 2 weeks.	Achieved to date	Minor defects identified by inspection and from the public via requests for service. All rectified within 2 weeks
Cemetery				
The Kawerau cemetery meets community interment needs in the present and the medium term	Number of burial plots available	Enough for at least 5 years	Achieved	There are currently enough plots for approximately a further 10 years.

¹² Problems can be identified by users, parents, community members or staff at any time.

SUNDRY (VANDALISM, PLANT AND ELIMINATIONS)

Funding Impact Statement

These activities include vandalism, plant and eliminations. Eliminations mostly include the rates charged to Council properties and any past years' surpluses that Council has resolved to use to reduce rates.

	Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$ (951,825)	\$ (411,162)	
Applications of operating funding – Staff & Suppliers (B)	\$ (977,750)	\$ (504,312)	
Surplus (deficit) of operating funding (A - B)	\$25,925	\$93,150	
Sources of capital funding (C)	\$0	\$100,000	
Less (D):			
Renewals/capital	\$150,000	\$115,756	Small plant & vehicles
Increase/(decrease) in reserves	\$ (124,075)	\$77,394	
Surplus (deficit) of capital funding (C - D)	\$ (25,925)	\$ (93,150)	
Funding balance ((A - B) + (C - D))	0	0	

ACCOMMODATION AND CORPORATE OVERHEADS

Funding Impact Statement

These activities include the buildings costs as well as overheads (CEO's and Managers' cost centres). These costs are allocated and are included in the other activities costs, which is required for reporting purposes.

	Budget	Actual	Comment
Operating funding – Rates & Charges (A)	\$124,859	\$143,335	
Applications of operating funding – Staff & Suppliers (B)	\$3,436,680	\$1,971,851	
<i>Less allocated to activities</i>	\$(3,436,680)	\$(1,971,851)	
Surplus (deficit) of operating funding (A - B)	\$124,859	\$143,335	
Sources of capital funding (C)	\$0	\$0	
Less (D):			
Renewals/capital	\$120,350	\$76,426	IT and building renewals
Increase/(decrease) in reserves	\$4,509	\$66,909	
Surplus (deficit) of capital funding (C - D)	\$(124,859)	\$(143,335)	
Funding balance ((A - B) + (C - D))	\$0	\$0	

Meeting: Council

Meeting Date: 29 March 2022

Subject: **BOPLASS Limited - Draft Statement of Intent 2022-2025 and Half-Yearly Report to 31 December 2021**

File No.: 104023

1 Purpose

The purpose of this report is to:

1. Consider the BOPLASS Limited Draft Statement of Intent (SOI) for 2022-2025; and
2. Receive BOPLASS Limited's half-yearly report to shareholders, outlining its performance for the six months to 31 December 2021 against the 2021-22 Statement of Intent.

2 Background

In July 2007, Bay of Plenty Local Authority Shared Services (BOPLASS) was established as a Council Controlled Organisation for the future development of shared services in the region.

Statement of Intent

Schedule 8 of the Local Government Act 2002 requires Council Controlled Organisations to deliver to shareholders a draft Statement of Intent for the coming financial year, by 1 March in the preceding financial year. Shareholders then have up to two months to make comments on the draft. The CCO Board must consider these comments and deliver a final Statement of Intent to shareholders before the beginning of the financial year. The draft Statement of Intent is attached to this report.

The draft Statement of Intent includes:

- Objectives;
- Future developments;
- Performance targets, and
- Financial forecasts for 2022/23, 2023/24 and 2024/25.

The formal draft document has been approved by the BOPLASS Board for circulation to shareholders. Any submissions made by shareholders will be considered by the directors, with a final document being approved by 30 June 2022.

Six Monthly Report

In accordance with the Statement of Intent and the Local Government Act 2002 BOPLASS is required to report to Council on financial and non-financial performance six monthly and annually. Specifically the Statement of Intent requires that the six-monthly report includes:

- i. a statement of financial performance
- ii. a statement of movements in equity

3 Statement of Intent

The Draft Statement of Intent continues the primary focus on joint procurement initiatives that deliver financial savings or an enhanced service.

4 Six Monthly Report - Summary of Performance

Non-financial performance

The report states that all targets are being achieved or are on-track to be achieved. The report outlines a list of projects and initiatives that support this view (see pages 4-6 of the report).

Financial performance

Financial performance for the year shows that the organisation is operating within budget. Operating revenue is \$136,000 above budget, and operating expenditure is \$134,000 above budget, primarily due to delays in aerial photography in 2020, with the work being moved forward to 2021. Variations to the budget are noted by BOPLASS on Page 7 of the report.

5 Policy and Plan Considerations

The draft SOI is consistent with Council's Policies and Plans.

6 Consideration of Community Views

Community views have not been sought on this matter, nor is it recommended that they be sought. The consideration of the BOPLASS draft SOI is not significant in terms of Council's Significance and Engagement Policy.

7 Financial Considerations

Council's financial contribution to BOPLASS Limited is included in the Draft Long Term Plan Estimates.

8 Legal Considerations

Schedule 8 of the Local Government Act 2002 sets out the detailed requirements relating to Statements of Intent.

9 RECOMMENDATIONS

1. That the report "BOPLASS Limited - Draft Statement of Intent 2022-2025 and Half Yearly Report 31 December 2021" be received.
2. That Council approves the BOPLASS Limited Draft Statement of Intent for 2022-2025.



Russell George, CA, MBA
Chief Executive Officer

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BOPLASS Ltd

STATEMENT OF INTENT FOR 2022-2025



June 2022

"COUNCILS PARTNERING FOR VALUE AND SERVICE"

1. Introduction

This Statement of Intent (SOI), developed under Schedule 8 of the Local Government Act 2002:

- Declares a public statement of the activities and intentions of BOPLASS Ltd and the objectives to which those activities will contribute.
- Provides an opportunity for the shareholders to influence the direction of BOPLASS Ltd, and
- Provides a basis for the accountability of the Directors to the Shareholders for the performance of BOPLASS Ltd.
- Covers BOPLASS Ltd and any subsidiary company established in pursuance of the objectives herein.

2. Background

The councils that operate within the Bay of Plenty and Gisborne Regions have formed a Council Controlled Organisation (CCO) to investigate, develop and deliver Joint Procurement and Shared Services projects where delivery is more effective for any combination of some or all of the councils.

Benefits that can be achieved through collaboration are:

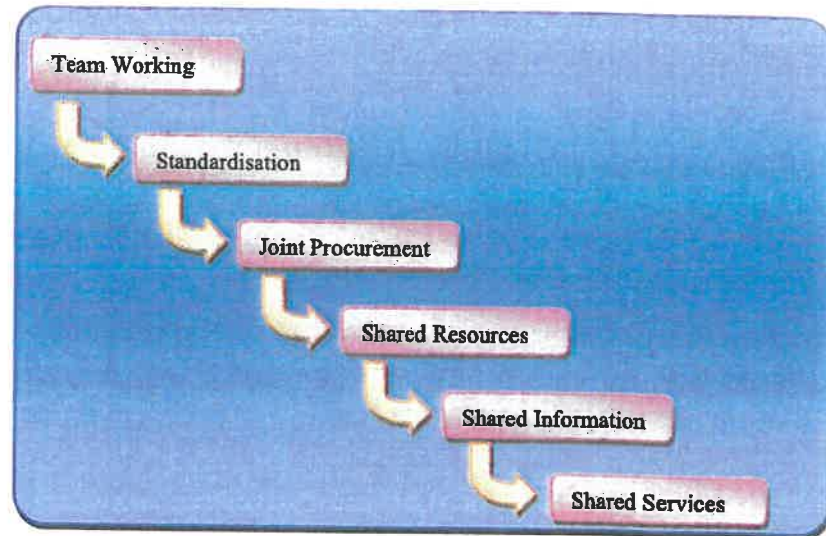
- improved levels and quality of service;
- a co-ordinated and consistent approach to the provision of services;
- reductions in the cost of support and administrative services;
- opportunities to develop new initiatives;
- economies of scale resulting from a single entity representing many councils in procurement.

These benefits and opportunities can apply to all councils irrespective of location or size.

Business processes, information architectures and functional tools differ in each council to varying degrees. The BOPLASS strategies facilitate a journey of progressive development using the approach identified in the BOPLASS Strategy and Action Plan to:

- enhance the capability to collaborate;
- encourage the elimination of barriers to collaborative action; and
- identify services that deliver viable business cases.

A generic sequence or stages of collaboration between multiple councils is followed to develop Shared Services, as shown in Figure 1.



Many of the BOPLASS Joint Procurement projects have supported the development of standard products, services or solutions across the councils. These standards assist in creating a foundation for the delivery of collaboration within the councils.

Examples of Joint Procurement and collaborative projects are:

- Infrastructure Insurance
- Collective Training
- Aerial Imagery and LiDAR
- Provincial Growth Fund Co-funding for LiDAR Capture
- Standardised Community Engagement App
- Lone Worker Field Solutions
- Robotic Process Automation
- Accounts Payable Automation Software
- Print Media Licencing
- Insurance Valuations
- Contractor Online Inductions
- Health and Safety Management Software
- Radio Telephony (RT) Strategy
- Solid Waste Management
- Insurance Forums
- Health and Safety Inter-Council Audits
- Asbestos Protocols
- Sustainable Public Procurement
- Health and Safety Benchmarking
- Video Conferencing Services
- Council Library and Cloud Services
- Inter-Council Network (ICN) Review, Redesign and Renegotiation
- Debt Collections
- Collaboration Portal
- Capital Construction and Civil Works Projects
- Fortigate Firewall Services
- Wireless WAN
- Inter-LASS Collaboration
- Human Resources Information Systems

3. Our Vision

“COUNCILS PARTNERING FOR VALUE AND SERVICE”

4. Objectives of BOPLASS Ltd

Working together with the full support and involvement of staff, we will provide benefit to councils and their stakeholders through improved levels of service, reduced costs, improved efficiency and/or increased value through innovation.

These will be achieved primarily through:

Joint Procurement

Being the procurement of services or products by two or more councils from an external provider regardless of whether the service is paid for through BOPLASS or individually by participating councils.

Shared Services

Being the participation of two or more councils in the provision of a common service which may be jointly or severally hosted.

5. Nature and Scope of Activities

The principle nature and scope of the activities of BOPLASS Ltd is to:

- Use Joint Procurement to add value to goods and services sourced for its constituent councils.
- Establish the underlying technology, framework, platform and policies to enable and support collaboration.
- Facilitate initiatives that benefit councils and their stakeholders through improved levels of service, reduced costs, improved efficiency, innovation and/or increased value.
- Pursue best practice in the management of all activities to obtain best value and minimise risk.
- Demonstrate fiduciary responsibility by ensuring that its activities are adequately funded from savings achieved, levies, council contributions, or Government funding where available.
- Allow other councils or organisations to participate in its activities where this will benefit its constituent councils directly or indirectly.
- Actively monitor and engage with Shared Service developments across the public sector to identify opportunities for further development and establishing best practice.
- Represent the collective views of its Shareholders in matters with which it is associated.

6. Governance

BOPLASS Ltd will conduct itself in accordance with its Constitution, its annual Statement of Intent, and the provisions of the Companies Act 1993 and the Local Government Act 2002.

The Company is governed by its Directors. To ensure total synergy between the Company's activities and its council shareholders' activities, nine Directors are also the current Chief Executives of their respective shareholding councils. The dual roles recognise the interdependence of BOPLASS and its councils in the undertaking of its activities.

The Board also includes an independent Chair, appointed with specific skills and knowledge to add incremental value. This appointment brings experience and specialist skills that are complementary to those held by the other Directors.

Shareholder	Appointed Director
Bay of Plenty Regional Council	Fiona McTavish
Gisborne District Council	Nedine Thatcher Swann
Kawerau District Council	Russell George
Opotiki District Council	Aileen Lawrie
Rotorua Lakes Council	Geoff Williams
Taupo District Council	Gareth Green
Tauranga City Council	Marty Grenfell
Western Bay of Plenty District Council	John Holyoake
Whakatane District Council	Stephanie O'Sullivan
Independent Director and Chair	Craig O'Connell

A sub-committee of council delegates has been established by the Directors as an Operations Committee to manage responsibility for regular monitoring and governance of operational aspects of BOPLASS projects, allowing the Board to primarily focus on supporting the strategic development of the organisation.

