



AGENDA

Projects and Procurement Committee Meeting

Tuesday, 10 February 2026

Date Tuesday, 10 February 2026

Time 11:30 am

Location Council Chambers
Timaru District Council
King George Place
Timaru

File Reference 1822490

Timaru District Council

Notice is hereby given that a meeting of the Projects and Procurement Committee will be held in the Council Chambers, Timaru District Council, King George Place, Timaru, on Tuesday 10 February 2026, at 11:30 am.

Projects and Procurement Committee Members

Mayor Nigel Bowen, Cllrs Stacey Scott (Chairperson), Stu Piddington, Graeme Wilson, Owen Jackson, Peter Burt, and Chris Thomas.

Quorum – no less than 4 members

Local Authorities (Members' Interests) Act 1968

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

Nigel Trainor
Chief Executive

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- 1 Apologies**
- 2 Identification of Items of Urgent Business**
- 3 Identification of Matters of a Minor Nature**
- 4 Declaration of Conflicts of Interest**

5 Reports

5.1 Election of Deputy Chairperson

Author: Jessica Kavanaugh, Democracy Services Lead

Authoriser: Stephen Doran, Acting Chief Executive

Recommendation

1. That the Projects and Procurement Committee uses either:
 - (i) System A, or
 - (ii) System Bpursuant to clause 25(4) schedule 7 of the Local Government Act 2002 to elect one of its members as its deputy chairperson.
2. That Projects and Procurement Committee elects one of its members as the deputy chairperson

Purpose of Report

- 1 To select a voting system for the election of one of its members as deputy chairperson of the Projects and Procurement Committee. The Chairperson will call for nominations for the position.

Assessment of Significance

- 2 This matter has been assessed against Council's Significance and Engagement Policy as a matter of low significance. The deputy chairperson's election and accompanying process is a requirement under the Local Government Act 2002 (LGA) refer clause 25 schedule 7 of the LGA. The election of a deputy chairperson does not impact strategic assets, rates or levels of service.

Background

- 3 The Projects and Procurement Committee is required to elect one of its members as its deputy chairperson. The deputy chairperson performs the functions of the chairperson when they are unavailable or unable to perform their usual role as chairperson.

Discussion

- 4 There are two systems available to the Projects and Procurement Committee when electing a deputy chairperson for the Committee, it must decide by resolution to use one of the following two voting systems as set out below (refer clause 25 schedule 7 of the LGA):
- 5 System A -
 - (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and

(b) has the following characteristics:

- (i) there is a first round of voting for all candidates; and
- (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
- (iv) in any round of voting, if two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

6 System B -

(a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and

(b) has the following characteristics:

- (i) there is only one round of voting; and
- (ii) if two or more candidates tie for the most votes, the tie is resolved by lot.

7 Broadly, System A requires the successful candidate to have more than 50% of the votes of those present and voting. To attain that may require more than one round of voting. In contrast, System B will only require one round of votes and the successful candidate is the one with the most votes. In the event of an equality of votes between two candidates the successful candidate is resolved by lot.

Options and Preferred Option

8 There is only one practicable option available to the Projects and Procurement Committee, as there is a requirement to elect a deputy chairperson and the process for doing so is specified in the Local Government Act 2002.

Consultation

9 Consultation is not required as it is the members of the Committee who elect and appoint the deputy chairperson.

Relevant Legislation, Council Policy and Plans

10 Local Government Act 2002

11 Timaru District Council Standing Orders

Financial and Funding Implications

12 There are no financial or funding implications for electing a deputy chairperson.

Other Considerations

13 There are no other considerations for electing a deputy chairperson.

Attachments

Nil

5.2 Finalisation of Projects and Procurement Committee Terms of Reference

Author: Elliot Higbee, Legal Services Manager
Steph Forde, Corporate and Strategic Planner

Authoriser: Stephen Doran, General Manager Corporate

Recommendation

That the Projects and Procurement Committee

1. Receives the report; and
2. Discusses the proposed Terms of Reference and general decision-making powers, and provides feedback to officers on any amendments; and
3. Recommends the proposed final Terms of Reference be adopted by Council at the meeting on 24 February 2026

Purpose of Report

- 1 The purpose of this report is to facilitate discussion and finalise the Projects and Procurement Committee's (P&P) Terms of Reference (ToR) and general decision-making powers with endorsement for presentation to Council on 24 February 2026.

Assessment of Significance

- 2 As subordinate decision-making committee of council individual items discussed may be of a higher level of significance, but this report can be considered of low significance in relation to the council's significance and engagement policy.

Background

- 3 On 4 November 2025 Council adopted its ToR¹. The report accompanying the ToR described a possible approach to how the Committees work together.
- 4 The ToR then went on to provide common delegations (referred to in the ToR as "General decision-making powers for committees") for all Committees, and then specific areas of focus where the committee would provide targeted governance.
- 5 Because the Committee structure is new, it is intended that on 24 February 2026 the ToR will be presented in a final publishable form. This enables a meeting cycle for these new committees to be undertaken, to enable feedback on the operation of the new ToR to be considered.
- 6 For ease of reference, the below paragraphs outline officer's currently intended form of publishing the Terms of Reference's approach to common delegations, and the specific ToR for this Committee.

¹ https://www.timaru.govt.nz/_data/assets/pdf_file/0005/1075208/TABLED-REPORT-Establishment-and-Terms-of-Reference-of-Council,-Committees-and-Subcommittees-attachment-to-minutes-1803362.pdf

Intended form of publishing the Terms of Reference approach to common delegationsCommittees:

- 7 Council has established a committee structure to facilitate the efficient and effective disposal of its work. Committees enable focused engagement between governors, officers, and the public on issues to support Council.

Committees' expectations:

- 8 Within the scope of a committee's function, each committee is expected to:
- 8.1 Observe and pursue the goals, objectives and strategies in any strategic plan adopted by Council
 - 8.2 Maintain regular communications with other committees and the Council to ensure that the widest possible good is achieved for the community.
 - 8.3 Ensure appropriate consultation and communication is undertaken with the community and agencies affecting the activities of the committee.
 - 8.4 Monitor and respond to changes in legislation governing their jurisdiction.
 - 8.5 Support Council Officers in the achievement of programmes and projects contained in the Long-Term Plan and Annual Plans

General decision-making powers for the committees:

- 9 Committees have general decision-making powers, and specific scope and delegation. To enable the Council's committees to operate fulsomely, a general set of decision-making powers have been granted to the following committees:
- 9.1 Development and Growth Committee
 - 9.2 People Performance and Appointments Committee
 - 9.3 Projects and Procurement Committee
 - 9.4 Strategic Planning Committee
- 10 The general decision-making powers of the committees are:
- 10.1 Appoint a deputy chair
 - 10.2 Maintain minutes detailing any committee decisions
 - 10.3 Perform their responsibilities, within the approved Long-Term Plan and Annual Plan budgets.
 - 10.4 Develop, monitor, and review strategy and policy; and make recommendations to Council.
 - 10.5 Recommend service level changes and new initiatives to the Council as part of the Long-Term Plan and Annual Plan processes.
 - 10.6 Ensure appropriate consultation and communication is undertaken with the community and agencies affecting the activities of the committee.
 - 10.7 Approve any consultation processes where committee approval is required, the committee has directed officers to seek approval, or the chief executive considers it appropriate to seek committee approval.

- 10.8 Approve submissions to external bodies/organisations on legislative and regulatory proposals except:
- 10.8.1 If there is insufficient time for the matter to be determined by the committee before the submission 'close date', in which case the submission can be agreed by the relevant committee chair, deputy chair, mayor and chief executive (and all councillors must be advised of the submission and provided copies if requested).
 - 10.8.2 If the submission is of a technical and operational nature, in which case the submission can be approved by the chief executive (in consultation with the relevant committee chair and deputy chair prior to lodging the submission).
 - 10.8.3 During the formal pre-election period, in which case submissions are approved by the chief executive.
- 10.9 Develop and approve the statement of proposal for new or amended bylaws for consultation.
- 10.10 Recommend to Council new or amended bylaws for adoption.
- 10.11 Establish any subcommittee and approve its terms of reference.
- 10.12 Consider and make decisions usually within the chief executive's delegations that the chief executive has referred to the committee for decision making.
- 10.13 Perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.
- 10.14 Discuss and approve a forward agenda for the committee

This Committee's ToR

| Projects and Procurement Committee | |
|------------------------------------|---|
| Type of Committee | Council Committee |
| Subordinate to | Council |
| Legislative basis | Committee established pursuant to s 41A (3) of the Local Government Act 2002 and appointed under cl 30 of Schedule 7 of the Local Government Act 2002 |
| Membership | <ul style="list-style-type: none"> • Mayor Nigel Bowen (s 41A(5) LGA 2002) • Clr Stacey Scott (Chairperson) • Clr Chris Thomas • Clr Graeme Wilson • Clr Owen Jackson • Clr Peter Burt • Clr Stu Piddigton |
| Chairperson | Clr Stacey Scott |
| Quorum | Three |
| Function | <ul style="list-style-type: none"> • As directed by Council govern the progression of significant projects from budget approval to post-delivery reporting • Approve procurement strategies for significant projects |

| | |
|--------------------|---|
| | <ul style="list-style-type: none">• Accept tenders within its delegated authority <p><i>Noting that unless otherwise provided for, Council retains the power to approve funding for all significant business case decisions, and any significant changes in service</i></p> |
| Delegations | <ol style="list-style-type: none">1. General decision-making powers for committees2. Accept tenders in conjunction with the Chief Executive for items projects approved in the Council's Budget exceeding \$750,000 (GST Excl.)3. Approve the procurement strategy for significant projects presented to the Committee in accordance with Council policy.4. Recommend the Procurement Policy to Council for approval |

Financial and Funding Implications

- 11 There are no unbudgeted financial or funding implications resulting from finalising, and recommending to Council for adoption, this Committees ToR.

Attachments

Nil

5.3 Actions Register Update

Author: Jessica Kavanaugh, Democracy Services Lead

Authoriser: Stephen Doran, General Manager Corporate

Recommendation

That the Projects and Procurement Committee receives and notes the updates to the Actions Register.

Purpose of Report

- 1 The purpose of this report is to provide the Projects and Procurement Committee with an update on the status of the action requests raised by Councillors at previous Committee meetings.
- 2 As this is the first Action Register for the Projects and Procurement Committee, the actions included have been transferred from the previous action registers.

Assessment of Significance

- 3 This matter is assessed to be of low significance under the Council's Significance and Engagement Policy as there is no impact on the service provision, no decision to transfer ownership or control of a strategic asset to or from Council, and no deviation from the Long Term Plan.

Discussion

- 4 The actions register is a record of actions requested by Councillors. It includes a status and comments section to update the Projects and Procurement Committee on the progress of each item.
- 5 There are currently two items on the actions register.
- 6 Two items are marked as ongoing.

Attachments

1. **Project and Procurement Committee Actions Required** [!\[\]\(3d0946c14414af438def0008e8322b30_img.jpg\)](#) 

Information Requested from Councillors (Projects and Procurement Committee)

Key ■ = Completed, for removal ■ = 60+ Days ■ = 90+ Days ■ = Removed

| | | | |
|---|---|------------------------|------|
| Information Requested | Tenders and Procurement | | |
| Date Raised: | 15 April 2025 | Status | Open |
| Issue Owner | General Manager Assets and Infrastructure | Completed Date: | |
| <p>Background</p> <p>Clr Pye requested that a standing report regarding tenders be added to the Action Register so they can see where the lowest tender actually ends up being the lowest tender price, and what is coming up to be tendered in the near future.</p> <p>June 2025 Update: Officers are currently preparing a report template which will be presented to the Infrastructure Committee meeting in August.</p> <p>August Update: Officers have collated information but this needs to be simplified for presentation into a report. A report will be presented to the next Infrastructure Committee meeting.</p> <p>24 November 2025: This action was moved from the previous Infrastructure Committee Action Register to the Projects and Procurement Committee Action Register</p> | | | |

| | | | |
|---|---|------------------------|---------|
| Information Requested | Aigantighe House Gallery – Full and final report | | |
| Date Raised: | 19 November 2024 | Status: | Ongoing |
| Issue Owner | General Manager Gallery Libraries Archives and Museum | Completed Date: | |
| <p><i>Taken from the minutes from 19 November 2024 '8.3 Aigantighe House Gallery Seismic Upgrade October 2024': "The intention was the final invoice would be received this month, and once that is processed, and full report will be presented with variations noted."</i></p> <p><i>Update: 18 February 2025</i></p> | | | |

#1808477

The Chairperson noted that in the minutes from 19 November 2024 under '8.3 Aigantighe House Gallery Seismic Upgrade October 2024' it was recorded in the minutes: "The intention was the final invoice would be received this month, and once that is processed, and full report will be presented with variations noted." and could this also be added to the Actions Register.

Update: 9 April 2025

The full and final report will be presented once the lift and toilets are completed. There is a \$25,000 discrepancy between what was budgeted for the lift and the quote received. Officers are exploring options to reduce this. There is no further update.

Update: 5 June 2025

This report will be presented to the committee following completion of the project.

Update: 13 August 2025

The House Gallery will be closed from 18 July 2025 to allow accessibility-related works to be carried out, to ensure there will be less disruptions during the installation of the lift in November. The House Gallery will open again for ARTARAMA on 15 September 2025.

Update: 19 August 2025

The lift and HVAC system is still work in progress and as a new project manager has come into the project, new issues have come to light regarding the installations, meaning that the timeline has been extended. The house gallery will not be opening in September and Artarama is now being moved to an offsite venue

24 November 2025: This action was moved from the previous Community Services Committee Action Register to the Projects and Procurement Committee Action Register

#1808477

5.4 Procurement Policy - endorsement

Author: Nigel Howarth, Procurement Lead
Brendan Madley, Senior Policy Advisor

Authoriser: Andrea Rankin, Chief Financial Officer

Recommendation

That the Projects and Procurement Committee endorse the Procurement Policy.

Purpose of Report

- 1 The purpose of this report is to enable the Projects and the Procurement Committee to:
 - 1.1 consider and provide feedback on the draft Procurement Policy;
 - 1.2 provide direction on the request to not undertake procurement with companies involved in activities on occupied Palestinian land;
 - 1.3 seek amendments to the draft policy where deemed necessary; and
 - 1.4 endorse the draft policy to enable it to be considered for adoption by Council.

Assessment of Significance

- 2 This report is assessed as being of low significance according to Council's Significance and Engagement Policy.
- 3 This is because:
 - 3.1 the policy is primarily an internal, operational document, with Council officers as the intended audience; and
 - 3.2 the report seeks feedback and endorsement, with no final decision being made.
- 4 It is acknowledged that there may be public interest in how Council undertakes its procurement activities.

Background

Procurement activities and legislative requirements

- 5 Timaru District Council (Council) procures a wide range of works, goods and services to deliver solutions to the residents and ratepayers of the Timaru District. Council seeks to maximise overall benefits through consistent and mandated procurement activities.
- 6 Council's procurement activity is required to deliver value for money for the residents of Timaru District. Given that the procurement policy applies – in general – across all of Council's activities and groups, a key focus of the review has been creating operational flexibility whilst ensuring that suitable controls are in place to ensure probity and assurance of proper conduct.
- 7 A Procurement Policy is an opportunity to provide a framework within which consistent practice is applied across procurement activities in alignment with the Council's vision, strategic priorities and broader community outcomes.

