



KAWERAU DISTRICT COUNCIL

Te Kaunihera ā rohe o Kawerau

TAONGA O TE WHENUA - TREASURE OF THE LAND

**The Ordinary Meeting of the
Kawerau District Council will be held
on Wednesday 18 December 2024
in the Council Chambers
commencing at 9.00am**

A G E N D A

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.

**The Ordinary Meeting of the Kawerau District Council
will be held on Wednesday 18 December 2024
in the Council Chambers commencing at 9.00am**

A G E N D A

1 **Karakia Timatanga | Opening Prayer**

2 **Apologies**

3 **Leave of Absence**

4 **Declarations of Conflict of Interest**

5 **Meeting Notices**

6 **Nga Mihimihi | Acknowledgements**

7 **Public Forum**

8 **CONFIRMATION OF COUNCIL MINUTES**

8.1 **Ordinary Council – 27 November 2024**

Pgs. 1 - 7

Recommendation

That the Minutes of the Ordinary Council Meeting held on 27 November 2024 be confirmed as a true and accurate record.

9 **RECEIPT OF COMMITTEE MINUTES**

9.1 **Community Grant Committee Meeting – 13 November 2024**

Pgs. 8 - 12

Recommendation

That the Minutes of the Community Grant Committee meeting held on 13 November 2024 be confirmed as a true and accurate record.

10 **Her Worship the Mayor's Report (101400)**

Pgs. 13 - 20

Recommendation

That Her Worship the Mayor's report for the period Thursday 21 November to Friday 20 December be received.

11 **Action Schedule (101120)**

Pgs. 21 - 25

Recommendation

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

12 Animal Shelter and Rehoming Facility Concepts (Group Manager, Operations and Services) (307130)

Pgs. 26 - 39

Attached is a report from the Group Manager, Operations and Services covering the Animal Shelter and Rehoming Facility Concepts.

Recommendations

1. *That the report “Animal Shelter and Rehoming Facility Concepts” be received.*
2. *That Council authorises staff to proceed with the final designs for Concept 1 and allocate \$25,000 of the available budget for the designs.*

13 NZTA Three-Year Funding 2024 - 2027 (Group Manager, Operations and Services) (401250)

Pgs. 40 - 43

Attached is a report from the Group Manager, Operations and Services covering the NZTA Three-Year Funding 2024 – 2027.

Recommendations

1. *That the report “NZTA Three-Year Funding 2024 – 2027” be received.*
2. *That Council approve the following decisions:*

Project/Renewal Item	Requested Budget	NZTA Approved Annual Budget	Shortfall	Decision
Minor Safety	\$40,000	\$0	\$40,000	<i>Postpone</i>
Footpath Replacement	\$485,000	\$174,350	\$310,650	<i>Postpone</i>
Photocell Sensory	\$15,000	\$0	\$15,000	<i>Postpone</i>
School Zone Speed Management	\$120,000	\$0	\$120,000	<i>Postpone</i>
Footpath Maintenance	\$63,000	\$22,640	\$40,360	<i>100% Fund</i>
<u>Totals</u>	<u>\$723,000</u>	<u>\$196,990</u>	<u>\$526,010</u>	

14 Review of Council’s Procurement Policy (Group Manager, Finance and Corporate Services) (110551)

Pgs. 44 - 67

Attached is a report from the Group Manager, Finance and Corporate Services covering the Review of Council’s Procurement Policy.

Recommendations

1. *That the report “Review of Council’s Procurement Policy” be received.*
2. *That Council adopts the “Procurement Policy” as presented in appendix A to this report and the policy is effective from 20 December 2024.*

15 Dog Control Act s10A – Policy and Practices Report 2023/2024 (Group Manager, Regulatory and Planning) (307000)

Pgs. 68 - 77

Attached is a report from the Group Manager, Finance and Corporate Services covering the Dog Control Act s10A – Policy and Practices Report 2023/2024.

Recommendations

1. *That the report “Dog Control Act s10A – Policy and Practices Report 2023/2024.” be received.*
2. *That Council adopts and publicly notifies the Dog Control Act s10A – Policy and Practices Report for the 2023/2024 year and forwards a copy to the Secretary, Department of Internal Affairs.*

16 Exclusion of the Public

Recommendation

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

1. **Minutes for Confidential Meeting Held on 27 November 2024**
2. **Storm Water Modelling Tender Evaluation**
3. **Kowhai Park Body Corporate Memorandum of Understanding (MOU)**

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. Minutes for Confidential Meeting held on 27 November 2024. 2. Storm Water Modelling Tender Evaluation. 3. Kowhai Park Body Corporate Memorandum of Understanding (MOU)	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)

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.

17 **Karakia Whakamutunga | Closing Prayer**

M Godfery

Chief Executive Officer

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**Minutes of the Ordinary Meeting of the Kawerau District Council
held on Wednesday 27 November 2024
in the Council Chamber commencing at 9.00am**

Present: Her Worship the Mayor F K N Tunui
Deputy Mayor A Rangihika
Councillor C J Ion
Councillor B Julian
Councillor R G K Savage
Councillor W Godfery
Councillor S Kingi
Councillor J Ross
Councillor R Andrews

In Attendance: Chief Executive Officer (M Godfery)
Group Manager, Finance and Corporate Services (L Butler)
Group Manager, Operations and Services (R Nel)
Group Manager, Regulatory and Planning (M Glaspey)
Economic & Community Development Manager (L Barton)
Communications & Engagement Manager (T Humberstone)
Administration Officer (L Kerei)

1 Karakia Timatanga | Opening Prayer

Pastor Mark Kingi opened the meeting with a prayer.

2 Apologies

No Apologies were received.

3 Leave of Absence

No Leave of Absence were received.

4 Declarations of Conflict of Interest

No Declarations of Conflict of Interest were received.

5 Meeting Notices

Chief Executive Officer gave the following meeting notices:

- *Agenda item 15 that is on pages 70 to 86, titled as “Naming Policy renaming request: Seeking Council approval for Stoneham Park to be renamed Tūwharetoa Park” has been withdrawn.*
- *The report titled “Appointment of Independent Commissioner for Resource Management Act Hearing” will be added to the agenda as item 15.*
- *Tabled is the Mayor’s Report.*

- *Also there have been some updates to the report that is in the Confidential Agenda.*

6 Nga Mihimihi | Acknowledgements

Chief Executive Officer acknowledged the staff and those involved in the preparation of Kawerau Christmas in the Park as the event draws near.

Councillor Savage gave acknowledgement to Tūwharetoa ki Kawerau Hauora for the opening of Te Rā O Matatu, gateway to housing solutions for whanau | family that Her Worship the Mayor and Councillor Savage attended. Councillor Savage also attended the Hato Hone St Johns EBOP Service Awards Ceremony and gave his positive feedback about the awards and the service they have all carried out over the year.

Deputy Mayor Rangihika also attended the Hato Hone St Johns EBOP Service Awards and gave his praises to all those involved in the awards and acknowledged those that came from Kawerau.

7 Public Forum

No Public Forum has been received.

Chief Executive Officer provided an update on previous Public Forum item regarding Alleyway by Mr Mitchell, that new barriers have been installed.

8 CONFIRMATION OF COUNCIL MINUTES

8.1 Ordinary Council – 30 October 2024

Corrections:

- Page 2 of the Council Agenda – Confirmation of Committee Minutes – Regulatory and Services Committee Meeting – The correction noted has been rephrased and now states “Page 12 of the Council Agenda – Item 10 – Action Item – The action item requested by Elected Members is a timeline for all Housing Developments not specifically the Porritt Galde Lifestyle Village Development. This action item came about from item 3 – Residential Development – Current Status – from pages 24 and 25 of the Regulatory and Services Committee Meeting held on Wednesday 16 October 2024”.
- Page 3 of the Council Agenda – Crime Reduction Forum Meeting – Name of the forum to be updated to the new name which is “Community Safety Committee”.

Resolved

That the minutes of the Ordinary Council Meeting held on 30 October 2024 is confirmed as a true and accurate record.

**Councillor Andrews / Deputy Mayor Rangihika
CARRIED**

8.2 Extraordinary Council – 13 November 2024

Resolved

That the minutes of the Extraordinary Council Meeting held on 13 November 2024 is confirmed as a true and accurate record.

**Councillors Ross / Godfery
CARRIED**

9 CONFIRMATION OF COMMITTEE MINUTES

9.1 Regulatory and Services Committee Meeting – 16 October 2024

Group Manager, Regulatory and Planning explained that s223 and s224 are part of the subdivision process. When applicants apply for a subdivision, before it is finalised, they need to apply for a 223 and 224 certificate. 223 certificate is saying that all work required under the subdivision consent has been completed, and the 224 certificate is ensuring the titles have been updated and are correct.

Correction:

Page 12 of the Council Agenda – Action Item for item 9, Monthly Report – Economic and Community Development – Elected Members would like added in the action item the request for the Kawerau Youth Council's feedback on the Mana Mokopuna document.

Resolved

That the minutes of the Regulatory and Services Committee Meeting held on 13 November 2024 is confirmed as a true and accurate record.

**Councillors Ion / Andrews
CARRIED**

9.2 Iwi Liaison Meeting – 21 October 2024

Corrections:

- Page 13 of the Council Agenda – Item 4.2 – Add the word Signs after Nexus as that is the full business name.
- Page 14 of the Council Agenda – Item 4.7.1 – Correct the word unites to units.
- Page 14 of the Council Agenda – Item 4.10 – Bullet point 1 – Correct the name Otorohanga to Otarahanga.

Resolved

That the minutes of the Iwi Liaison Meeting held on 21 October 2024 is received.

**Deputy Mayor Rangihika / Councillor Godfery
CARRIED**

9.3 Accessibility Group Meeting – 7 November 2024

Action item:

- Page 15 of the Council Agenda – Item 3.2 – Bullet point 1 – Group Manager, Operations and Services to investigate the suggestion of trialling opening the gates to Stoneham Walk for the Summer period.
- Councillor Godfery to follow up with Committee members in regards to apologies.
- Group Manager, Operations and Services to review the process for keys to access parks and reserves for wheelchairs & mobility scooters.

Correction:

- Page 15 of the Council Agenda – Present – Change Councillor Warwick Godfery and Councillor Rowena Andrews to Councillor W Godfery and Councillor R Andrews.
- That the move and second to be councillors initials and surnames.

Resolved

That the minutes of the Accessibility Group Meeting held on 7 November 2024 is received.

**Councillors Godfery / Ross
CARRIED**

10 Her Worship the Mayor's Report

Resolved

That Her Worship the Mayor's report for the period Thursday 24 October to Wednesday 20 November 2024 is received.

**Her Worship the Mayor / Councillor Kingi
CARRIED**

11 Action Schedule (Chief Executive) (101120)

Elected Members queried what the estimated date will be for action request 3 on page 18 from the Regulatory and Services Meeting held on 13 November 2024. Council staff confirmed it will be January 2025.

Correction:

Page 18 – Regulatory and Services meeting held 16.10.24 – Action Requested item to read “Staff to provide a timeline for all Housing Developments.”. This should also change the comments section for this action item.

Resolved

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

**Councillor Kingi / Deputy Mayor Rangihika
CARRIED**

12 Adoption of Porritt Glade Lifestyle Village Performance Report for year ended 30 June 2024 (Group Manager, Finance and Corporate Services) (201000)

Council discussed the report on the Adoption of Porritt Glade Lifestyle Village Performance Report for year ended 30 June 2024.

Action item:

- Page 31 – Depreciation – Paragraph 5 – Elected Members have requested the correct spelling for “derecognised” in the Performance Report.
- Elected Members to be refreshed on Porritt Glade Lifestyle Village reporting and accounting principles through a meeting with Audit New Zealand.

Resolved

1. *That the report “Adoption of Porritt Glade Lifestyle Village Performance Report for year ended 30 June 2024” be received.*
2. *That Council adopts the Porritt Glade Lifestyle Village Performance Report for the year ended 30 June 2024.*
3. *That the Mayor and Chief Executive Officer are delegated to sign the Porritt Glade Lifestyle Village Performance Report for the year ended 30 June 2024, following the adoption by Council.*

**Councillors Kingi / Savage
CARRIED**

13 Annual Plan Performance for the three months ended 30 September 2024 (Group Manager, Finance and Corporate Services) (110400)

Council discussed the report on the Annual Plan Performance for the three months ended 30 September 2024.

Resolved

That the report “Annual Plan Performance for the three months ended 30 September 2024” be received.

**Deputy Mayor Rangihika / Councillor Ion
CARRIED**

Councillor Godfery departed the meeting at 10.24am

14 Council Meetings Schedule for 2025 (Group Manager, Finance and Corporate Services) (104000)

Council discussed the report on the Council Meetings Schedule for 2025.

Councillor Godfery departed the meeting at 10.26am

Elected Members suggested for the first meeting after the 2025 – 2028 Local Council elections, that the first agenda be a reasonably light to not be overwhelming.

Resolved

1. *That the report “Council Meetings Schedule for 2025” be received.*
2. *That Council adopts the Council meetings, as detailed in Appendix A – “Council Meetings Schedule for 2025”.*

**Councillors Ion / Ross
CARRIED**

15 Appointment of Independent Commissioner for Resource Management Act 1991 Hearing (Group Manager, Regulatory and Planning) (301500)

Council discussed the report on the Appointment of Independent Commissioner for Resource Management Act (RMA) Hearing.

Action item:

- Page 70 – Item 2 Background – Paragraph 3 – Confirmation of who Ngāti Tūwharetoa is, that submitted a submission opposing the application.
- Elected Members suggested to seek guidance from Kawerau District Councils Iwi Liaison and Cultural Advisor Te Haukākawa Te Rire.

Resolved

1. *That the report “Appointment of Independent Commissioner for Resource Management Act 1991 Hearing” be received.*
2. *That the report Appointment of Independent Commissioner for Resource Management Act (RMA) Hearing be deferred and received on Wednesday 4 December 2024 with the introduction of an Extraordinary Council meeting with an updated report with what has been requested by Elected Members in today's meeting.*

**Her Worship the Mayor / Councillor Kingi
CARRIED**

16 Exclusion of the Public – 11.22am

Resolved

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

1. **Minutes for Confidential Meeting Held on 30 October 2024**
2. **Stoneham Park Residential Development Heads of Agreement**

**Councillors Ross / Ion
CARRIED**

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
<p>1. Minutes for Confidential Meeting held on 25 September 2024.</p> <p>2. Stoneham Park Residential Development Heads of Agreement</p>	<p>Maintain the effective conduct of public affairs through the free and frank expression of opinions.</p>	<p>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.</p> <p>Section 48 (1) (a) (i)</p>

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.

Karakia Whakamutunga

Pastor Mark Kingi closed the meeting with a Karakia at 11:45am

F K N Tunui

Mayor

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KAWERAU DISTRICT COUNCIL**The Meeting of the Community Grant Committee
was held on Wednesday 13 November 2024 in the
Council Chambers commencing at 12.30pm**

Present: Councillor B J Julian – Chair
Deputy Mayor A Rangihika
Councillor R G K Savage
Councillor J Ross

In Attendance: Her Worship the Mayor F K N Tunui
Economic and Community Development Manager (L Barton
Administration Officer (L Kerei)

Apologies:

No Apologies were received.

Declarations of Conflict of Interest:

It was Declared that the Councillor Godfery is referenced and the account holder for Agenda Item 4.7, Kawerau Boxing Club.

Councillor Savage Declared a Conflict of Interest in the Kawerau Boxing Club as the secondary contact person is a relative.

1. Confirmation of the Community Grant Committee Minutes – 16 August 2023

The Committee have requested that the year the meeting was held be added to the date at the top of page 1.

Resolved

That the minutes of the Community Grant Committee meeting held on 16 August 2023 are confirmed as a true and accurate record.

**Councillors Ross / Julian
CARRIED**

2. Community Grants 2022/23 – Accountability Records

The Committee considered completed Accountability Records from:

1. Life Education Trust EBOP
2. Parkinson's New Zealand Charitable Trust
3. Cattykits NZ
4. Kawerau Blue Light Ventures
5. Alzheimer's Society Eastern Bay of Plenty Incorporated
6. Epilepsy Association of New Zealand

7. Kawerau Community Menz Shed
8. KADAP
9. K.Town C.A.W

The Committee gave the following concerns about what was submitted in some of the Accountability Records:

- Grant money being used for those outside of the Kawerau District.
- Alcohol being purchased with the grant money.
- Purchases made to businesses outside the Kawerau District which could have been made in the district.

Resolved

1. *That the Accountability Records information is received.*

**Deputy Mayor Rangihika / Councillor Savage
CARRIED**

Resolve

2. *The Committee agreed to review the criteria, application form and accountability record form in February 2025.*

Councillors Julian / Ross

3. Overdue Accountability Records

The Committee discussed the table showing the Overdue Accountability Records starting from 2020 to 2023

The Committee requested that all Overdue Accountability Records be followed up.

Resolved

That the Overdue Accountability Records starting from 2020 to 2023 is received.

**Councillor Julian / Deputy Mayor Rangihika
CARRIED**

4. Applications for Community Grants 2024/25 (502740)

The Committee discussed a report tabled by Group Manager, Finance & Corporate Services.

Resolved

1. *That the report "Applications for Community Grants 2023/24" be received.*
2. *That the Community Grants Committee considers the applications for grants from community groups and determines the amount to be allocated.*

**Councillors Savage / Ross
CARRIED**

4.1 Neighbourhood Support Kawerau

Amount requested \$3,000.00 (GST exclusive)

Purpose: Resurrection of the new Neighbourhood Support Kawerau

Resolved

That an allocation of \$3,000.00 excluding GST be approved with the condition that proof of bank account is provided before the funds are transferred.