Each activity or project is managed by an Advisory Group, nominated by the shareholding councils in that particular service. The Board retains the right to approve nominations to the Advisory Groups and all of their material decisions – there is only one Board of Directors and that remains at the umbrella or holding company level.

The Board has established a principle that participation in each initiative is decided by individual councils on an 'opt in' basis.

Services delivered are subject to a formal service level agreement between BOPLASS Ltd and the participating councils, outlining the services and activities provided, where, when and how; and reflecting the capital and operational costs being met by each service shareholder.

Joint Procurement initiatives consistent with their nominated role may be undertaken by any advisory group or as approved by the Operations Committee. In considering Joint Procurement initiatives, the Company will take into account the opportunities available through All of Government (AoG) purchasing arrangements and, where there is demonstrated benefit to the Company or its constituent councils, support such initiatives. In assessing the benefits of a Joint Procurement initiative, opportunities for integration shall be considered. The Board has recognised that the availability of All of Government Procurement options has the potential to impact on BOPLASS' ability to provide procurement options in some categories.

Subject to the approval of shareholders in accordance with the shareholder agreement the Directors may decide that a particular activity is best managed as a subsidiary company and proceed accordingly. Any subsidiary company whose objectives are in accordance with the objectives set out in this Statement of Intent shall not be required to have a separate Statement of Intent.

7. Future Developments

The company recognises the importance of remaining adaptive in what is a complex and changing working environment. BOPLASS continues to look at new opportunities or alternative approaches to progressing projects that benefit our shareholding councils.

The Board recognise that the drive for change and/or collaboration in some key areas of council business will often be led by other groups, e.g. three waters reform, RMA changes. Although BOPLASS may not be leading these specific projects, the organisation may be considered as one of the vehicles available to assist with managing collective regional outputs from these projects.

BOPLASS Joint Procurement opportunities will continue to be actively pursued to ensure maximum savings and benefits are delivered to the participating councils through existing and new contracts.

Joint Procurement initiatives will be considered by the Board and/or its advisory groups where there is demonstrated support from two or more member councils, with councils participating on an opt-in basis.

BOPLASS also recognises the importance of social procurement and will continue to consider the broader social, cultural and environmental outcomes as part of its procurement process.

BOPLASS will explore opportunities for councils to develop ICT solutions using middleware and cloud technologies that allow for future sharing and the development of Shared Services without the wholesale replacement of IT systems.

The Board will be looking for commitment from councils to participate in collaborative services and to provide a lead in the identification and management of opportunities and projects.

8. Inter-Regional Collaboration

The board recognise the benefits of BOPLASS proactively partnering with other local authorities and Shared Services organisations where they are either developing or considering developing cost effective services or Joint Procurement initiatives that are of value to the BOPLASS councils. The Board is looking to expand on this activity and the range of opportunities for inter-regional partnering. BOPLASS will work towards providing improved visibility of projects being undertaken in other regions that may provide for multiple councils to participate in.

Where it is practicable, BOPLASS will work with other LASS or councils to leverage off, or participate in, services established by other collective local government groups.

The Collaboration Portal, established by BOPLASS for the sharing of information on Shared Services or Joint Procurement opportunities, has been made available to the wider local government community to provide better visibility of common projects and to encourage further cross-regional collaboration. BOPLASS will continue to market the benefits of inter-region collaboration and assist other councils through providing support and access to the Collaboration Portal.

BOPLASS has provided substantial savings to its shareholding councils through joint procurement and the Board has tasked BOPLASS with leading further inter-regional joint procurement initiatives that will provide benefit to all parties through an aggregated approach.

Significant benefits and savings have been achieved in the placement of councils' insurance through working in conjunction with other LASS. BOPLASS is considered a key contributor to the development of the interLASS insurance collective. Unfortunately, cost-effective placements and coverage are becoming more challenging to achieve as a result of the hardening of global insurance markets. Opportunities for the LASS groups to share a specialised internal resource to ensure we maintain our favourable position within the insurance industry will be investigated.

9. Stakeholder Engagement

BOPLASS recognises the ambitious plans our constituent councils have for their communities and endeavours to support these aspirations through:

- Regular engagement at project, management and governance level;
- Including councils' short, medium and long-term goals within BOPLASS planning;
- Using quality information from councils to guide our decision-making;
- Identifying and developing services that directly benefit councils and/or their communities;
- Monitoring councils' future plans and remaining agile to change to include these aspirations in our own planning;
- Ensuring Operation Committee members include regular communication about individual council LTP developments to assist BOPLASS with aligning with councils' strategic direction;

- Regularly communicating to ensure stakeholders are aware of what we are doing and why we are doing it;
- Involving councils in our decision-making and planning.

10. Performance Targets

To ensure the Company continues to operate effectively in both governance and management terms over the next three years the targets are to:

Target	How	Measure
Ensure supplier agreements are proactively managed to maximise benefits for BOPLASS councils.	Manage and/or renegotiate existing contracts.	Contracts reviewed annually to test for market competitiveness. New suppliers are awarded contracts through a competitive procurement process involving two or more vendors where applicable.
Investigate new Joint Procurement initiatives for goods and services for BOPLASS councils.	Procure from sources offering best value, service, continuity of supply and/or continued opportunities for integration. (Current identified projects are listed in Appendix B.)	A minimum of four new procurement initiatives investigated. Initiatives provide financial savings of greater than 5% and/or improved service levels to the participating councils.
Identify opportunities to collaborate with other LASS in Procurement or Shared Service projects where alliance provides benefits to all parties.	BOPLASS to regularly engage with other LASS to identify and explore opportunities for further inter-regional collaboration.	Quarterly reporting on engagement and a minimum of one new collaborative initiative undertaken annually.
Further develop and extend the Collaboration Portal for access to, and sharing of, project information and opportunities from other councils and the greater Local Government community to increase breadth of BOPLASS collaboration.	Increase usage of the Collaboration Portal by providing support and training material for new and existing users. Proactively market the benefits to councils.	Number of listed projects to increase by 5% per year. Number of active users to increase by 5% per year.
Communicate with each shareholding council at appropriate levels.	Meeting with members of Executive Leadership Team.	At least one meeting per year.
Ensure current funding model is appropriate.	Review BOPLASS expenditure and income and review council contributions and other sources of funding.	Performance against budgets reviewed quarterly. Company remains financially viable.

11. Balance Sheet Ratios

The Local Government Act 2002 Schedule 8 (9) requires the SOI to include the projected ratio of shareholders' funds to total assets within the Forecast Statement of Financial Position. As at 30 June 2021 the consolidated Shareholder funds comprised \$45,826 and the total assets were \$1,492,395. The resulting ratio is 3.07%.

As asset owning Shared Services are approved, the Board will, if appropriate, provide a mechanism for the recognition of each council's contribution.

12. Accounting Policies

12.1 Statement of Accounting Principles

The Company will adopt accounting practices that comply with NZ IFRS, the requirements of the LGA and the Financial Reporting Act 1993.

12.2 IPSAS Accounting Standards

As a Public Sector Public Benefit Entity (PS PBE), the Company has elected to report using International Public Sector Accounting Standards for Public Benefit Entities under Tier 3 PBE standards.

12.3 Measurement Basis

The Company will follow generally accepted international accounting principles for reporting of earnings and financial position.

12.4 Specific Accounting Principles

The following are principles which will have a significant effect on the measurement of financial position:

- Accounts Receivable are stated at their expected realisable value after writing off any known bad debts and providing for doubtful debts.
- Investments are valued at the prevailing market value.
- Fixed assets are recorded at cost, less accumulated depreciation.
- Any liability for overseas funding of equipment, systems or services is based on the prevailing exchange rate as at balance date.
- Where intangible assets are purchased, such as intellectual property, these are capitalised and written off on a straight line basis over their expected life, but no greater than four years.
- All assets are depreciated over their expected useful lives. Depreciation is provided on a diminishing value basis over the estimated useful life, at the same rate as is allowed by the Income Tax Act 1994.

- It is not envisaged that the Company will hold inventories, other than those that might relate to providing information services to a number of parties. They will be valued at net realisable value.
- Taxation will be provided as required in line with relevant legislation.
- In accordance with the Public Audit Act 2001 and the Local Government Act 2002, the office of the Auditor General will be responsible for the audit of the Company's financial statements.

13. Distributions to Shareholders

The Company is not expected to make profits that would ordinarily be distributed by way of dividends. Any surplus funds (after tax) remaining from an activity or the annual operations of the Company shall be carried forward to the ensuing year and may be used to reduce service costs, invest in further developing other services, and/or as the Directors may decide.

14. Information to be Provided to Shareholders

The Company will deliver the following statements to shareholders.

- On a three monthly basis the Financial Position and Cashflow.
- Within two months of the end of the first half of the financial year: Financial Performance and Financial Position.
- Within three months of the end of the financial year the following audited statements: Financial Position, Movements in Equity, Cashflows, Service Performance plus a summary of how the Company has tracked against its objectives and prospects for the next financial year, and a report on the Company's medium to long term plans.
- Six monthly summaries of project activities included in Half Yearly and Annual Reports.

15. Procedures for the Purchase and Acquisition of Shares

The Board will give approval before BOPLASS Ltd subscribes for, purchases or otherwise acquires shares in any company or other organisation, which is external to the group.

16. Activities for Which the Board Seeks Compensation

The ongoing activities to identify, develop, procure Shared Services will be budgeted for in advance, subject to a business case and either funded by individual councils without BOPLASS Ltd involvement, or agreed by the Board to be funded by BOPLASS Ltd with consequent recovery from participating councils.

Shareholding councils will make a contribution to the operational costs of the Company on an annually agreed basis.

The Company will also seek contributions by way of a levy or administration charges on services provided or administered. In determining an appropriate charge, the Directors may take into account the cost of running the Company, its future operational requirements, the nature and cost of the service provided, benefits achieved and councils' ability to pay.

The Company may provide services (at a cost recovery or a cost plus basis) to other non-shareholding councils within or beyond the region. Any surplus from such activity will be used to either reduce service costs and/or invest in further developing of that or other services, as agreed by the Advisory Group and by the Board.

17. Value of Shareholder's Investment

The Directors estimate that, at this stage, BOPLASS Ltd has limited commercial value. As each shareholder's investment in BOPLASS Ltd is less than \$20,000, the Board believe that fairly represents the value of their investment. The Directors will reassess the value of this shareholding on or about the 1st of March each year.

18. Financial Forecasts

The Forecast Financial Statements for the years 2022-2025 are included (Appendix A).

The Aerial Photography revenue/expenses reflects the flying programme determined by the participating councils which includes interim flying programmes and extensive region-wide flying programmes over the next five years.

A continued increase in Recoveries has been forecast to reflect the direct recovery of purchases made on behalf of councils through Joint Procurement projects.

It is the company's intention to always fully recover costs incurred on behalf of participating councils.