- 8 Further, a Procurement Policy must reflect Council’s legislative obligations as per Section 14 of the Local Government Act 2002. This section states that a local authority must, *“conduct its business in an open, transparent, and democratically accountable manner”* and *“undertake any commercial transactions in accordance with sound business practices”*.
- 9 As per its Terms of Reference, the Committee’s role is to consider and endorse a Procurement Policy, prior to it being considered for adoption by Council.

Policy review

- 10 Council’s current Procurement Policy (located at Attachment One) is overdue for review. It was adopted in 2015. Subsequent changes to legislative requirements and industry best practice means that a substantial revisioning has been required.
- 11 The draft Procurement Policy (located at Attachment Two) has received internal feedback from the Senior Leadership Team, the Programme Management Office, and other Council officers.

Council procurement from companies involved in activities on occupied Palestinian land

- 12 Tracey Howard – a representative of the Palestine Solidarity Network Aotearoa (PSNA) – has requested that Council resolve to:
- “That Timaru District Council supports Aotearoa New Zealand government policy, as expressed through United Nations Security Council resolution 2334, and will decline to purchase goods and services from companies identified by the United Nations Human Rights Council as being involved in the building or maintenance of illegal Israeli settlements on occupied Palestinian land”*.
- 13 This request was made as part of a Public Forum presentation on 24 June 2025. The submission containing additional information, as well as a supporting petition with 146 verified signatures, is located at Attachments Three and Four.
- 14 The Office of the High Commissioner for Human Rights has compiled a list of companies involved in activities on occupied Palestinian land. This list was last updated in September 2025, and is located at Attachment Five (specifically Annex I, starting from page eight of the attachment).
- 15 Council decided to consider this matter as part of the review of the Procurement Policy. The Committee is, at this meeting, being asked whether to include, amend or exclude the requested wording as part of the endorsed Procurement Policy that will be presented to Council for consideration and adoption.

Discussion

- 16 The table below outlines the most material proposed changes and policy elements. It seeks to analyse the key policy elements relative to potential alternatives.

| Policy element | Proposed change/s | Officer comment |
|---|-------------------------------------|---|
| Supporting Local (clauses 31-35 in the draft policy; section 4.4 of the current policy) | Removal of the local price premium. | “Local” is geographically focused on the Timaru District. |

| | | |
|--|---|---|
| | <p>Inclusion of requirement to procure locally for procurement under \$20,000, where possible to do so.</p> <p>Inclusion of guaranteed local weighting when considering tenders using non-price attributes.</p> <p>Significant projects are required to explicitly consider local economic wellbeing and existing strategies.</p> | <p>A local price premium of 5% for procurement under \$100,000 has been removed from an earlier version of the draft policy because officers suggest it would not be a prudent use of funds given central government signals about future rate caps and a constrained fiscal environment.</p> |
| Project documentation (clauses 16-19 of the draft policy) | Inclusion of requirement to utilise project initiation documentation. | The current policy is silent on this matter. The policy update is an opportunity to state expectations in regard to this, and to provide assurance that due diligence has been undertaken. |
| Appointment methods (clauses 24-28 of the draft policy; section 4.5 of the current policy) | <p>Replacing table in current policy with appointment methods based on procurement value.</p> <p>Exceptions permitted based on financial delegations, but must be reported.</p> | <p>The current policy guidance is too flexible and the bands are too large to provide assurance of probity.</p> <p>The draft policy proposes more definitive guidance to officers, clearer expectations and greater assurance to Councillors and the public that ratepayer funds are being used in a disciplined manner.</p> <p>The draft policy proposes an exceptions pathway. These are not expected to be commonly utilised, especially once project initial documentation is implemented fully. Reporting requirements are intended to ensure transparency and accountability.</p> |
| Evaluation models (clauses 29-30 of the draft policy; section 4.5 of the current policy) | Replacing table in current policy with requirements based on the Project Classification Matrix. | <p>In general, the current policy utilises procurement value to determine whether tenders should be awarded based on price or non-price attributes.</p> <p>The recent creation of the Programme Office and Project Classification Matrix (currently in draft form) allows a more nuanced consideration. It is more appropriate to award tenders based on their classification of Simple, Complicated</p> |

| | | |
|--|--|--|
| | | or Complex, rather than the raw procurement value. |
|--|--|--|

- 17 The Procurement Manual will give operational effect to the policy, once it is adopted. It will also manage procurement that is out of scope of the policy, The Manual has been significantly drafted, and awaits confirmation of the policy to enable final preparation.
- 18 It is proposed that the policy receives a full review every six years. A three-yearly internal review and annual monitoring would also occur.

Council procurement from companies involved in activities on occupied Palestinian land

- 19 Based on searches of Council's procurement and financial management systems, the Procurement Lead advises that Council² does not currently have any business dealings with any of the companies stated. This includes parent companies or subsidiaries, to the best of our knowledge. Therefore, a decision to endorse the requested wording would have no operational implications. Given the nature of the companies, the geographic focus of the majority in the Middle East, and Council's demand profile for goods and services, this is likely to remain the case into the future.
- 20 The New Zealand Government advises that this is a decision for Council alone to make, and that any decision would not be in conflict with central government policy.
- 21 The Ministry of Foreign Affairs and Trade (MFAT) provided advice to Environment Canterbury in 2024 to assist their decision making on a similar request. This advice is located at Attachment Six.
- 22 MFAT have been contacted seeking updated advice (if any). No response has been received at the time of writing, and will provided via verbal remarks if received prior to the Committee meeting.
- 23 As of the time of writing, the New Zealand Government currently does not sanction the companies listed, but has imposed travel bans against two Israeli government ministers. Several local authorities have incorporated the requested wording, or similar, into their procurement policies.
- 24 Options are presented in the "Options and Preferred Option" section of this report.
- 25 Councillors may wish to consider the following questions when forming their views:
 - 25.1 Should Council hold an official position on this matter?
 - 25.2 Does the proposal appropriately reflect Council's views?
 - 25.3 What are the advantages, disadvantages and risks of each option?

Options and Preferred Option

- 26 This section is divided into "Main Procurement Policy" and "Council procurement from companies involved in activities on occupied Palestinian land". Officers consider that these are distinct and independent decisions; decisions taken on the two sections do not materially impact each other.

² Council is, for the purposes of this report, considered to be only Timaru District Council; it does not include the wider Council Group. TDHL or Venture Timaru manage their own procurement activities.

Main Procurement Policy

- 27 Option One – endorse the Procurement Policy as attached, in addition to providing direction on procurement from companies involved in activities on occupied Palestinian land (Preferred Option).
- 28 For the reasons outlined in the Discussion section, officers consider that the proposed policy is an appropriate update of the current policy.
- 29 Option Two – amend and endorse the Procurement Policy, in addition to providing direction on procurement from companies involved in activities on occupied Palestinian land.
- 30 Elected members may consider that changes to the proposed policy are necessary. The advantages and disadvantages of this option are dependent on the specific changes that may be made.
- 31 Based on the significance of any proposed changes, officers may seek the opportunity to defer and prepare advice on any potential amendments, prior to any Council decisions being taken.
- 32 Option Three – defer endorsement of the Procurement Policy and facilitate additional opportunities for elected members to consider the options available to them.
- 33 No advantages have been identified for this option.
- 34 Officers believe that all necessary information is contained within this report and attachment as the basis for making a decision.

Council procurement from companies involved in activities on occupied Palestinian land

- 35 Option One – Endorse the proposed wording for inclusion in the Procurement Policy.
 - 35.1 Option One(a) – Also include an allowance for the Chief Executive to permit exceptions in extraordinary circumstances.
- 36 Option Two – Decline to endorse the proposed wording for inclusion in the Procurement Policy.
- 37 Officers consider that this decision is a judgement matter for Councillors. There is no preferred option stated by officers because there are no technical aspects to the matter and no framework to base a recommendation on.
- 38 If Option One or One(a) were included in an approved Procurement Policy, there would be some ongoing implementation costs. These are considered minimal. For example, the Procurement Lead would need to cross-reference any new Council suppliers against the list of stated companies, and cross-reference Council suppliers against published updates of the list.

Consultation

- 39 Consistent with the assessed level of significance, officers consider that consultation is not required as this is an internal policy which provides a framework for Council's internal procurement activities.

Relevant Legislation, Council Policy and Plans

- 40 Local Government Act 2002
- 41 Local Government Official Information and Meetings Act 1987
- 42 Fair Trading Act 1986

43 Contract and Commercial Law Act 2017

44 Construction Contracts Act 2002







Financial and Funding Implications

45 There are no direct financial implications associated with this report.

Other Considerations

46 There are no other relevant considerations.

Attachments

1. Current Procurement Policy [↓](#) 
2. Draft Procurement Policy [↓](#) 
3. PSNA submission [↓](#) 
4. PSNA petition [↓](#) 
5. List of companies deemed to be operating in occupied Palestinian land (2025) [↓](#) 
6. MFAT advice to Environment Canterbury (2024) [↓](#) 

Procurement Policy


Approved by:

Policy and Development Committee

Date Approved:

28 July 2015

Keywords:

Procurement, purchasing, contracts

1.0 Purpose

The purpose of the Procurement Policy is to:

- Define Timaru District Councils approach to the procurement of goods and services to support the community in an affordable and efficient manner
- Provide a standardised approach to procurement for all departments.

2.0 Background

Council purchases a wide range of goods and services through a variety of procurement mechanisms. Central to procurement is achieving value for money.

A procurement strategy was initially developed in 2010 to meet NZTA National Land Transport Programme (NLTP) requirements. This strategy was developed to apply to all activities and details the context and rules involved.

Timaru District Council intends to follow the NZTA Procurement Manual as a guide for Physical Works and Professional Services.

The development of this policy is to provide clarity in Council's approach to procurement.

3.0 Key Definitions

Procurement

Procurement is all the business processes associated with purchasing, spanning the whole cycle from the identification of needs to the end of a service contract or the end of the useful life and subsequent disposal of an asset.

(This definition is as outlined by the Office of The Auditor General - Procurement Guidance for Public Entities - Good Practice Guide, June 2008; and reinforced in the NZ Transport Agency's Procurement Manual, second edition effective 2014).

Value for Money

Value for money means using resources effectively, economically, and without waste, with due regard for the total costs and benefits of an arrangement, and its contribution to the outcomes the entity is trying to achieve

(This definition is as outlined by the Office of The Auditor General in June 2008 published 'Procurement guidance for public entities - Good practice guide'.)

944011

Public/Private Partnership (PPP)

For the purpose of the Procurement Strategy, a PPP is an arrangement between a public sector entity or entities (including Council) and a private sector entity or entities for the purpose of jointly or co-operatively undertaking a project for mutual benefit.

Local Supplier

"Local" means a ratepayer of the Timaru District Council and/or an organisation that employs Timaru District residents.

4.0 Policy**4.1 Role & Responsibility**

Responsibility for the Policy and its currency primarily lies jointly with the Group Manager Corporate Services who is responsible for Procurement guidance across the organisation; and the Land Transport Manager who is responsible for the continuity of financially assisted transport funding. Ultimately however responsibility for each specific activity lies with the respective Unit Manager.

4.2 Methods of Procurement

Council procures goods through a variety of procurement methods, from small less formal engagements, through comprehensive multi-year maintenance contracts including long term arrangements for essential services.

Timaru District Council recognises the role of:

- Long term contracts
- Preferred supplier arrangements
- Specialist suppliers
- Joint procurement groups and collaboration with other organisations
- Local suppliers
- Bundling work versus individual assignments
- The need for a simple approach for 'minor' procurement

Thresholds provide maximum limits for different procurement methods; when procuring goods and services staff should consider what method should be used to achieve the best result, rather than just what method can be used.

For Roading activities there are exemptions - the principles around selecting the delivery model and supplier selection method based on the circumstances of the procurement situation rather than threshold limits is also favoured for all transport activities. It is acknowledged this will require ongoing discussions and effective partnering between Council and NZTA.

4.3 Purchase of General Goods

Council purchases a range of general goods through a range of methods including:

- "All of Government" contracts (i.e. Vehicles, Stationery, office consumables etc.)
- Joint purchasing with other organisations (Joint Procurement Group) and through collaborative arrangements
- Purchasing via brokers (GSB Supplycorp)
- Competitive Tender
- Preferred Supplier – Ongoing (e.g. Electrician for repair work)
- One-off/ ad-hoc arrangements

944011

4.4 Local Suppliers

The role of local suppliers shall be recognised and considered alongside efficient and effective spending.

The policy remains that:

“Tenders for the supply of materials or plant and/or carrying out of works be accepted on the basis generally of the lowest satisfactory tender, but that a tolerance in favour of a local tender of up to 5% with a maximum of \$2,000 on any one tender, may be allowed.”

This policy element shall not apply to expenditure receiving any funding from the New Zealand Transport Agency.