**Councillors Julian / Ross
CARRIED**

4.2 The Clothing Project

Amount requested \$1,700.00 (GST exclusive)

Purpose: Caring, Connected Communities

Resolved

That an allocation of \$1,700.00 excluding GST be declined. This is due to the organisation not being situated in the Kawerau District and the application not specifying how the telecommunication is benefiting the community of Kawerau.

**Deputy Mayor Rangihika / Councillor Ross
CARRIED**

4.3 Kawerau Community Menz Shed

Amount requested \$1,910.00 (GST exclusive)

Purpose: Assistance with Insurance

Resolved

That an allocation of \$2,500.00 excluding GST be approved with the condition a quote from the insurance company is submitted to the committee before funds are transferred.

**Councillor Ross / Deputy Mayor Rangihika
CARRIED**

4.4 K-Town C.A.W Op Shop

Amount requested \$3,000.00 (GST exclusive)

Purpose: Kawerau Dog Day

Resolved

That an allocation of \$3,000.00 excluding GST be declined. This is due to Council already providing funds to this organisation for their event.

**Councillor Ross / Deputy Mayor Rangihika
CARRIED**

4.5 Alzheimer's Society EBOP Incorporated

Amount requested \$3,000.00 (GST exclusive)

Purpose: Delivery of dementia care services to the Kawerau District

Resolved

That an allocation of \$2,000.00 excluding GST be approved.

**Councillors Savage / Julian
CARRIED**

4.6 Kawerau Community Patrol

Amount requested \$3,000.00 (GST exclusive)

Purpose: Fuel costs for vehicle and incidentals

Resolved

That an allocation of \$3,000.00 excluding GST be approved.

**Councillors Ross / Savage
CARRIED**

4.7 Kawerau Boxing Club

Amount requested \$2,960.00 (GST exclusive)

Purpose: Kawerau Boxing Club-Young "Bootcamp" 2025

Resolved

That an allocation of \$2,960.00 excluding GST be declined. This is due to the bank account being a personal account and the secondary contact person being a Kawerau District Council employee.

**Councillor Julian / Deputy Mayor Rangihika
CARRIED**

4.8 Cattykits NZ

Amount requested \$3,000.00 (GST exclusive)

Purpose: Cattykits NZ Desexing Program 2024

Resolved

That an allocation of \$3,000.00 excluding GST be declined. This is due to the applicant being a Kawerau District Council employee.

**Councillors Julian / Ross
CARRIED**

4.9 KADAP

Amount requested: \$2,426.00(GST exclusive)

Purpose: Reducing social isolation – Christmas project

Resolved

That an allocation of \$3,000.00 excluding GST be approved.

**Councillors Julian / Savage
CARRIED**

4.10 Epilepsy Association of New Zealand

Amount requested \$750.00 (GST exclusive)

Purpose: Epilepsy Support Services

Resolved

That an allocation of \$1,000.00 excluding GST be approved.

**Councillors Ross / Savage
CARRIED**

4.11 Kawerau Blue Light Ventures Inc

Amount requested \$3,000.00 (GST exclusive)

Purpose: Blue Light Deep-Sea Fishing Program

Resolved

That an allocation of \$3,000.00 excluding GST be approved.

**Councillor Savage / Rangihika
CARRIED**

4.12 Hospice Eastern Bay of Plenty (Hospice EBOP)

Amount requested \$3,000.00 (GST exclusive)

Purpose: Hospice EBOP Syringe Driver and Secure Lockbox Acquisition

Resolved

That an allocation of \$1,500.00 excluding GST be approved.

**Councillors Julian / Ross
CARRIED**

Meeting closed at 2.45pm

B J Julian
Chairperson

Meeting Council

Meeting Date: 18 December 2024

Subject: Her 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 for the period Thursday, 21 November to Wednesday 4 December. Also included are upcoming meetings, functions and events from Thursday 5 December to Wednesday 18 December 2024.

November

- Thur 21 • LGNZ Combined Sector Meeting, held in Wellington
- Fri 22 • LGNZ Rural & Provincial Meeting, held in Wellington
- Sun 24 • The Order of St John Central Region Service Awards attended by Deputy Mayor Aaron Rangihika and Cr Savage, held at Ohope Golf Club
- Mon 25 • Meeting with BOP Regional Council re: Stoneham Park Development Storm Water Modelling, held in Council Chamber
- Tue 26 • Official Opening of Tuwharetoa ki Kawerau Hauora, Matatu premise, The Gateway to Housing Solutions for Whanau, at 119 Onslow Street with Cr Savage
- Wed 27 • Council Meeting Day, held in Council Chamber
 - Her Worship the Mayor's Report
 - Action Schedule
 - Adoption of Porritt Glade Annual Report for year ended 30 June 2024
 - Annual Plan Performance for the three months ended 30 September 2024
 - Council Meetings Schedule for 2025

[COUNCIL AGENDA 2024.11.27.pdf](#)

 - Confidential Council
 - Stoneham Park Residential Development Heads of Agreement
 - Council Workshop
 - General Revaluation – QV Presentation
 - Local Water Done Well
 - Visit from East Coast National MP Dana Kirkpatrick
- Thur 28 • Joined East Coast National MP Dana Kirkpatrick to welcome Associate Minister of Police, Hon Casey Costello and Bay of Plenty MP Tom Rutherford to meet with Tuwharetoa ki Kawerau Hauora Family Harm Team
- Attended Council Staff Awards and presented the Kawanatanga Award (Mayoral Award) to Council's Regulatory & Operations Administrator, Raiha Andrews
- Fri 29 • Meeting with Eastern Bay of Plenty Spatial Plan Independent Governance Group Chair, Vaughan Payne
- Meet and Greet with new Mercury CEO, Stew Hamilton
- Meeting with Senior Sergeant Al Fenwick re: Gang Insignia Bill and upcoming Kawerau Christmas in the Park event
- BOP Civil Defence Emergency Management Joint Committee Chair's briefing meeting, via Teams

December

- Mon 2 • Eastern Spatial Plan Hearing, held at Whakatane District Council

- Tue 3
- Meeting with Jared Davis re: Basketball Initiative Proposal for Kawerau Rangatahi, in Mayor's Office
 - Meeting with Sarah Penlington re: Creative Communities Scheme, in Mayor's Office
 - Regional Deals Information Session 2, via Microsoft Teams
 - Meeting with Selwyn McGarvey and Senior Sergeant Al Fenwick re: November Clash of the Regions League Tournament, new Gang Insignia Bill and upcoming Kawerau Christmas in the Park event, in Committee Room
- Wed 4
- Extraordinary Council
 - Appointment of Independent Commissioner for Resource Management Act 1991 Hearing
[EXTRAORDINARY 04.12.2024](#)
 - Confidential Extraordinary
 - Solid Waste Cartage Tender
 - Council Workshop
 - Animal Shelter and Rehoming Facility Concepts
 - NZTA Three-Year Funding 2024 – 2027
 - Review of Statement of Intended Service Provision LTP 2025 – 2034
 - Local Water Done Well
- Thur 5
- Meeting with Jenny Thomas re: Creative Communities Scheme
 - Creative Communities Committee Meeting to consider six applications.
- Fri 6
- Kawerau South School Prizegiving
 - Te Whata Tau o Putauaki Prizegiving
 - Tarawera High School Junior Prizegiving
 - Eastern BOP Joint Committee Chair's Meeting with Chair Cr Campbell and Deputy Chair Mayor Moore, in Council Chamber
- Sun 8
- Soundcheck/Rehearsals for Kawerau Christmas in the Park, at Fairfield College, Hamilton
- Mon 9
- Audit & Risk Committee Meeting
 - Health, Safety and Wellbeing Report for period – 1/9/24 to 31/10/24
 - Audit New Zealand – Audit Engagement Letter LTP
 - Report to the Council on the Audit for year ended 30 June 2024
 - Treasury Report to 30 September 2024 and 31 October 2024
 - Annual Plan Performance for the three months ended 30/9/24
 - Audit and Risk Review Timetable from December 24 to October 25
 - Long Term Plan 2025 – 2034 Update
- Tue 10
- Resource Consent Hearing in support of Manager Glaspey for Ecocast Limited to extend their existing vermicomposting activity, held at Whakatane District Council by an Independent Commissioner
- Wed 11
- Regulatory & Services Committee Meeting, in Council Chamber
 - Monthly Report – Regulatory and Planning Services
 - Monthly Report – Finance and Corporate Services
 - Monthly Report – Operations and Services
 - Monthly Report – Economic and Community Development
 - Monthly Report – Communication and Engagement
[REGULATORY & SERVICES COMMITTEE AGENDA – 11.12.24](#)
 - Council Workshop
 - Review of Statement of Intended Service Provision LTP 2025 – 2034
 - Local Water Done Well
 - Review of Council's Procurement Policy
- Thur 12
- Bay of Plenty Mayor Forum, held via Zoom
 - Local Water Done Well
 - Regional Deals

- Fri 13
- BOP Civil Defence Emergency Management Group Meeting, at Western BOP District Council
 - NEMA's Space Weather Programme
 - Bay of Plenty CDEM Group Statutory Appointments
 - Bay of Plenty CDEM Group Office Quarterly Performance Monitoring Report 2024 - 2025 (Q1)
 - Bay of Plenty CDEM Group Training KPI Measurement
 - Verbal Update: Director, Emergency Management Bay of Plenty
 - Confidential Agenda
 - Bay of Plenty CDEM Whakaari/White Island Coronial Inquiry December Update
 - Regional Transport Committee Meeting, at Western BOP District Council
- Sat 14
- Kawerau Christmas Santa Parade, Aotearoa Theme
 - Kawerau Christmas in the Park Radio 1XX Community Show
 - Kawerau Christmas in the Park Evening Show and Fireworks
- Mon 16
- Iwi Liaison Hui, in the Mayor's Office
 - Kawerau Cemetery – Signage Board
 - Street Signs – QR Codes for Tiwhatiwha and Piripiri signs
 - Marukaa – Renaming of Reserve
 - Bilingual staff position roles and titles
 - Te Reo, Waiata and Cultural Awareness - 2025 Calendar
 - Stoneham Park – Development Name
 - Maori Wards – Local Body Elections October 2025
 - WDC to KDC Boundary Change
- Tue 17
- EBOP Joint Committee Meeting, held in Council Chamber
- Wed 18
- Council Meeting
 - EBOP Spatial Plan PGG December Meeting, via Microsoft Teams

2 Mayoral Correspondence

- Thu 21/11 Letter from Hon Simeon Brown, Minister of Local Government, inviting Councils to submit a regional deal light-touch proposal.
- Fri 22/11 Invitation from Te Rūnanga o Ngāti Awa and Whakatāne District Council to attend the Whakaari Karakia and Whakamaumahara – Memorial Event, on Monday 9th December at Te Hau Tutua Park (5am Karakia) and Manuka Tutahi Marae (12.30pm Memorial Event).
- Wed 27/11 Letter from Hon Erica Stanford, Lead Coordination Minister for the Government's Response to the Royal Commission's Report into Historical Abuse in State Care and in the Care of Faith-based Institutions informing of the Royal Commission's final report and to take action where appropriate.

3 RECOMMENDATION

That Her Worship the Mayor's report for the period Thursday, 21 November to Wednesday 18 December 2024, be received.



Faylene Tunui
Kahika | Mayor

Dear Mayor/Chair,

21 November 2024

Invitation to submit a regional deal light-touch proposal

The Government is pleased to invite your council to submit a regional deal proposal.

Regional deals is our Government's initiative to boost economic growth through infrastructure development. Deals will be focused on delivering connected and resilient infrastructure, building economic growth and improving the supply of affordable housing. They will be based on a 30-year vision for the region, with negotiated 10-year strategic plans.

Proposal process

Each region has the opportunity to submit one proposal for consideration. The proposals must be a collaborative submission by the territorial authorities involved and the relevant regional council. 'Regions' in the context of regional deals should be a configuration of territorial authorities within a defined economic and geographic area and must include the regional council where relevant. One relevant regional council will be involved in each regional deal alongside territorial authorities.

The proposal is intended to be straightforward and high level. We are looking for simple, in-house proposals supported by readily accessible information. Each proposal should identify 3-5 key infrastructure priorities or projects for the region. These should clearly show how they will boost regional economic growth or unlock growth for housing. To support the development of your proposal, a light-touch form is attached to guide you.

Should you wish to submit a regional deals proposal, please complete the attached registration form and submit it to regionaldeals@dia.govt.nz by 18 December 2024. Final proposals are due by 28 February 2025.

Please find additional guiding material below. Further information will be available at the <https://www.dia.govt.nz/Regional-Deals>. If you have any questions, do not hesitate to refer them to your Department of Internal Affairs Partnership Director or to regionaldeals@dia.govt.nz.

We are pleased to begin this journey and look forward to working with you to deliver infrastructure investment and economic growth for your communities.

Yours sincerely,



Hon Simeon Brown

Minister of Local Government

What classifies as a 'Region'?

'Regions' in the context of regional deals should be a configuration of territorial authorities within a defined economic and geographic area and must include the regional council where relevant. One relevant regional council will be involved in each regional deal alongside the territorial authorities.

Territorial authorities should determine how they collaborate with one another, alongside the relevant regional council, on a proposal that will support economic growth or unlock growth for housing for the region involved.

Why are all councils being invited to submit a light-touch proposal?

We have made the decision to invite all territorial authorities at the same time to enable all regions to put forward proposals that will boost economic growth, and to support the building of relationships between these territorial authorities and their relevant regional council.

What is a light-touch proposal?

A light-touch proposal is a document that outline ideas that can be implemented to address clearly understood issues and opportunities. We are not looking for exploratory studies or huge glossy documents.

While each regional deal will reflect the priorities for each region, deals should address the following criteria:

- Regional alignment - shared strategic objectives, developed in partnership and reflecting the particular local characteristics of each region;
- Identification of economic opportunities for long term growth potential;
- Financial and non-financial resources that will be brought to the table;
- Alignment and commitment on approach to broader government reform objectives such as Local Water Done Well – to provide confidence that councils are meeting their regulatory standards;
- Commitment to use of shared services; and
- Identification of alternative funding and financing tools for projects.

My expectation is that territorial authorities take a 'no-frills' approach to these proposals, which are practical and focused on achieving results. The information needed to complete your proposal is expected to be able to be sourced from your existing resources and materials, minimising any unnecessary additional costs and reducing reliance on external parties.

How should I confirm my intention to submit a light-touch proposal?

To confirm your intention to submit a light-touch proposal, submit the attached registration form to the Regional Deals Team at DIA (RegionalDeals@dia.govt.nz) before 18 December 2025.

How will light-touch proposals be assessed?

Proposals will be assessed according to the assessment criteria on page 24 of the Regional Deals Strategic Framework (<https://www.beehive.govt.nz/sites/default/files/2024-08/Regional%20Deals%20Strategic%20Framework.pdf>).

When will my region get a deal?

We expect the first regional deal to be finalised with the selected region by December 2025, with two more deals finalised by October 2026. Plans for future rounds of deals are still being developed.

We encourage councils that are not selected in the first tranche to continue to build relationships and planning with neighbouring territorial authorities and the relevant regional council to develop their future proposal. The regional deals secretariat will continue to provide support and share information on the rollout of the deals.

What are the key dates I need to know?

Activity	Date
Letters sent to all Councils inviting a regional deal proposal	21 Nov 2024
Online Q&A sessions for all councils	Late Nov 2024
Regions confirm intention to submit a proposal	By 18 Dec 2024
Regions submit final proposals for consideration	28 Feb 2025
Cabinet agreement on next steps for each region	Mid-2025

Further information

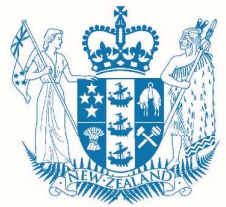
In the meantime, I encourage you to review the information at [\[https://www.dia.govt.nz/Regional-Deals\]](https://www.dia.govt.nz/Regional-Deals), including the Regional Deals [Strategic Framework - DIA](#).

For further questions, please contact your DIA Partnership Director in the table ahead or email RegionalDeals@dia.govt.nz.

<i>Regions</i>	<i>DIA Partnership Director</i>	<i>Contact details</i>
Northland/Auckland/Waikato	Vanessa Blakelock	Vanessa.blakelock@dia.govt.nz [021 832 417]
Bay of Plenty/Gisborne Tairāwhiti/Hawkes Bay/Manawatū Whanganui/Taranaki	Caroline Dumas	Caroline.dumas@dia.govt.nz [022 652 5199]
Wellington/Otago/Southland	Warren Ulusele	Warren.ulusele@dia.govt.nz [021 227 8187]
Nelson City and Tasman /Marlborough/Canterbury/ West Coast	Paul Barker	Paul.barker@dia.govt.nz [027 610 7508]

Action required: Please confirm your acceptance of this invitation to submit a regional deal proposal. Include the councils you will be partnering with to develop your proposal and form your 'region'.

To confirm your intention to submit a regional proposal, please submit the attached registration form to the Regional Deals Team at DIA (RegionalDeals@dia.govt.nz) before 18 December 2025.