Appendix A

SOI Forecast 2021/24	Budget 2021/22	Forecast 2022/2023	Forecast 2023/2024	Forecast 2024/2025
REVENUE				
Revenue - Core	306,339	313,992	321,837	329,878
Bank Interest Received	200	200	200	200
Council Contribution	306,139	313,792	321,637	329,678
Revenue - Projects	1,199,000	1,301,600	1,211,100	1,421,200
Aerial Photography Income	300,000	400,000	300,000	500,000
Bank Interest Received	6,000	4,100	4,100	4,200
Collaboration Portal	45,000	50,000	55,000	55,000
Lease Income - ICN	135,000	130,000	125,000	125,000
Lease Income - Video Confer.	30,500	15,000	15,000	15,000
Rebates	2,500	2,500	2,000	2,000
Recoveries	680,000	700,000	710,000	720,000
Total Operating Revenue	1,505,339	1,615,592	1,532,937	1,751,078
EXPENSES				
Expenditure - Core	374,950	384,570	396,453	404,999
ACC	800	850	900	950
Accommodation & Travel	2,000	2,100	2,200	2,200
Accounting & Audit	20,700	21,300	22,000	22,800
Administration	17,300	17,500	18,000	18,500
Amortisation	5,000	7,700	8,700	9,400
Bank Fees	200	200	200	200
Conferences	2,000	2,100	2,200	2,200
Depreciation	650	650	650	650
Directors costs	21,000	21,000	23,000	24,000
Fringe Benefit Tax	3,500	3,500	4,000	4,500
General & Catering	2,000	2,200	2,400	2,400
Health and Safety	1,000	1,000	1,000	1,000
Insurance	9,500	10,500	12,000	13,000
Interest Paid - TCC Loan	500	500	500	500
Legal	2,000	2,000	2,000	2,500
Salaries	278,000	282,170	286,403	290,699
Salaries - C'Portal Opex	-16,500	-16,500	-17,000	-18,000
Staff Support Costs	17,000	17,500	18,500	18,500
Staff Training Costs	2,000	2,000	2,500	2,500
Subscriptions	1,000	1,000	1,000	1,000
Tax Advice	5,300	5,300	5,300	5,500
Expenditure - Projects	1,130,389	1,231,022	1,136,484	1,346,079
Aerial Photography Expense	300,000	400,000	300,000	500,000
Collaboration Portal Opex	26,119	27,122	27,884	27,979
Lease Expense - ICN	129,600	124,800	120,000	120,000
Lease Expense - Video Confer.	28,670	14,100	14,100	14,100
Projects - Recoveries	646,000	665,000	674,500	684,000
Total Operating Expenditure	1,505,339	1,615,592	1,532,937	1,751,078
Operational Surplus/ (Deficit) before Tax	0	0	0	0

Completed Joint Procurement Projects

Requiring ongoing management for performance, renewal or replacement:

- Collective Geospatial training
- Aerial Imagery
- Provincial Growth Fund co-funding for LiDAR Capture
- Antenno community engagement app
- Insurance Valuations
- Contractor online inductions
- Eastern BOP Electricity
- Health and Safety Management Software
- Solid Waste Management
- Insurance Forums
- Asbestos protocols
- Sustainable Public Procurement
- Health and Safety Benchmarking
- Council Library and cloud services
- Inter-Council Network (ICN) review, redesign and renegotiation
- Debt Collections
- Collaboration Portal
- Capital Construction and Civil Works Projects
- Inter-LASS collaboration
- Spark Fortigate Firewall Services
- Evolution Networks Wireless WAN
- Office supplies
- Banking
- Postal services
- Courier services
- Fuel
- Advertising services
- Travel and accommodation services
- Air travel
- Insurance brokerage
- Risk management
- N3/GSB
- GIS software
- Health insurance
- Security services
- Antivirus software
- Video conferencing
- Above ground asset insurance
- GPS vehicle tracking
- Archaeological services
- Telephony – voice, data, mobile
- Reprographic – printers/copiers
- Media monitoring services
- EFTPOS services
- Historical imagery digitisation
- Online services
- Internal audit services
- Health and safety training services
- Risk management workshops
- Infrastructure Insurance
- Collective H&S training
- EMA membership
- Environmental insurance
- Print Media Copyright Services
- Health and Safety software
- Tender Facilitation
- Regional LiDAR Capture
- Standards NZ
- Accounts Payable Automation Software
- FME Server
- Human Resources Information Systems

Identified Joint Procurement Projects

- Civil works contracts
- Civil works materials
- Infrastructure valuation services
- High volume print
- Electronic document management
- Archives
- Document storage
- Document scanning
- Agenda management software
- ICT security policies
- Business continuity
- IT applications
- Property valuation services
- Telephony platform
- Chemicals
- Digital signatures
- Recruitment/candidate management
- Surveys and research
- Media distribution services
- CD emergency notifications
- Fleet purchasing
- Push wireless
- Fleet management
- Community communication systems
- Lone worker field solutions
- LiDAR acquisition – PGF
- Drug & alcohol testing
- Electronic agenda and minute management
- Occupational health
- Health & Safety training

Collaborative Projects

Managed by BOPLASS or by one or more constituent councils:

- IT hosting / IaaS
- Shared datacentre
- Internal audit services
- GIS web services
- Shared licence server
- Contractor H&S prequalification
- Radio telephony strategy
- Collaboration Portal
- After hours call management
- Archive service
- Debt management
- Health and safety auditing
- Inter-council network (ICN)
- Smart cities
- Section 17A reviews
- Video conferencing
- GIS imagery data storage
- Historic aerial imagery
- Sustainable procurement
- Diversion of putrescible waste from landfill
- Civil works projects marketing
- Robotics processing automation
- Civil Defence Emergency Management
- Insurance Valuations
- Inter-LASS collaboration
- Regional waste operator licensing and data collection
- Zoom licencing and group plan

Projects for Consideration

- Rates Collection
- Geospatial services
- Joint software support
- Asset Management
- Web services
- Payroll
- Consents Processing
- CCTV monitoring
- Information Services
- HR Information Systems
- Electronic Document and Records Management System
- Business continuity planning
- Infrastructure development codes
- Solid waste regional facilities strategy
- Building consents
- Regional Civil Defence
- Document digitisation
- Capital Expenditure projects
- Project management office
- Windscreen replacement
- Driver training
- Staff engagement survey systems
- Contractor online inductions
- Centralised insurance resource



BOPLASS Ltd

HALF YEARLY REPORT TO SHAREHOLDERS



Period ended 31 December 2021

"COUNCILS PARTNERING FOR VALUE AND SERVICE"



BOPLASS Chair's Report

It is with pleasure the Directors present their 2021/2022 Half Yearly Report to Shareholders demonstrating the considerable contribution the company makes to collaboration between councils.

With one change to the Board earlier this year, we farewelled and thanked Miriam Taris for her contribution and welcomed John Holyoake as Director and Shareholder's representative for the Western Bay of Plenty District Council.

The hardening of the global insurance market continued in 2021 with insurers focussing on climate change risks and the impact of this on councils' risk profiles. BOPLASS has continued to build strong relationships within the insurance markets and this again proved its value throughout the renewal process, ensuring favourable terms and competitive rates were achieved. BOPLASS has continued to take a proactive role in ensuring councils provide timely, relevant, and accurate data to support and promote the collective group's engagement with both local and international insurers.

2021 saw the awarding and management of several large aerial imagery and LiDAR contracts, with the benefits not only covering the collective capture of imagery but also providing resource savings through collaborating in the processing and storage of data for the region. Contributions from Land Information NZ to the collective BOPLASS programme were received, which further contributed to council savings.

In addition to the essential uses of the mapping data for internal and external council systems, this GIS work also feeds into insurance data used in our submissions to insurers. The quality of this data and mapping often sets our applications apart from less-informed organisations – resulting in improved pricing and terms for BOPLASS councils.

The BOPLASS team have managed well through the continued challenges and changes of the COVID-19 response frameworks and the Board acknowledges this commitment. Additionally, BOPLASS facilitate a Health and Safety Managers' Advisory Group which has proven to be an essential conduit for the sharing of information as councils work through similar pandemic responses and processes.

Each year the number of established procurement contracts BOPLASS manages on behalf of councils grows, and with it, the importance to maintain competitive contracts to achieve best value for our shareholding councils. BOPLASS has reviewed and renewed several contracts in the first six months of this year and, where able, this has been undertaken in conjunction with the other LASS. In addition, BOPLASS has successfully led the procurement of mail services for BOPLASS, MW LASS, Waikato councils providing each group with substantial savings and an improved level of service. The Board continues to support the development of inter-regional opportunities and collaboration.

Additional information about current projects is available in the attached report.

We thank staff from the participating councils and acknowledge the support we have received from them.

Yours faithfully

Craig O'Connell

Chair



BOPLASS Ltd
"COUNCILS PARTNERING FOR VALUE AND SERVICE"

HALF YEARLY REPORT TO SHAREHOLDERS

15 FEBRUARY 2022

1 INTRODUCTION

The Local Government Act 2002 requires that the Directors deliver to the Shareholders a report within two months of the end of the first six months of the financial year. The report is required to provide information against the objectives set out in the Statement of Intent. The following report records the objectives of the company and reports on performance against a table of specific performance requirements set out in the Statement of Intent.

2 OBJECTIVES OF BOPLASS LTD

The company exists to provide councils in the Bay of Plenty and Gisborne regions with an umbrella vehicle to investigate, procure, develop and deliver shared services.

Working together with the full support and involvement of staff, we will provide benefit to councils and their stakeholders through improved levels of service, reduced costs, improved efficiency and/or increased value through innovation.

These will be achieved primarily through:

JOINT PROCUREMENT

Being the procurement of services or products by two or more councils from an external provider regardless of whether the service is paid for through BOPLASS or individually by participating councils.

SHARED SERVICES

Being the participation of two or more councils in the provision of a common service which may be jointly or severally hosted.

3 GOVERNANCE

In the year to date the governance structure has remained stable with no changes to the Board of Directors or Shareholder Representatives.

4 NATURE AND SCOPE OF ACTIVITIES

The principle nature and scope of the activities of BOPLASS Ltd is to:

- *Use joint procurement to add value to goods and services sourced for its constituent councils.*
- *Facilitate shared services that benefit councils and their stakeholders through improved levels of service, reduced costs, improved efficiency, innovation and/or increased value.*
- *Pursue best practice in the management of all activities to obtain best value and minimise risk.*
- *Demonstrate fiduciary responsibility by ensuring that its activities are adequately funded from savings achieved, levies, council contributions, or Government funding where available.*
- *Allow other councils or organisations to participate in its activities where this will benefit its constituent councils directly or indirectly.*
- *Represent the collective views of its shareholders in matters with which it is associated.*

5 FUTURE DEVELOPMENTS

BOPLASS Ltd will continue to work on business cases for joint procurement and shared services that may be provided in the region or cross-regionally.

The Board has adjusted its strategy to ensure that BOPLASS is focused on continuing to deliver savings and value to councils through new and existing joint procurement initiatives.

Current feasibility studies for joint procurement and shared services cover but are not limited to:

- *GIS;*
- *ICT strategy and services;*
- *Joint software support;*
- *High speed fibre network services;*
- *Digitalisation Services;*
- *Accounts payable processing;*
- *Collaboration Portal;*
- *Archive services;*
- *Health and safety;*
- *IT datacentre/hosting;*
- *Regional waste facilities strategy;*
- *Diversion of putrescible waste from landfill;*
- *Waste collections licensing and data;*
- *Insurance valuations;*
- *Robotic Process Automation;*
- *Collective training services;*
- *High-volume print.*

Other collaborative opportunities may be progressed after the Board has considered individual business cases and formally agreed to take on and deliver (or host/procure etc.) the project.

Joint procurement opportunities will continue to be identified and developed with individual councils engaging under the opt-in principle established by the Board. Joint procurement initiatives will be considered by the Board and/or its advisory groups where there is demonstrated support from two or more member councils.

The Board supports BOPLASS continuing to develop collaboration opportunities outside of the regional boundaries. BOPLASS will continue to proactively explore opportunities to partner with other Local Authorities and shared services organisations within New Zealand where they are developing, or considering developing, cost effective shared services and products that are of value to the Bay of Plenty and Gisborne councils.

BOPLASS development of the Collaboration Portal for the sharing of information on joint procurement or shared services opportunities within the constituent councils identified a number of duplicate projects across councils that present an opportunity for further collaboration. The BOPLASS Collaboration Portal is now used by other LASS, councils and local government organisations and provides an opportunity to assist with the identification and management of inter-regional collaboration opportunities. BOPLASS will continue to develop the Collaboration Portal and make it available to the wider local government community.