4.5 Procedure for Procurement

The attached flow chart provides guidance for the approach to procurement (see appendix A)

In determining the most appropriate approach the following should be considered:

1. The complexity of the goods or services involved to determine the extent of documentation required.
2. Is assistance required to prepare the documentation? If so, this is another procurement process which is required.
3. How will “value for money” be obtained? The key criteria are fitness for purpose, timeliness and cost.
4. How competitive is the market? If there are a number of suppliers then an open or closed contest. If this is not known then a two stage process involving a Registration Of Interest (ROI) can be used

As a guide, the following table indicates the most appropriate approach for different contract values. It should be noted that this is general guide and special circumstances may affect the appropriateness of any approach.

| Supplier Selection Process | | | | |
|--|-----------------------|-----------------------|------------------------|--------------------------------|
| Method | Contract \$ Value | | | |
| | \$0 to 50,000 | \$50,001 to \$100,000 | \$100,001 to \$300,000 | Over \$300,000 |
| Direct Appointment | ✓ | ✓ | ✓ | ✗ |
| Lowest Price Conforming Tender | ✓ | ✓ | ✓ | ✓ |
| Purchaser Nominated Price (Professional Services only) | ✓ | ✓ | ✓ | ✓ |
| Price Quality (e.g. Weighted Attributes) | ✗ | ✓ | ✓ | ✓ |
| KEY | ✓ Most Appropriate | ✓ Appropriate | ✓ Less Appropriate | ✗ Generally Not Appropriate |

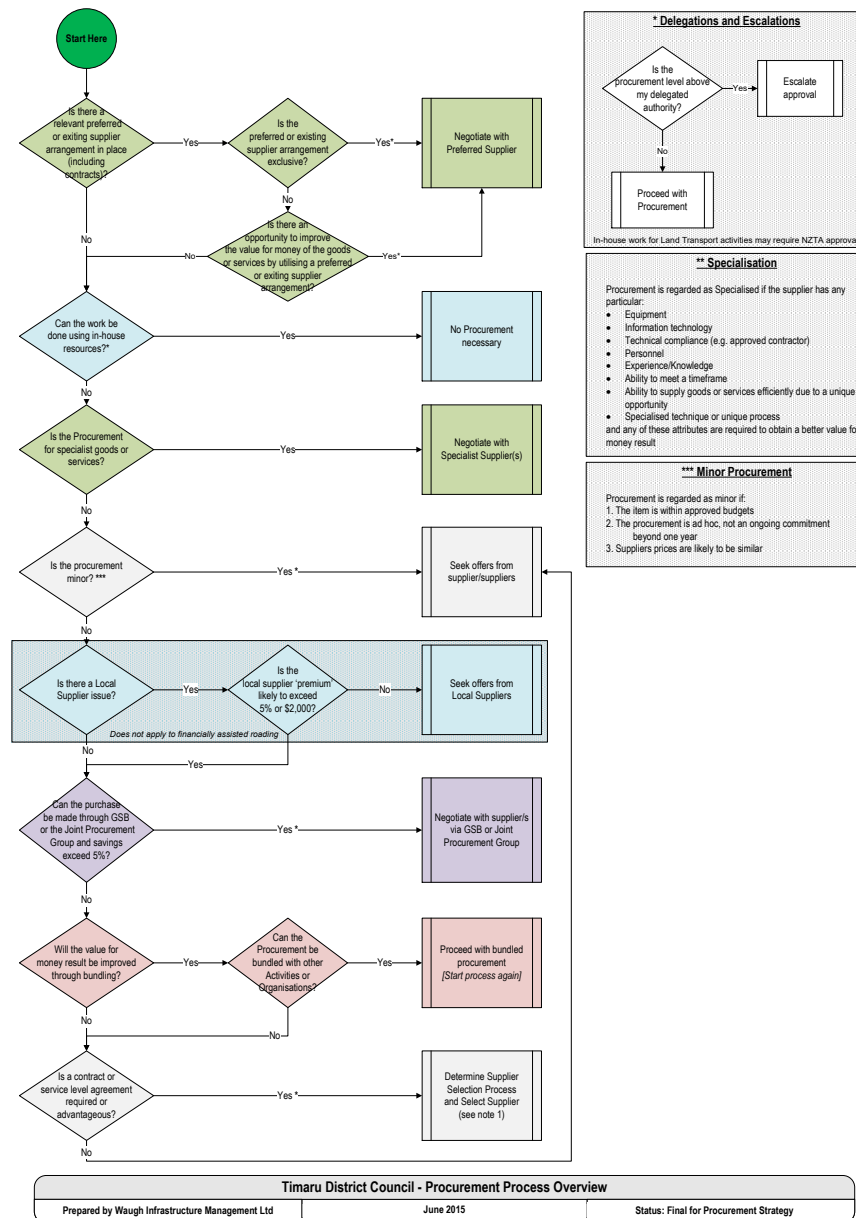
944011

Roading Exception

| Supplier Selection Process- Rooding | | | | |
|--|--------------------------|------------------------------|-------------------------------|--------------------------------------|
| Method | Contract \$ Value | | | |
| | \$0 to 50,000 | \$50,001 to \$100,000 | \$100,001 to \$300,000 | Over \$300,000 |
| NZTA Rule 10.8 (modified) | Direct Appointment | | | |
| | Closed Contest | | | |
| | Open Contest | | | |
| KEY | ✓ Most Appropriate | ✓ Appropriate | ✓ Less Appropriate | ✗ Generally Not Appropriate |

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5.0 Appendix A: Decision Tree



944011

6.0 Delegations, References and Revision History

6.1 Delegations – Identify here any delegations related to the policy for it to be operative or required as a result of the policy

6.2 Related Documents – Include here reference to any documents related to the policy (e.g. operating guidelines, procedures)

6.3 Revision History – Summary of the development and review of the policy

6.1 Delegations

| Delegation | Delegations Register Reference |
|------------|--------------------------------|
| | |

6.2 References

| Title | Document Reference |
|--|--|
| Timaru District Council Procurement Strategy NZTA Procurement Manual (July 2009 and amendments) | #944007 http://www.nzta.govt.nz/resources/procurement-manual/ |

6.3 Revision History

| Revision # | Policy Owner | Date Approved | Approval by | Date of next review | Document Reference |
|------------|----------------------------------|---------------|----------------------------------|---------------------|--|
| 1 | Group Manager Corporate Services | 28/7/2015 | Policy and Development Committee | 31/7/2018 | #944011 Policy #944026 Report to Policy and Development Committee 28 July 2015. |

944011

Procurement Policy



| | |
|----------------------|---|
| Approved by: | Timaru District Council |
| Group: | Finance |
| Owner: | Procurement Lead |
| Date adopted: | TBC The policy becomes effective immediately upon adoption |
| Review: | Every 6 years; earlier if deemed necessary This Policy does not cease to have effect because it is due for review, or being reviewed |
| Consultation: | To give effect to s 82 of the Local Government Act 2002 |

Policy Purpose

1. To align Timaru District Council's (Council) procurement activities with its wider Strategic Vision, priorities and broader community outcomes.
2. To provide a framework for Council's procurement activities to be undertaken consistently, legally, and in a way that delivers public and local value for the residents of the Timaru District.

Scope

3. This policy applies to:
 - (i) the procurement of goods or services for Council obtained through any contractual means (including purchase, rental or lease contracts) with external supplies, no matter the methodology of purchasing or the value of the purchases;
 - (ii) all Council officers, consultants, representatives or contractors conducting procurement activities on behalf of Council; and
 - (iii) both operational and capital expenditure.
4. This policy does not apply to expenditure on or as part of:
 - (i) Employee Agreements, including payroll and reimbursements;
 - (ii) Internal invoicing;
 - (iii) Grants and sponsorship;
 - (iv) An exclusive Service Level Agreement;
 - (v) Property acquisition;
 - (vi) Procurement undertaken by Council Controlled Organisations (CCOs);
 - (vii) Payments to government, including treasury, tax, regulatory bodies and financial instruments;

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- (viii) Unsolicited proposals;
 - (ix) Declared Civil Defence emergencies;
 - (x) New Zealand Transport Agency (NZTA) contracts;
 - (xi) Original Equipment Manufacturer (OEM).
 - (xii) All-of-Government (AoG) contracts; and
 - (xiii) Ancillary spend such as petty cash transactions, bank fees and PCard purchases.
5. Refer to the Appendix for more information about how to manage out-of-scope procurement.

Definitions

- 6. All of Government (AoG) arrangements: a supply arrangement established by central government for common products and services purchased in the public sector.
- 7. Local supplier: a business entity that, to the satisfaction of Council officers, operates from premises within the Timaru District.
- 8. Procurement: the acquiring and delivering of goods, services and works (including refurbishment and new construction).

Policy Statements

- 9. This policy should be read in conjunction with Council's Procurement Manual.
- 10. All Council officers involved in procurement processes are required to adhere to Council's conflict of interest policies and procedures.
- 11. All suppliers are required to agree and adhere to the Supplier Code of Conduct, health and safety policies and standards, and any other relevant Council policies and procedures.

Procurement Principles

- 12. The following principles apply to Council's procurement processes and decisions.
- 13. The first set of principles relate to the spending of public money. They are a modified version of those stated by the Office of the Auditor-General.
 - (i) **Accountability:** The Council will be accountable for its performance and give complete and accurate accounts of the use it has put public funds to.
 - (ii) **Health and Safety:** The Council will consider health and safety matters in all of procurement activities.
 - (iii) **Openness:** The Council will be transparent in its administration of funds, both to support accountability and to promote clarity, including shared understanding of respective roles and obligations between entities in collaboration with any external parties entering into funding arrangements.
 - (iv) **Lawfulness:** The Council will act within the law and meet all applicable legal obligations.

- (v) Fairness: The Council has an obligation to act fairly and reasonably. The Council must be, and must be seen to be, impartial in its decision-making.
 - (vi) Integrity: Managing public resources must be done with the utmost integrity to retain the trust and confidence of the public. The Public Service Commission have issued the New Zealand Standards of Integrity and Conduct applying to public servants and other public employees.
14. The second set of principles relate to undertaking procurement activity in the public sector. They are a modified version of those stated by New Zealand Government Procurement.
- (i) Plan and manage for great results: This includes clearly identifying requirements; including a focus on achieving broader outcomes; establishing an appropriately skilled and experienced team; involving suppliers early; understanding the market and Council's role in it; and being open to new ideas and solutions..
 - (ii) Be proportionate and right-size the procurement: This includes making it easy to do business with Council; and designing and running an efficient end-to-end process that is proportional to the value, complexity and risk.
 - (iii) Be fair to all suppliers: This includes creating competition and encouraging suppliers; treating all suppliers equally; seeking opportunities to involve Māori, Pasifika and regional businesses; making it easy for supplier to do business; being open to subcontracting opportunities; and clearly explaining the assessment process.
 - (iv) Get the right supplier: This includes creating competition and encouraging capable suppliers to respond, clearly explain how proposals will be assessed; and debriefing unsuccessful suppliers to increase potential success of future bids.
 - (v) Get the best deal for everyone: This includes focusing on public value; accounting for all costs and benefits over the whole-of-life; making balanced and defensible decisions; consider the best possible economic benefits for the Timaru District; encouraging innovation; having clear performance measures which are monitored and managed; collaborating to make ongoing savings and improvements; and being collectively accountable for the results.
 - (vi) Play by the rules: This includes being accountable, transparent and reasonable; acting responsibly, lawfully and with integrity; remaining impartial; identifying and appropriately managing conflicts of interest; and securely maintaining all suppliers' commercially sensitive information and intellectual property.
 - (vii) Probity: This includes ensuring that systems, policies and procedures provide for accountability; using procurement practices that are able to withstand public scrutiny; preserving confidence in the procurement process; undertake due process and diligence; obtaining appropriate approvals; and documenting decisions.
 - (viii) Sustainability: The Council will look to achieve best value for money over whole-of life. Where deemed possible and prudent, it will also require sustainably produced goods or services and have regard to the economic, environmental and social impacts over their life cycle. The Council will evaluate the broader outcomes of all procurement activities to assess their sustainability.

15. Additionally, Council must conduct any procurement activity in accordance with the principles stated in section 14 of the Local Government Act 2002, most notably to

undertake commercial transactions in accordance with sound business practices and ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district.

Procurement planning and approval

16. Project initiation documents are required for all Council projects in order to demonstrate business justification and deliverability. These are required prior to formally approaching the market.
17. Council's Programme Management Office (PMO) specify the project initiation documents that are required to be completed, and the detail that they must contain. All Council procurement within the scope of this policy must adhere with these PMO requirements.
18. The project initiation documents should be commensurate in detail with the value or risk of a project, and consideration must be given to the appropriate procurement method to achieve the best result.
19. It is the responsibility of the procurement approver to satisfy themselves that the procurement is based on satisfactory project initiation documents.
20. Expenditure commitments are to be managed and entered into in accordance with the financial delegations stated in the current Delegations Manual.
21. Council or its nominated committee are to manage and enter into any expenditure that exceeds the Chief Executive's financial delegation. The exception to this is if a Council has, via resolution, delegated prior authority to an officer to enter into a certain agreement.
22. Council may, by resolution, appoint observers to the procurement process for a particular project.
23. All procurement is to be conducted within approved budgets as stated in the relevant Long Term Plan or Annual Plan, or, if unbudgeted, as per the financial delegations in the current Delegations Manual.
24. The standard appointment methods are:
 - (i) Direct appointments are permitted for any operational or capital expenditure up and including \$20,000.
 - (ii) Selected or invited procurement processes are permitted for any operational or capital expenditure greater than \$20,000 and less than \$100,000. Council is required to test the market to ensure competitive pricing. Wherever possible, this should involve approaching three companies that undertake the activity for a written quote¹.
 - (iii) Open procurement processes² are required for any operational or capital expenditure exceeding \$100,000.

Note: all values stated are GST exclusive.

¹ Fewer approaches are acceptable if less than three companies undertake the activity.

² e.g. using Government Electronic Tendering System (GETS)

25. It is envisaged that exceptions to the standard appointment method may be appropriate in certain circumstances; for example for exclusive supplier services or if the procurement approver deems that an incident constitutes a level of service continuity emergency.
26. Exceptions may be made by the relevant SLT member in accordance with their financial delegation stated in the current Delegations Manual.³
27. To facilitate transparency and accountability, any exceptions and their reasonings are required to be documented via the relevant project initiation documents or – if this is not possible in the circumstances – self-reported in writing to the Chief Executive.
28. The Projects and Procurement Committee will receive summary statistical information about exceptions on a regular, periodic basis.
29. The evaluation model and contract type will be determined by the procurement approver. The project initiation documents must make a recommendation on the appropriate evaluation model and contract type, and seek comment from the Procurement Lead.
30. In general, straightforward procurement will be awarded based on price attributes utilising a purchase order (and short form agreement for services), whereas more novel or complex procurement will be awarded following a process that includes consideration of non-price attributes utilising NZS 3910/ 916/ 917.

Supporting Local

31. Council recognises that its procurement activities can benefit local businesses and residents when spent within the District. At the same time, Council is mindful of its responsibility to spend public funds with probity, to maximise value for residents, and to minimise opportunity cost.
32. Council will “support local” through the following initiatives:
 - (i) Procuring directly from local suppliers for expenditure less than \$20,000, where a local supplier undertakes the required activity .
 - (ii) Always considering local benefit when utilising a non-price attribute evaluation model, with at least a 10% weighting.
 - (iii) Providing opportunities for local suppliers to better understand Council’s procurement processes and requirements, to improve the likelihood of their successful tendering.
33. These Supporting Local mechanisms and requirements may not apply if funding received for a project from an external party⁴ explicitly precludes it.
34. Procurement activity should be aligned with Council’s economic strategies and priorities, and be responsive to any changes to these. The Procurement Policy or Procurement Manual will be reviewed if they are not considered to align with or support Council’s economic strategies or priorities.
35. Where expenditure is classified as being “significant” and overseen by the Projects and Procurement Committee, the procurement plans must assess how the investment will

³ Rule 12 of the New Zealand Government Procurement Rules (2025) contains further information about potential valid exemptions from open advertising, and should be referred to when making decisions under this clause.

⁴ For example, central government.

support the district's economic well-being, and specifically consider options for supporting the district's economic development strategy.

Placeholder section – Council procurement from companies involved with occupied Palestinian land

36. Placeholder - insert text as per Council decision, or remove section entirely

Monitoring

37. This policy will be monitored in line with Council's Policy Monitoring and Reporting Framework.

38. Indicators of whether this policy is achieving its stated purposes include:

- (i) The percentage of procurement expenditure deemed to be spent locally in each financial year.
- (ii) The extent that the policy is deemed to align with Government Procurement Rules and Office of the Auditor-General advice.
- (iii) The extent that the policy is deemed to align with Council's Strategic Direction and economic strategy(ies).
- (iv) Feedback received from internal or external stakeholders.
- (v) Recommendations from internal or external audits.

Reporting

39. A summary of the performance of this policy will be reported to Council as part of the regular Policy Update (when new information is available).

40. Full performance and monitoring data will be made available to Councillors when available.

41. The Projects and Procurement Committee will receive a report on a regular, periodic basis about approved exceptions to the standard appointment process. This report will also highlight issues – if any – regarding the performance of the policy.