Minister of Education
Minister of Immigration
Lead Coordination Minister for the Government's Response
to the Royal Commission's Report into Historical Abuse in
State Care and in the Care of Faith-based Institutions

27 November 2024

Faylene Tunui
Mayor
Kawerau District Council
mayor@kaweraudc.govt.nz

Dear Faylene

As you will be aware, the final report of Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith based institutions (the Royal Commission), was released in July this year. It is titled *Whanaketia – Through pain and trauma, from darkness to light* (Whanaketia). These reports detail widespread and extreme abuse of vulnerable children, young people and adults across a range of care settings, including a number of medical and psychiatric care settings. The full reports are available on the Royal Commission's website: www.abuseincare.org.nz/reports/.

As Lead Coordination Minister Responsible for the Government's Response to the Royal Commission's Report, I encourage you to have your Council consider the recommendations set out in the Royal Commission's final report and to take action where it is appropriate. There is one recommendation in particular that I wish to bring to your attention, which is paraphrased below for simplicity.

Recommendation 5

Relevant entities should review the appropriateness of any streets, public amenities, public honours or any memorials named after or recognising a proven perpetrator of abuse in care, or an institution where proven abuse and neglect took place. Entities should then consider what steps may be taken to change the names and what else should be done to address the harm caused by the memorialisation of proven perpetrators and institutions.

I encourage you to work with the Crown Response Unit on this (www.abuseinquiryresponse.govt.nz), as they are coordinating the Government's response to Royal Commission and can offer advice as needed.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Erica Stanford'.

Hon. Erica Stanford

Lead Coordination Minister for the Government's Response to the Royal Commission's Report into Historical Abuse in State Care and in the Care of Faith-based Institutions

Action Schedule

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Date
EC 22.11.23	2025 Triennial Elections Council resolved to establish one or more Māori wards for the Kawerau District in the 2025 and 2028 triennial elections.	C&EM	Completed	Council will work through the review of representation arrangements. Consultation with Tangata Whenua, Iwi and the community has taken place for the initial proposal resolved on 17/7/24. 104 submissions received for the Initial Proposal which was heard and resolved on 11/9/24. The Final Proposal was resolved for public notification on 11/9/24 from 20 September to 4 November for appeals.	November/ December 2024
			Completed	One objection received through the Final Proposal appeal process. In late November, the Local Government Commission confirmed this was an invalid appeal and the LGC advised the submitter on 28/11/24. LGC advised there was no need for the Hearing schedule in Kawerau for Thursday, 30 January 2025.	December / January 2025
			In Progress	Council is completing the final processes of the electoral review with support from Election Services and LGC. The comprises advertising the Notice of Final Proposal (via the Council website, Beacon and The Echo).	
R&S 15.05.24	Monthly Report – Operations and Services Staff to present to Elected Members the plans and costings of the new Dog Pound.	GM O&S	In Progress	Concepts were presented to Council. Seek final approval for the design of Concept 1. Paper was submitted.	December 2024

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Date
OC 29.05.24	<p>Hire Fee Options for Rangī Delamere Centre</p> <p>Elected Members and Leadership Team to return to the table for a resolution and confirmation of block bookings.</p>	CEO / GM F&CS	Completed In Progress	<p>The Hire Fee was approved at the May Council meeting.</p> <p>Meetings have been held by the CEO with the Netball Association and Tennis Club. Netball have confirmed their booking needs going forward. The Tennis Club was keen for a block booking time and once Council receives details of the dates they require, will work with the Tennis club to accommodate them.</p>	Completed December 2024
OC 26.06.24	<p>Activity Review for Economic Development</p> <p>Staff to return the report with additional information including the return on investment that Council makes to external partners and agencies.</p>	ECDM	In Progress	<p>Activity Review will be returned back to Council as part of Long Term Plan (LTP) process, with additional information as requested by Elected Members.</p> <p>Staff provided information from Film BOP demonstrating the return on investment, via the Film BOP annual report.</p> <p>Council resolved to withdraw funding from Toi-EDA.</p> <p>Sub-regional economic development strategy currently circulated for feedback from the business / industrial community.</p>	March 2025 Completed Completed

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Date
OC 26.06.24	<p>Activity Review for Pensioner Housing</p> <p>Staff to return the report with additional information including history of the partnership between Council and Kawerau Social Services Trust (that operates Mountain View) and further detail on the implications of any future expansion plans.</p> <p><u>R&S 16.10.24</u></p> <p>Staff to provide a timeline for all Housing Developments.</p>	C&EM	<p>Timetable for upcoming workshop</p> <p>In Progress</p>	<p>Activity Review will be returned back to Council as part of Long Term Plan (LTP) process, with additional information as requested by Elected Members.</p> <p>Timeline for the history of the housing development leading to Porritt Glade, will be provided as part of the S17A Activity Review for Pensioner Housing.</p> <p>An additional report will be provided with the history of other Council-led housing developments comprising Central Cove, Bell Street and Hine Te Ariki and Stoneham Park.</p>	<p>LTP process commences October 2024</p> <p>March/April 2025</p> <p>March/April 2025</p>
OC 27.11.24	<p>Accessibility Group Minutes – 07.11.24</p> <p>Page 15 of the Council Agenda – Item 3.2 – Bullet point 1 – Staff to investigate the suggestion of trialling the opening of the gates to Stoneham Walk for the Summer period.</p> <p>Councillor Godfery to follow up with Committee members in regards to apologies.</p> <p>Staff to review the process for keys to access parks and reserves for wheelchairs & mobility scooters.</p>	<p>GM O&S</p> <p>Chair</p> <p>GM O&S</p>	<p>Completed</p> <p>Completed</p>	<p>Keys will be available from Council's Reception for residents with wheelchairs and mobility scooters to access Stoneham Walk.</p> <p>Keys are available from Council's Reception for residents with wheelchairs and mobility scooters to access Kawerau Parks and Reserves.</p>	

Meeting Date	Resolution / Action Requested	Action	Status	Comments	Estimated Date
OC 27.11.24	<p>Adoption of Porritt Glade Lifestyle Village Performance Report for year ended 30 June 2024</p> <p>Page 31 – Depreciation – Paragraph 5 – Elected Members have requested the correct spelling for “derecognised” in the Performance Report.</p> <p>Elected Members to be refreshed on Porritt Glade Lifestyle Village reporting and accounting principles through a meeting with Audit New Zealand.</p>	C&EM			
A&R 09.12.24	<p>Annual Plan Performance for the three months ended 30 September 2024</p> <p>Page 62 – Item 2.1 – Statement of Comprehensive Revenue and Expense – staff to add a column for “Year to Date”.</p>	GM F&CS	In Progress	Column will be added to the next Performance Report due in March 2025.	

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OC: Ordinary Council EC: Extraordinary Council
 GMF&CS: GM, Finance & Corporate Services
 C&EM: Communication & Engagement Manager

A&R: Audit & Risk Committee
 GMO&S: GM, Operations & Services
 ECDM: Economic & Community Development Manager

R&S: Regulatory & Services Committee
 GMR&P: GM, Regulatory & Planning

Completed Items

R&S 13.11.24	Monthly Report – Economic & Community Development Staff to arrange more communications to go out to the community of the Mana Mokopuna document.	Chief Children’s Commissioner visit with the KYC profiled in the Council Newsletter on 5 November 2024 kdc newsletter nov 5 2024 print.pdf Social Media posts were completed on 31 October 2024.
OC 27.11.24	Appointment of Independent Commissioner for Resource Management Act 1991 Hearing Page 70 – Item 2 Background – Paragraph 3 – Confirmation of who Ngāti Tūwharetoa is, that submitted a submission opposing the application. Staff to seek guidance from Kawerau District Councils Iwi Liaison and Cultural Advisor.	Update provided to Council on the reasons for the appointment of Gina Sweetman during Extraordinary meeting on Wednesday 4/12/2024. Confirmed submitter was Ngāti Tūwharetoa Settlement Trust

Meeting: Council

Meeting Date: 18 December 2024

Subject: **Animal Shelter and Rehoming Facility Concepts**

File No.: 307130

1 Background

In 2019, a proposal was made to replace the existing Kawerau District Council Dog Pound with a new, modern Animal Shelter and Rehoming Facility. Plans have been developed, and tenders have been submitted; however, progress has stalled due to funding shortfalls and delays.

Due to rising building costs, the Council has requested a review of the necessity for the new Animal Shelter and whether improvements can be made to the currently available facilities.

The existing animal pound is located on Spencer Avenue in Kawerau. It has 18 indoor enclosures and 3 outdoor enclosures. Among the indoor spaces, there are 3 double enclosures designated for large breeds or for pregnant and nursing mothers. However, two double enclosures are currently being used for storage, holding laundry and food supplies, which renders them unavailable for animal use. The three outdoor enclosures can only be used during the daytime and are unsuitable for use during heavy rain due to inadequate flooring and malfunctioning ablution facilities. The facility also includes two large grassed exercise areas, one smaller exercise area, and several small concrete pads.

Overall, the current pound is dark, poorly ventilated, and requires upgrades and maintenance to comply with the welfare code set in 2018 by the National Animal Welfare Advisory Committee.

On July 8, 2022, the SPCA surrendered the lease for the property and building at 23 Spencer Avenue, which is adjacent to the Dog Pound. This has created an opportunity for the Council to evaluate the facility and consider retrofitting it into an Animal Shelter and Rehoming Facility.

2 Current Status

Staff assessed the available facilities based on the minimum standards for animal shelters and developed two concept plans: Concept 1 and Concept 2. The following key points were considered during the development of the concepts:

- Maximised the use of existing features within the available buildings.
- Minimised construction costs.
- Longevity of the infrastructure and remaining life.
- Ensured compliance with all health and safety requirements, as well as relevant rules and regulations.
- Addressed current issues related to space, lighting, drainage, vehicle access, and overall layout.

During the concepts phase, three areas were evaluated and compared:

- Main Building Area
- Kennel Area
- Design for the Crematorium (held consistent across both options)

3 Minimum Requirements for an Animal Shelter

In 2018, the National Animal Welfare Advisory Committee introduced a new Code of Welfare for the Temporary Housing of Companion Animals. This code establishes both the minimum standards and the best practice guidelines for the care of animals in temporary housing facilities.

After reviewing the code requirements and historical data from Council, the following outlines the minimum requirements and considerations for the Animal Shelter and Rehoming Facility.

Dog Enclosures

It is recommended that Council maintain a minimum of 18 enclosures. Although this number is a reduction from the current total, it will still provide adequate support during peak periods and accommodate the expected increase in the dog population in the coming years. Additionally, with a limited number of enclosures, the layout of these enclosures is as important as their quantity.

To ensure the safety of all dogs, four enclosures are needed specifically for isolating dangerous dogs. Ideally, these enclosures should have separate entrances to minimise cross-contamination with other dogs. Additionally, solid partition walls are essential to prevent any contact with other animals.

Sufficient double enclosures are required for nursing mothers or extra-large dogs.

The remaining enclosures should be divided between standard and rehoming enclosures. The rehoming enclosures should have convenient access to an outdoor natural environment and be designed to feel more like home.

All enclosures will serve multiple purposes when not used for their designated functions, allowing for more effective care of additional dogs.

Kennel Enclosures

The code sets out general guidance regarding the size of kennels with and without a run as set out below:

Size of Dog	Kennel Only	Kennel (K) plus Run (R)
Small (<7kg)	900mm x 700mm	500mm x 500mm (K) plus 600mm x 1m (R)
Medium (7-20kg)	1.2m x 800mm	600mm x 700mm (K) plus 800mm x 1m (R)
Large (21 -40kg)	1m x 1.5m	800mm x 800mm (K) plus 1m x 800mm (R)
Extra Large (>40kg)	1m x 2m	1.2m x 1.2m (K) plus 1.2m x 2.4m (R)

Due to the uncertainty regarding the size of dogs that may arrive at any given time, it is recommended that all kennels be designed to accommodate at least a large dog. Additionally, four of the kennels should be doubles to accommodate larger dogs or mothers with litters of puppies. Each double kennel should measure a minimum of

1.5 metres by 1.5 metres. It is also essential to have heating in two of the double enclosures to ensure that puppies remain warm.

All enclosures must be constructed in a way that prevents injury or distress to either the animals or the people placing them inside.

Each enclosure must provide adequate shelter, be fully shaded, dry, well-ventilated, and offer protection from extreme temperatures. Additionally, there should be enough space for animals to defecate away from their sleeping area. All enclosures should have natural or artificial light for an appropriate duration for the animals, such as all day for dogs if the enclosures are otherwise dark. It is important that the lighting does not generate excessive heat.

Regarding ventilation, there must be sufficient airflow to prevent the build-up of heat, humidity, dust, or noxious gases.

Water

Dogs must also have access to fresh water within their enclosure.

Exercise Areas

A minimum of two exercise areas is required. Currently, the exercise areas are grassed, which is beneficial for dogs that are ready for rehoming. However, some dogs have been exposed to Parvo, which poses a higher risk in grassed areas since Parvo can survive in the ground for 6 months to 1 year. Therefore, it would be preferable to have two concreted exercise areas, with access to a larger grassed area for healthy dogs and those ready for rehoming where possible.

The exercise areas should be at least 4m x 4m for one dog, with an increase of 1.5m² for each additional dog.

Fencing

Fencing must be at least 1.8 metres high. However, considering our existing fencing and the potential for dogs to escape, it is recommended to install a 45-degree angled portion on top of it.

Wash-down Area

A designated wash-down area is needed for dogs to facilitate medical treatment for skin diseases when necessary.

Storage/Laundry/Toilet/Kitchen (basic)

The proposed animal shelter will require sufficient storage space for freezers and food supplies, as well as dedicated areas for blankets, leads, and other dog-related products. Additionally, bulk storage will be necessary for four dog traps; while these can be stored outside, a designated area must be allocated.

A laundry space is essential for washing blankets used in dog beds. A restroom for staff is also needed.

At a minimum, a basic kitchen is necessary for the hygienic preparation of food and medications for dogs, puppies, and any other animals housed on-site.

Other Requirements

In addition to the requirements for housing dogs, it is important to consider that Council occasionally need to provide temporary housing for other animals. This

includes, but is not limited to, rabbits, chickens, ducks, pigs, goats, sheep, cows, and horses.

Council currently has an enclosure that is suitable for rabbits, ducks, and chickens. However, this setup is not ideal for pigs, goats, or sheep, as the area is shared with dogs. Some dogs are capable of climbing the existing internal walls, which poses a risk to the welfare of the other animals.

An outdoor animal shelter is needed for pigs, sheep, and goats to provide protection from the weather. The shelter should be situated within a grassed area for grazing. While there is no specific size requirement, a suggested minimum area of 2.5 m² would be suitable for accommodating a couple of calves, sheep, goats, or pigs.

There are several additional considerations that should be made, provided funding allows. These include:

- A crematorium, which could also be utilised as a community service and charged for use
- A drop off area to accommodate safe pick-ups and drop-offs
- Office space to enable staff to work at the Animal Shelter to facilitate monitoring and receiving of animals
- Wi-Fi access, with or without an office, to facilitate staff activities in administration of the animals
- Security systems such as CCTV and Salto door access.

4 Options Considered

Concept 1 :

Concept 1 offers a solution that achieves the requirements set for animal shelter facilities and specifically tailored to meet the long-term needs of the district. This concept focuses on delivering an animal shelter and rehoming facility that prioritises animal welfare, staff efficiency, and future sustainability.

Key upgrades include soundproofing between the main building and the kennel areas, climate control systems and drainage solutions that comply with current building regulations. Spaces within the main building have been repurposed for optimal utility; for example, the food storage area has been transformed into a visitor viewing room, and storage facilities have been relocated to a dedicated preparation area. The kennel area layout is designed for easy maintenance and animal comfort, featuring robust drainage, access to water, and improved ventilation. Additionally, the outdoor kennel space accommodates a new paddock area for larger animals.

Concept 1 includes the following features:

- Reception/Adoption Room
- Office Room
- Vehicle shed
- Crematory
- Kitchen
- Visitor/Viewing Room
- Pet Exam & Grooming Room
- Food Storage
- Inside Canine Room 1- consist of 8 Kennels
- Inside Canine Room 2- consist of 4 Kennels
- Outside Canine Room - consist of 6 Kennels

Drawings attached - Proposed Design 1

Concept 2 :

Concept 2 introduces new outdoor kennel structures that require more materials and labour. The internal walls and pens are customisable to meet specific operational needs. Although this design aims to be lightweight and modular, its implementation is more complex than anticipated, leading to higher costs and longer timelines.

While Concept 2 offers flexibility and robust features, its higher costs and extended timeline for execution may present challenges when balancing project budgets and deadlines.

Concept 2 includes the following features:

- Reception/Adoption Room
- Office
- Crematory
- Kitchen
- Food Storage Room
- Pet Grooming Room
- Surrender/Unloading Area
- Inside Canine Room - consist of 16 Kennel
- Outside Canine Room - consist of 4 Kennel

Drawings attached - Proposed Design 2

5 Comparing Concepts 1 and 2 - Advantages and Disadvantages

Comparison of Main Building Area		
Feature	Option 1: Enhanced Main Building Design	Option 2: Simplified Main Building Design
Layout	Retains the existing layout, minimizing structural changes and costs.	Slight changes to the layout, including modifications to grooming and unloading areas.
Pet Grooming Room	Integrated into a refurbished corridor with dedicated washing facilities.	Pet grooming area is relocated but lacks enhanced functionality.
Visitor Viewing Room	Includes a Viewing Room , created by repurposing the previous food storage area.	No visitor viewing room, limiting visitor engagement opportunities.
Food Storage Area	- Second kitchen converted into a Food Storage and Preparation Room with shelving.	Retains the existing food storage area without enhancements.
	- Existing food storage area is extended for increased capacity.	
Soundproofing	Features double soundproof walls between kennel and main block, improving noise control.	No soundproofing enhancements, resulting in higher noise levels.
Climate Control	Modern air conditioning system installed for better temperature regulation.	No advanced climate control system provided.
Drainage System	Comprehensive new drainage system for W/C, kitchen, and food storage areas.	No significant upgrades to the existing drainage system.
Overall Usability	Maximises functionality, comfort, and compliance with modern standards.	Focuses on basic features with limited enhancements.