6 PERFORMANCE TARGETS

To ensure the company continues to operate effectively in both governance and management terms over the next three years the current SOI targets are to:

- Ensure supplier agreements are proactively managed to maximise benefits for BOPLASS councils.
- Investigate new joint procurement initiatives for goods and services for BOPLASS councils.
- Identify opportunities to collaborate with other LASS in Procurement or Shared Service projects where alliance provides benefits to all parties.
- Further develop and extend the Collaboration Portal for access to, and sharing of, project information and opportunities from other councils and the greater Local Government community to increase breadth of BOPLASS collaboration.
- Communicate with each shareholding council at appropriate levels.
- Ensure current funding model is appropriate.

The Board believes that all targets are being achieved or are on-track to be achieved, as is demonstrated by the following list of current initiatives.

7 CURRENT INITIATIVES

The following initiatives have been under consideration or operating during the first part of the year:

HIGHLIGHTS

- Contractor and Employee H&S Inductions – A project is underway to develop a common platform and standard for the development and management of H&S inductions – for both staff and contractor purposes. In addition to the financial savings, a common platform would also provide an opportunity for the single development of modules that could be used across multiple councils.
- Inter-Council Network review and redesign – BOPLASS conducts ongoing reviews to ensure the high-speed inter-council network is cost-effective and the quality of service is maintained. In mid-2021, BOPLASS went out to tender for the ICN service. The tender received significant interest with the resultant contract providing an improvement in service levels and financial savings for all participating councils. The migration of services to the new vendor has been initiated and is expected to be completed early 2022.
- Geotechnical Engineering Panel – Currently the approval of geo-tech consultants is a time-consuming exercise undertaken separately by each council. BOPLASS is investigating opportunities for establishing a preapproved panel for accredited geotechnical engineering consultants.
- Institute of Public Works Engineering Australasia (IPWEA) – BOPLASS negotiated a single BOPLASS membership covering all councils at the same cost of a single large council, providing substantial savings.
- Cross-Regional Licencing of Waste Operators and Waste Data Collection – BOPLASS is leading this project in conjunction with Waikato and Wellington councils. An ROI was undertaken at the end of 2021 and received good responses from the market, with five specialist organisations shortlisted. The ROI was considered an information gathering stage, for both councils and suppliers and will ultimately inform the RFP to be undertaken this year.
- Insurance scorecards – Given the importance of international underwriters being confident in the accuracy of data, schedules, loss modelling and valuations provided by councils, BOPLASS developed council scorecards to help councils assess the quality of their information and highlight any areas that could be improved. The scorecards have assisted BOPLASS to identify where councils may require more training. With the help of Aon, a series of online training modules is currently being developed to build on council staff's understanding of their role in the insurance renewal cycle and the importance of accurate data.
- Insurance renewals
Renewals were completed for all councils under the BOPLASS collective programme with full cover achieved utilising a mix of NZ insurers and London markets. Throughout the renewal process it became obvious that insurers are very focussed on increasing climate change risks and the impact on councils' risk profiles. Insurers continue to look very closely at regions and areas susceptible to flood or sea inundation and now impose stricter underwriting discipline when considering risks. BOPLASS has worked with our brokers to ensure accurate and up to date asset schedules and hazard mapping are provided by our councils to retain a competitive advantage with the underwriters. A very good outcome has been achieved this year with minimal premium increases applied and favourable terms able to be negotiated in all categories.

- Insurance – Cyber Security – The global cyber market has become extremely challenging with most insurers now very cautious about providing cyber cover due to the increasing levels of claims in this category. Our insurers deemed some BOPLASS councils as having inappropriate cyber security controls. BOPLASS engaged with each at-risk council to gain clarity on their IT and cyber security roadmaps. The additional information provided by BOPLASS allowed for the collective cover to be reinstated and the premiums reduced overall.
- Occupational Health Services – BOPLASS has recently extended the agreement with Waikato Occupational Health Services for a further 12 months. Waikato LASS have extended their agreement to align with BOPLASS so we can approach the market collectively next year.
- E-Plan Development – BOPLASS councils are required to move current operative plans to an online environment by 2023. BOPLASS continues to review current providers to explore collaborative options and opportunities to leverage a collective group rate.
- Multi-function Devices (Photocopiers and Printers) – The collective agreement was due to terminate at the end of 2021. Due to COVID lockdowns and subsequent working from home policies, councils' print volumes were much lower than forecast. Due to the low usage of print equipment, BOPLASS negotiated a 12-month term extension to the existing agreement with further discounts applied.
- High Volume Print – Councils currently use a variety of solutions for their high-volume print runs including utilising large print equipment, outsourcing to external suppliers, or a mixture of both. BOPLASS is currently investigating alternative solutions with a focus on minimisation of resource and cost reduction.
- Postal & Courier Services – Procurement for councils' mail service has been completed and a preferred supplier appointed. The BOPLASS-led process covers BOPLASS, WLASS, MWLASS and Hawke's Bay councils. Savings for all councils will be substantial, particularly for councils with high volumes of urban mail. The second phase of this project will involve appointment of a courier services provider in 2022.
- GIS Regional Technical Support – The majority of core GIS software used within councils is now procured through collective BOPLASS agreements. However, there were a variety of support models in place with most support being provided on an ad-hoc basis. BOPLASS has established a discounted enterprise support agreement now covering all councils. As well as financial savings, the support model provides for sharing of information and learnings across the GIS teams to reduce any duplication of effort.
- Aerial Imagery – Tenders have now been awarded for aerial imagery services covering both the Eastern Bay regions and Gisborne's urban/rural areas. Both tenders contribute to the greater BOPLASS regional imagery programme and are being flown during the 2021-22 summer with updated imagery available mid-2022.
- BOPLASS LiDAR – LiDAR capture is being undertaken under a separate contract to the aerial imagery but during an overlapping period. This contract is being managed by BOPLASS and completed with central government co-funding in conjunction with Land Information NZ.
- Video Conference Services – BOPLASS has continued to develop Zoom and meeting room video conference services across the councils. While these services proved invaluable during lockdown, there has been continued growth and usage. Further work is being undertaken to ensure participating councils continue to have a reliable and secure service.
- GIS Software and Services – A number of key contracts for councils' geospatial software have been reviewed and renewed through collective BOPLASS agreements.

- Driver Training – BOPLASS continues to investigate options for appointing a preferred provider for driver training services.
- Media Monitoring Service – BOPLASS continues to manage a collective media monitoring service with Isentia that automatically monitors and reports on broadcast, print and social media based upon council requirements. The single BOPLASS portal provides substantial savings to councils while also providing a significant reduction in internal resource requirements. The contract will be put out for tender in mid-2022.
- Print Media Copyright Agency (PMCA) – A collective contract providing savings for all BOPLASS councils has been renewed with PMCA for councils' print and media copyright services.
- Health and Safety Advisory Group – The BOPLASS and Waikato Health and Safety groups continue to collectively develop policies and protocols, significantly reducing the resources required by individual councils and helping ensure common standards and best practice are established across the greater region. This has been particularly beneficial for councils in the development of H&S pandemic responses.
- MahiTahi Collaboration Portal – The Collaboration Portal continues to encourage collaboration between New Zealand local government organisations. Membership has grown further with a mixture of councils and council groups across the country joining. In particular, the regional council national alliance group, MWLASS and Waikato LASS are actively utilising the service with several new projects added.
- Website Quality Assurance – BOPLASS was requested to identify opportunities for a collective agreement for website quality assurance. As council websites are often the first point of contact for many in the community, regular content assurance is only going to become more important. Several BOPLASS councils are now benefitting from the service and the discounted collective agreement.
- Inter-LASS collaboration – A number of procurement projects are underway covering multiple LASS and benefitting from the increased volumes. Collaboration across the regions is driving greater efficiencies within projects under consideration by more than one LASS and allows the projects to be better resourced.
- Communication – BOPLASS continues to regularly engage with our constituent councils, senior management and shareholders to ensure opportunities continue to be developed to the benefit of all stakeholders.
- Viability of Current Funding Model – The sources of BOPLASS funding and the viability of the funding model are regularly reviewed with financial reporting provided to the BOPLASS Board.

8 FINANCIAL REPORTS

8.1 Financial Support and Accounting Services

Accountancy services and support continue to be provided by Tauranga City Council.

8.2 Accounting Policies

The company is compliant with the accounting policies stated in the Statement of Intent.

8.3 Tier 2 PBE Accounting Standards Applied

The financial accounts are prepared with application of Tier 2 accounting standards.

8.4 Financial Reports

Financial Reports for the period to 31 December 2021 are attached.

8.5 Variations

Included are the service-related payments for services accessed by councils.

The organisation is operating within budget and has achieved a reasonable revenue stream for the first half of the year.

Aerial photography revenue and expenditure are higher than budgeted due to delays in the initial flying of LiDAR capture in 2020, with the work being moved forward to 2021. Significant progress has been made with the capture and processing of the data this year.

December salaries include an accrual for the last 12 days of December for salaries and PAYE (\$15,875 total) which would normally be included in the January Accounts as this is when they are physically paid. There is also an accrual for the total leave owing at 31 December. The total accruals of \$26,477 are reversed in January 2022.

Variances with ICN lease revenue and expenditure are due to the transition to a new fibre provider and the requirement to run some services in parallel during the transition.

9 STAFFING, ACCOMMODATION AND SUPPORT

Staff

Staffing levels are unchanged with a part-time administrator continuing to provide additional project support and management of existing activities.

Accommodation and Support

We continue to appreciate the office space provided at Tauranga City Council and the support that is offered for IT and Accounting services. Although there is a monthly fee there is still a contribution in kind.

BOP LASS LTD
STATEMENT OF COMPREHENSIVE INCOME
FOR THE MONTH ENDED 31 DECEMBER 2021

	Actual YTD	Budget YTD	Total Budget	YTD Variance
REVENUE				
Revenue - Core	153,211	153,172	306,339	39
Bank Interest Received	141	102	200	39
Council Contribution	153,070	153,070	306,139	(0)
Revenue - Projects	993,286	857,000	1,199,000	136,286
Bank Interest Received	1,378	3,000	6,000	(1,622)
Aerial Photography Income	330,099	200,000	300,000	130,099
Collaboration Portal	20,400	30,000	45,000	(9,600)
Lease Income - ICN	91,276	67,500	135,000	23,776
Lease Income - Video Confer.	29,241	15,250	30,500	13,991
Recoveries	520,150	540,000	680,000	(19,850)
Rebates	742	1,250	2,500	(508)
Total Operating Revenue	1,146,497	1,010,172	1,505,339	136,325
EXPENSES				
Expenditure - Core	199,113	196,948	374,950	2,165
ACC	562	800	800	(238)
Accommodation & Travel	1,023	1,000	2,000	23
Administration	7,799	8,650	17,300	(851)
Amortisation	1,569	2,498	5,000	(929)
Audit Fees	0	20,700	20,700	(20,700)
Bank Fees	131	176	200	(45)
Conferences	0	1,000	2,000	(1,000)
Depreciation	540	326	650	214
Directors Costs	9,000	10,500	21,000	(1,500)
Fringe Benefit Tax	1,937	1,750	3,500	187
General & Catering Expenses	1,717	998	2,000	719
Health & Safety	0	502	1,000	(502)
Insurance	9,860	9,000	9,500	860
Interest Paid – TCC Loan	0	500	500	(500)
Legal	0	2,000	2,000	(2,000)
Salaries	153,409	129,000	278,000	24,409
Salaries – Projects Opex	(2,452)	(8,250)	(16,500)	5,798
Staff Support Costs	8,894	8,498	17,000	396
Staff Training Costs	474	1,000	2,000	(526)
Subscriptions	0	1,000	1,000	(1,000)
Tax Advice	4,650	5,300	5,300	(650)
Tax Expense – Prior Years	0	0	0	0
Expenditure – Projects	949,792	818,253	1,130,389	131,539
Aerial Photography Expense	330,099	200,000	300,000	130,099
Collaboration Portal Opex	9,605	16,117	26,119	(6,512)
Lease Expense - ICN	88,189	64,800	129,600	23,389
Lease Expense – Video Confer.	28,252	14,336	28,670	13,916
Projects - Recoveries	493,647	523,000	646,000	(29,353)
Total Operating Expenditure	1,148,905	1,015,201	1,505,339	133,704
Operational Surplus / (Deficit) before Tax	(2,408)	(5,029)	0	2,621