Delegations, References and Revision History

Delegations

Identify here any delegations related to the policy for it to be operative or required as a result of the policy

| Delegation Manual reference | Delegation |
|-----------------------------|---|
| 4.3 Financial Delegations | Refer to the Delegations Manual for the current financial delegations |

References

Include here reference to any documents related to the policy (e.g. operating guidelines, procedures)

| Title | Document reference/ link |
|--------------------|--------------------------|
| Procurement Manual | In development |

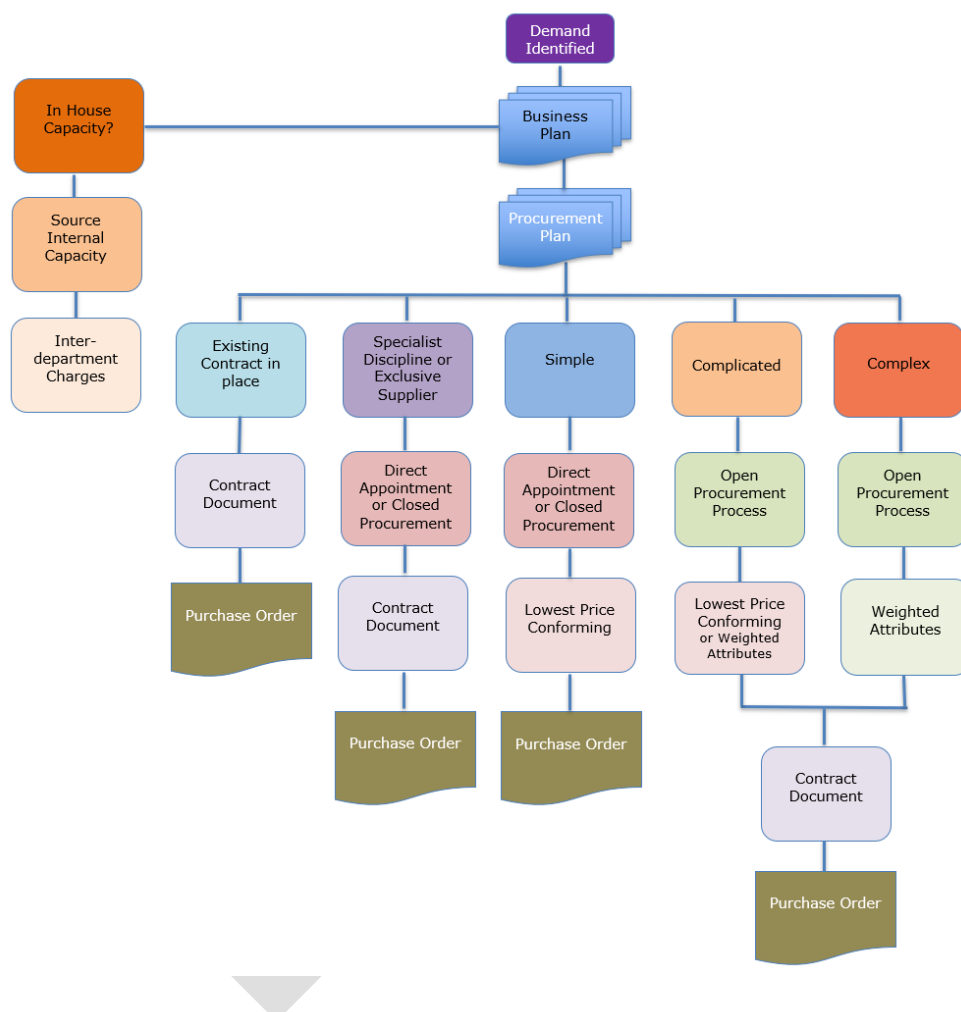
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| | |
|--|---|
| Delegations Manual | #1417284 |
| New Zealand Standards of Integrity and Conduct | https://www.publicservice.govt.nz/guidance/standards-of-integrity-and-conduct |
| New Zealand Government Procurement Rules | https://www.procurement.govt.nz/government-procurement-framework/government-procurement-rules/ |
| Office of the Auditor-General procurement principles | https://www.oag.parliament.nz/good-practice/procurement |

| Revision History | | | | | |
|---|----------------------------------|---------------|----------------------------------|-------------|----------|
| Summary of the development and review of the policy | | | | | |
| Revision | Owner | Date Approved | Approval By | Next Review | Doc Ref |
| 1 | Group Manager Corporate Services | 28/07/2015 | Policy and Development Committee | 31/07/2018 | #944011 |
| 2 | Procurement Lead | TBC | Council | TBC | #1617168 |

Appendix A – Procurement Decision Tree



Appendix B – Managing procurement that is out of scope for this policy

The “Scope” section of this policy identifies areas of expenditure that this policy does not apply to. This is normally because legislative requirements or other policies may apply, or a formal procurement process does not align well to the type of expenditure.

For clarity, the procurement rules for managing expenditure that is out of scope with this policy are or can be located as follows:

- (i) Employee Agreements, including payroll and reimbursements – refer to the Individual or Collective Employment Agreement, and another relevant Council policies.
- (ii) Internal invoicing – refer to the Procurement Manual.
- (iii) Grants and sponsorship – refer to the Community Funding Policy.
- (iv) An existing Service Level Agreement – refer to the Procurement Manual (also for new SLAs or renewals/ reviews)
- (v) Property acquisition – refer to the Property Acquisition, Management and Disposal Policy.
- (vi) Procurement undertaken by Council Controlled Organisations (CCOs) – refer to each CCO for their policies and procedures.
- (vii) Payments to government, including treasury, tax, regulatory bodies and financial instruments – refer to the Procurement Manual.
- (viii) Unsolicited proposals – refer to the Procurement Manual. Unsolicited proposals are unique or innovative solutions initiated by suppliers and which may not be suitable to progress through this policy.
- (ix) Declared Civil Defence emergencies – refer to the Delegations Manual for Civil Defence emergencies.
- (x) New Zealand Transport Agency (NZTA) contracts – refer to the Procurement Manual. Activities funded through the National Land Transport Programme will follow the Waka Kotahi New Zealand Transport Agency procurement procedures.
- (xi) Original Equipment Manufacturer (OEM) – refer to the Procurement Manual.
- (xii) All-of-Government (AoG) contracts – refer to the Procurement Manual. AoGs establish supply agreements with approved suppliers for selected common goods or services purchased across government. Council may purchase from AoGs at their discretion.
- (xiii) Ancillary spend such as petty cash transactions, bank fees and PCard purchases – refer to the Procurement Manual.



Submission from PSNA to Timaru District Council on Wednesday 5th June 2024

Presenter: Tracey Howard

1. Proposed Resolution to implement UNSC 2334

“That Timaru District Council supports Aotearoa New Zealand government policy, as expressed through United Nations Security Council resolution 2334, and will decline to purchase goods and services from companies identified by the United Nations Human Rights Council as being involved in the building or maintenance of illegal Israeli settlements on occupied Palestinian land”

Background

In December 2016 the United Nations Security Council passed resolution 2334 (UNSC2334).

This resolution was co-sponsored by the New Zealand government under National Party leadership with Bill English as Prime Minister and Murray McCully as Foreign Minister. Through this resolution the United Nations Security Council states that, in the occupied Palestinian territories, Israeli settlements had “**no legal validity**” and constituted “**a flagrant violation under international law**”. It said they were a “**major obstacle to the achievement of the two-state solution and a just, lasting and comprehensive peace**” in the Middle East.

The full text of UNSC2334 is included as an appendix to this letter.

We are asking Christchurch City Council to take steps to implement UNSC2334 and in particular paragraph 5 which states:

5. Calls upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

Current Situation

The current Aotearoa New Zealand government supports UNSC2334, as do the opposition parties.

On 19 July 2024 the International Court of Justice reiterated its declaration that the Israeli settlements in the Occupied Palestinian Territory are illegal and that settlers should be withdrawn immediately.

The ICJ stated that the Israeli occupation itself is an illegal presence and must end. **The ICJ requires countries to ensure they do not render aid or assistance to the occupation.**

On 18 September 2024 New Zealand joined 123 other countries who voted in the UN General Assembly in favour of a resolution which gave Israel a year to withdraw from the Occupied Palestinian Territory.

Why does this matter now?

In December 2022 Israel elected its most extreme ethno-nationalist government ever and as well as stepping up their brutal repression of Palestinians and making clear they will not negotiate with Palestinians on a peace plan or the formation of a Palestinian state, they have said their “[top priority](#)” is to push ahead with more illegal Israeli settlements on occupied Palestinian land. In the last week of June 2023 Israel’s leaders announced plans to [build more than 5,000 additional houses](#) in these illegal settlements on Palestinian land and on 29 May 2025 Israel [announced the creation of 22 more illegal settlements on Palestinian land](#).

. Further [expansion of these settlements in the occupied West Bank](#) is taking place while the world is distracted with Israel’s ongoing slaughter of Palestinians in Gaza.

Meanwhile in June 2023 United Nations Human Rights Council updated its [database of companies complicit in illegal Israeli settlements](#). The [updated database is here in a pdf](#).

Please note that our Ministry of Foreign Affairs has informed PSNA that:

We are able to confirm that we will not be providing any advice to Councils as to whether or not they should pass the resolution you have circulated. Any decision on implementing, or not implementing the proposed resolution is for those Councils to take, and will not represent a position of the Executive Government. If we are asked for advice, any responses will be limited to providing a summary of New Zealand’s relevant international policy settings (Resolution 2334, the occupied territories, and our support for a two-state solution)

We thank you for your consideration of this proposed motion.

Ngā mihi.

Nā,

Tracey Howard

Appendix to presentation – full wording of UNSC2334 (2016)

United Nations

S/RES/2334 (2016)



Security Council

Distr.: General

23 December 2016

Resolution [2334 \(2016\)](#)

**Adopted by the Security Council at its 7853rd meeting, on
23 December 2016**

The Security Council,

Reaffirming its relevant resolutions, including resolutions [242 \(1967\)](#), [338 \(1973\)](#), [446 \(1979\)](#), [452 \(1979\)](#), [465 \(1980\)](#), [476 \(1980\)](#), [478 \(1980\)](#), [1397 \(2002\)](#), [1515 \(2003\)](#), and [1850 \(2008\)](#),

Guided by the purposes and principles of the Charter of the United Nations, and reaffirming, inter alia, the inadmissibility of the acquisition of territory by force,

Reaffirming the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of

12 August 1949, and *recalling* the advisory opinion rendered on 9 July 2004 by the International Court of Justice,

Condemning all measures aimed at altering the demographic composition, character and status of the Palestinian Territory occupied since 1967, including East Jerusalem, including, inter alia, the construction and expansion of settlements, transfer of Israeli settlers, confiscation of land, demolition of homes and displacement of Palestinian civilians, in violation of international humanitarian law and relevant resolutions,

Expressing grave concern that continuing Israeli settlement activities are dangerously imperilling the viability of the two-State solution based on the 1967 lines,

Recalling the obligation under the Quartet Roadmap, endorsed by its resolution [1515 \(2003\)](#), for a freeze by Israel of all settlement activity, including “natural growth”, and the dismantlement of all settlement outposts erected since March 2001,

Recalling also the obligation under the Quartet roadmap for the Palestinian Authority Security Forces to maintain effective operations aimed at confronting all those engaged in terror and dismantling terrorist capabilities, including the confiscation of illegal weapons,

Condemning all acts of violence against civilians, including acts of terror, as well as all acts of provocation, incitement and destruction,

Reiterating its vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders,

Stressing that the status quo is not sustainable and that significant steps, consistent with the transition contemplated by prior agreements, are urgently needed in order to (i) stabilize the situation and to reverse negative trends on the ground, which are steadily eroding the two-State solution and entrenching a one-State reality, and (ii) to create the conditions for successful final status negotiations and for advancing the two-State solution through those negotiations and on the ground,

1. *Reaffirms* that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;

2. *Reiterates* its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;

3. *Underlines* that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations;

4. *Stresses* that the cessation of all Israeli settlement activities is essential for salvaging the two-State solution, and calls for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution;

5. *Calls* upon all States, bearing in mind paragraph 1 of this

resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;

6. *Calls* for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, calls for accountability in this regard, and calls for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism;

7. *Calls upon* both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution, and creating the conditions necessary for promoting peace;

8. *Calls upon* all parties to continue, in the interest of the promotion of peace and security, to exert collective efforts to launch credible negotiations on all final status issues in the Middle East peace process and within the time frame specified by the Quartet in its statement of 21 September 2010;

9. *Urges in this regard* the intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet Roadmap and an end to the Israeli occupation that began in 1967; and *underscores* in this regard the importance of the ongoing efforts to advance the Arab Peace Initiative, the initiative of France for the convening of an international peace conference, the recent efforts of the Quartet, as well as the efforts of Egypt and the Russian Federation;

10. *Confirms its determination* to support the parties throughout the negotiations and in the implementation of an agreement;

11. *Reaffirms* its determination to examine practical ways and means to secure the full implementation of its relevant resolutions;

12. *Requests* the Secretary-General to report to the Council every three months on the implementation of the provisions of the present resolution;

13. *Decides* to remain seized of the matter.

18/06/2025, 07:16

Petition · Call to Timaru District Council to comply with United Nations Resolution 2334 (1) - Timaru, New Zealand · Change.org

change.org

Start a petition



Call to Timaru District Council to comply with United Nations Resolution 2334 (1)

Sign petition

146[✓]

Verified signatures ▾

The issue

To: Timaru District Council**Request Timaru District Council to comply with United Nations Resolution 2334: and refrain from investing in/doing business with companies involved with the illegal Israeli settlements.**

We, the undersigned residents of the Timaru region, call upon our elected officials in the Timaru District Council to add the following wording to its procurement policies:

The Timaru District Council will comply with United Nations resolution 2334 (1) and will not contract with the list of companies identified by the United Nations Human Rights Council as being involved in the building or maintenance of illegal Israeli settlements.

https://www.change.org/p/call-to-timaru-district-council-to-comply-with-united-nations-resolution-2334-1?recruiter=1359711723&recruited_by_id=... 1/18

18/06/2025, 07:16

Petition · Call to Timaru District Council to comply with United Nations Resolution 2334 (1) - Timaru, New Zealand · Change.org

Why is this important?

All people, whether in Timaru or in Occupied Palestine, should have the right to freedom, safety and self-determination. Now is the time to stand up and add your voice to the millions who, in an act of humanity, are saying "No" to illegal occupation in Palestine.

Environment Canterbury, Christchurch City Council and Nelson City Council have taken this humanitarian action.

We seek that the Timaru District Council align their procurement policy with United Nations Resolution 2334, and the obligations placed on member states by that resolution.

Israel is currently in breach of numerous international laws. Israel is illegally occupying Palestinian territory (2, 3). UN resolution 2334 refers to the territory held by Palestine in 1967 and the illegal occupation of that territory by Israel.

As an occupier state, Israel has legal obligations to protect Palestinians who live in their territory. Israel is in breach of these obligations by directly targeting and harming Palestinian civilians.