Table 1

Comparison of Indoor Kennel Area		
Feature	Concept 1: Spacious and Functional Design	Concept 2: Higher Capacity but Constricted Layout
Kennel Capacity	4 spacious kennels with ample space for animal movement and comfort.	16 kennels , providing higher capacity but compromising on individual space.
Walking Passages	Features two walking passages between kennels for easy navigation and access.	A one-way in, one-way out layout, which limits movement and can cause bottlenecks.

Comparison of Indoor Kennel Area		
Doors and Accessibility	8 solid half doors for secure access, with two entry doors on opposite sides of the building.	Minimal door access points, making the plan feel more congested and restrictive.
Sidewalk Access	Includes sidewalk access as per the plan, improving overall operational flow.	No mention of sidewalk access, limiting external connectivity.
Water and Cleaning	Equipped with water hoses for efficient cleaning of kennels.	Basic cleaning provisions without advanced tools or setup.
Drainage System	Features a well-adapted drainage system , including strip drains, designed for efficiency and reliability.	Includes a proper drainage system but lacks advanced design like strip drains.
Ventilation and Sunlight	Ensures proper ventilation and natural sunlight for a healthier environment.	No mention of enhanced ventilation or sunlight, making it less conducive to animal welfare.
Climate Control	Air conditioning unit near the puppy area ensures comfort for sensitive animals.	No air conditioning provision, leaving areas less temperature controlled.
Automatic Water Refill	Features an automatic water refill system for convenience and constant hydration.	No automatic water refill system included.
Overall Layout	Spacious and thoughtfully designed, prioritizing animal comfort and staff efficiency.	Constricted and high-density , focused on maximizing capacity over usability.

Table 2

Comparison of Outdoor Kennels		
Feature	Concept 1: Comprehensive Outdoor Kennels	Concept 2: Compact Outdoor Kennels
Kennel Capacity	4 outdoor kennels with ample space and flexibility for animal comfort.	8 outdoor kennels , providing more capacity but reducing individual space.
Doors	4 half solid doors and 2 steel crush doors , ensuring security and ease of access.	Basic access provisions, likely fewer doors and potentially limited access points.
Storage Facilities	Existing storage shed retained, providing space for equipment and supplies.	Includes a storage unit , but potentially less functional or spacious.
Drainage System	Proper drainage system installed in all kennels, ensuring hygiene and effective waste management.	Includes a proper drainage system , but the layout may limit its efficiency.
Water Supply	Water hoses installed for easy cleaning and maintenance of the kennels.	Likely includes water access for cleaning, but specifics are not mentioned.

Comparison of Outdoor Kennels		
Vehicle Access	Easy vehicle access , ensuring smooth operations for animal transport and deliveries.	Likely provides basic vehicle access, but no mention of optimizations.
Gate and Security	Features a new remote-powered gate for enhanced security and ease of access.	Security provisions likely less advanced than in Option 1.
Fencing	Refurbished fencing for better containment and security.	Likely includes basic fencing, but no mention of upgrades or enhancements.
Additional Paddocks	Includes a new open paddock for cattle, expanding the facility's functionality.	No mention of additional paddocks or expansion space.
Garden Shed	Garden shed removal if required to optimize space and layout.	No mention of shed removal or changes.
Ventilation	Rotating roof vents installed to ensure proper airflow and ventilation in the outdoor area.	No mention of ventilation improvements or systems.
Surveillance	Security cameras installed for monitoring and enhancing safety.	Likely lacks the comprehensive surveillance options of Option 1.

Table 3

Crematory Room Features for Concept 1 & 2	
Feature	Crematory Room
Existing Dog Kennel Replacement	The existing dog kennel will be replaced with a cremation room , designed to accommodate the needs of the facility.
Seating Arrangements	The cremation room will include seating arrangements for staff and visitors, ensuring comfort during the cremation process.
Existing Storage	The existing storage area will be retained , maintaining functionality for equipment and supplies.
Fencing and Security	The area will be well-fenced , ensuring security and privacy.
Roof Refurbishment	The roof will be refurbished to ensure durability, proper insulation, and compliance with safety standards.
Ventilation System	A proper ventilation system will be installed to ensure adequate airflow and prevent the build-up of harmful fumes.
Fire Safety System	A well-designed fire safety system will be incorporated to protect the crematory area and ensure compliance with fire regulations.
Utility Access	The room will be equipped with proper access to water, gas, and electricity systems for operational needs.

6 Policy and Plan Considerations

None of the concepts are contrary to any of Council's Policies and Plans.

7 Legal Considerations

There are no legal considerations regarding the approval or decline of either option. The prescribed codes and standards serve as guidelines and are highly recommended.

8 Significance and Engagement

Obtaining the Community's views on any of the options is not considered necessary.

9 Financial Considerations

The estimated cost for detailed designs is approximately \$25,000, which is within the budget allocated for the Animal Shelter and Rehoming Facility. However, the total cost for Concept 2 is expected to be higher.

10 Conclusion

Concept 1 is designed to meet the needs of animal shelters and rehoming facilities. This option is estimated to be more cost-effective than Concept 2 while effectively addressing current shortcomings and complying with all requirements and standards. As a result, Concept 1 comes highly recommended.

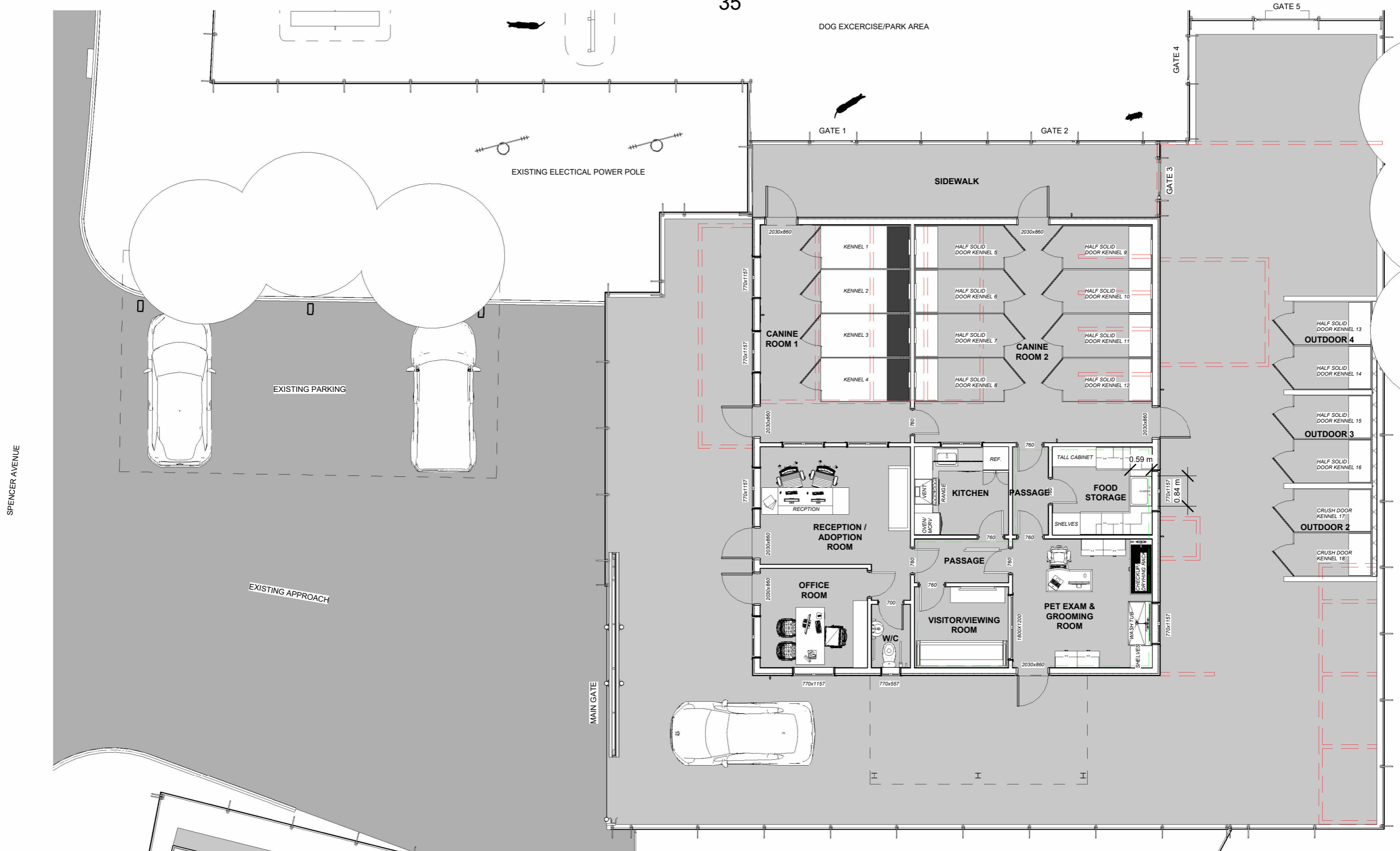
11 RECOMMENDATIONS

1. That the report "Animal Shelter and Rehoming Facility Concepts" be received.
2. That Council authorises staff to proceed with the final designs for Concept 1 and allocate \$25,000 of the available budget for the designs.



Riaan Nel

Group Manager, Operations & Services



REVISED PROPOSED DESIGN 1

**PROPOSED DESIGN ONLY.
NOT FOR CONSTRUCTION.**

INDEX:-	---	EX. WALLS/STRUCTURE TO BE DEMOLISHED
	---	NEW CONSTRUCTION

1 Ground Floor
1 : 100

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2.	REVISION 1	ARD	LR	LR	30/10/2024
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REV.	DESCRIPTION	DRAWN	CHKD	APPRVD	DATE

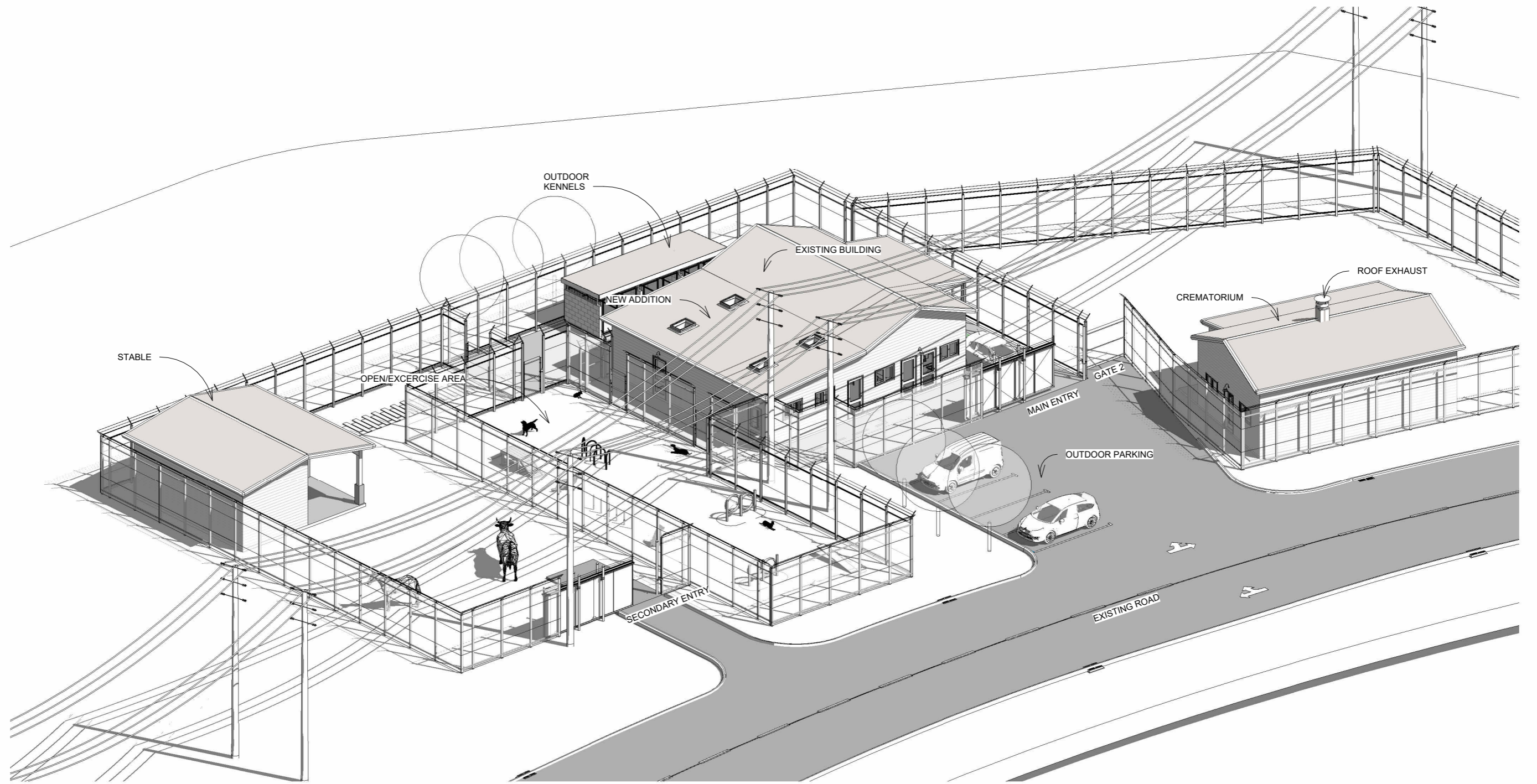


PROJECT NAME:
PROPOSED ANIMAL SHELTER

DRAWING TITLE:
FLOOR PLAN MAIN BUILDING



DRAWING NO.	A101 - 1
SCALE	1 : 100 (A3)
DRAWING ISSUE:	PROPOSED PLAN
Project No.	AP-06/24-KW03



1 PERSPECTIVE SITE VIEW

PROPOSED DESIGN 1

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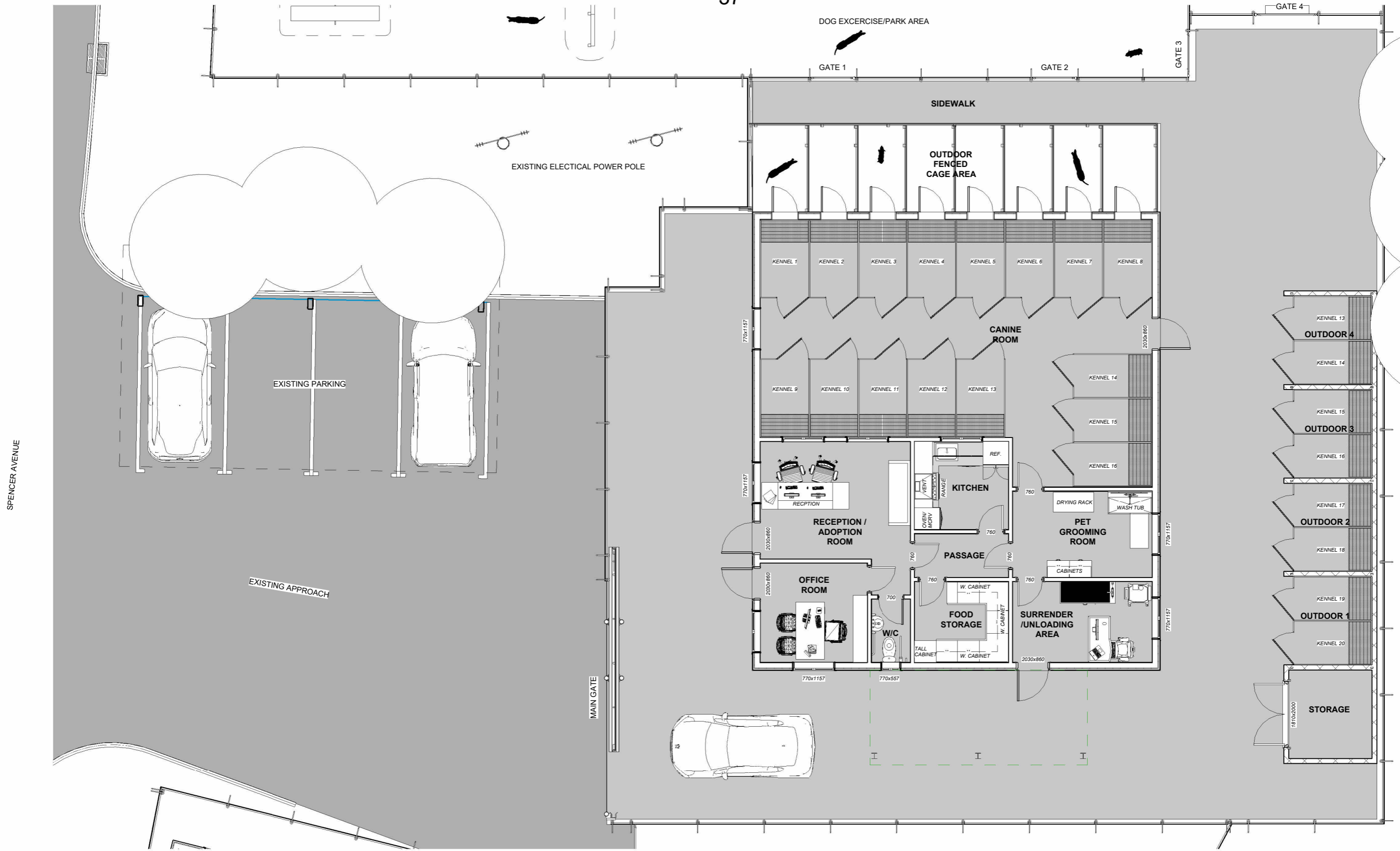