**BOP LASS LTD
STATEMENT OF FINANCIAL POSITION
AS OF 31 DECEMBER 2021**

	Actual YTD
Current Assets	
Cheque Account	396,179
Trust A/c Aerial Photography	103,125
Term Deposit 182 days @ 1.20%. Maturing 11 April 2022	300,000
Term Deposit 185 days @ 1.15% Maturing 10 February 2022	250,000
Term Deposit 182 days @ 1.15% Maturing 07 March 2022	250,000
Trade Debtors	127,431
Accrued Revenue	170,475
Tax Payable (Tax Receivable)	12,127
Prepayments	19,158
Total Current Assets	329,191
Non-current assets	
Intangible - Computer Software	79,175
Amortisation	(68,266)
Computer Equip at cost	4,516
Computer Equip depreciation	(3,175)
Office equip at cost	0
Office equip depreciation	0
Total Non-current assets	12,251
TOTAL ASSETS	1,640,746
Current Liabilities	
Business Credit Card	207
Trade Creditors	287,996
Accrued Expenses	17,845
Accrued Salaries and Wages	12,410
Accrued Leave Entitlements	10,602
GST Collected, Paid, Payments (Refunds)	(37,704)
Retentions	37,374
Income in Advance	1,256,828
PAYE Accruals Payable	11,770
TCC Loan	0
Total Current Liabilities	1,597,329
TOTAL LIABILITIES	1,597,329
NET ASSETS	43,417
Equity	
Current Year Earnings	(\$2,409)
Retained Earnings	(\$53,176)
Share capital	99,002
TOTAL EQUITY	43,417

Meeting: Council
Meeting Date: 29 March 2022
Subject: Review of Election Policies
File No.: 101287

1 Background

Council resolved the Election Signs and Public Communications policies prior to the 2019 local elections and are scheduled for a review prior to the 2022 elections.

When reviewed in 2019, there was no amendment for Election Signs policy and the policy for Public Communications by Elected Members in a Pre-election Period was revised to incorporate the election protocols developed by the NZ Society for Local Government Managers (SOLGM). Council has not to date provided any Council land for the erection of election signs nor has it charged a fee for the removal of signs apart from costs that may be incurred for the removal and storage of those signs. It is not proposed to make changes to these policies for the 2022 elections.

The policies do not need to be subject to any public engagement and can be made by resolution. The purpose of this report is to present the two policies, as attached, for Council to consider and if appropriate, to adopt.

2 Options Considered

Council has three options in relation to the policies, as follows:

- a. Both policies are adopted as presented. This is the recommended option.
- b. One policy is adopted subject to further amendment; or
- c. Neither policy is adopted

3 Policy and Plan Considerations

Election Signs Policy

The draft Election Signs policy is consistent with Council's other policies and plans and reflects recent practice in local elections. Given that the policy did not create any difficulties at the last local election it is reasonable that Council retains the existing provisions.

Public Communication by Elected Members Policy

The draft policy for Public Communications by Elected Members in a Pre-election Period incorporates and gives effect to the guidelines developed by LGNZ and Taituarā.

4 Risks

The writer is not aware of any risks associated with adopting both policies as presented. The purpose of having such policies is to mitigate the risk of irregularities occurring, or bias affecting the conduct of local elections in Kawerau.

5 Financial Considerations

The draft policies have been developed within existing budget estimates and their implementation will not incur any additional costs to Council.

6 Legal Considerations

The draft policies reflect and are consistent with relevant legislation as referenced in the documents themselves.

7 Significance and Engagement

Adopting the two election policies is not assessed as being significant for the purposes of Council's Significance and Engagement Policy. There is no need for Council to conduct a community engagement process.

8 RECOMMENDATIONS

1. That the report: "Review of Election Policies" be received.
2. Council adopts the Kawerau District Council Election Signs Policy as presented/amended, effective from 1 June 2022.
3. Council adopts the Public Communications by Elected Members in a Pre-Election Period Policy as presented/amended, effective from 1 June 2022.



Peter Christophers

Group Manager Finance and Corporate Services

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COUNCIL POLICY

TITLE:	DRAFT ELECTION SIGNS
MEETING:	Council
EFFECTIVE DATE:	1 June 2022
FILE REFERENCE:	101200
REVIEW:	March 2025

1. **BACKGROUND**

In addition to making a bylaw to regulate the display of advertising signs generally, Council chooses to adopt a policy specifically for election signs. The policy is reviewed every three years before local elections to ensure it remains up to date.

2. **POLICY OBJECTIVE**

The objective of this policy is to set out the standards that apply to signs used for general elections and to extend those standards to signs used for local elections.

3. **PRINCIPLES**

This policy is guided by the principle that the rights and responsibilities for signs used for general elections should be extended to those used for local elections.

4. **DEFINITIONS**

Election sign (sign) for the purposes of this policy, means any sign, poster, billboard or hoarding that might reasonably be regarded as being used to encourage voters to vote or not vote for any candidate, party, view or position under contention at a general election, a referendum or a local election.

General election for the purposes of this policy, means any election (including a by-election) for one or more members of the New Zealand Parliament.

Local election means an election for member(s) of a territorial authority, regional council or district health board for whom registered electors in the Kawerau District are able to vote. At the commencement of this policy, the relevant bodies are the Kawerau District Council, the Bay of Plenty Regional Council and the Bay of Plenty District Health Board.

Referendum means a government-initiated referendum or a citizen-initiated referendum, which can be local, regional or nationwide.

5. POLICY STATEMENT

5.1 Policy application

5.1.1 Signs for general elections

Election signs for general elections are subject to the requirements of the Electoral Act 1993.

General election signs may be displayed for two months before the day of the general election and must be removed by midnight on the day before election day.

General election signs must be authorised in accordance with the requirements of the Electoral Act.

Any general election sign displayed on or visible from any road other than a state highway:

- Must not exceed 3 square metres in size;
- Must not use reflective material or illumination or have moving parts; and
- Must not look like a traffic sign in shape or colour.

Any general election sign displayed on a state highway is subject to NZ Transport Agency requirements and in addition, must have spacing between lines of text of not less than 50mm. Lettering must be either:

- at least 120mm in height if the sign is visible from a road with a speed limit of less than 70km/h; or
- at least 160mm in height if the sign is visible from a road with a speed limit of 70km/h or more.

Signs used for general elections are also subject to clauses 5.2 – 5.5 of this policy.

5.1.2 Signs for referenda

Signs for referenda are subject to the requirements set out in the Referenda (Postal Voting) Act 2000, the Citizens Initiated Referenda Act 1993 and associated Regulations.

Signs used for referenda must be authorised in accordance with the requirements of the relevant legislation.

Signs used for referenda are also subject to clauses 5.2 – 5.5 of this policy.

5.1.3 Signs for local elections

Local election signs must be authorised in accordance with the requirements of the Local Electoral Act 2001.

Local election signs are subject to clauses 5.2 – 5.5 of this policy.

In all other respects this policy extends the standards for general election signs as outlined in 5.1.1 to any local election signs used in the Kawerau District.

5.2 Location of election signs

Election signs are allowed on private property subject to the consent of the property owner.

Election signs are not allowed on any public place owned or controlled by Council.

No election sign is allowed near any road in the Kawerau District where Council considers the sign will:

- Obstruct the line of sight of road users at any corner, bend, intersection or vehicle crossing
- Obstruct, obscure or impair motorists' view of any traffic sign or signal.

Vehicle-mounted election signs are not allowed anywhere in the Kawerau District.

5.3 Construction standards

Election signs and their supporting structures must be constructed, fixed and placed in a manner so as not to pose a danger to people or property. This is the responsibility of the sign owner and the owner of the property on which the sign is erected.

Signs must be securely braced from the ground up to carry wind loads for 60 days.

Council does not require a building consent for any election sign.

5.4 Removal of signs by Council

Council may remove any unauthorised, unsafe, damaged or otherwise non-compliant sign.

Sign owners are encouraged to ensure their signs are regularly monitored and that any damage is promptly remedied. Council may remove any damaged sign which has not been repaired within a period of 72 hours.

Any sign removed by Council shall be released to the owner upon payment of the applicable charges. Council may dispose of any sign which remains unclaimed or not released for a period exceeding one month.

5.5 Fees

Council does not charge fees for election signs.

Any actual and reasonable cost incurred in the removal and storage of any non-compliant sign will be recoverable as a debt against either the owner of the sign or the owner of the property where the sign was erected.

6. RELEVANT DELEGATIONS

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

7. REFERENCES AND RELEVANT LEGISLATION

Electoral Act 1993

Local Electoral Act 2001

Referenda (Postal Voting) Act 2000

Citizens Initiated Referenda Act (1993)

Kawerau District Council General Bylaw: Part 5 – Advertising Signs (2013)

Operative Kawerau District Plan

COUNCIL POLICY

TITLE:	DRAFT Public Communications by Elected Members in a Pre-Election Period
MEETING:	Council
EFFECTIVE DATE:	1 June 2022
FILE REFERENCE:	101200
REVIEW:	March 2025

1. BACKGROUND

Elected Members seeking re-election will continue to make decisions as members of the Council while at the same time campaigning as candidates for re-election to Council. If Council promotes the re-election prospects of any Elected Member, it would be in breach of the Local Electoral Act 2001 and the election result could be overturned. This policy sets out the principles for managing public communications during a pre-election period in accordance with the guidance developed by Local Government New Zealand and Taituarā. This guidance is attached for members' information.

2. DEFINITIONS

Communication means any communication where Council meets the cost (either wholly or in part), or the Elected Member makes the communication in an official capacity on behalf of Council. Examples include the Council newsletter, Council's website or social media, media releases and media statements.

Elected Member means any incumbent member elected to the Kawerau District Council as a Councillor or the Mayor.

Pre-election period means the period beginning three months before polling day and ending with the close of polling for any election for the Kawerau District Council.

3. OBJECTIVES

The objectives of this policy are:

- To manage public communications in a pre-election, and
- To set out protocols to enable Elected Members to balance the dual role of being an incumbent member of Council and a candidate for re-election to Council.

- To provide clear guidelines which clearly direct Elected Members, staff and advisers how these principles and the protocols are to be applied to the public communications of Kawerau District Council.

4. PRINCIPLES

This policy is based on the following principles:

- Council must not promote, nor be perceived to promote, the re-election prospects of any Elected Member.
- Council's policy should recognise a risk that communications by or about Elected Members in their capacities as spokespersons for Council, during a pre-election period could result in the Elected Member achieving electoral advantage at ratepayers' expense. The chief Executive Officer (or his or her delegate) should actively manage the risk in accordance with relevant electoral law.

5. APPLICATION

This policy applies to public communications by incumbent Elected Members during the pre-election period of any election held for the Kawerau District Council. In 2022 the period begins on Friday 8 July 2022.

6. POLICY STATEMENT

Protocols

- 6.1 Elected Members seeking re-election must clearly and transparently differentiate between activities conducted as an incumbent Elected Member and activities conducted while campaigning for re-election.
- 6.2 Resources owned by the Council and made available to Elected Members should only be used for Council purposes. The use of Council resources for election purposes is unacceptable. This includes Council-owned computers and mobile phones, social media, email addresses and publications.
- 6.3 Council-run social media accounts are considered Council resources and must remain politically neutral during the pre-election period.
- 6.4 Elected Members will continue to have access to the information they need to discharge their roles as incumbents. Council staff will not provide assistance with electioneering activities.
- 6.5 Council resources provided for Mayoral use should not be used for any electioneering activities associated with any candidate.