UN resolution 2334 requests that Israel cease all settlement activities in the occupied territory. In support of this, Clause 5 of the resolution calls upon all states to distinguish between the territory of the state of Israel and the territories occupied since 1967 in all dealings with the region.

The Resolution was put forward by and voted in favour of by the New Zealand government under the leadership of the National Party in 2016 (4).

Subsequently, in February 2020 the United Nations published a database of over 100 companies it considered were doing business in the Israeli settlements. On 1 July 2023, the United Nations reviewed the list and removed 15 companies from the list due to them having halted activity in the Israeli settlements.

United Nations Resolution 2334 declared that all member states should not deal with organisations doing business in the illegally occupied Palestinian Territories, this includes Aotearoa/New Zealand.

We call on our local government to align its procurement policy with UN resolution 2334.

References:

<https://www.un.org/webcast/pdfs/SRES2334-2016.pdf>

<https://www.icj-cij.org/node/204176>

<https://www.ohchr.org/en/press-releases/2024/07/experts-hail-icj-declaration-illegality-israels-presence-occupied>

<https://www.mfat.govt.nz/en/media-and-resources/un-security-council-adopts-historic-resolution-on-israeli-settlements>

https://www.change.org/p/call-to-timaru-district-council-to-comply-with-united-nations-resolution-2334-1?recruiter=1359711723&recruited_by_id=... 2/18

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| Name | City | State | Postal Code | Country | Signed On |
|-----------------------------|-----------|-------|-------------|-------------|------------|
| traceyh.nl@gmail.com Howard | | | 7930 | New Zealand | 2024-12-07 |
| Jessica Young | Timaru | | | New Zealand | 2024-12-07 |
| Paigan Fletcher | Waimate | | | New Zealand | 2024-12-07 |
| Anna Young | Geraldine | | | New Zealand | 2024-12-07 |
| Imogen Young | Geraldine | | | New Zealand | 2024-12-07 |
| Suvi Manning | Timaru | | | New Zealand | 2024-12-07 |
| Elizabeth Malam | Timaru | | | New Zealand | 2024-12-07 |
| Erin Brehaut | Timaru | | 7910 | New Zealand | 2024-12-07 |
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| Aida Tajuddin | Timaru | | | New Zealand | 2024-12-07 |
| Mei McGrath | Timaru | | | New Zealand | 2024-12-07 |
| Paul Howard | Timaru | | 7930 | New Zealand | 2024-12-08 |
| Genevieve Scott | Timaru | | | New Zealand | 2024-12-08 |
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| Amy Lindbom | Timaru | | | New Zealand | 2024-12-08 |
| Scott Lindbom | Timaru | | | New Zealand | 2024-12-08 |
| Justine Reihana | Timaru | | | New Zealand | 2024-12-08 |
| Nikcy Severenso | Timaru | | | New Zealand | 2024-12-08 |
| Chrisy Davison | Timaru | | | New Zealand | 2024-12-08 |
| Denise Weaich | | | | New Zealand | 2024-12-08 |
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| Jayne Blakemore | Timaru | | 7910 | New Zealand | 2024-12-08 |
| Nicki Law | Timaru | | | New Zealand | 2024-12-08 |
| Julian Maze | Timaru | | | New Zealand | 2024-12-08 |
| Kevin Foley | Timaru | | | New Zealand | 2024-12-08 |
| Jude mckenzie | Timaru | | | New Zealand | 2024-12-09 |
| Leontie Litten | Timaru | | | New Zealand | 2024-12-09 |
| Solome Mair | | | | New Zealand | 2024-12-09 |
| Sharlee Hole | Timaru | | | New Zealand | 2024-12-09 |
| Don Murray | Geraldine | | | New Zealand | 2024-12-09 |
| Mojo Mathers | Geraldine | | | New Zealand | 2024-12-09 |

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| Mary Hamilton | Timaru | New Zealand | 2024-12-09 |
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| Sam Shaw | Timaru | New Zealand | 2024-12-10 |
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| Mary Clarke | Timaru | New Zealand | 2024-12-10 |
| kate poulter | Timaru | New Zealand | 2024-12-10 |
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| Alisha McCoy | Timaru | New Zealand | 2024-12-19 |
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| Alex Rabbidge | Timaru | New Zealand | 2024-12-19 |
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| Tayla Coochey | Temuka | New Zealand | 2024-12-19 |
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| Saqib Hussain | Waimate | New Zealand | 2024-12-19 |

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| Hary aldahe | Waimate | New Zealand | 2024-12-19 |
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| Leondra Roberts ChCh | New Zealand | 2024-12-27 |
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| Kathrine Ross | New Zealand | 2024-12-27 |
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| Adam Jordan | New Zealand | 2024-12-27 |
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| Robin Wilson-Whiting | New Zealand | 2024-12-28 |
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| Ellena McArthur | New Zealand | 2024-12-28 |
| Jasmine Vai | New Zealand | 2024-12-28 |
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| Janet Bogle | New Zealand | 2024-12-29 |
| Daniel Smit | New Zealand | 2024-12-29 |
| Tamara Harris Timaru | New Zealand | 2024-12-29 |

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| Beau Ranapia | New Zealand | 2024-12-29 |
| Ruamano Heurea | New Zealand | 2024-12-30 |
| TeOhorangi Teepa | New Zealand | 2024-12-30 |
| irfan Miq | New Zealand | 2024-12-30 |
| Kendra Dona | New Zealand | 2024-12-30 |
| Codi Pitman | New Zealand | 2024-12-30 |
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| Sarah Yousef | New Zealand | 2024-12-31 |
| Chrisjayd Keil | New Zealand | 2025-01-03 |
| Henry Matthews | New Zealand | 2025-01-03 |
| Katrina Mitchell-kouttab | New Zealand | 2025-01-04 |
| Hazel Walker | New Zealand | 2025-01-05 |
| Tiara Williams | New Zealand | 2025-01-06 |
| Rhys Cornor | New Zealand | 2025-01-06 |
| Joanna Clouston | New Zealand | 2025-01-07 |
| Stefan Hadfield | New Zealand | 2025-01-07 |
| Jane England | New Zealand | 2025-01-07 |
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A/HRC/60/19

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8 September–3 October 2025

Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

**Database of all business enterprises involved in the activities
detailed in paragraph 96 of the report of the independent
international fact-finding mission to investigate the
implications of the Israeli settlements on the civil, political,
economic, social and cultural rights of the Palestinian people
throughout the Occupied Palestinian Territory, including
East Jerusalem**

Report of the United Nations High Commissioner for Human Rights**Summary*

The present report has been prepared pursuant to Human Rights Council resolutions 31/36 and 53/25, in which the Council requested that the United Nations High Commissioner for Human Rights produce and update a database of all business enterprises involved in the activities detailed in paragraph 96 of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem. The report contains an update to the database first issued in 2020, including the addition and removal of business enterprises pursuant to Council resolution 53/25, and lists business enterprises involved in specific activities related to the Israeli settlements in the Occupied Palestinian Territory.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

A/HRC/60/19

I. Introduction

1. The present report is submitted to the Human Rights Council pursuant to Council resolution 31/36, entitled “Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan”, and Council resolution 53/25, entitled “Implementation of Human Rights Council resolution 31/36”.

A. Mandate

2. In paragraph 17 of its resolution 31/36, the Human Rights Council requested the United Nations High Commissioner for Human Rights, in consultation with the Working Group on the issue of human rights and transnational corporations and other business enterprises, to produce, and annually update, a database of all business enterprises engaged in certain specified activities related to the Israeli settlements in the Occupied Palestinian Territory.

3. In paragraph 1 of resolution 53/25, the Council requested the High Commissioner to ensure that the yearly updates of the database included the addition and removal of companies and to present the database on an annual basis to the Council starting from its fifty-seventh session.

4. The request for the production of a database was made by the Human Rights Council in follow-up to the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem.¹ In paragraph 96 of its report, the fact-finding mission set out a list of activities that raised particular human rights concerns (referred to as “listed activities”). In its resolution 31/36, the Council defined the database by reference to those listed activities, which are the following:

- (a) The supply of equipment and materials facilitating the construction and the expansion of settlements and the wall, and associated infrastructure;
- (b) The supply of surveillance and identification equipment for settlements, the wall and checkpoints directly linked with settlements;
- (c) The supply of equipment for the demolition of housing and property, the destruction of agricultural farms, greenhouses, olive groves and crops;
- (d) The supply of security services, equipment and materials to enterprises operating in settlements;
- (e) The provision of services and utilities supporting the maintenance and existence of settlements, including transport;
- (f) Banking and financial operations helping to develop, expand or maintain settlements and their activities, including loans for housing and the development of businesses;
- (g) The use of natural resources, in particular water and land, for business purposes;
- (h) Pollution, and the dumping of waste in or its transfer to Palestinian villages;
- (i) Captivity of the Palestinian financial and economic markets, as well as practices that disadvantage Palestinian enterprises, including through restrictions on movement, administrative and legal constraints;
- (j) Use of benefits and reinvestments of enterprises owned totally or partially by settlers for developing, expanding and maintaining the settlements.

¹ A/HRC/22/63.

5. As noted in previous reports, the database includes only business enterprises involved in the activities listed above.² It does not cover all business activities related to the settlements, nor does it extend to other business activities in the Occupied Palestinian Territory that may raise human rights concerns.

6. Business enterprises engaged in activities related to the occupied Syrian Golan and Gaza do not fall within the scope of this mandate.³

B. Reporting pursuant to the mandate

7. In 2018, the United Nations High Commissioner for Human Rights presented a report to the Human Rights Council at its thirty-seventh session, outlining the methods of work and methodology to be applied in fulfilling the mandate established by the Council in resolution 31/36.⁴

8. In 2020, the High Commissioner submitted a report to the Human Rights Council at its forty-third session;⁵ the report contained a list of 112 business enterprises that met the standard for inclusion in the database.⁶

9. In 2023, OHCHR published an update containing a review of the status of the 112 business enterprises listed in the 2020 report.⁷ The review resulted in 15 business enterprises being removed from the database. The update was shared with the President of the Human Rights Council and made publicly accessible on the OHCHR website.

10. In 2024, pursuant to Human Rights Council resolution 53/25, the High Commissioner submitted a report to the Council at its fifty-seventh session.⁸ In that report, the High Commissioner described the state of progress made towards the update of the database, and detailed the legal and human rights foundations for the work, as well as the methodology being used to update the database.

11. The present report provides an update of the database (see annexes I and II), including with respect to the addition and removal of companies. Given the large number of allegations received through the open call for inputs made in May 2024 and in the light of the resources available, the update covers only a portion of the business enterprises under review.⁹ Work continues on reviewing the business enterprises not addressed in the current update.

II. Normative framework

12. In his 2024 report, the High Commissioner provided an overview of the normative framework applying to the mandate, including the Guiding Principles on Business and Human Rights provisions on the “involvement framework” and those on remediation.¹⁰

² A/HRC/43/71, paras. 6–8; and A/HRC/57/21, para. 5. See also Office of the United Nations High Commissioner for Human Rights (OHCHR), “OHCHR update of database of all business enterprises involved in the activities detailed in paragraph 96 of the report of the independent international factfinding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem” (2023), paras. 7 and 8, available at <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session31/database-hrc3136/23-06-30-Update-israeli-settlement-opt-database-hrc3136.pdf>.

³ While the Human Rights Council mentions the occupied Syrian Golan in its resolution 31/36, the request in paragraph 17 of that resolution, for the production of the database, does not refer to that region.

⁴ A/HRC/37/39, paras. 7–26.

⁵ A/HRC/43/71.

⁶ Ibid., para. 31. See also A/HRC/37/39, paras. 10 and 11.

⁷ See OHCHR, “OHCHR update of database”.

⁸ A/HRC/57/21.

⁹ For details on the number of submissions reviewed, see paragraph 19 of the present report.

¹⁰ A/HRC/57/21, paras. 12–26.

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13. Of relevance to the mandate, in July 2024, the International Court of Justice found, *inter alia*, that the policies and practices of Israel, including the maintenance and expansion of settlements, the construction of associated infrastructure, including the wall, and the exploitation of natural resources, together with other steps, amounted to “annexation of large parts of the Occupied Palestinian Territory”.¹¹ It also found that the policies and practices of Israel were in breach of the obligation of Israel to respect the right of the Palestinian people to self-determination.¹² Finally, the Court found that “all States are under an obligation not to recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory” and that “they are also under an obligation not to render aid or assistance in maintaining the situation created by Israel’s illegal presence in the Occupied Palestinian Territory”.¹³

III. Methodology

A. Application of methodological approach

14. In discharging the mandate, OHCHR has been guided by the principles of independence, impartiality, objectivity, credibility and professionalism. The methodology was formulated on the basis of best practice, advice and guidance from the Working Group on the issue of human rights and transnational corporations and other business enterprises, consultations with stakeholders,¹⁴ and the wider work of OHCHR on the human rights responsibilities of business entities.

15. Within the parameters set out in Human Rights Council resolutions 31/36 and 53/25 and in the report of the international independent fact-finding mission,¹⁵ the implementation of the mandate is based primarily on the Guiding Principles on Business and Human Rights as the key framework for assessing the potential involvement of business enterprises in the activities falling within the scope of the mandate.

16. The work on the present update does not purport to constitute a judicial or quasi-judicial process of any kind, nor does it provide any legal characterization of the listed activities or business enterprises’ involvement therein. It is designed to serve as a tool to inform States, business enterprises and other stakeholders of where there are reasonable grounds to believe that a company is involved in one or more of the listed activities and to assist them in complying with their respective legal obligations and responsibilities under international law.

17. For the present update, OHCHR took into consideration alleged involvements that took place between 2 August 2019 and 30 April 2025 for inclusion in the current update of the database.¹⁶ Involvement in one or more of the listed activities found to have taken place before or after this assessment period is not reflected in the present update.

18. The present update reflects a factual assessment of involvement in one or more of the listed activities that took place during the above-mentioned period. Business enterprises in respect of which OHCHR found reasonable grounds to believe that they were involved in one or more of the listed activities during the assessment period were included in the database. OHCHR did not independently assess whether the involvement may have ceased

¹¹ *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024 (A/78/968), para. 173.

¹² *Ibid.*, para. 243.

¹³ *Ibid.*, para. 279. As part of that duty, the Court noted the obligations “to abstain from entering into economic or trade dealings with Israel concerning the Occupied Palestinian Territory or parts thereof which may entrench its unlawful presence in the territory” and “to take steps to prevent trade or investment relations that assist in the maintenance of the illegal situation created by Israel in the Occupied Palestinian Territory” (*ibid.*, para. 278).

¹⁴ A/HRC/37/39, para. 7; and A/HRC/57/21, para. 27.

¹⁵ See A/HRC/22/63.

¹⁶ The update, generated from the database, released in 2020 (see A/HRC/43/71) covered the assessment period of 1 January 2018 to 1 August 2019. The update published by OHCHR in 2023 consisted of a reassessment of the existing list only and was not formally submitted to the Human Rights Council.

by the end of the assessment period. Where, however, OHCHR received, within the 60-day deadline provided to business enterprises for response (see para. 22 below), reliable evidence that such activities had ceased, the business enterprise concerned was not included in the present report.