PROJECT NAME:	PROPOSED ANIMAL SHELTER
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DRAWING TITLE:	PERSPECTIVE SITE VIEW
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CLIENT:

DRAWING NO.	A107
SCALE	(A3) Project No. AP-06/24-KW03
DRAWING ISSUE:	PROPOSED PLAN



PROPOSED DESIGN 2

**PROPOSED DESIGN ONLY.
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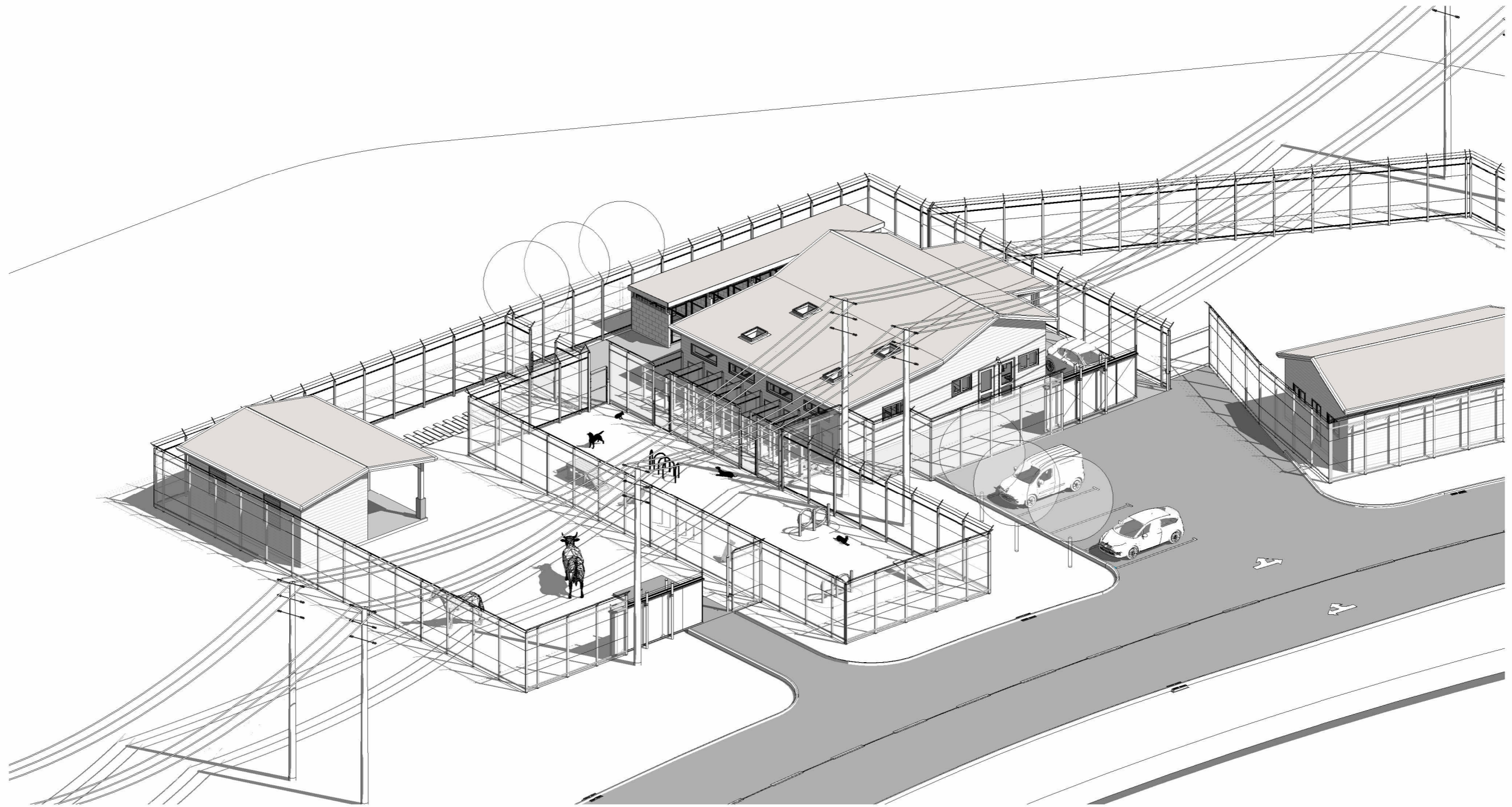


PROJECT NAME:
PROPOSED ANIMAL SHELTER

DRAWING TITLE:
FLOOR PLAN MAIN BUILDING



DRAWING NO.	A101
SCALE	1 : 100 (A3)
DRAWING ISSUE:	PROPOSED PLAN
Project No.	AP-06/24-KW03



1 PERSPECTIVE SITE VIEW

**PROPOSED DESIGN ONLY.
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PROPOSED DESIGN 2

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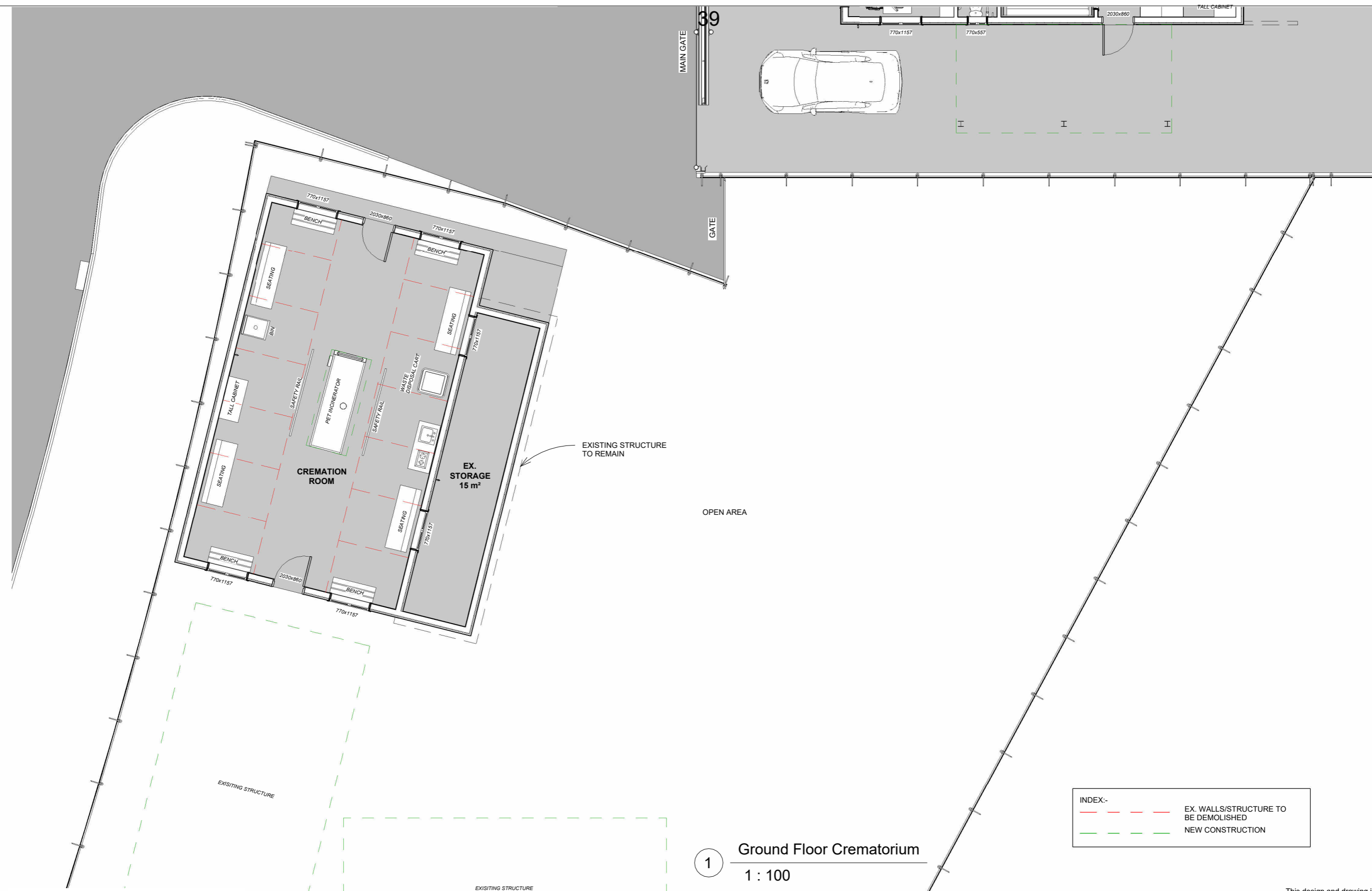
PROJECT NAME:
PROPOSED ANIMAL SHELTER

DRAWING TITLE:
PERSPECTIVE SITE VIEW



DRAWING NO.	A107
SCALE (A3)	Project No. AP-06/24-KW03
DRAWING ISSUE:	PROPOSED PLAN

PLOT DATE: 05-07-2024 03:06:09



**PROPOSED DESIGN ONLY.
NOT FOR CONSTRUCTION.**

1 Ground Floor Crematorium
1 : 100

INDEX:-	EX. WALLS/STRUCTURE TO BE DEMOLISHED
---	NEW CONSTRUCTION

**REVISED PROPOSED
DESIGN 1**

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1.	FOR APPROVAL	ARD	LR	LR	04/07/2024
REV.	DESCRIPTION	DRAWN	CHKD	APPRVD	DATE



PROJECT NAME:
PROPOSED ANIMAL SHELTER

DRAWING TITLE:
FLOOR PLAN
CREMATORIUM BUILDING



DRAWING NO.	A101 - 2
SCALE	1 : 100 (A3)
Project No.	AP-06/24-KW03
DRAWING ISSUE:	PROPOSED PLAN

Meeting: Council

Meeting Date: 18 December 2024

Subject: NZTA Three-Year Funding 2024 - 2027

File No.: 401250

1. Background

Waka Kotahi, the New Zealand Transport Agency, provides subsidies to local governments for road maintenance and development costs.

Budgets for maintenance and renewal are allocated based on the size and condition of the specific road network. These budgets are justified through asset condition assessments and are detailed in asset management plans. The necessary maintenance work has been negotiated with Waka Kotahi and is included in the Long-Term Plan.

For the 2024-2027 triennium, KDC requested \$3,855,000 but was awarded \$3,310,330.

KDC submitted a bid of \$1,000,000 for groundwater mitigation works for the 2024/25 period. Although Waka Kotahi initially rejected this bid, negotiations ultimately led to the approval of the full \$1,000,000 allocation. Since the total costs for stormwater management were already included in the annual and Long-Term Plan (LTP) budgets, this allocation will not affect those budgets.

2. Maintenance 2024 – 2027

The following maintenance budgets have been applied for, along with their respective outcomes. All projects are included in the annual and LTP budgets:

<i>Maintenance Budget</i>	<i>Requested Budget</i>	<i>NZTA Approved Budget</i>
Maintenance Costs	\$303,000	\$303,000
Street Lighting	\$239,990	\$231,670
Traffic Service(Marks & Signs)	\$201,000	\$194,040
Minor Safety Maintenance	\$20,000	\$20,000
Footpath Maintenance	\$63,000	\$22,640
Drainage Maintenance	\$171,000	\$171,000
<u>Totals</u>	<u>\$997,990</u>	<u>\$942,350</u>

• **Footpath Replacements**

- Council has submitted a bid for \$63,000 in funding for its footpath maintenance programme under the 2024-2027 National Land Transport Programme. Alongside the Asset Renewal funding, Council aims to replace approximately two percent of the District's footpaths each year, which amounts to about 1,460 square metres

of footpaths. Out of the total maintenance bid of \$63,000, \$22,460 has been awarded, representing 35% of the requested funding.

3. Asset Renewals and Projects 2024 – 2027

The following projects have been applied for with their respective outcomes. All projects have been included in the Annual budgets:

<i>Project/Renewal Item</i>	<i>Requested Budget</i>	<i>NZTA Approved Budget</i>
Kerb Replacement	\$252,000	\$252,000
Street Light Upgrade	\$126,000	\$121,630
Reseals	\$410,000	\$410,000
Pavement Treatment	\$230,000	\$230,000
Minor Safety	\$40,000	\$0
Footpath Replacement	\$485,000	\$174,350
Hardie Ave Drainage Works	\$1,000,000	\$1,000,000
Stormwater Catch-pit	\$180,000	\$180,000
Photocell Sensory	\$15,000	\$0
School Zone Speed Management	\$120,000	\$0
Totals	\$2,858,000	\$2,367,980

The projects that Waka Kotahi did not allocate total funding will need to be funded by Council if they are to proceed. These projects are briefly outlined below:

- **Minor Safety Projects**

- These projects focus on installing traffic calming measures, including speed humps and raised pedestrian crossings. Requests for these measures come from the public and are assessed by staff. At this point, it is essential to establish a set of criteria for selecting and implementing these measures. In the short term, it is recommended that staff evaluate requests on an ad hoc basis and secure the necessary funding as needed.

- **Footpath Replacements**

- The Council has submitted a bid for \$485,000 in funding for its footpath renewal programme as part of the 2024-2027 National Land Transport Programme. This bid reflects a \$20,000 increase compared to the previous funding round for 2021-2024. With this funding, the Council aims to replace approximately two percent of the District's footpaths each year, which amounts to about 1,460 square metres. Out of the total bid of \$485,000, \$173,350 has been awarded, representing 35% of the requested funding. The remaining work can be postponed until the next funding cycle without significantly affecting road and pedestrian safety.

- **Streetlight Photocell Sensor Upgrade**

- The installation of photocell sensors reduces streetlight outages caused by ripple plant issues in the grid. These sensors are replaced during maintenance and streetlight renewal opportunities. The remaining work can be postponed until the next funding cycle without significantly affecting road safety.

- **School Zone Speed Management**

- This project aims to ensure free and smooth traffic flow while enhancing pedestrian safety and providing secure access to the school by minimizing conflict points. Traffic calming measures have already been implemented and have shown positive results. The remaining work can be postponed until the next funding cycle without significantly affecting road safety.

4. **Policy Considerations**

None of the options are contrary to any of Council's Policies.

5. **Legal Considerations**

There are no legal considerations involved in either approving or declining the funding.

6. **Significance and Engagement**

No community consultation is considered necessary at this time.

7. **Financial Considerations**

Council funds 25% of the listed maintenance activities through rates. Additionally, Council provides 25% funding for the listed renewal and capital works from depreciation reserves.

8. **Conclusion**

The projects approved for funding by NZTA will receive a 75% subsidy, with KDC financing the remaining 25%. These projects have already been incorporated into the Long-Term Plan (LTP).

For projects and maintenance items that have not been approved for NZTA funding, Council has the option to fully fund them, cancel them, or postpone them until the next round of funding.

9. RECOMMENDATIONS

1. That the report “NZTA Three-Year Funding 2024 – 2027” be received.
2. That Council approve the following decisions:

Project/Renewal Item	Requested Budget	NZTA Approved Annual Budget	Shortfall	Decision
Minor Safety	\$40,000	\$0	\$40,000	<i>Postpone</i>
Footpath Replacement	\$485,000	\$174,350	\$310,650	<i>Postpone</i>
Photocell Sensory	\$15,000	\$0	\$15,000	<i>Postpone</i>
School Zone Speed Management	\$120,000	\$0	\$120,000	<i>Postpone</i>
Footpath Maintenance	\$63,000	\$22,640	\$40,360	<i>100% Fund</i>
<u>Totals</u>	<u>\$723,000</u>	<u>\$196,990</u>	<u>\$526,010</u>	



Riaan Nel

Group Manager, Operations & Services

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Meeting: Council

Meeting Date: 18 December 2024

Subject: **Review of Council's Procurement Policy**

File No.: 110551

1 Introduction

The purpose of this report is to provide the updated Procurement Policy for Council's consideration and adoption.

2 Background

Council has a procurement policy to ensure there is a robust process to follow and ratepayers are assured that the best value for money is obtained.

The procurement policy includes processes for staff to follow when acquiring goods, services and works for Council. All councils will have a procurement policy to mitigate as much as possible the risks associated with procurement and to ensure that ratepayers get the best value.

The policy also ensures that procurement is conducted in a fair and transparent manner and the risk of fraud or impropriety is reduced. At the same time the policy enables staff to conduct the procurement function efficiently and minimise risk.

Council's current Procurement Policy was adopted on 15 May 2020 and is due for review to ensure that the procurement decision framework is meeting Council's policy objectives, including the best value for money and that the policy aligns with best practice. Council's Auditors also recommend regular reviews of financial policies to ensure good practice elements are reflected in the policy.