Guidelines

- 6.6 Staff will have editorial control over the Council Newsletter and any other Council publications produced during the pre-election period.
- 6.7 Elected Members will not produce Mayoral or Members' columns in the Council Newsletter or any external publications during the pre-election period.
- 6.8 Any material on Council's website that could be perceived as promoting the re-election prospects of an elected member will be removed for the duration of a pre-election period.
- 6.9 Elected Members seeking re-election must not comment on, share or otherwise use Council social media channels for electioneering.
- 6.10 Mayoral staff should identify any information or other requests during the pre-election period as either business as usual or campaign related and ensure that these are kept separate and responded to appropriately.
- 6.11 Elected Members should check with the Chief Executive Officer or the Electoral Officer before using any Council resources to communicate with constituents.

7. RELEVANT DELEGATIONS

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

8. REFERENCES AND RELEVANT LEGISLATION

- Local Electoral Act (2001)
- Communication in the Pre-election period 2021 LGNZ and Taituarā

APPENDIX

Communications in the pre-election period

Communications in the pre-election period



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FOREWORD

This guidance sets out principles and guidelines for local authorities and their members to apply when developing and delivering communications during the pre-election period. It may also assist elected members seeking to distinguish between their campaigning and council responsibilities.

It is important that local authorities be able to continue to operate effectively during the pre-election period, but additional care should be taken during this time. Public interest in, and scrutiny of, communications by councils and their elected members is likely to be greater during this period.

With the development of tools such as social media, guidance can not possibly contemplate every potential situation that may arise. As a result, this guidance is principle based – though there are a number of worked examples (based on real-life issues that have arisen). These serve as a ‘common sense’ basis for the application of good judgement backed by appropriate advice.

There are cases or circumstances that are relatively clear cut. For example, elected members inserting personal statements or photos in the pre-election report is both a legislative breach and a breach of the principles set out in this guidance. For cases that are not as clear cut, the guidance provides some bottom lines to keep in mind when navigating the situation.

We thank those involved in the production of this helpful resource.

Karen Thomas
Chief Executive
Taituarā

Susan Freeman-Greene
Chief Executive
Local Government New Zealand

WHAT STATUS DOES THIS GUIDANCE HAVE?

The guidance represents good practice advice prepared by Local Government New Zealand and Taituarā (formerly the Society of Local Government Managers). It has been reviewed by legal advisors and by staff at the Office of the Auditor-General and the Department of Internal Affairs.

Neither Local Government New Zealand nor Taituarā has the authority to receive or investigate allegations around local authority communications made during the pre-election period.

However, the Auditor-General remains interested in the appropriate use of council resources at all times. Use of council resources for personal or political purposes is not appropriate.

The Office of the Auditor-General is not the agency to take complaints about the veracity (or otherwise) of claims made in communications material, but it could choose to investigate where, for example, there are questions as to whether a council-funded communication was made for a proper purpose. In the latter case the Auditor-General may report their conclusions and make recommendations – they cannot direct local authorities to take (or not take) a particular action.¹

Local authorities and their members should also be aware that, in some cases, communications that breach the principles of the *Local Electoral Act 2001* could give rise to an irregularity in the election process. Such an irregularity may be used as grounds to challenge an election outcome under the *Local Electoral Act*.

WHAT IS THE PRE-ELECTION PERIOD?

For the purposes of this guidance, we've aligned the pre-election period to the definition of the 'applicable period' in *section 104* of the *Local Electoral Act 2001*. That is, the pre-election period starts three months from polling day. An election could be a triennial general election, by-election or less frequently, a poll.

WHAT IS A COMMUNICATION?

For the purposes of this guidance, a communication is any presentation of information by the council to its local community, regardless of the form in which the information is presented (e.g. documents, internet, spoken word etc).

Some common examples of a communication include but are not limited to:

- statutory documents such as an annual report (or its summary), long-term or annual plans (or their associated consultation documents)
- information contained on a council website about council plans, policies, bylaws, services, or information about council meetings (such as meeting agendas and minutes)
- newsletters and information releases providing council news and information about council activities
- educational material about issues affecting the community
- promotional material about a particular event, proposal or policy
- council administered social media channels (such as Facebook, YouTube, Twitter and the like)
- representing council in media interviews.

¹ One example where the Auditor-General may make a binding recommendation, is where a loss has occurred under *section 44* of the *Local Government Act 2001*. In those instances a loss may be recovered from those elected members deemed responsible for the loss.

PRINCIPLES

1. *The operation of local authorities continues during the pre-election period. Elected members continue to have the right to govern and make decisions during the pre-election period.*

There is no legal requirement that local authorities avoid making decisions in the pre-election period. Equally, there is no convention such as the so-called 'period of restraint' that applies in central government or the so-called 'purdah' that applies in local government in some jurisdictions in the United Kingdom.

In any case, routine business must continue. Some examples of routine business include the following:

- giving effect to decisions that have already been made. For example, implementing decisions in an already adopted long-term plan or annual plan (the necessary actions and funding have already been committed)
- meeting statutory requirements e.g. reviewing a bylaw that is due to expire or adopting some policy or bylaw where a deadline falls during the pre-election period (though this should be rare)
- preparing, adopting and publicly releasing reports or other documents that are statutory requirements (for example, the pre-election report and annual report)
- releasing other factual information – especially where release regularly occurs during the pre-election period in other years (for example, where information of a monitoring or statistical nature is regularly released in August, September and October).²

Councils can minimise the risks of undue and adverse public scrutiny of decision-making in the pre-election period by ensuring that, where practicable, significant decisions are made before the pre-election period commences or that officers have sufficient direction to continue to work on major projects during the pre-election period. Mechanisms such as providing a rolling programme of policy and bylaw reviews early in the triennium can help manage this and ensure the work gets done.

Sitting members with roles such as a mayor, council chair or council spokesperson on an issue may continue to make public statements on council business as they would outside the pre-election period.

During the pre-election period councils should take particular care to actively identify and manage risks associated with communications that might be used for political purposes (or be seen to be). For example, media interviews often contain elements of the unscripted where it's easy for politicians to slip into campaign mode unintentionally. If the risks can't be managed it may be less risky for the chief executive or communications manager to act as a spokesperson.

2. *During the pre-election period, communities have the same legitimate need for information about their local authority's decisions and activities as at any other time.*

A legitimate provision of information consists of five key elements: timeliness, accuracy, completeness, fairness of expression and neutrality. Information is timely if it is provided either before an event or decision, or as soon as reasonably practicable thereafter. Accuracy means that information should be based on a verifiable fact, and recorded in a manner consistent with those facts.

² Decisions to defer or alter releases of information in the pre-election period can give rise to the same claims of undue politicisation as decisions to communicate such information.

Completeness requires that all of the information necessary for readers to reasonably form a view on a matter is included. Information is fairly expressed if it's presented in an objective, unbiased and equitable way. Neutrality in expression means that the council's collective position is expressed.

The council's 'usual' processes and timeframes for the preparation and release of information should continue to operate 'as normal' in the pre-election period. For example, staff who prepare responses to requests for official information should continue to follow the same timeframes they normally would. Decisions to defer or to expedite a request for information during the pre-election period can leave officers open to claims of bias that are mostly avoidable.

The *Local Government Act 2002* allows councils until 31 October to adopt an annual report. However it is not good practice for an incoming council to adopt a report on the performance of its predecessor. It is good practice to adopt an annual report before the elections – indeed about two-thirds of local authorities did so in the lead-up to the 2019 elections.

3. *Local authorities must not promote, or be perceived to promote, the prospects of any candidate, especially a sitting member. Using council resources for re-election of sitting members is unacceptable and potentially unlawful.*

The Office of the Auditor-General has previously noted that promoting the re-election prospects of a sitting member, whether directly or indirectly, wittingly or unwittingly, is not part of the proper role of a local authority. We can only agree with what should be a statement of the obvious. This includes allowing sitting members to use council resources for election purposes.

While much less likely to arise, it would also be entirely inappropriate for a local authority to, in any way, promote any other candidates for an election. Again, council resources cannot be used for such electioneering purposes.

Council resources include assets and services such as stationery, post, internet, council-provided email/social media accounts or telephones. If in doubt as to whether something is a council-provided resource, a good question to ask is whether the council purchases or funds it. For example, a council-funded radio slot would be regarded as a council resource.

Election activities carried out at council facilities are similarly unacceptable, except where these facilities are open to hire by the general public (for example, community halls) and the candidate is meeting the standard terms for using the facility.

If in doubt, it's usually a good idea to take a precautionary approach. It doesn't mean that elected members can not use a council's resources for normal activities, but care is needed as the boundaries between answering a ratepayer query and campaigning can be difficult to navigate. For example, it's legitimate for an elected member to use a council email to defend a council decision or action, or even to explain their own position on a decision where different from other elected members (provided it's noted clearly as such in the relevant minutes). But doing the latter without slipping into campaign mode can sometimes be difficult during the pre-election period.

CASE STUDIES: THE PRINCIPLES IN ACTION

Example One: Appearances in a council-funded radio slot

Manu is the Mayor of Kiwi District Council. Kiwi District Council pays for a fortnightly radio spot on Eastland FM. The mayor and the Eastland FM director of news talk about issues facing Kiwi District and other issues in the Eastland region.

A month out from the election Manu appears on the radio show 'as usual'. His interview covers a range of topics – including a change to the council's recycling policy, the first instalment of rates for the year, and the council joining in the Eastland economic development CCO. Manu answers these questions drawing on a series of talking points prepared by council staff that reflect the existing council policy.

A fortnight from the election Manu appears again. This time the interview occurs the night after a candidates' debate in which the mayor's opponent (local business leader IB Sharp) described the council's financial management as an "uninterrupted retreat from reality". Among regular questions such as the Prime Minister's visit to Kiwi District and answering ratepayer questions on recycling, the interviewer asks if Manu wants to respond to Ms Sharp's comments.

Manu replies with a comment that, *"rates have gone up an average 10 percent across the district in this term, debt's increased but we've funded the recycling transfer station, and the new Kiwi bypass. We haven't had to lay anyone off unlike Ms Sharp recently did. If I'm re-elected, I'll reduce the council debt by a third in the next term"*.

Ms Sharp releases a statement deploring Manu's regular misuse of a council resource for political purposes.

Is she right?

In the first interview, Manu did nothing more than state and explain the council policy. On the facts presented, Manu has not made any statements that could be seen as anything beyond a spokesperson's role.

Manu's statements during the second interview have elements of campaigning. Manu's statements about the average rates increase, the increase in debt and what the debt was applied to are factual (assuming they were correct). A council spokesperson would normally be required to provide factual information about council performance.

The statement about the council not having to lay off any staff may well be factual, as indeed may the layoffs in Ms Sharp's business. But the latter has little or nothing to do with any council activity. By linking or comparing the two, Manu has, however inadvertently, used a council resource for campaign purposes.

In a similar vein, in using the personal pronoun "I" and referencing his own re-election in his statement about future council debt (*"If I'm re-elected, I'll . . ."*), Manu would almost certainly be seen as making a campaign pledge. Had Manu said something like *"the council's current financial strategy has debt forecast to reduce by a third over the next term"*, he would have been providing a factual statement about the forecast impacts of present policy.

This example, while having fictional elements, provides a good example of challenges that sitting elected members may face when in a role as a council spokesperson during the pre-election period. It illustrates how easily the line between legitimate council communications and campaigning can be crossed, sometimes unintentionally.

These situations usually occur spontaneously and cannot be easily predicted. While normal council business continues during the pre-election period, risks must be actively managed. There may be less risk in Kiwi District's chief executive filling the slot, or perhaps getting an elected member who is not standing again, or has been re-elected unopposed to do the interview.

Example Two: Use of a council vehicle

Lucy is the chair of Eastland Regional Council. Her remuneration package includes the use of a council-provided motor vehicle (assume this is all in accordance with Remuneration Authority guidelines). The car has the Eastland Regional Council logo painted on the front door on each side.

Campaigning has started. One night, Lucy's teenage son returns from a stint handing out campaign collateral and places a 'Re-elect Lucy' sticker on the car's rear bumper. Lucy does not notice the sticker and drives around Eastland Region for the next week before a local journalist sees the car at the council office, takes a cellphone photo of it, and runs it in the newspaper the following day.

On seeing the story the council's electoral officer asks Lucy to remove the sticker.