B. Review of submissions and assessment

19. All business enterprises listed in the update prepared by OHCHR in 2023 were reassessed. In response to the call for inputs made in May 2024, OHCHR received a total of 733 submissions; the preliminary screening indicated that the submissions included allegations of the involvement of 596 business enterprises in listed activities.¹⁷ In the light of available resources and wider liquidity constraints being faced by the Secretariat, OHCHR was not in a position to fully review, consistent with procedural fairness, all of those submissions in time for reflection in the present update.

20. OHCHR therefore prioritized the review of 215 business enterprises, including all 97 business enterprises previously listed in the database following the 2023 update, on the basis of a number of factors, including the severity of the actual or potential adverse human rights impacts of the sector of operation.¹⁸ Future updates will reflect the determination of the allegations that have been received but which have not yet been fully reviewed; in line with the progress that OHCHR is able to make under the current constraints. This will include other business enterprises that may conduct business activities similar to those of enterprises included in the present update.

C. Engagement with business enterprises and other stakeholders

21. As part of its consistent approach to carrying out the mandate, OHCHR has prioritized open and comprehensive dialogue and exchange with business entities concerned, to enhance transparency and afford fairness. In October 2024, all screened business enterprises were informed that OHCHR had received allegations as to their potential involvement in one or more of the listed activities and were invited to provide any relevant information within a period of 60 days. OHCHR analysed the information received in response to this invitation, along with other information gathered in accordance with the methodology applied.¹⁹

22. Upon completion of its initial detailed review of the prioritized 215 business enterprises, including information provided by the enterprises in response to the initial communication from OHCHR, OHCHR notified the entities concerned, in writing, as to the outcomes of its preliminary assessment. Those found to be involved in one or more of the listed activities during the period indicated above were given a further 60 days to provide any additional information, clarification or update on the situation to OHCHR, including evidence that any relevant involvement in listed activities had ceased, as applicable. OHCHR received additional information from 18 business enterprises further to that notification, and, following an analysis, took the information into consideration in its final determinations.

23. Where a business enterprise declined to provide substantive information or failed to respond at all, this did not of itself prevent a determination as to its involvement in listed activities from being made.²⁰

24. With a view to promote understanding and transparency, OHCHR continues to engage with interested Member States, business enterprises and other stakeholders. Since 1 October 2024, OHCHR has engaged with 13 Member States, 32 business enterprises and 21 other stakeholders. OHCHR remains open to constructive dialogue with business enterprises and all other stakeholders in the implementation of the mandate.

¹⁷ A/HRC/57/21, paras. 42 and 43.

¹⁸ Ibid., para. 48.

¹⁹ Ibid., para. 37.

²⁰ Ibid., para. 40.

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D. Standard of proof for inclusion in the database

25. Where there are reasonable grounds to believe, on the basis of the totality of the information reviewed by OHCHR, that a business enterprise is involved in one or more of the listed activities, the business enterprise has been included in the database. This standard is consistent with the practice of United Nations fact-finding bodies²¹ and is lower than a criminal standard. There are “reasonable grounds to believe” that a business enterprise is involved in one or more of the listed activities where OHCHR has reviewed a reliable body of information, consistent with other material, on the basis of which a reasonable and ordinarily prudent person would have reason to believe that the business enterprise was involved in such activities.²²

E. Standard of proof for removal from the database

26. A business enterprise can be removed from the database if there are reasonable grounds to believe, on the basis of the totality of the information reviewed by OHCHR, that the enterprise is no longer involved in the activities that justified its inclusion. In the light of available resources and wider liquidity constraints, OHCHR is not in a position to proactively review previous determinations on an ongoing basis. A review of a previous determination is conducted when OHCHR receives new, reliable information indicating that continued inclusion in the database is no longer warranted.

F. Update of the database

27. Business enterprises for which OHCHR found reasonable grounds to believe that there was involvement in one or more of the listed activities during the current assessment period are included in the database (see annex I). Business enterprises listed in the 2023 update for which OHCHR found that the involvement had ceased have been removed from the database (see annex II).

28. Of the 215 business enterprises assessed for the present update, OHCHR found reasonable grounds to believe that 158 were involved in one or more of the listed activities; OHCHR did not find reasonable grounds to believe that the remaining companies it assessed were involved in any of the listed activities. The assessment of OHCHR is ongoing with regard to a subset of those remaining companies..

29. In addition to publishing the present document, OHCHR will publish the annexes to the present document on its web page dedicated to the database.²³ OHCHR will also post, on the same web page, communications from companies that request to have their responses or comments shared publicly.

30. OHCHR is continuing the review of the allegations concerning the business enterprises whose assessment could not be completed in time to be reflected in the present report due to resource limitations.

31. OHCHR is also continuing its efforts to distinguish appropriately between the different forms of involvement of a business enterprise, in alignment with the Guiding Principles on Business and Human Rights, which state that the corporate responsibility to respect human rights requires that business enterprises: (a) avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur; and (b) seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts. OHCHR is conducting this work with a view to refining the understanding of the ways in which business enterprises may become involved in adverse

²¹ United Nations, *Commissions of Inquiry and Fact-Finding Missions on International Human Rights and Humanitarian Law: Guidance and Practice* (New York and Geneva, 2015).

²² A/HRC/57/21, para. 34.

²³ See <https://www.ohchr.org/en/business/bhr-database>.

human rights impacts within the overall meaning of the Guiding Principles and of the actions they are expected to take in response.

IV. Conclusions and recommendations

32. States must fully respect their legal obligations under international law, including as clarified by the International Court of Justice in its advisory opinion of 19 July 2024, including as they relate to the regulation of business enterprises domiciled in their territory and/or subject to their jurisdiction.

33. States should implement their duty to protect and ensure respect for human rights, including by setting out clearly the expectation that all business enterprises domiciled in their territory and/or jurisdiction respect human rights throughout their operations. States of domicile, in particular, have a crucial role to play, using their regulatory and policy tools, to ensure that business enterprises respect internationally recognized human rights in challenging operating contexts, including contexts affected by conflict.

34. States should act with diligence to ensure that business enterprises operating in conflict-affected areas are not involved in or otherwise materially contributing to serious human rights violations or abuses.

35. States must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when business-related human rights abuses occur within their territory and/or their jurisdiction, those affected have access to effective remedies, consistent with international law.

36. Business enterprises should meet their own responsibility to respect human rights under widely accepted international standards, in addition to ensuring compliance with national laws and regulations protecting human rights. Where business enterprises are involved in listed activities, they should take appropriate action to address the adverse human rights impacts of the activities in which they are involved.

37. The responsibility to respect human rights requires that business enterprises have in place policies and processes through which they can both know and show that they respect human rights in practice. This includes being prepared to communicate about how they address their human rights impacts, particularly when concerns are raised by or on behalf of affected stakeholders.

38. Where business enterprises identify that they have caused or contributed to adverse human rights impacts, they should provide for or cooperate in remediation through appropriate processes. The responsibility to respect human rights requires active engagement in mitigation and remediation of harm, by the enterprise concerned itself or in cooperation with other actors.

39. All business enterprises that OHCHR has been or may be in contact with in carrying out its mandate under Human Rights Council resolutions 31/36 and 53/25 are encouraged to cooperate with OHCHR, with a view to engaging in constructive dialogue and progressing towards human rights-consistent outcomes.

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Annex I**Business enterprises involved in listed activities^a**

| <i>No.</i> | <i>Business enterprise</i> | <i>Listed activity (subparagraph of paragraph 96)</i> | <i>Home State</i> |
|------------|---|---|-----------------------------|
| 1 | A. Barkan and Partners Ltd. | (a), (g) | Israel |
| 2 | Ackerstein Industries Ltd. | (a) | Israel |
| 3 | ACS Actividades de Construcción y Servicios S.A. | (g) | Spain |
| 4 | Ahava – Dead Sea Laboratories Ltd. | (g) | Israel |
| 5 | Airbnb Inc. | (e) | United States of America |
| 6 | Alon Blue Square Israel Ltd. | (e), (g) | Israel |
| 7 | Altice International Ltd. | (e), (g) | Luxembourg |
| 8 | Amir Marketing and Investments in Agriculture Ltd. | (g) | Israel |
| 9 | Amos Hadar Properties and Investments Ltd. | (g) | Israel |
| 10 | Amot Investments Ltd. | (g) | Israel |
| 11 | Anglo Saxon Real Estate Agency (Israel 1992) Ltd. | (e), (g) | Israel |
| 12 | Archivists Ltd. | (g) | Israel |
| 13 | Ashtrom Group Ltd. | (g) | Israel |
| 14 | Ashtrom Industries Ltd. | (g) | Israel |
| 15 | Ashtrom Residential Development Ltd. ^b | (e), (g) | Israel |
| 16 | B. Gaon Holdings Ltd. | (a) | Israel |
| 17 | Bank Hapoalim Ltd. | (e), (f), (g) | Israel |
| 18 | Bank Leumi Le-Israel Ltd. | (e), (f), (g) | Israel |
| 19 | Bank of Jerusalem Ltd. | (e), (f), (g) | Israel |
| 20 | Barad Earthworks, Development and Roadworks Ltd. | (a), (e) | Israel |
| 21 | Bar-Amana Buildings Construction and Development Company Ltd. | (a), (e) | Israel |
| 22 | Baran Group Ltd. | (e) | Israel |
| 23 | Bardarian Brothers Ltd. | (a), (e), (g) | Israel |
| 24 | Beit Haarchiv Ltd. | (g) | Israel |
| 25 | Bezeq, the Israeli Telecommunications Corp. Ltd. | (e), (g) | Israel |

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| <i>No.</i> | <i>Business enterprise</i> | <i>Listed activity (subparagraph of paragraph 96)</i> | <i>Home State</i> |
|------------|--|---|----------------------------|
| 26 | Boneich Construction Development & Investments Ltd. | (a), (g) | Israel |
| 27 | Booking Holdings Inc. | (e) | United States of America |
| 28 | Booking.com B.V. | (e) | Kingdom of the Netherlands |
| 29 | Brothers Hasid Construction Contracting Company Ltd. | (a), (e), (g) | Israel |
| 30 | C. Mer Industries Ltd. | (b), (e) | Israel |
| 31 | Café Café Israel Ltd. | (e), (g) | Israel |
| 32 | Caliber 3 Ltd. | (d), (g) | Israel |
| 33 | Cellcom Israel Ltd. | (e), (g) | Israel |
| 34 | Cherriessa Ltd. | (g) | Israel |
| 35 | Cim Lustigman Development and Construction Ltd. | (g) | Israel |
| 36 | CityBook Services Ltd. | (g) | Israel |
| 37 | Comasco Ltd. | (a), (c) | Israel |
| 38 | Construcciones y Auxiliar de Ferrocarriles S.A. (CAF) | (a), (e), (g) | Spain |
| 39 | D.N. Kol-Gader Ltd. | (g) | Israel |
| 40 | Dalia Elispur Construction Contracting Company 1972 Ltd. | (a), (g) | Israel |
| 41 | Dan Public Transportation Company Ltd. | (a), (e), (g) | Israel |
| 42 | Danya Cebus Ltd. | (a), (e), (g) | Israel |
| 43 | Davidov Garages Ltd. ^c | (e), (g) | Israel |
| 44 | Db Billiards Ltd. ^d | (e), (g), (j) | Israel |
| 45 | Delek Group Ltd. | (e), (g) | Israel |
| 46 | Delta Galil Industries Ltd. | (g) | Israel |
| 47 | Delta Israel Brands Ltd. | (g) | Israel |
| 48 | Dor Alon Energy in Israel 1988 Ltd. | (e), (g) | Israel |
| 49 | EPR Systems Ltd. | (e), (g) | Israel |
| 50 | E.T. Legal Services Ltd. | (c), (e) | Israel |
| 51 | Egged Transportation Ltd. | (e) | Israel |
| 52 | Egis | (e) | France |
| 53 | Egis Rail | (e) | France |
| 54 | Einav Hahetz 1965 Ltd. | (g) | Israel |

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| <i>No.</i> | <i>Business enterprise</i> | <i>Listed activity (subparagraph of paragraph 96)</i> | <i>Home State</i> |
|------------|--|---|--|
| 55 | Elco Ltd. | (a), (e), (g) | Israel |
| 56 | Electra Afikim Ltd. | (e) | Israel |
| 57 | Electra Group Ltd. | (e), (g) | Israel |
| 58 | Elyakim Ben-Ari Ltd. | (g) | Israel |
| 59 | Euro-Israel (Y.S.) Ltd. | (a), (g) | Israel |
| 60 | Expedia Group Inc. | (e) | United States of America |
| 61 | Export Investment Company Ltd. | (e), (f), (g) | Israel |
| 62 | Extal Ltd. | (g) | Israel |
| 63 | Extra Retail Group Ltd. ^e | (e), (g) | Israel |
| 64 | Field Produce Ltd. | (g) | Israel |
| 65 | Field Produce Marketing Ltd. | (g) | Israel |
| 66 | First International Bank of Israel Ltd. | (e), (f), (g) | Israel |
| 67 | Fosun International Ltd. | (g) | China |
| 68 | Gadish Engineering Company Ltd. (Gadish Group) | (a), (e), (g) | Israel |
| 69 | Galnor Construction and Development Ltd. | (a), (e) | Israel |
| 70 | Galshan Shvakim Ltd. | (e) | Israel |
| 71 | Geo-Da – Lands & Property Management & Information Ltd. | (e) | Israel |
| 72 | Greenkote P.L.C. | (g) | United Kingdom of Great Britain and Northern Ireland |
| 73 | Greenmix, of Benny and Tzvika Group Ltd. | (g) | Israel |
| 74 | Haim Zaken Construction & Investments Ltd. | (a), (e), (g) | Israel |
| 75 | Hamat Group Ltd. | (g) | Israel |
| 76 | Hanson Israel Ltd. | (g) | Israel |
| 77 | Harsa Studio – Sanitaryware Manufacturers Ltd. ^f | (g) | Israel |
| 78 | Heidelberg Materials AG | (g) | Germany |
| 79 | Hot Mobile Ltd. | (e), (g) | Israel |
| 80 | Hot Telecommunication Systems Ltd. | (e), (g) | Israel |
| 81 | Impact Property Development Ltd. ^g | (e), (g) | Israel |
| 82 | Ingeniería y Economía del Transporte S.M.E. M.P, S.A. (Ineco) | (e) | Spain |