The updated Procurement Policy was presented to the Audit and Risk Committee on 5 August 2024. A recommendation from the Audit and Risk Committee was regarding localism, this has been included in the policy as a non-price attribution (discussed further in the report).

3 Procurement Policy

Council is reviewing a number of policies, with a new format which will provide a consistent presentation of all Council policies.

A review and update of the Procurement Policy has been undertaken and the updated policy is attached in appendix A. With the change in the format of the policy, plus the proposed amendments, appendix B attached includes the current procurement policy to assist with illustrating the policy updates.

The updated Procurement Policy as provided has essentially the same principles and objectives and overall has a consistent intent with the current policy. However additional information has been added to enhance the policy, include best practice objectives, as well as reflect the practical logistics of procurement for Council. A summary of the key changes are as follows:

- The order of the objectives has been changed to fairly reflect the priority of the objectives. An additional objective has been added to ensure a local focus is taken into consideration - “Demonstrates a positive local economic outcome and local employment opportunities” and the objective of legal compliance has been moved to be included under the policy statement.
- Under Principles a key recommendation from the Auditors is that the procurement policy aligns with “The Government Procurement Rules”. These five principles have been added under this section. These Principles are consistent with Council’s current procurement policy; however the inclusion ensures that this further articulates the principle expectations of procurement under this policy.
- The current principles statement includes compliance, conflicts and risks which have been moved into the policy statement section of the proposed policy, where it more appropriately sits.
- The scope of the policy has been moved forward to follow the policy principles. The scope has been expanded to specifically state the areas where the procurement policy is not applicable.
- Definitions and Guidelines have been added into a specific section. Throughout the document reference to “officer” a dated term, has been replaced with staff or staff member. With regards to the procurement methods and types of quotations the following changes have been made:
 - A new procurement method added of Sole Agency, with a definition of what this entails. A sole agency does impact the procurement process and compliance with the procurement process and in these instances could have a negative impact.
 - The types of quotations did include summaries of how each method would be used. These details have been removed as they are covered under the procurement thresholds.
 - The tender evaluation has been moved to a separate tender section under Policy Statement.
- The Policy Statement has been reviewed to streamline the process and remove any information that is not applicable or referenced elsewhere in the policy. The key changes are:
 - Inclusion of the compliance, conflicts and risks which were under policy principles.

- The references to the tender process have been moved under the tender evaluations section and examples removed so as not to limit examples or context.
- A threshold table has been introduced to easily illustrate the appropriate financial thresholds applicable to the various levels of total cost procurement. With the increased costs over many years the thresholds have also been increased to reflect the movement in costs and to reflect a realistic and pragmatic approach to the logistics of procurement. With this change the flowchart has been removed.
- For the Tender evaluation section, relevant information has been included under this heading for consistency and simplicity.
- Also, under the tender evaluation section, with regards to including localism, it is suggested that this be added as a fifth non-price attribute to the tender process. The current non-price attributes considered are:
 - Health & Safety
 - Relevant Experience
 - Relevant Skills
 - Methodology
 - Localism
- The References and Relevant Legislation is a new section, providing a link to both legal and other Council policy obligations.

4 Legal and Policy Requirements

There is no legal requirement for Council to adopt a procurement policy. However, Council's fundamental legal obligation is always to act fairly and reasonably, and in accordance with the law. To ensure that this always occurs when undertaking any procurement activity, it is preferable that a policy is adopted to provide the necessary processes and guidance, so staff act fairly and reasonably.

There are no Council policies or plans that are inconsistent with this policy.

5 Financial Considerations

While there is no additional cost to Council for the preparation of this policy, key to the procurement policy is ensuring that Council purchases are incurred through a robust system to obtain the best value for money and Council's core procurement principles are met.

6 RECOMMENDATIONS

1. That the report "Review of Council's Procurement Policy" be received.
2. That Council adopts the "Procurement Policy" as presented in appendix A to this report and the policy is effective from 20 December 2024.



Lee-Anne Butler, CA, BMS

Group Manager Finance and Corporate Services

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Council Policy

Procurement

Effective Date:	20 December 2024
Last Reviewed:	2020
Next Review Date:	2027 (Three Yearly Review)
Document Number:	Pol 21
Responsibility:	Group Manager, Finance and Corporate Services
Associated Documents:	N/A

1. Purpose

To establish a framework of good procurement practice, accountability and sustainability that provides a consistent approach to procurement by Council.

2. Policy Objectives

The objectives of Kawerau District Council's procurement policy are to provide clear direction to management and staff in relation to the purchasing function and establishes a decision framework that:

- delivers best value for money over the whole life of the goods, services, works or assets;
- ensures purchases are made in an open and transparent manner with full and fair opportunity for all eligible suppliers;
- ensures adequate probity – integrity, equity and fairness
- minimises relationship costs, ongoing operational costs and consequential costs;
- demonstrates a positive local economic outcome and local employment opportunities.
- contributes to Council's sustainability objectives and also has regard to the economic, environmental, and social impacts over their life cycle;
- appropriately manages risk;
- promotes efficient purchasing practices and their continuous improvement;
- ensures Council's purchasing activities are managed in accordance with its statutory and legal responsibilities.

3. Principles

Council believes it is necessary to have a robust procurement policy in place so there is confidence and transparency in the procurement process and ratepayers are assured that processes are followed to ensure the best value for money is obtained. Also, by having a procurement policy staff are aware of the steps that must be taken when acquiring goods or services on behalf of Council.

To ensure procurement good practice Council's should align with The Government Procurement Rules (4th edition) and general industry best practice. The five principles of Government Procurement will be used to guide all procurement activity (per New Zealand Government Procurement Rules, Edition 4, 2019) which are as follows:

1.	Plan and manage for great results
	<ul style="list-style-type: none"> ➤ Identify what you need, including what broader outcomes should be achieved, and then plan how to get it. ➤ Set up a team with the right mix of skills and experience. ➤ Involve suppliers early – let them know what you want and keep talking ➤ Take the time to understand the market and your effect on it. Be open to new ideas and solutions. ➤ Choose the right process – proportional to the size, complexity and any risks involved. ➤ Encourage e-business (for example, tenders sent by email).
2.	Be fair to all suppliers
	<ul style="list-style-type: none"> ➤ Create competition and encourage capable suppliers to response. ➤ Treat all suppliers equally – we don't discriminate (this is part of our international obligations). ➤ Seek opportunities to involve New Zealand businesses, including Māori, Pasifika and regional business and social enterprises. ➤ Make it easy for all suppliers (small and large) to do business. ➤ Be open to subcontracting opportunities in big projects. ➤ Clearly explain how you will assess proposals – so suppliers know what to focus on. ➤ Talk to unsuccessful suppliers so they can learn and know how to improve next time.
3.	Get the right supplier
	<ul style="list-style-type: none"> ➤ Be clear about what you need, and fair in how you assess suppliers – don't string suppliers along. ➤ Choose the right supplier who can deliver what you need, at a fair price and on time. ➤ Choose suppliers that comply with the Governments Supplier' Code of Conduct. ➤ Build demanding, but fair and productive, relationships with suppliers. ➤ Make it worthwhile for suppliers – encourage and reward them to deliver great results. ➤ Identify relevant risks and get the right person to manage them.
4.	Get the best deal for everyone
	<ul style="list-style-type: none"> ➤ Get best <u>public value</u> – account for all costs and benefits over the lifetime of the goods or services. ➤ Make balanced decisions – consider the possible social, environmental, economic and cultural outcomes that should be achieved. ➤ Encourage and be receptive to new ideas and ways of doing things – don't be too prescriptive. ➤ Take calculated risks and reward new ideas. ➤ Have clear performance measures – monitor and manage to make sure you get great results. ➤ Work together with suppliers to make ongoing savings and improvements. ➤ It's more than just agreeing the deal – be accountable for results.
5.	Play by the rules
	<ul style="list-style-type: none"> ➤ Be accountable, transparent and reasonable. ➤ Make sure everyone involved in the process acts responsibly, lawfully and with integrity. ➤ Stay impartial – identify and manage conflicts of interest. ➤ Protect suppliers' commercially sensitive information and intellectual property.

4. Scope

This policy covers activities associated with the purchasing of all goods, services and works by, or on behalf of the Kawerau District Council. It applies equally to the Council, the Leadership Team and other staff – permanent, temporary or contract.

The policy does not apply to the following activities:

- Employment payments (excluding the engagement of contractors and consultants to supply services).
- The purchase, disposal or leasing of land or buildings (except for the design, construction or refurbishment of buildings).
- Sale or disposal of Council assets.
- Financial instruments, including investments and loans.
- Grants, gifts, sponsorship, koha and donations.
- Payments to Government and regulatory bodies, including taxation and levies.
- Court awarded or negotiated settlements.

Council may depart from this policy to undertake urgent procurement required to provide emergency assistance and welfare relief.

Activities funded through the National Land Transport Programme will follow the Waka Kotahi New Zealand Land Transport Agency procurement procedures.

Any departure from this policy due to an emergency or any specific funding process departure must be fully justified and documented and approved by the Chief Executive Officer.

5. Definitions and Guidelines

5.1 Definitions

Council – means the Kawerau District Council (KDC).

Emergency – an event which results in one or more of the following:

- Staff, public, supplier, property and equipment in immediate risk
- Significant impairment of Council delivery of service if Council fails to respond promptly.
- A declared or undeclared response to an emergency as defined in the Civil Defence and Emergency Management Act 2002.

Probity – means the quality of having strong moral principles, by acting ethically and fairly.

Procurement – the process of acquiring and delivering products, services and works (including refurbishment and new construction).

Public Value – means getting the best possible/available result for the money spent, including total costs and benefits.

Staff – means all members, office holders, managers and employees of Kawerau District Council.

Supplier – A person, business, company or organisation that supplies or can supply goods, services or works.

Total Value – means value of the supply agreement over its entire term.

5.2 Procurement Methods

Council has considerable discretion on how it procures goods and services. However, staff have a responsibility to manage Council's resources in an efficient and effective manner, and in accordance with its obligations under legislation for sound business practice, due diligence, probity and fairness. This policy takes these principles into considerations when council is undertaking any procurement.

Council will follow the policies as set down in this document however, there will be instances where these will not be followed, such as:

5.2.1 Urgent Requirements

It is recognised that there may be times when due to time constraints that it is not practical to follow the policies for procurement. However, any departure from these policies must be authorised by the Chief Executive Officer and must be granted by the Chief Executive Officer in writing.

Expenditure incurred in the event of an emergency, must be in accordance with the appropriate emergency expenditure procedures rather than the requirements of this policy.

5.2.2 Joint Initiatives

Council may elect to participate in a range of syndicated or joint procurement activities. The Bay of Plenty Shared Services (BOPLASS) Procurement Group has jointly achieved enhanced value for its member authorities in the procurement of goods and services such as insurance services and office supplies.

5.2.3 Negotiated Supply Arrangements

There may be instances where it can be shown that the best outcome for Council, without compromising obligations as to fairness, avoiding monopolies, and the like, can be achieved through the negotiation of a longer-term supply agreement.

5.2.4 Sole Agency (Exclusive Supplier)

Sole Agency is the situation where there is only one exclusive supplier for a specific product, for example for certain pumps if you need a replacement part there is only one exclusive supplier in New Zealand who can provide that part. To not use the specified part could compromise warranties or be more costly to change to a different product. In these situations, a letter confirming the sole agency as an exclusive supplier will be obtained, to support this except.

5.3 Types of Quotation

Quotations are used in most circumstances when procuring goods and services. The objective is to achieve value for money. There are different types of quotations that can be used, and selection will be determined by the procurement value and level of risk. These types of quotation include:

Verbal quotations	Verbal quotations provide a quick and convenient way of exploring the market and determining availability and price for low value, low/medium risk goods or services.
Written quotations	Written quotations follow the same principles as verbal quotations. As the value of these goods or services are higher, there should be documentation to support the quotes for the goods or services.
Request for Quotation (RFQ)	A formal means of seeking quotations from the market for goods or services where price plus other terms and conditions form part of the main selection criterion.
Request for Information (RFI)	A formal request for information to gain a more detailed understanding of the supplier market and the range of solutions and technologies that may be available. ¹
Request for Proposal (RFP)	A formal means of seeking proposals from the market for goods or services where the public entity is open to supplier innovation – that is, where the outputs and the outcomes are important, rather than the process the supplier follows to deliver them.
Public Tender Process	The public tender process is inviting tenders or proposals through a public notice. A formal process seeking tenders from the market to provide goods and services where the public entity specification or requirement are clearly defined.

6. Policy Statement

6.1 Compliance with legislation and public law

Compliance with legislation is mandatory in all procurement activity.

Council's governing legislation, particularly the Local Government Act 2002, includes obligations to consult with the community or key stakeholders, on significant issues.

¹ Definitions per Office of the Auditor General Procurement Guidelines

If a tender or other procurement process may result in significant changes to the content or level of services being delivered to the community by Council (e.g. Library Services), Council may need to consider the relationship between the procurement process and community consultation obligations.

Council's fundamental public law obligation is always to act fairly and reasonably, and in accordance with the law. This imposes a higher standard of conduct than that which applies to the private sector. Public law obligations could apply to any aspects of a procurement process – including the pre-selection of potential tenderers. Council as a public body must meet the legitimate expectations of prospective tenderers.

6.2 Conflicts of interest, gifts and hospitality and maintaining confidentiality

As part of the general obligation to act fairly, staff must also take care that their decision-making processes cannot be challenged on the basis of actual or perceived bias, particularly in relation to conflicts of interest. There are formal requirements for the disclosure and management of conflicts of interest.

Council requires its staff to declare any personal interest which may affect, or could be perceived to affect, their impartiality in any aspect of their work. Any declarations will then provide the basis for deciding the steps needed to manage any potential conflict of interest.

Under no circumstances should a procurement process allow a staff member to receive preferential treatment in a contracting situation. No gifts, hospitality, or other incentives from suppliers submitting a tender (or are likely to submit a tender) are to be accepted by Council staff during a tender process.

Council should take particular care in its handling of commercially sensitive information. Council will also need to consider its' obligations under the Local Government Official Information and Meetings Act 1987, as these obligations may affect Council's capacity to give comprehensive assurances about the protection of sensitive information. Legal advice may, at times, be required on how to reconcile duties of this nature with Council's contractual or common law obligations to maintain commercial confidentiality.

6.3 Risk Management of Procurement Process

Risk is inherent in any procurement activity. Council's approach is to manage risk so that it is acceptable from a contractual and delivery point of view, to ensure that ratepayers are not exposed to significant unmitigated risk and future liability.

All Council staff are responsible for identifying and managing or mitigating risk effectively through each stage of the procurement process within their respective areas of responsibility. Council will also promote a "risk aware, risk prepared" culture to all its staff and managers.

By ensuring that procurement is conducted in a fair and transparent manner, the risk of fraud or impropriety should be reduced. Also, following the procurement policy and

procurement procedures, and having appropriate internal controls in place, will assist this.

Council must ensure that each staff member or agent involved in a procurement process has the required skills for the type and level of procurement.

For NZTA contracts, the guidelines as provided by NZTA (NZTA Procurement Manual) must be followed to ensure funding assistance is not put at risk.

When engaging an agent, Council also needs to ensure that an experienced staff member with the necessary delegated authority works with the agent. Council's own procurement policies and procedures should be used during the procurement process.

Staff will comply with applicable financial delegations when procuring goods or services.

Staff must also comply with legislation which limits their procurement authority or governs their internal delegation practices.

6.4 Procurement Application and Thresholds:

To achieve Council's procurement objectives and to enhance professional integrity, accountability and probity, all purchasing activity within Council shall be undertaken in accordance with the full procurement policy. Different procurement methods are to be used depending on the total value of the goods, services or works and the risk involved as follows:

Estimates Total Value (excl GST)	Up to \$10,000	\$10,001 to \$25,000	\$25,001-\$100,000	Greater than \$100,000
Direct Procurement (verbal and written quotes)	✓	x	x	x
Written Quotes – 2 to 3 quotes	✓	✓	x	x
Request for Quotes (RFQ) – formal process requesting quotes, a minimum of 3 written quotes	✓	✓	✓	x
Request for Information (RFI)	✓	✓	✓	x
Request for Proposal (RFP)	✓	✓	✓	x
Public Tender	✓	✓	✓	✓

- Ideally in the first instance purchases of less than \$10,000 should be sourced from suppliers designated as '**preferred suppliers**' where such preferred supply relationships have been established as a standing arrangement. All "**preferred suppliers**" will be reviewed annually to ensure that they have continued to provide quality and value for residents
- Council's preferred or default method for procurement is "public tender" as it provides the least risk to the organisation. However, there is a cost associated with

this process and therefore it will be used for those contracts that exceed the stated amounts in the threshold table. At any time if a procurement is of high significance, risk or sensitivity the procurement shall be by “public tender” to reduce the risk associated with this procurement.

- The Chief Executive is delegated to approve contracts without going to public tender or obtaining three competitive written prices for reasons of practicality and/or market conditions. Any approved exception greater than \$50,000 are subject to a report being provided to the next Regulatory and Services Committee meeting summarising the contract and reasons for not going to public tender.
- Approval for the purchase of goods, works or services including the acceptance of tenders shall be in accordance with the staff member’s delegation. Any purchase exceeding the Chief Executive’s delegation will go to Council for approval.
- Summary details shall be provided to the next Regulatory and Services Committee meeting for any cases when any acquisition of goods, works or services valued at \$50,000 or more is undertaken.
- For New Zealand Transport Agency (NZTA) subsidised activity Council is obligated to follow the NZTA Procurement Manual.
- Where Council has commissioned and paid for the establishment of intellectual property, Council retains the ownership of that property unless the contract specifically states otherwise
- Council has a commitment to sustainability and environmental protection. This will be pursued by promoting purchasing practices which conserve resources, save energy, minimise waste, and will protect the environment and human health whilst maintaining environmental safety and quality.
- From time to time a review process shall be undertaken by the Leadership Team to ensure that Council's policies for procurement are being followed.