What should Lucy do?

Lucy should remove the sticker to avoid any appearance of using council resources for her campaign advertising. While there is some element of *de minimis* (the law does not bother with trifles), in the pre-election period it is probably 'better to be safe than sorry'.

It would be up to Lucy to decide whether she might seek to respond to the newspaper story about the sticker. If she were to do so, it would be in the context of her campaign, not in her role as chair.

Example Three: Use of council-owned facilities

Ted is a councillor at Weka District Council and the council's local economy spokesperson. His campaign manager has booked two campaign meetings in two council-owned halls. Both halls are open for any member of the public to book – subject to payment of the applicable fee. The campaign manager booked the venue and paid the fee on 31 August i.e. during the pre-election period.

Ted's opponent, I M Wright, claims Ted is using council resources for campaign purposes. The council's chief executive responds pointing out that Ted's campaign paid the same fee as any other user, and that Wright (and any other candidate) could book the halls. She declines to take further action.

Who is correct?

In this instance the chief executive is correct. While the halls are council-owned, they are open to booking by any person who pays the fee and meets the council's standard terms and conditions. As long as Ted and his campaign have paid the fee and met any relevant conditions in the same way that any other person hiring the venue would need to, this is not considered a council resource for the purpose of this guidance.

Had the council extended use of the halls for free or not made the halls available to other candidates on the same terms as they did for Ted, that would be a potentially serious issue.

Of course, Ted should ensure the payment of the booking fee is properly documented and recorded as a campaign expense for *Local Electoral Act* purposes.

Example Four: Candidate use of social media

Councillor Playne is a member of Kiwi District Council and chair of the Finance Committee. She runs a personal facebook page 'Playne speaking' in which she comments on issues of the day. The council has recently adopted water metering (first invoices have been sent), and the Anti-Privatisation League of Aotearoa (APLA) has endorsed a mayoral candidate and a slate of five anti-metering council candidates.

A week before election day, Cr Playne posts two comments on Facebook. In the first she posts on her own Facebook page to comment on a press release put out by the APLA comparing the council's recent introduction of water metering to a "privatisation by stealth" agenda. Her post includes a link to APLA's Facebook page with a 'thumbs down' emoji and states: *"Speaking for myself, I have better things to do than debate the policy equivalent of the flat earth society when they're so obviously wrong. Get a life APLA!"*

In the second instance, she comments on a post by the council on its Facebook page celebrating the first anniversary of the Upper Creek branch library opening. She 'likes' the post on the council's page and comments: *"Happy anniversary! It was a real battle to convince the other members that Upper Creek needed a library. Re-elect me and I'll get the town a pool."*

Was it OK for Cr Playne to make these two posts?

Cr Playne's post about APLA, while somewhat aggressively worded, is not contrary to these guidelines. She has used a personal social media account and clearly identified that she is not speaking on behalf of the council in response to material on a social media site not associated with council. The rest of the comment is a matter for democratic debate and henceforth for the voters to judge.

The Upper Creek Library post is a little different. Here Cr Playne has commented on a council post on a council social media site (which is a council resource). The last sentence is obviously a campaign pledge and therefore puts this post into the campaigning category. The second sentence also has elements of campaigning in that it suggests a particular service choice might not have been made without Cr Playne's intervention. Council would then be justified in deleting Cr Playne's comment on the post. Council is entitled to edit its own Facebook page to ensure this council resource remains 'neutral', i.e. not supporting/promoting or criticising any election candidate.

But suppose Cr Playne had just 'liked' the post, or 'liked' and said "Happy anniversary". In and of itself, that isn't necessarily campaigning. In other words, an assessment of these cases turns on what the candidate has **actually communicated** in such a post.

What about members (or others) using their personal social media accounts to link to the council's account? Suppose, for the sake of clarity, that Cr Playne had used a personal social media tool such as Twitter to 're-tweet' a Twitter communication from the council regarding the anniversary of the Upper Creek Library, and that Cr Playne made the same campaigning comment described in the above example.

While Cr Playne has linked to a council social media site, she's done so using her own account. The information she has accessed is a general communication about council services available to anyone with a social media account, and therefore can be used by any candidate (and indeed any other member of the public). It does not necessarily amount to the council promoting Cr Playne (or anyone else).

While council resource (such as staff time) has been used to produce the communication, this expenditure has already occurred regardless of whether Cr Playne had re-tweeted or not. In this instance, the information is quite obviously a communication to inform the public of a significant date in the Upper Creek community, and even in the pre-election period, it would be pretty difficult to suggest that it amounts to a promotion of a candidate.

At this point readers may ask what the council might do in this circumstance? If feasible, it may delete any post **on its own social media account** (note it can delete other people's comments on its Facebook page, although cannot typically delete other people's re-tweets). It could ask Cr Playne to delete a communication on or from her own personal social media account, but it cannot enforce such a request (and indeed if she's circulating publicly available information there is probably a larger reputational risk from making such a request).



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Report to the
Kawerau District Council
regarding the

2022 Triennial Election

From the
Electoral Officer

3 March 2022



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Outline

The 2022 triennial local government elections will occur on Saturday 8 October 2022. An update on preliminary matters relating to the election is provided to Council, including consideration of the order of candidate names to appear on the voting documents.

Background

The 2022 triennial elections for local authorities are due to occur on Saturday 8 October 2022 and are required to be undertaken according to the Local Electoral Act 2001, the Local Electoral Regulations 2001, and to a limited extent, the Local Government Act 2002.

Certain pre-election information and tasks are outlined in this report for Council's information and attention.

The Local Electoral Regulations 2001 provides for Council to resolve the order of candidate names to appear on the voting documents (alphabetical, pseudo-random or random order). If no decision is made, the order of names defaults to alphabetical.

Narrative

2022 Elections

Elections will be required for the following positions:

- Mayor (elected 'at large')
- Councillors (8 elected 'at large')
- Bay of Plenty Regional Council members (either 2 members from the Eastern Bay of Plenty General Constituency or 1 member from the Kōhi Māori Constituency)

There are no longer elections held for district health board members.

2022 Election Timetable

With an election date of **Saturday 8 October 2022**, the following key functions and dates will apply:

Nominations open/roll open

Friday 15 July 2022

Nominations close/roll closes

Noon Friday 12 August 2022

Delivery of voting mailers

From Friday 16 September 2022

Close of voting

Noon Saturday 8 October 2022

A more detailed timetable is attached [Appendix 1](#).

2022 Election Fact Sheet

A 2022 Election Fact Sheet summarising the key functions of the election ([Appendix 2](#)) is also attached.

Representation Review Kawerau District Council undertook a representation arrangements review (review of wards, boundaries, numbers of elected members etc) in 2021, with no changes made to the current arrangements.

Compilation of non-resident Ratepayer Roll The compilation of the 2022 non-resident Ratepayer Roll is required to commence in early-mid 2022. This will include:

- an insert detailing the qualifications and procedures for enrolment as a non-resident ratepayer elector to be included with a 2022 rates instalment notice by the end of August 2022 (**Appendix 3**);
- a national Ratepayer Roll inquiry hotline operating between 1 February and 30 August 2022;
- a confirmation letter issued to all current non-resident ratepayer electors in March/April 2022;
- a national advertising campaign on the qualifications and procedures for enrolment as a non-resident ratepayer elector during May 2022.

Council can undertake additional promotion of the ratepayer roll if it wishes - such as contacting (letter/email etc) all current or potential non-resident ratepayer electors encouraging their enrolment and participation in the electoral process.

Order of Candidate Names Regulation 31 of the Local Electoral Regulations 2001 provides the opportunity for Council to choose the order of candidate names appearing on the voting documents from three options – alphabetical, pseudo-random (names drawn randomly with all voting documents printed in this order) or random order (names randomly drawn by computer with each voting document different).

Council may determine which order the names of candidates are to appear on the voting documents, but if no decision is made, the order of names defaults to alphabetical.

Council has resolved to adopt the alphabetical order for the 2019 triennial election.

For Council's information, following a recent analysis undertaken by Auckland Council, research showed no observable effect of candidate order on actual election outcomes.

For the 2019 local government elections:

- 22 territorial authorities used alphabetical order (32.84%)
- 7 territorial authorities used pseudo-random order

(10.44%)

- 38 territorial authorities used random order (56.72%)

Alphabetical Order

Alphabetical order is simply listing candidate surnames alphabetically and is the order traditionally used in local and Parliamentary elections.

Comments regarding alphabetical order are:

- voters are easily able to find names of candidates for whom they wish to vote. Some candidates and voters over the years have argued that alphabetical order may tend to favour candidates with names in the first part of the alphabet, but in practice this is generally not the case – most voters tend to look for name recognition, regardless of where in the alphabet the surname lies;
- the order of candidate names on the voting document matches the order listed in the candidate directory (candidate profile statements).

Pseudo-Random Order

Pseudo-random order is where candidate surnames are randomly selected, and the same order is used on all voting documents for that position. The names are randomly selected by a method such as drawing names out of a container.

Comments regarding pseudo-random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;
- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there may be many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

Random Order

Random order is where all candidate surnames are randomly selected and are listed in a different order on every voting document. The names are randomly selected by computer so that the order is different.

Random order enables names to be listed in a completely unique order on each voting document.

Comments regarding random order are:

- the candidate names appear in mixed order (not alphabetical) on the voting document;

- possible voter criticism/confusion as specific candidate names are not easily found, particularly where there are many candidates;
- the order of candidate names on the voting document does not match the order listed in the candidate directory (candidate profile statements).

There is no price differential in printing costs between the three orders of candidate names.

Number of Electors

The number of electors for the 2022 triennial elections is expected to be in the order of 5,000 (as at 31 January 2022 this was 5,172). This compares to 4,838 electors for the 2019 triennial election or +3.3% growth.

Pre-Election Report

Section 99A of the Local Government Act 2002 requires each local authority to prepare a pre-election report, whose purpose is to provide information to promote public discussion about the issues facing the local authority. The pre-election report is prepared by the Chief Executive, must contain financial and major project information, and should be completed by the end of June 2022 (two weeks before the opening of nominations).

Recommendation

It is recommended that:

Council resolves for the 2022 triennial election, to adopt *either*:

- (i) the alphabetical order of candidate names; *or*
- (ii) the pseudo-random order of candidate names; *or*
- (iii) the random order of candidate names

as permitted under regulation 31 of the Local Electoral Regulations 2001.

Author:




Dale Ofoske
 Electoral Officer // Kawerau District Council
 Election Services

APPENDIX ONE



SATURDAY 8 OCTOBER 2022

Wednesday 2 March - Saturday 30 April 2022	Ratepayer roll enrolment confirmation forms sent [Reg 16, LER]
Wednesday 2 March - Wednesday 6 July 2022	Preparation of ratepayer roll [Reg 10, LER]
May 2022	National ratepayer roll qualifications and procedures campaign [Sec 39, LEA]
Friday 1 July 2022	Electoral Commission's enrolment update campaign commences
Wednesday 13 July 2022	Public notice of election, calling for nominations rolls open for inspection [Sec 42, 52, 53, LEA]
Friday 15 July 2022	Nominations open / roll open for inspection [Sec 42, LEA]
Friday 12 August 2022	Nominations close (12 noon) / roll closes [Sec 5, 42, 55 LEA, Reg 21, LER]
Wednesday 17 August 2022	Public notice of day of election, candidates' names [Sec 65, LEA]
by Monday 12 September 2022	Electoral officer certifies final electoral roll [Sec 51, LEA, Reg 22, LER]
Friday 16 September - Wednesday 21 September 2022	Delivery of voting documents [Reg 51, LER]
Friday 16 September - Saturday 8 October 2022	Progressive roll scrutiny [Sec 83, LEA] Special voting period [Sec 5 LEA, Reg 35, LER] Early processing period [Sec 80, LEA]
by Friday 7 October 2022	Appointment of scrutineers (12 noon) [Sec 68, LEA]
Saturday 8 October 2022	Election day [Sec 10, LEA] Close of voting (12 noon) [Sec 84, LEA] Progress and preliminary results available as soon as practicable after close of voting [Sec 85, LEA]
Saturday 8 October (pm) - Thursday 13 October 2022	Official count [Sec 84, LEA]
Friday 14 October - Wednesday 19 October 2022	Declaration of result/public notice of declaration [Sec 86, LEA]
mid-December 2022	Return of electoral donations & expenses form [Sec 112A, LEA]

APPENDIX TWO



FACT SHEET Triennial election

Kawerau District Council

8 OCTOBER 2022

GENERAL

Triennial elections for elected members of most local authorities throughout New Zealand are to be conducted, by postal vote, on Saturday 8 October 2022.