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| <i>No.</i> | <i>Business enterprise</i> | <i>Listed activity (subparagraph of paragraph 96)</i> | <i>Home State</i> |
|------------|--|---|-------------------|
| 83 | Israel Discount Bank Ltd. | (e), (f) | Israel |
| 84 | Israel Railways Corporation Ltd. | (g), (h) | Israel |
| 85 | Italek Ltd. | (e), (g) | Israel |
| 86 | J.C. Bamford Excavators Ltd. | (a), (c) | United Kingdom |
| 87 | Kass – C Ltd. | (a), (e), (g) | Israel |
| 88 | Kavim Public Transportation Ltd. | (e), (g) | Israel |
| 89 | Kfar Giladi Quarries Agricultural Cooperative Association Ltd. | (g) | Israel |
| 90 | Kiriat Sefer (Diur Modyin) Ltd. | (g) | Israel |
| 91 | Kotler Adika Building Company Ltd. | (a), (g) | Israel |
| 92 | Lapidoth Capital Ltd. | (a), (e), (g) | Israel |
| 93 | Magen – Construction Engineering Works Ltd. | (a), (e), (g) | Israel |
| 94 | Margolin Bros. Engineering & Consulting Ltd. | (a), (e), (g) | Israel |
| 95 | Marom Tuval – Consulting, Management & Investments Ltd. | (e) | Israel |
| 96 | Matrix IT Ltd. | (e), (g) | Israel |
| 97 | Mayer's Cars and Trucks Co. Ltd. | (e), (g) | Israel |
| 98 | Medan – Roads and Quarries (1964) Ltd. | (a), (g) | Israel |
| 99 | Mega Or Holdings Ltd. | (g) | Israel |
| 100 | Mekorot Water Company Ltd. | (e), (g) | Israel |
| 101 | Mercantile Discount Bank Ltd. | (e), (f) | Israel |
| 102 | Merkavim Transportation Technologies Ltd. | (e) | Israel |
| 103 | Mery Building Works Contracting Company Ltd. | (g) | Israel |
| 104 | Metrontario Investments Ltd. | (g) | Canada |
| 105 | Minrav Group Ltd. | (g) | Israel |
| 106 | Mishab Housing Construction & Development Company Ltd. | (a), (g) | Israel |
| 107 | Mishkan Eliyahu – Construction and Investment Company Ltd. | (a), (g) | Israel |
| 108 | Mivne Real Estate KD Ltd. | (g) | Israel |
| 109 | Mizrachi & Sons Investments Group Ltd. ^h | (a), (g) | Israel |
| 110 | Mizrahi Tefahot Bank Ltd. | (e), (g) | Israel |
| 111 | Modi'in Ezrachi Group Ltd. | (d), (e), (g) | Israel |
| 112 | Mordechai Aviv 1973 Ltd. | (g) | Israel |

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| <i>No.</i> | <i>Business enterprise</i> | <i>Listed activity (subparagraph of paragraph 96)</i> | <i>Home State</i> |
|------------|---|---|-----------------------------|
| 113 | Motorola Solutions Israel Ltd. | (d), (e) | Israel |
| 114 | Motorola Solutions, Inc. | (d), (e) | United States of America |
| 115 | N.O.H. Management and Consulting Ltd. | (g) | Israel |
| 116 | Natoon – Nof Yam Security Ltd. | (d), (e) | Israel |
| 117 | New Way Traffic Ltd. | (a), (e) | Israel |
| 118 | Ofertex Industries 1997 Ltd. | (g) | Israel |
| 119 | Olenik Transportation Earth Work and Road Constructions Ltd. | (a), (e) | Israel |
| 120 | Oron Group Investments & Holdings Ltd. | (a), (e), (g) | Israel |
| 121 | Partner Communications Company Ltd. | (e), (g) | Israel |
| 122 | Paz Retail and Energy Ltd. ⁱ | (e), (g) | Israel |
| 123 | Pelephone Communications Ltd. | (e), (g) | Israel |
| 124 | Powergen Solar A Ltd. ^j | (a), (e) | Israel |
| 125 | Proffimat S.R Ltd. | (g) | Israel |
| 126 | Rami Levi Chain Stores Hashikma Marketing 2006 Ltd. | (e), (g) | Israel |
| 127 | Rami Levy Hashikma Marketing Communication Ltd. | (e), (g) | Israel |
| 128 | Re/Max Holdings, Inc. | (e), (g) | United States of America |
| 129 | Rotshtein Real Estate Ltd. | (g) | Israel |
| 130 | S.A.G. (Velvel) Building & Development Ltd. | (a), (g) | Israel |
| 131 | Salomon A. Angel Ltd. ^k | (e), (g) | Israel |
| 132 | Sarfati Shimon Ltd. | (a), (g) | Israel |
| 133 | Shahar Co. – Civil Engineering, Construction and Infrastructure Company Ltd. | (a), (g) | Israel |
| 134 | Shalgal Food Ltd. | (g) | Israel |
| 135 | Shapir Engineering and Industry Ltd. | (a), (e), (g) | Israel |
| 136 | Shikun & Binui Ltd. | (e) | Israel |
| 137 | Shikun & Binui – Solel Boneh – Infrastructure Ltd. | (a), (e) | Israel |
| 138 | Shlomo Cohen Construction Company Ltd. | (a), (g) | Israel |
| 139 | Shoham Engineering and Development Ltd. | (a), (e), (g) | Israel |
| 140 | Shufersal Ltd. | (e), (g) | Israel |
| 141 | Sociedad Espanola De Montajes Industriales S.A. (SEMI) | (g) | Spain |

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| <i>No.</i> | <i>Business enterprise</i> | <i>Listed activity (subparagraph of paragraph 96)</i> | <i>Home State</i> |
|------------|---|---|-----------------------------|
| 142 | Sonol Israel Ltd. | (e), (g) | Israel |
| 143 | Steconfer S.A. | (a), (e) | Portugal |
| 144 | Superbus Transportation and Tourism Ltd. | (e) | Israel |
| 145 | Supergum Industries 1969 Ltd. | (g) | Israel |
| 146 | The American Israeli Gas Corporation Ltd. (Amisragas) | (e), (g) | Israel |
| 147 | TripAdvisor, Inc. | (e) | United States of America |
| 148 | Twitoplast Ltd. | (g) | Israel |
| 149 | Unikowsky Maoz Ltd. | (g) | Israel |
| 150 | Villar International Ltd. | (g) | Israel |
| 151 | Y.A.Z (Yaaz) – Construction and Development Company Ltd. | (c) | Israel |
| 152 | Y.D. Barazani Ltd. | (a), (g) | Israel |
| 153 | Yacobi Brothers Group (YSB) Ltd. | (e), (g) | Israel |
| 154 | Yes TV and Communications Services Ltd. ^l | (e) | Israel |
| 155 | Z.F. Building Company Ltd. ^m | (g) | Israel |
| 156 | Zakai Agricultural Know-how and Inputs Ltd. | (g) | Israel |
| 157 | Z.M.H. Hammerman Ltd. | (e), (g) | Israel |
| 158 | Zriha Hlavin Industries Ltd. | (g) | Israel |

^a “Listed activities” refers to activities detailed in paragraph 96 of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem (A/HRC/22/63).

^b Formerly Ashdar Building Company.

^c Formerly Mayer Davidov Garages Ltd.

^d Formerly Chish Nofei Israel Ltd.

^e Formerly Naaman Group Ltd.

^f Previously listed as Lipski Installation and Sanitation Ltd.

^g Previously listed as Re/Max Israel.

^h Formerly Shikun Dayarim Ltd.

ⁱ Formerly Paz Oil Company Ltd.

^j Formerly Solegreen Ltd.

^k Previously listed as Angel Bakery.

^l Previously listed as D.B.S Satellite Services Ltd.

^m Previously listed as Z.F. Development and Construction.

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Annex II**Business enterprises no longer involved in listed activities**

| <i>No.</i> | <i>Business enterprise</i> | <i>Listed activity (subparagraph of paragraph 96)</i> | <i>Home State</i> |
|------------|---|---|--|
| 1 | Alstom S. A. | (g) | France |
| 2 | Ariel Properties Group | (e), (g) | Israel |
| 3 | eDreams ODIGEO S.A. | (e) | Spain |
| 4 | Hadiklaim Israel Date Growers Cooperative Ltd. | (g) | Israel |
| 5 | Kardan N.V. | (e) | Kingdom of the Netherlands |
| 6 | Opodo Ltd. | (e) | United Kingdom of Great Britain and Northern Ireland |
| 7 | Tahal Group International B.V. | (e) | Netherlands |

Note: “Listed activities” refers to activities detailed in paragraph 96 of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem (A/HRC/22/63).

Attachment 8.6.2

Appendix: Ministry of Foreign Affairs and Trade Advice**New Zealand's implementation of UNSCR2334**

Thank you for your enquiry. We have put together the below response, which we hope is useful:

New Zealand was a co-sponsor of [United Nations Security Council \(UNSC\) Resolution 2334](#) as a non-permanent member of the UNSC in 2016. In Resolution 2334 the Security Council:

- 2. *Reiterates its demand* that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;
- 5. *Calls* upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967 [...]

New Zealand has been clear that Israeli settlements are illegal under international law and undermine prospects for a viable two-state solution. New Zealand also considers Israel to have been occupying Gaza and the West Bank since 1967. Accordingly, New Zealand refers to the "occupied Palestinian territories (oPt)," distinguishing the oPt from the territory of the State of Israel. New Zealand's position on both these points has been set out consistently in both domestic statements and in multilateral fora.

UNSC2334 does not impose positive obligations on any UN Member State to implement sanctions against those involved in illegal Israel settlements in the oPt or to label products produced by Israeli settlements.

In 2015 the European Commission issued guidelines requiring that agricultural produce and cosmetics sold in EU Member States must now have clear labels showing their place of origin. In 2019 the Court of Justice of the European Union ruled that food products produced by Israeli settlements in the occupied Palestinian territory must indicate that they originate from a settlement, and not as a "product of Israel".

It is this backdrop, alongside the current conflict, that has led to public interest in procurement processes and the identification of goods produced by Israeli Settlements in the oPt, such as the approach ECAN has received from the Palestinian Solidarity Network Aotearoa (PSNA).

United Nations Human Rights Council Resolution 31/36 is also relevant to your enquiry. Paragraph 12 urges UN Member States to:

- a. ensure that they are not taking actions that either recognize or assist the expansion of settlements or the construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, including with regard to the issue of trading with settlements, consistent with their obligations under international law;
- b. implement the Guiding Principles on Business and Human Rights in relation to the Occupied Palestinian Territory, including East Jerusalem, and to take appropriate measures to help to ensure that businesses domiciled in their territory and/or under their jurisdiction, including those owned or controlled by them, refrain from committing or contributing to gross human rights abuses of Palestinians, in accordance with the expected standard of conduct

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Attachment 8.6.2

in the Guiding Principles and relevant international laws and standards, by taking all necessary steps; and

- c. To provide guidance to individuals and businesses on the financial, reputational and legal risks, including the possibility of liability for corporate involvement in gross human rights abuses, and abuses of the rights of individuals, of becoming involved in settlement-related activities, including through financial transactions, investments, purchases, procurements, loans and the provision of services, and other economic and financial activities in or benefiting Israeli settlements, to inform businesses of these risks in the formulation of their national action plans for the implementation of the Guiding Principles on Business and Human Rights, and to ensure that their policies, legislation, regulations and enforcement measures effectively address the heightened risks of operating a business in the Occupied Palestinian Territory, including East Jerusalem; [...]

And paragraph 17:

- “Requests the United Nations High Commissioner for Human Rights...to produce a database of all business enterprises involved in the activities detailed in paragraph 96 of the afore-mentioned report, to be updated annually, and to transmit the data therein in the form of a report to the Council at its thirty-fourth session”.

The database is available here: [Database Pursuant to Human Rights Council Resolution 31/36](#) [LOHCHR](#). It was updated in June 2023.

ECAN is welcome to draw on the above-mentioned material to make decisions as it deems appropriate.

5.5 Theatre Royal and Museum Project Status Report - January 2026**Author:** Paul Cooper, General Manager Regulatory**Authoriser:** Nigel Trainor, Chief Executive**Recommendation**

That the Projects and Procurement Committee receive and note the Theatre Royal and Museum Project Status report -January 2026.

Purpose of Report

- 1 The purpose of this report is to update the Projects and Procurement Committee as to the status of the Theatre Royal and Museum project in a public forum. A more detailed report (including some commercially sensitive information) has been prepared for the public excluded portion of this meeting.

Assessment of Significance

- 2 The significance of this matter, when considered against the criteria of Councils Significance and Engagement Policy, is low.

Discussion

- 3 This report includes the Dashboard for the project, which is a useful visual aid to show the high level status of the project on a single (A3) page.
- 4 With the main construction contract being awarded to Hawkins Construction on 27 January, a major milestone was achieved, and we now move into the main construction phase of the project.
- 5 Highlights from the attached Dashboard include the following:
 - 5.1 Hawkins took possession of the site on 30 January 2026
 - 5.2 Civil Works will be complete a few days later than anticipated due to weather, but not so as to hinder other works
 - 5.3 The Resource Consent was approved on 23 December 2025
 - 5.4 There is a need for Council to progress what is happening to the Criterion Hotel building and The Chinese Gardens
 - 5.5 Council has made an offer of employment to the preferred candidate for the Theatre Manager role
 - 5.6 The project remains on time and on budget at the present time.

Attachments

1. Theatre Royal Project Status Report - January 2026  

EXECUTIVE SUMMARY (DASHBOARD REPORT)



TIMARU DISTRICT COUNCIL

MONTHLY REPORT: PERIOD :
SUBMITTED BY:
DATE:

THEATRE ROYAL AND MUSEUM

Jan-26
Paul Haggath
3-Feb-26

| | |
|------------------|--|
| Portfolio | Local Authority |
| Programme | Property |
| Project | Timaru Theatre Royal and Museum |
| High Level Scope | Structural Strengthening and refurbishment of heritage theatre and construction of new museum. |

1.1 Programme Update Summary

Status GREEN

Key Achievements this period:
1. Council approval given to appoint Hawkins Ltd as Main Contractor
2. Hawkins given site possession on 30th Jan 2026
3. Building consent BC3 for museum building progressing
4. Civil Works substantially complete

1.2 Health, Safety & Environment:

Status GREEN

1. No reportable incidents this period
2. Site is now under the control of Hawkins - full Site Specific Safety Plans and docs being submitted to the Engineer to Contract for approval
3. Weather events continue to affect the site, with wet clay surfaces increasing slip and vehicle hazards; monitored and mitigated on a daily basis.
4. Site is very busy and congested as civil works are completed - extra care to be taken when working around machines

| Period | Incidents | LTI (LTIFR) | Medical Treatment | Near Misses | Environmental |
|--------|-----------|-------------|-------------------|-------------|---------------|
| 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 0 | 0 | 0 | 0 |

1.3 Environmental and Heritage

Status AMBER

Key achievements/outcomes
1. Resource consent was approved 23rd December 2025. Notice given of works commencing
2. Long-term direction still needed re the future of the Criterion Hotel building and Chinese Gardens Restaurant remaining buildings.

1.4 Quality

Status GREEN

Key achievements/outcomes
1. Close monitoring on site continuing of civil and excavation works - testing and sign off of finished earthworks and building platforms underway
2. Precast retaining walls being installed - on site and off site inspections taking place to ensure quality - note, quality and accuracy has been excellent.