6.5 Tender Evaluations

The tender process and rules should be:

- fair to all tenderers;
- determined before the tender process starts;
- communicated clearly to prospective tenderers; and
- followed consistently.

The contract documents used for major physical works and therefore the vast majority of KDC contracts will be the model documents prepared based on NZS 3910: 2013, Conditions of Contract for Building and Civil Engineering Construction (Contract Model

When staff are undertaking an evaluation of a tender, they will need to consider the following principles:

- When assessing a procurement proposal, staff should consider the “whole of life” cost (also referred to as Total Cost of Ownership) of the goods or services it is procuring. Often, the acquisition cost of a product is only a small proportion of this total cost of ownership.

- The Lowest Price Conforming Tender and Weighted Attributes models are the most commonly used evaluation models in Local Government. However, NZTA has now replaced the Weighted Attributes model with the Price Quality model which will only be used for NZTA contracts.
- In a two-envelope evaluation (e.g. price and non-price attributes) the non-price attributes will be evaluated in isolation and signed off by the evaluation team prior to opening the pricing envelope. It is important when asking for pricing information in a submission that the information received is comparable across the submissions.
- The nature of the procurement and the outcomes you require will determine which evaluation model is most appropriate.
- For non-price attributes Council will consider:
 - Health and Safety
 - Relevant Experience
 - Relevant Skills
 - Methodology
 - Localism

The tender evaluation team will comprise the staff principally responsible for the contract as well as the responsible Manager. The Manager responsible for the contract will undertake any contract negotiation and approval of variation(s). The communication of any contract negotiation will usually be with Council's representative for the contract.

Late tenders will not be accepted except in exceptional circumstances. The Chief Executive will consider and decide on any requests to accept a late tender.

All awarded tenders are monitored against project schedules.

The extension or re-definition of any contract that increases the originally approved contract sum, and where that original sum is beyond the delegated authority of the Chief Executive, shall be presented to the Council for approval. It is acknowledged that where the additional costs of a service or project are small in relation to the costs of preparing specifications, seeking tenders, and contractors preparing their bids, an approved contract extension will often be preferred to a new or separate tender process.

7. References and Relevant Legislation

1. New Zealand Government Procurement Rules
2. Local Government Act 2002
3. The Controller and Auditor-General Procurement Guidance for Public Entities
4. The New Zealand Transport Agency's Procurement Manual
5. Council Policies
 - a. Fraud and Corruption Policy
 - b. Sensitive Expenditure Policy
 - c. Staff Conduct Policy

COUNCIL POLICY

TITLE:	PROCUREMENT POLICY
ADOPTED:	15 May 2020
OFFICER RESPONSIBLE	Manager Finance and Corporate Services
FILE REFERENCE:	112010
REVIEW:	30 June 2023

1. POLICY OBJECTIVES

The objectives of Kawerau District Council's procurement policy are to provide clear direction to management and staff in relation to the purchasing function and establishes a decision framework that:

- delivers best value for money over the whole life of the goods, service or asset;
- ensures purchases are made in an open and transparent manner with full and fair opportunity for all eligible suppliers;
- minimises relationship costs, ongoing operational costs and consequential costs;
- contributes to Council's sustainability objectives and also has regard to the economic, environmental, and social impacts over their life cycle;
- appropriately manages risk;
- promotes efficient purchasing practices and their continuous improvement;
- ensures adequate probity – integrity, equity and fairness
- ensures compliance with the requirements of Council's procurement policy; and
- ensures Council's purchasing activities are managed in accordance with its statutory and legal responsibilities.

2. PRINCIPLES

Council believes it is necessary to have a robust procurement policy in place so that there is confidence in the procurement process and ratepayers are assured that processes are followed to ensure the best value for money is obtained. Also by having a procurement policy staff are aware of the steps that must be taken when acquiring goods or services on behalf of Council.

2.1 Compliance with legislation and public law

Compliance with legislation is mandatory in all procurement activity.

Council's governing legislation, particularly the Local Government Act 2002, includes obligations to consult with the community or key stakeholders, on significant issues.

If a tender or other procurement process may result in significant changes to the content or level of services being delivered to the community by Council (e.g. Library Services), Council may need to consider the relationship between the procurement process and community consultation obligations.

Council's fundamental public law obligation is always to act fairly and reasonably, and in accordance with the law. This imposes a higher standard of conduct than that which applies to the private sector.

Public law obligations could apply to any aspects of a procurement process – including the pre-selection of potential tenderers. Council as a public body must meet the legitimate expectations of prospective tenderers. An example of a breach of such an expectation would be where a prospective tenderer who is a current supplier and has relevant experience and expertise has not been invited to submit a tender.

This means that:

- when deciding whether or not to tender, Council may have an obligation to consult with affected or interested persons. For example, existing suppliers may have reasonable expectations in relation to continuity;
- each decision in the overall process may have legal significance. Particular attention may need to be paid to how decisions are communicated to potential suppliers;
- care should be taken:
 - with the selection of evaluation criteria and decisions on how they will be weighted; and
 - with the decisions on the level of detail to be disclosed to potential suppliers;
 - when advising suppliers who have provided quotes, tenders, proposals or the like on the outcome of the selection process and details of the successful, or other unsuccessful, participants in the process.

The tender process and rules should be:

- fair to all tenderers;
- determined before the tender process starts;
- communicated clearly to prospective tenderers; and
- followed consistently.

2.2 Conflicts of interest, gifts and hospitality and maintaining confidentiality

As part of the general obligation to act fairly, officers must also take care that their decision-making processes cannot be challenged on the basis of actual or perceived bias, particularly in relation to conflicts of interest.

There are formal requirements for the disclosure and management of conflicts of interest.

Council requires its staff to declare any personal interest which may affect, or could be perceived to affect, their impartiality in any aspect of their work. Any declarations will then provide the basis for deciding the steps needed to manage any potential conflict of interest.

Under no circumstances should a procurement process allow an officer to receive preferential treatment in a contracting situation.

No gifts, hospitality, or other incentives from suppliers submitting a tender (or are likely to submit a tender) are to be accepted by Council officers during a tender process.

Council should take particular care in its handling of commercially sensitive information. Council will also need to consider its' obligations under the Local Government Official Information and Meetings Act 1987, as these obligations may affect Council's capacity to give comprehensive assurances about the protection of sensitive information. Legal advice may, at times, be required on how to reconcile duties of this nature with Council's contractual or common law obligations to maintain commercial confidentiality.

2.3 Risk Management of Procurement Process

Risk is inherent in any procurement activity. Council's approach is to manage risk so that it is acceptable from a contractual and delivery point of view, to ensure that ratepayers are not exposed to significant unmitigated risk and future liability.

All Council staff are responsible for identifying and managing or mitigating risk effectively through each stage of the procurement process within their respective areas of responsibility. Council will also promote a "risk aware, risk prepared" culture to all its staff and managers.

By ensuring that procurement is conducted in a fair and transparent manner, the risk of fraud or impropriety should be reduced. Also by following the procurement policy and procurement procedures, and having appropriate internal controls in place, will assist this.

Council must ensure that each employee or agent involved in a procurement process has the required skills for the type and level of procurement.

For NZTA contracts, the guidelines as provided by NZTA (NZTA Procurement Manual) must be followed to ensure funding assistance is not put at risk.

When engaging an agent, Council also needs to ensure that an experienced officer with the necessary delegated authority works with the agent. Council's own procurement policies and procedures should be used during the procurement process.

Officers will comply with applicable financial delegations when procuring goods or services.

Officers must also comply with legislation which limits their procurement authority or governs their internal delegation practices.

Another mechanism to manage risk is by selecting the appropriate contract/basis of payment method. The general principle of risk management will be for Council to assume the risk and not transfer it to the contractor or consultant.

3. SCOPE

This policy covers activities associated with the purchasing of all goods and services by, or on behalf of the Kawerau District Council. It applies equally to the Council, the Leadership Team and other staff – permanent, temporary or contract.

4. DEFINITIONS AND GUIDANCE

4.1 Procurement Methods

Council has considerable discretion on how it procures goods and services. However, officers have a responsibility to manage Council's resources in an efficient and effective manner, and in accordance with its obligations under legislation for sound business practice, due diligence, probity and fairness. The policies listed below take these principles into considerations when council is undertaking any procurement.

Council will follow the policies as set down in this document however, there will be instances where these will not be followed and these instances could include:

4.1.1 Urgent Requirements

It is recognised that there may be times when due to time constraints that it is not practical to follow the policies for procurement. However, any departure from these policies must be authorised by the Chief Executive.

4.1.2 Joint Initiatives

Council may elect to participate in a range of syndicated or joint procurement activities. The Bay of Plenty Shared Services (BOPLASS) Procurement Group has jointly achieved enhanced value for its member authorities in the procurement of goods and services such as insurance services and office supplies.

4.1.3 Negotiated Supply Arrangements

There may be instances where it can be shown that the best outcome for Council, without compromising obligations as to fairness, avoiding monopolies, and the like, can be achieved through the negotiation of a longer-term supply agreement.

4.2 Types of Quotation

Quotations are used in most circumstances when procuring goods and services. The objective is to achieve value for money. There are three different types of quotations that can be used, and your selection will be determined by the procurement value and level of risk. These types of quotation include:

<p>Verbal quotations</p>	<p>Verbal quotations provide a quick and convenient way of exploring the market and determining availability and price for low value, low/medium risk goods or services. In summary:</p> <ul style="list-style-type: none"> • 2-3 verbal quotes may be obtained, for procurements between \$3,000 and \$5,000 (where there are no preferred suppliers). • Records of quotes obtained and decisions, including the reason for recommending and deciding on the offer selected should be kept. • A written agreement/quote should be obtained from the successful supplier. • Be careful when talking to suppliers to avoid inadvertently making a verbal promise to purchase from that supplier.
<p>Written quotations</p>	<p>Written quotations follow the same principles as verbal quotations. As the value and risk of these goods or services are higher, the process and documentation should be more comprehensive. In summary:</p> <ul style="list-style-type: none"> • 3 written quotes are required, where practicable, for procurements between \$5k to \$10k, while 3 written prices (with set closing time/date and sealed envelopes) are required for procurements between \$10k and \$50k. A formal process (RFQ/RFT) should be used, when appropriate. • It is important to have a clear, written statement of the requirements and any questions to ask before speaking to suppliers. This will help to seek the same information from across the suppliers to properly compare the goods and services. • The process and documentation should be more comprehensive than verbal quotations. Records of decisions, including reasons for the selection and rejection of offers, must be kept. • Be careful when talking to suppliers to avoid inadvertently making a verbal promise to purchase from that supplier.

<p>Request for quotations (RFQ), or Request for Tender (RFT), or Request for Proposal (RFP)</p>	<p>A RFQ, RFP or RFT is a formal means of seeking prices from the market for goods or services. In summary:</p> <ul style="list-style-type: none"> • Use a RFT for procurements above \$50k and above \$25k where the risk is medium/high. • Use a RFQ for procurements between \$10k to \$25k and above \$25k (to \$50K) where the risk is low, where the price is the main selection criteria and where the requirement is for "stock standard" or "off the shelf" goods or services. • A RFP is used for all procurements above \$50k and for medium/high risk procurements above \$25k when there is more than one option for constructing, repairing or renewing a council asset. Sometimes a RFT process will then be used once the optimal solution has been decided. • For a RFQ detailed conditions of submission (as included in an RFP) should not be required, since quotations should be evaluated on the basis of price only. However you must stipulate how you wish price to be presented. • If there are only a limited number of known suppliers the RFT, RFQ or RFP may be forwarded directly to those suppliers. • The item being procured should be clearly scoped and described. • Records of decisions, including the reason for the selection and rejection of offers, must be kept.
<p>Public Tender Process</p>	<p>The public tender process is inviting tenders or proposals through a public notice.</p>

4.3 Tender Evaluations

When staff are undertaking an evaluation of a tender, they will need to consider the following principles:

- When assessing a procurement proposal, officers should consider the “whole of life” cost (also referred to as Total Cost of Ownership) of the goods or services it is procuring.
- Often, the acquisition cost of a product is only a small proportion of this total cost of ownership.
- The Lowest Price Conforming Tender and Weighted Attributes models are the most commonly used evaluation models in local government. However, NZTA has now replaced the Weighted Attributes model with the Price Quality model which will only be used for NZTA contracts.
- In a 2 envelope evaluation (e.g. price and non-price attributes) the non-price attributes will be evaluated in isolation and signed off by the evaluation team prior to opening the pricing envelope. It is important when asking for pricing information in a submission that the information received is comparable across the submissions.
- The nature of the procurement and the outcomes you require will determine which evaluation model is most appropriate.

- The tender evaluation team will comprise the officer that is principally responsible for the contract as well as the officer's Manager.

5. POLICY STATEMENT

To achieve Council's procurement objectives and to enhance professional integrity, accountability and probity, all purchasing activity within Council shall be undertaken in accordance with the policy as set out:

- Council has a commitment to sustainability and environmental protection. This will be pursued by promoting purchasing practices which conserve resources, save energy, minimise waste, and will protect the environment and human health whilst maintaining environmental safety and quality.
- From time to time a review process shall be undertaken by the Leadership Team to ensure that Council's policies for procurement are being followed.
- Where the value of the goods or works proposed to be purchased or sold exceeds \$50,000, publicly advertised tenders are to be invited, unless there are reasons for not doing so which must be recorded in writing. Those circumstances include where there are only limited known or specialist suppliers (then a RFP would be forwarded to those suppliers), or in cases of obvious emergency.
- Where the value of the goods or works proposed to be purchased or sold falls between \$10,000 and \$50,000, the procedure will be:
 - Purchases between \$10,000 and \$25,000 at least three written competitive prices (RFQ with sealed envelopes and set closing date and time) shall be sought and recorded.
 - Purchases between \$25,000 and \$50,000 which are low risk, at least three written competitive prices (RFQ with sealed envelopes and set closing date and time) shall be sought and recorded.
 - Purchases between \$25,000 and \$50,000 which are medium/high risk, publicly advertised tenders are to be invited.

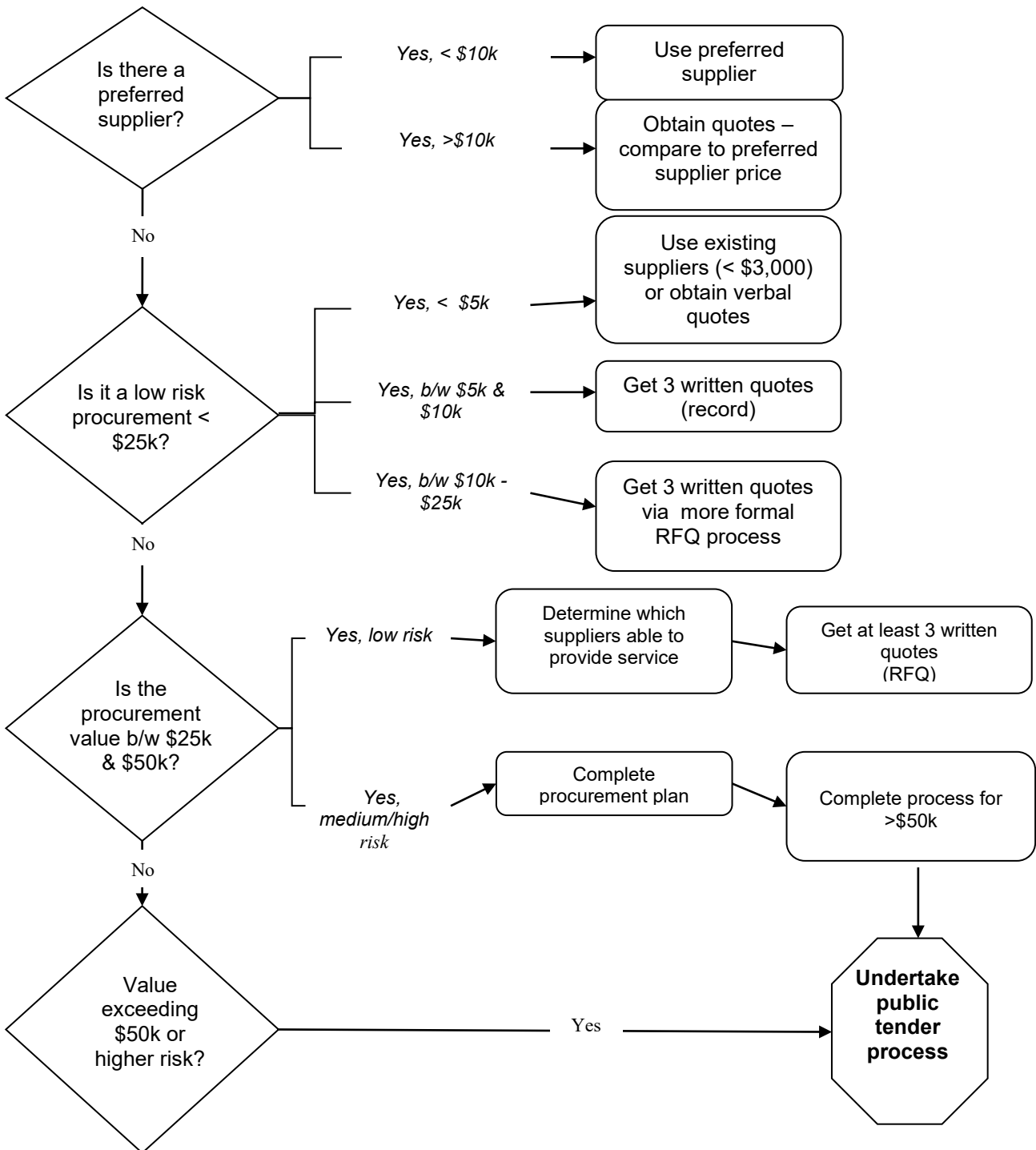
There may be circumstances when this procedure is not followed for specific reasons. These circumstances could include: emergencies, where there is only one (or a very limited number of) supplier. Those need to be recorded and approval obtained from the relevant Manager.
- Where the value of the goods or works proposed to be purchased or sold falls between \$5,000 and \$10,000, and there is no preferred supplier agreement in place, three quotes shall be sought and recorded, wherever practicable.
- Purchases between \$3,000 and \$5,000, 2-3 verbal quotes should be obtained from known suppliers. Purchases for less than \$3,000 should be obtained from existing suppliers and the officer is confident that the price is competitive with those of other suppliers.
- Purchases of less than \$10,000 may be sourced from suppliers designated as '**preferred suppliers**' where such preferred supply relationships have been established following:
 - a) the adoption of an approved business case presented to the Leadership Team; or
 - b) following a subsequent competitive procurement process; or
 - c) All-of-Government contracts, following a competitive procurement process.