The elections will be conducted under the provisions of the Local Electoral Act 2001 and the Local Electoral Regulations 2001 and will be undertaken by Election Services, under contract to Kawerau District Council

The New Zealand government announced in April 2021 that the 20 District Health Boards would be replaced by one single national health body, effective from 1 July 2022. Elections will therefore no longer be required for District Health Boards

POSITIONS

Elections will be required for the following positions:

- Mayor (elected 'at large')
- Councillors (8 Members elected 'at large')
- Bay of Plenty Regional Council Members (either 2 members from the Eastern Bay of Plenty General Constituency, or 1 member from the Kōhi Constituency)

NOMINATIONS

Nominations for the above positions will open on Friday 15 July 2022 and close at noon on Friday 12 August 2022.

Nomination papers will be available during this period:

- from the District office, Ranfurly Court, Kawerau
- by accessing www.kaweraudc.govt.nz;
- by telephoning the electoral office on 0800 922 822.

To be eligible to stand for election, a candidate must be:

- a New Zealand citizen (by birth or naturalisation ceremony); and
- enrolled as a Parliamentary elector (anywhere in New Zealand); and
- nominated by two electors whose names appear on the electoral roll within the respective area that a candidate is standing for.

Detailed candidate information handbooks will be available from the electoral office from May 2022.

ELECTORAL ROLL

Those eligible to vote in the election are all resident electors and non-resident ratepayer electors whose names appear on the electoral roll when it closes on Friday 12 August 2022. The Preliminary Electoral Roll will be available for public inspection from Friday 15 July 2022 to Friday 12 August 2022 at the District office.

Resident Roll: All parliamentary electors, including those on the Māori Electoral Roll, are automatically enrolled on the Resident Roll, at the address where they live.

Any alterations to the Resident Roll (eg change of address details, including new postal addresses) should be made by:

- completing the appropriate form at any post shop;
- phoning 0800 ENROLNOW (0800 367 656)
- accessing the Electoral Commission website on www.elections.org.nz

Ratepayer Roll: If a person is on the parliamentary roll in one area and pays rates on a property in another area, this person may be eligible to be enrolled on the non-resident ratepayer roll. A firm, company, corporation or society paying rates on a property may nominate one of its members or officers as a ratepayer elector (provided the nominated person resides outside the area). Ratepayer Roll enrolment forms are available at the District office, or by phoning the electoral office on 0800 922 822.

ELECTORAL SYSTEM

The first past the post (FPP) electoral system will be used for all elections except for the Bay of Plenty District Health Board which will use the single transferable voting (STV) electoral system.

VOTING PERIOD

Voting documents will be sent to all eligible electors, by post, from Friday 16 September 2022.

The voting period is three weeks (Friday 16 September 2022 to noon Saturday 8 October 2022). Electors may post their completed voting documents back to the electoral officer using the orange pre-paid envelope sent with their voting document. Polling places for the issuing of special voting documents and for the receiving of completed voting documents will be available from Friday 16 September 2022 to noon Saturday 8 October 2022 at the District office.

To be counted, all completed voting documents must be in

Continued over page

the hands of the electoral officer or an electoral official by noon Saturday 8 October 2022.

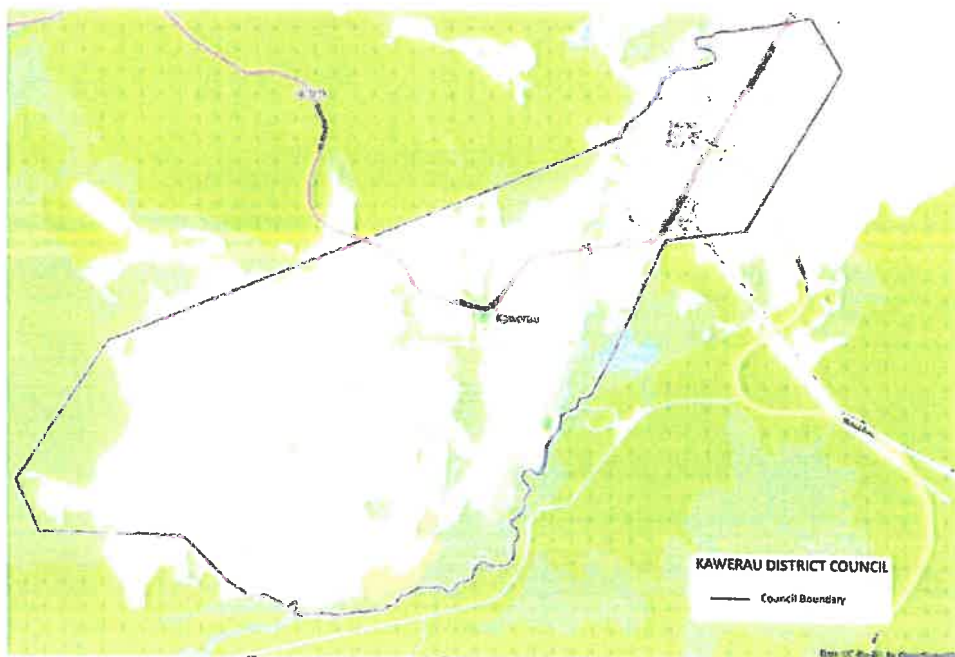
Progress results will be known early afternoon, and preliminary results will be known early on Sunday morning, 13 October 2022. These will be accessible on Council's website www.kaweraudc.govt.nz

CONTACT US

For further information regarding this election, please contact the electoral office:



Dale Ofsoske, Electoral Officer
Kawerau District Council
C/o PO Box 5135, Victoria Street West, Auckland 1142
Email: info@electionservices.co.nz
Phone: 0800 922 822



APPENDIX THREE



Wherever you pay rates you can vote

Do you live in one area and pay rates on a property in another area?

You may qualify to vote in both areas at the local authority elections in October 2022

You may like to vote in this election. Voting is a way to have your say on what happens in your local community. This information is designed to help you. It notes who you can contact to enrol, and ways you might qualify to vote.

There are two types of electors...

Residential Electors – If you are registered to vote on the electoral roll, you are automatically enrolled to vote in local authority elections. You will receive a voting document so that you can vote by post.

Ratepayer Electors – You may also be eligible to enrol as a non-resident ratepayer elector in a council district if both of these apply:

- you are on the district valuation roll and pay rates in the council district
- the address where you are registered as a Parliamentary elector is outside that council district.

Your eligibility to enrol or be nominated as a ratepayer elector may also depend on your individual circumstances as determined by criteria in the Local Electoral Act 2001 and its regulations.

An organisation can nominate one of its members or officers to vote on its behalf

if a firm, company, trust, corporation, society partners, joint tenants and tenants in common collectively pay rates on a property in a council district, one of the group may be nominated to be the ratepayer elector. The person nominating and the nominated person must be registered as Parliamentary electors at addresses outside the council district where the property is located.

You can only enrol once

You can only enrol, or be nominated to enrol, once in a council district, no matter how many properties you own in that council district. Council district includes: a city, district and regional council area; a community board area if established; the area of Auckland Council and the local boards.

New Ratepayer Electors

If you think you may be eligible to enrol or to nominate someone as a ratepayer elector, get an Enrolment Form for Ratepayer Electors from the local council where you pay your rates. The Electoral Officer will be able to help you with your application.

If you want further information please phone toll free

0800 54 8683

(phone number is available from 7 February 2022 to 30 August 2022)



**Enrol now - the
Ratepayer Electoral
Roll closes on
12 August 2022**

**The Ordinary Meeting of the Kawerau District Council
will be held on Tuesday, 29 March 2022
in the Concert Chambers commencing at 9.00am**

A G E N D A

Apologies

Leave of Absence

Opening Prayer

Public Forum

Declarations of Conflict of Interest

1 CONFIRMATION OF COUNCIL MINUTES

1.1 Ordinary Council – 22 February 2022

Pgs. 1 - 5

Recommendation

That the minutes of the Ordinary Council Meeting held on 22 February 2022 be confirmed as a true and accurate record.

2 RECEIPT OF COMMITTEE MINUTES

2.1 Regulatory and Services Committee – 15 March 2022

Pgs. 7 - 8

Recommendation

That the Minutes of the Regulatory and Services Committee meeting held on 15 March 2022 be confirmed as a true and accurate record.

3 Action Schedule (101120)

Pgs. 9 - 10

Recommendation

That the updated Action Schedule of resolutions/actions requested by Council be received.

4 His Worship the Mayor's Report (101400)

Pg. 11

Recommendation

That His Worship the Mayor's report for the period Wednesday 16 February 2022 to Tuesday 22 March 2022 be received.

5 Annual Plan Performance for the 6 months ended 31 December 2021 (Group Manager, Finance and Corporate Services) (110400)

Pgs. 13 - 43

Attached is a report summarising Councils financial and non-financial performance to 31 December 2021

Recommendation

That the report "Annual Plan Performance for the 6 months ended 31 December 2021" be received.

6 BOPLASS Limited – Draft Statement of Intent 2022 – 2025 and Half Yearly Report to 31 December 2021 (Chief Executive Officer) (104023)

Pgs. 45 - 75

Attached for consideration is a report on BOPLASS Limited's Draft Statement of Intent 2022 – 2025 and Half Yearly Report to 31 December 2021.

Recommendations

- 1. That the report "BOPLASS Limited – Draft Statement of Intent 2022 – 2025 and Half Yearly Report to 31 December 2021" be received.*
- 2. That Council approves the BOPLASS Limited Draft Statement of Intent for 2022 – 2025.*

7 Review of Election Policies (Group Manager, Finance and Corporate Services) (101287)

Pgs. 77 - 96

Attached is a report requesting members review and approve the Election Signs policy and Public Communication by Elected Members in the pre-election period.

Recommendations

- 1. That the report "Review of Election Policies" be received.*
- 2. Council adopts the Kawerau District Council Election Signs Policy as presented/amended, effective from 1 June 2022.*
- 3. Council adopts the Public Communications by Elected Members in a Pre-Election Period Policy as presented/amended, effective from 1 June 2022.*

8 2022 Triennial Council Elections (Electoral Officer Dale Ofoske) (101287)

Pgs. 97 - 106

Attached is a report from Council's Electoral Officer informing members of the timetable for the 2022 Council Elections and requesting a decision on the order of candidate names.

Recommendation

- 1. That the report "2022 Triennial Council Elections" be received.*

2. Council resolves for the 2022 triennial election, to adopt either:

- (i) the alphabetical order of candidate names; or
- (ii) the pseudo-random order of candidate names; or
- (iii) the random order of candidate names

as permitted under regulation 31 of the Local Electoral Regulations 2001.

9 **Exclusion of the Public**

Recommendation

That the public is excluded from the following part of the proceedings of this meeting, namely:

1. **Confirmation of Minutes of the Ordinary Council Meeting (Confidential) – 22 February 2022**
2. **NTGA Easement Request – Spencer Road**
3. **Geothermal Zone – Sewer Line Replacement**

The general subject of the matter to be considered while the public is excluded; the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Information & Meetings Act 1987 for the passing of this resolution is as follows:

General Subject of the matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1. Confirmation of Minutes of the Ordinary Council Meeting (Confidential) – 22 February 2022	Maintain the effective conduct of public affairs through the free and frank expression of opinions.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48 (1) (a) (i)
2. NTGA Easement Request – Spencer Road.		
3. Geothermal Zone Sewer Line Replacement.		

This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.

R B George

Chief Executive Officer

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