- All “*preferred suppliers*” will be reviewed annually to ensure that they have continued to provide quality and value for residents
- A current schedule of ‘*preferred suppliers*’ shall be circulated to all staff and regularly updated.
- Council’s preferred or default method for procurement is “public tender” as it provides the least risk to the organisation. However, there is a cost associated with this process and therefore it will be used for those contracts that exceed the stated amounts (above).
- The Chief Executive is delegated to approve contracts without going to public tender or obtaining three competitive written prices (above \$5,000.00) for reasons of practicality and/or market conditions, subject to a report being provided to the next Regulatory and Services Committee meeting summarising the contract and reasons for not going to public tender.
- Approval for the purchase of goods, works or services including the acceptance of tenders shall be in accordance with the staff member’s delegation. Any purchase exceeding the Chief Executive’s delegation will go to Council for approval.
- Summary details shall be provided to the next Regulatory and Services Committee meeting for any cases when any acquisition of goods, works or services valued at \$50,000 or more is undertaken.
- The extension or re-definition of any contract that increases the originally approved contract sum, and where that original sum is beyond the delegated authority of the Chief Executive, shall be presented to the Council for approval. It is acknowledged that where the additional costs of a service or project are small in relation to the costs of preparing specifications, seeking tenders, and contractors preparing their bids, an approved contract extension will often be preferred to a new or separate tender process.
- For New Zealand Transport Agency (NZTA) subsidised activity Council is obligated to follow the NZTA Procurement Manual.
- The contract documents used for major physical works and therefore the vast majority of KDC contracts will be the model documents prepared based on NZS 3910: 2013, Conditions of Contract for Building and Civil Engineering Construction (Contract Model)
- Council has appointed Holland Beckett Lawyers as its preferred provider of legal services. However, Council will use other providers when obtaining specialist advice.
- Where Council has commissioned and paid for the establishment of intellectual property, Council retains the ownership of that property unless the contract specifically states otherwise
- Council, at this point in time, does not include “sustainability requirements” in its tender documents or contracts. However, Council will consider the sustainability of each tender and contract and will look to include these requirements in the future
- For all high value (>\$50k), sensitive or unique procurement staff will prepare a business case or project plan to be approved by Council prior to inviting tenders. Also for high value and/or sensitive expenditure a procurement plan will be prepared.
- Tender documents requiring two envelopes (attributes and price) will need to be received as a hardcopy, However, Council will accept other types of tender

documents that are sent electronically as well as electronic enquiries concerning the tender. Tender documents will also be forwarded electronically (if requested).

- Late tenders will not be accepted except in exceptional circumstances. The Manager Operations will consider any requests to accept a late tender.
- The Manager responsible for the contract will undertake any contract negotiation and approval of variation(s). The communication of any contract negotiation will usually be with Council's representative for the contract.
- Council will inform all unsuccessful tenderers within two weeks of determining the successful tender. Council will not provide a formal debrief, however, Council will give feedback to an unsuccessful tenderer if requested.
- Staff will prepare a contract plan (post contract award) for all high risk contracts. The contract management plan will include:
 - An assessment and management of any transitional arrangements
 - Mechanisms and timeframes for monitoring performance
 - Ensuring that both parties fulfil their contractual arrangements
- Staff will commence a review of any contract subject to a tender process, at least four months prior to the existing contract ending or a new contract commencing.
- Where the procurement policy is not followed staff will record the instance in a separate register and the Chief Executive will report it to Council

Flowchart: Procurement method selection



Meeting: Council

Meeting Date: 18 December 2024

Subject: **Dog Control Act s10A - Policy and Practices Report
2023/2024**

File No.: 307000

1 Background

Kawerau District Council (KDC), each financial year, is required under section 10A of the Dog Control Act 1996, to publicly report on:

- The administration of the KDC Dog Control Policy 2019 and the KDC Dog Control practices; and
- Provide statistical information regarding the number of registered dogs, complaints received, infringements issued, prosecutions and the number of probationary or disqualified owners, and the number of dogs classified as either dangerous or menacing.

The completed report outlining the required information for the 2023/2024 financial year is attached.

Upon approval, the report must be adopted and publicly notified on the Council website and in at least one newspaper circulating in the district. Advertising of the document has been prepared for the Beacon.

2 Legal and Policy Considerations

This report meets the requirements under s10A of the Dog Control Act 1996.

No inconsistencies have been identified with Council's other policies or plans.

3 Risks

The writer does not foresee any risks arising from this report.

4 Financial Considerations

There are no financial considerations associated with this report.

5 Significance and Engagement

This report outlines the set activities undertaken during the 2023/24 year as required under s10A of the Dog Control Act 1996. This information will be publically

available on Council's website and provided to the Department of Internal Affairs, they will provide a link on their website.

6 RECOMMENDATIONS

- 1 That the report "Dog Control Act s10A - Policy and Practices Report 2023/2024" be received.
- 2 That Council adopts and publicly notifies the Dog Control Act s10A – Policy and Practices Report for the 2023/2024 year and forwards a copy to the Secretary, Department of Internal Affairs.



Michaela Glaspey
Group Manager, Regulatory & Planning

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KAWERAU DISTRICT COUNCIL
DOG CONTROL – POLICY AND PRACTICES REPORT
 1 July 2023 – 30 June 2024

INTRODUCTION

Kawerau District Council ('KDC') is required under section 10A of the Dog Control Act 1996 to publicly report for each financial year, on:

- The administration of the KDC's dog control policy and practices; and
- Provide statistical information regarding the number of registered dogs, complaints received, infringements issued, prosecutions and the number of probationary or disqualified owners, and the number of dogs classified as either dangerous or menacing.

This report has been prepared to fulfil the statutory requirements for the 2021/2022 dog registration year.

PART 1 – ADMINISTRATION OF POLICY AND DOG CONTROL PRACTICES

1) Dog Control Act 1996

Section 10A Territorial authority must report on dog control policy and practices

- (1) A territorial authority must, in respect of each financial year, report on the administration of—
 - (a) its dog control policy adopted under section 10; and
 - (b) its dog control practices.
- (2) The report must include, in respect of each financial year, information relating to—
 - (a) the number of registered dogs in the territorial authority district;
 - (b) the number of probationary owners and disqualified owners in the territorial authority district;
 - (c) the number of dogs in the territorial authority district classified as dangerous under section 31 and the relevant provision under which the classification is made;
 - (d) the number of dogs in the territorial authority district classified as menacing under section 33A or section 33C and the relevant provision under which the classification is made;
 - (e) the number of infringement notices issued by the territorial authority;
 - (f) the number of dog related complaints received by the territorial authority in the previous year and the nature of those complaints;
 - (g) the number of prosecutions taken by the territorial authority under this Act.
- (3) The territorial authority must—

- (a) give public notice, as defined in section 5(1) of the Local Government Act 2002, of the report; and
- (b) make the report publicly available, as described in section 5(3) of that Act.

2) Dog Control in the District

The Kawerau District Council had 1378 dogs registered at 30 June 2024. Most of the dogs are urban pets with some hunting dogs. There were 2 currently registered rural working dogs in the District; Kawerau is a compact, predominantly urban territory with only one substantial farm property flanking the north-west and south-west boundaries.

Council's dog control service provides 24/7 coverage to deal with dog attacks, roaming, barking and other complaints.

Council employs two dog rangers to monitor and enforce the provisions of the DCA and the Bylaw. These two positions report to the Dog Control Officer (DCO).

All afterhours including weekends, patrol and fieldwork is undertaken by contract to First Security Ltd.

The aim is to maintain effective complaint/incident response, and a high level of attention to systems and data management.

Council seeks to foster good working relationships with local veterinarians and the SPCA and networks well with other councils in the Bay of Plenty region and beyond. An excellent relationship has also been established with Ministry of Primary Industries in introducing processes for animal welfare management during emergency response.

3) Dog Control Enforcement Practices

All complaints are dealt with fairly, and in accordance with the DCA and Council's Dog Control Bylaw. Infringement notices are issued only where continued non-compliance occurs following a verbal warning, written warning or where a serious offence e.g. rushing incident occurs.

4) Policy & Bylaw Updates

Both the Dog Control Policy and the Dog Control Bylaw 2019 were reviewed early 2019 and became effective from 1 March 2019.

5) Dogs Prohibited, Leash Only and Dog Exercise Areas

The District is fortunate in having a number of varied locations where owners may freely exercise their dogs (providing they be under control and not causing annoyance to others). The exercise areas are all sign-posted and are used daily by members of the public. Feedback from dog owners on the use of these areas continues to be positive.

The dog prohibited areas and dog exercise areas are monitored on a daily basis by both the in-house and contract dog rangers.

The following places are designated by Council as dog exercise areas:

- All public reserves situated beside waterways and measuring at least one chain (20 metres) wide, including:
 - Keith McKenzie Park
 - Prideaux Park (except marked playing fields)

- Stoneham Walk
 - Pat Baker Reserve
 - Roy Weston Walk
 - Tarawera Park (except marked playing fields)
 - Lyn Hartley Reserve
 - Firmin Field, and
 - Boyce Park.
- Monika Lanham Reserve
 - Hilldale Reserve (except the children's playground)
 - Stoneham Park
 - Delamere Drive Reserve (the neighbourhood reserve between Delamere Drive, Valley Road and Ryder Place).

Where any organised activity is being undertaken on playing fields and reserves, including specified dog exercise areas, dogs must be restrained as if in a public place.

An annual audit of signage is undertaken each year in the designated dog exercise areas. At present "Dog exercise area" and "Dogs must be controlled at all times" signs are installed.

6) Dog Registration and Other Fees

Council fees (inclusive of GST) for the 2023/2024 year were:

Registration Fees

Sterilised Dog	\$40.00
Non Sterilised Dog	\$80.00

Impounding Fees

First Impounding	\$90.00
Second Impounding	\$125.00
Third and subsequent	\$160.00
Sustenance Fee (per day or part thereof)	\$12.00



Dog owners who did not register their dog in the current year were issued an infringement notice with a 14-day diversion option, with the application of a penalty (50%). The infringement notice was withdrawn if payment was made within the 14-day diversion period.

Where unregistered dogs are identified during daily patrols, incident responses or other notifications, these are generally seized and impounded and written notice given to the owner.

7) Dog Education

Educational Information

Council has a range of educational brochures available at all times from the Office:

- Neutering – The benefits of de-sexing
- Humane Society of New Zealand Inc – Application for assistance from the spay/neuter Fund
- SPCA NZ – Dog and Puppy Care

- My Safety Around Dogs
- Keeping Our Children Safe Around Dogs – English
- Taku Haumarū Me Te Kuri – Te Reo Māori
- Colouring-in and Activity Book for children
- Kawerau District Council Policy on Dogs
- Kawerau District Council Dog Control Bylaw 2019

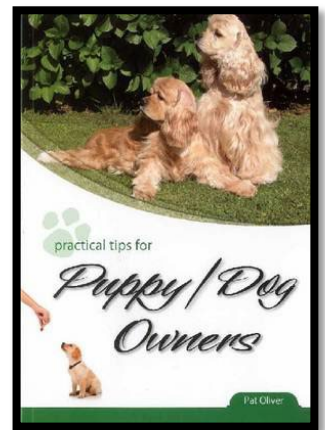
Information on Council's Website:

- Dog Registration
- Responsible Dog Ownership
- Dog Policies and Regulations
- Dog Exercise Areas
- Dog Impounding
- Reporting Cruelty to Dogs
- Adopt a Dog
- Dog Health and Vaccination
- Dog Exercise Park Etiquette
- De-Sex your dog
- Animals – Planning for Emergencies
- Complaints

Information Book for Dogs Classified As Dangerous

A copy of the author Pat Oliver's Manual entitled "Practical tips for puppy/dog Owners" is available to give to all dog owners whose dogs are classified as dangerous.

This book provides excellent basic training, obedience, nutrition and maintenance advice with easy to follow directions for dog training. Both owner and dog will benefit from the information Pat Oliver shares in this guidebook.



8) Health & Safety

Health and Safety of staff is an ongoing top priority for Council. Staff were encouraged to report near misses and incidents, as well as developing better protocols for sharing knowledge of incidents and hazardous situations and people between Dog Control Staff and Contractors.

Animal Management will continuously review and improve health and safety procedures.

9) Dogs Rehomed

Staff continue to advertise all suitable dogs available for re-home through Council's Facebook page.

Staff have also been working alongside rescue groups such as All Paws Count Murupara, Tokoroa Animal Rescue, Harmony & Hope Animal Rescue Trust and RRR Rescue, Revive, Rehome - Bay of Plenty to rehome dogs and puppies.

10) Dog Welfare Community Clinic

Animal Management staff are working with the KTown Community Animal Welfare Society to place more emphasis on the importance of de-sexing, in efforts to stem the flow of dogs entering shelters.

Planned activities include supporting Welfare group initiatives and enforcing the de-sexing of impounded dogs through its Dog Control Bylaw.

The KTown Community Animal Welfare Society, Vets 4 Pets and the Kawerau District Council held a free Dog Welfare Community Clinic in December 2023.

Services offered:

- Free puppy and dog care advice.
- Free flea and worm treatment.
- Microchips inserted free of charge.
- Free dog bedding and treats.
- Free de-sexing if owners held a Community Services or Gold Card.

11) Other Information

The DCO and contract rangers carried out regular daily patrols, during normal working hours and after hours, with specified targets for the number of patrols for the year.

During the year under review, 490 weekday and 366 after-hours (including specials) patrols (each of one hour's duration) were carried out.

PART 2 – STATISTICAL INFORMATION**STREET PATROLS**

Street Patrols (office/day hours)	490
Street Patrols (after hours & including Specials)	<u>366</u>
Total	<u>856</u>

REQUEST FOR SERVICES

Requests for Dog Control Services (Public)	975
a) DCO	194
b) In-House Statutory Incidents	482
c) Contractor – Afterhours Statutory Incidents	300

INFRINGEMENTS/HEARINGS/PROSECUTIONS

Infringements	165
Infringements Waived (primarily diversions)	78
Hearings	1
Prosecutions	1

STATUTORY INCIDENTS

Barking	208
Roaming	435
General	41
Fighting	1
Rush or Threaten	37
Attacks on Animals	16
Attack on Person (Physical Contact)	16

TOTAL **754**

UTILISATION OF DOG POUND FOR 2023/2024

Dogs Impounded	173
Claimed	52
Rehomed	27
Referred to SPCA	0
Euthanised	71
Caring for dogs from another TA	0
Died	7
Dogs remaining in pound at 30/06/2024	7

Microchipped Dogs:	Register	1378
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Menacing :	Register Tot	46
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Menacing under s33C i.e. by Schedule 4 Breed Total	To Date	37
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Menacing under s33A(1)(b)(i) i.e. by Behaviour Total	To Date	6
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Menacing under s33A(1)(b)(ii) i.e. by Breed Characteristics Total	To Date	3
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Dangerous :	Register Tot	1
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Dangerous by Owner Conviction under s31(1)(a) Total	To Date	0
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Dangerous by Sworn Evidence s31(1)(b) Total	To Date	0
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Dangerous by owner Admittance in Writing s31(1)C Total	To Date	1
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Disqualified Owner:	Register Tot	2
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Disqualified under Section 25(1)(a) – (3x Inf) Total	To Date	2
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Disqualified under Section 25(1)(b) – (Conviction) Total	To Date	0
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Disqualified under Section 25(1)(c) – (Conviction) under Animal Welfare Act etc. Total	To Date	0
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Probationary Owners (for the month):	Register Tot	0
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Probationary under Section 21 Total	To Date	0
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Probationary under Section 21(1) Other Acts Total	To Date	0
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Dale Anderson
Team Leader – Animal Control & Compliance

Michaela Glaspey
Group Manager, Regulatory & Planning