1.5 Communications / stakeholder engagement

Status GREEN

Key achievements/outcomes
1. Rachel Leitch is managing communications, erection of signboards, press and media releases, and regular website updates. Website expected to be live end Jan 26
2. Naming – Paul Cooper to lead the process and protocols for inviting Arowhenua to name the museum
3. Hawkins comms team to liaise closely with RL to ensure messaging is aligned

1.6 Procurement

Status GREEN

Key issues/priorities
1. Tender evaluation for main contract is complete, with Hawkins recommended and subsequently appointed as the main contractor.
2. Museum Exhibition Fit Out - design is progressing - procurement strategy to be developed for all items once design is completed.
3. Only contract still to appoint is stage curtains - quote received from John Herber of Kaiapoi and will be formalised in next period
4. TDC has made an offer to a new theatre manager
5. Going forward, Project Director to works closely with Hawkins to ensure that local suppliers are given fair opportunity to tender work packages

| 1.7 Programme Delivery | | | | |
|--|-----------------|------------------------|--------------|-----------------|
| Status GREEN | | | | |
| Architect Appointment – finalise engagement | Baseline Finish | Forecast/Actual Finish | % completion | Finish Variance |
| Architect Appointment – finalise engagement | 1/04/2025 | 1/04/2025 | 100% | 0 days |
| Design team appointment | 1/05/2025 | 1/10/2025 | 100% | 153 days |
| Clearance Contract (mould and asbestos) | 30/04/2025 | 28/02/2025 | 100% | -61 days |
| Civil works design | 30/06/2025 | 30/06/2025 | 100% | 0 days |
| Demolition Contract | 31/08/2025 | 31/08/2025 | 100% | 0 days |
| Resource Consent (Civil Works) | 18/08/2025 | 31/08/2025 | 100% | 13 days |
| Building Consent (Civil Works) | 18/08/2025 | 15/09/2025 | 100% | 28 days |
| Civil Works Contract complete | 20/12/2025 | 12/02/2026 | 98% | 54 days |
| Preliminary Design (Theatre and Laneway) | 30/06/2025 | 30/06/2025 | 100% | 0 days |
| Preliminary Design (Museum) | 7/07/2025 | 14/07/2025 | 100% | 7 days |
| Theatre Developed/ Detailed Design | 31/10/2025 | 31/10/2025 | 100% | 0 days |
| Museum Exhibition Concept Design and "Hard elements" details | 31/10/2025 | 31/10/2025 | 100% | 0 days |
| Museum / Laneway Developed/ Detailed Design | 30/11/2025 | 14/11/2025 | 100% | -16 days |
| Building Consent (Main Works) approved | 20/12/2025 | 20/12/2025 | 100% | 0 days |
| Theatre and Museum Construction Contract Award | 13/01/2026 | 27/01/2026 | 100% | 14 days |
| Building Consent (Museum) approved | 31/01/2026 | 28/02/2026 | 80% | 28 days |
| Museum / Laneway Construction Contract Award | 13/01/2026 | 27/01/2026 | 100% | 14 days |
| Theatre Specialist Fitout commenced | 6/01/2027 | 6/01/2027 | 0% | 0 days |
| Museum Exhibition Fit out commenced | 1/10/2026 | 1/10/2026 | 0% | 0 days |
| Project Completion | 28/03/2027 | 28/03/2027 | 0% | 0 days |

| | |
|--|------------------------|
| This Reporting Period | November 2025 |
| Project Start Date | 1-Dec-24 |
| Portfolio # | Local Authority |
| Program # | Leisure |
| Project Name / ID # | Enter Proj Name / ID # |
| Project Director | Paul Haggath |
| Project Manager | Paula Ryan |
| Financial Period End (month prior to Reporting Period) | 31-Jan-26 |
| Fiscal Period | Q2 |
| Financial Year | 2025-2026 |

1.8 Financial Summary

Status AMBER

1. Current cost estimates remain on budget, with no significant change since last period.
2. Cumulative expenditure to date shows as \$5,122,461 against a forecast from last period of \$6,181,178 - note that at time of writing, not all consultant and contractor invoices for Jan 26 have been received, making this figure appear low against forecast
3. Current forecasts show a contingency of \$4,004m.

| | | | | | | | | | | |
|-----------------------|----|---------|----|------------|----|-------------|----|---|----|-------------|
| Current Budget | \$ | 770,723 | \$ | 14,931,466 | \$ | 30,497,812 | \$ | - | \$ | 46,200,000 |
| Actuals & Forecast | \$ | 770,723 | \$ | 16,152,707 | \$ | 25,272,386 | \$ | - | \$ | 42,195,816 |
| | | | | | | | | | | \$ - |
| Remaining Contingency | \$ | - | \$ | 1,221,242 | \$ | (5,225,426) | \$ | - | \$ | (4,004,185) |

| Cashflow to Date: | | | | | |
|--|-----------|---------------------------------------|-----------|----------|-------------|
| Forecast Expenditure to Date (as of last period) | | Actual Expenditure to Date (Cashflow) | | Variance | |
| \$ | 6,181,178 | \$ | 5,122,461 | \$ | (1,058,718) |
| Forecast Expenditure (this period) | | Actual Expenditure (period) | | Variance | |
| \$ | 1,275,850 | \$ | 419,995 | \$ | (855,855) |

5.6 Aorangi Stadium Project Status Report - January 2026**Author:** Paul Cooper, General Manager Regulatory**Authoriser:** Nigel Trainor, Chief Executive**Recommendation**

That the That the Projects and Procurement Committee receive and note the Aorangi Stadium Project Status Report -January 2026.

Purpose of Report

- 1 The purpose of this report is to update the Projects and Procurement Committee as to the status of the Aorangi Stadium project in a public forum. A more detailed report (including some commercially sensitive information) has been prepared for the public excluded portion of this meeting.

Assessment of Significance

- 2 The significance of this matter, when considered against the criteria of Councils Significance and Engagement Policy, is low.

Discussion

- 3 This report includes the Dashboard for the project, which is a useful visual aid to show the high level status of the project on a single (A3) page.
- 4 With the main construction contract being awarded to Hawkins Construction on 27 January, a major milestone was achieved, and we now move into the main construction phase of the project.
- 5 Highlights from the attached Dashboard include the following:
 - 5.1 Structural strengthening of the original stadium is now complete, and it is operational, access for the time being from the South end of the building
 - 5.2 Foundations for the link building are (at the time of writing) nearing completion
 - 5.3 All consents are now in place
 - 5.4 The specialised sports flooring for the new stadium has left Europe and is being shipped to New Zealand
 - 5.5 The project remains on time and on budget

Attachments

1. **Aorangi Stadium Project Status Report - January 2026** [!\[\]\(3d0946c14414af438def0008e8322b30_img.jpg\)](#) 

EXECUTIVE SUMMARY



PROJECT: AORANGI STADIUM REDEVELOPMENT
MONTHLY REPORT: PERIOD: Jan-26
SUBMITTED BY: Paul Haggath
DATE: 2-Feb-26

| | |
|------------------|---|
| Portfolio | Local Authority |
| Programme | Property |
| Project | Aorangi Stadium Redevlopment |
| High Level Scope | Structural Strengthening of Existing Stadium and Construction of a new 8 Court Hall |

1.1 Programme Update Summary Status GREEN

Key achievements/outcomes since the previous report
1. All works to existing stadium complete and now reopened to public
2. Foundations started to link building
3. First precast panels cast at Thompson's yard, scheduled for erection w/c Feb 9th 2026
4. Specialist sports flooring dispatched from Europe and currently being shipped to NZ.

1.2 Health, Safety & Environment: Status GREEN

1. One minor eye injury - dust particle in eye
2. Refer to Contractor's Report for H&S Statistics
3. Increased diligence will be needed when re-open to public to maintain separation and safety of public and users.

| | Incidents | LTI (LTIFR) | Medical Treatment | Near Misses | Environmental |
|--------|-----------|-------------|-------------------|-------------|---------------|
| Period | 1 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 2 | 0 | 0 |

1.3 Consents and Compliance Status GREEN

1.All consents now in place
2. CPU in place to allow re-opening to public.
3. Minor amendment lodged for updated civil design drawings

1.4 Progress / Design Status Status GREEN

1. Fabrication / shop drawings under preparation for various trades including structural steel and precast concrete panels
2. Updated civil drawings submitted to BC team as a minor amendment to address concerns of waters team re 1:200 year floodig events
3. TEL have been requested to provide price and options for a folding / dividing wall in the function suite / multi-purpose room. If progressed this will be a variation

1.5 Communications / stakeholder engagement Status GREEN

1. Rachel Leitch of Comms team leading project comms and media releases; sign boards now erected
2. New website landing page now operational

1.6 Procurement Status GREEN

1. Retractable Seating order still held - not yet time critical - will need PSG direction to purchase at appropriate time (depending on overall financial status)
2. Netball users have requesed additional netball hoops and posts - denied at this stage as Project Director believes what is being provided is compliant to international standards / requirements - nothing further heard

1.7 Programme Delivery Status GREEN

| Revised Concept Design and Price | Baseline Finish | Forecast/Actual Finish | % completion | Finish Variance |
|--|------------------|------------------------|--------------|-----------------|
| Revised Concept Design and Price | 4 April 2025 | 30 April 2025 | 100% | 26 days |
| Contract Agreed and fully executed | 30 April 2025 | 6 May 2025 | 100% | 6 days |
| Hockey Clubrooms strengthening | 31 May 2025 | 30 September 2025 | 100% | 122 days |
| Detailed Design | 31 July 2025 | 18 October 2025 | 100% | 79 days |
| Building Consent 1- Existing Stadium | 31 August 2025 | 30 September 2025 | 100% | 30 days |
| Building Consent 2 - Civil Works | 31 August 2025 | 30 September 2025 | 100% | 30 days |
| Building Consent 3 - New Stadium and Link | 31 October 2025 | 31 October 2025 | 100% | 0 days |
| Civil / Advance Works | 31 August 2025 | 7 August 2025 | 100% | -24 days |
| Construction | | | | |
| Existing stadium seismic strengthening & upgrade | 19 December 2025 | 9 January 2026 | 100% | 0 days |
| New Stadium site prep and groundworks | 31 March 2026 | 30 January 2026 | 100% | 0 days |
| New Stadium construction | 31 March 2027 | 31 March 2027 | 5% | 0 days |
| Link Building | 31 March 2027 | 31 March 2027 | 5% | 0 days |
| Fit Out | 31 March 2027 | 31 March 2027 | 0% | 0 days |
| Project Completion | 31 March 2027 | 31 March 2027 | 0% | 0 days |

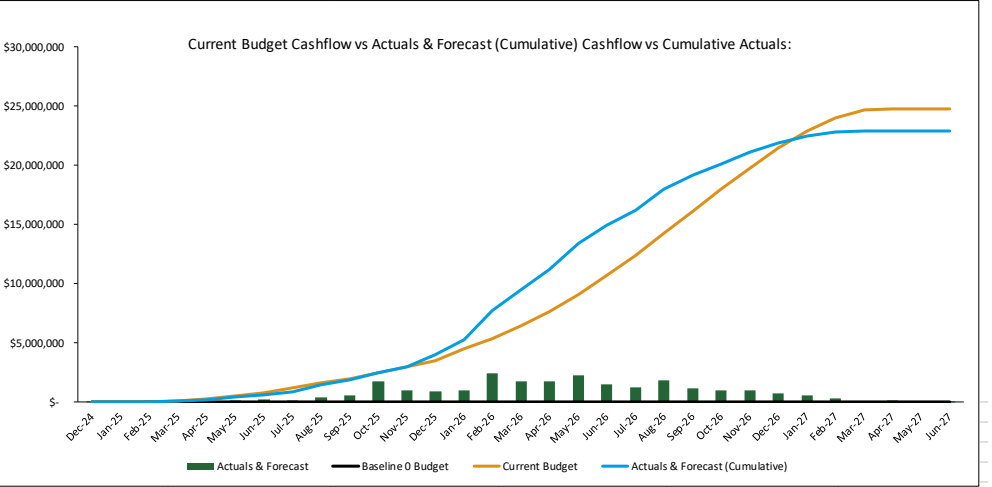
| | |
|--|------------------------------|
| This Reporting Period | October 2025 |
| Project Start Date | 1-Dec-24 |
| Portfolio # | Local Authority |
| Program # | Leisure |
| Project Name / ID # | Aorngi Stadium Redevelopment |
| Project Director | Paul Haggath |
| Project Manager | David Hooke / Casey Campbell |
| Financial Period End (month prior to Reporting Period) | 31-Jan-25 |
| Fiscal Period | Q2 |
| Financial Year | 2025-2026 |

1.8 Financial Summary Status GREEN

1. Refer to Rawlinsons Cost Report.
2. Better off Funding of \$2m has been applied fo,r to be drawn down by Finance team. (Note this is part of approved budget, not additional to)
3. Overall contingency remains stable and robust at \$792k.

| Year | 2024/25 | 2025/26 | 2026/27 | 2027/28 | Total |
|-----------------------|------------|---------------|---------------|---------|---------------|
| Current Budget | \$ 762,654 | \$ 9,899,036 | \$ 14,105,647 | \$ - | \$ 24,767,337 |
| Actuals & Forecast | \$ 554,024 | \$ 15,364,970 | \$ 8,055,533 | \$ - | \$ 23,974,527 |
| Remaining Contingency | | | | | \$ - |
| \$ | -(208,629) | \$ 5,465,934 | \$(6,050,114) | \$ - | \$(792,810) |

| Planned Expenditure to Date (Baseline) | Actual Expenditure to Date (Cashflow) | Variance |
|--|---------------------------------------|--------------|
| \$ 5,299,561 | \$ 6,265,483 | \$ 965,922 |
| Planned Expenditure (Period) | Actual Expenditure (period) | Variance |
| \$ 1,281,906 | \$ 1,022,157 | \$ (259,749) |



1.9 Programme Completion Status GREEN

| Late Milestones | Baseline Finish | Forecast/Actual Finish | Variance |
|--------------------------|-----------------|------------------------|----------|
| | | | |
| Up Next | Baseline Finish | Forecast/Actual Finish | Variance |
| New Stadium construction | 31-Mar-27 | 31-Mar-27 | 0 days |
| Link Building | 31-Mar-27 | 31-Mar-27 | 0 days |

6 Consideration of Urgent Business Items**7 Consideration of Minor Nature Matters****8 Exclusion of the Public****Recommendation**

That the public be excluded from—

- *(a)the whole of the proceedings of this meeting; or
- *(b)the following parts of the proceedings of this meeting, namely,—

9.1 Theatre Royal and Museum Project Status Report - January 2026**9.2 Aorangi Stadium Project Report - January 2026****9.3 Claremont Water Treatment Plant Upgrade - Update Report****9.4 Strathallan Corner Redevelopment - Status Update**

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

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Plain English Reason |
|--|---|---|
| 9.1 - Theatre Royal and Museum Project Status Report - January 2026 | s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information | To protect commercially sensitive information |
| 9.2 - Aorangi Stadium Project Report - January 2026 | s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information | To protect commercially sensitive information |

| | | |
|--|---|---|
| 9.3 - Claremont Water Treatment Plant Upgrade - Update Report | <p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> | <p>To protect commercially sensitive information</p> <p>To enable Council to carry out commercial or industrial negotiations</p> |
| 9.4 - Strathallan Corner Redevelopment - Status Update | <p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(h) - The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities</p> | <p>To protect a person's privacy, including the privacy of deceased persons</p> <p>To enable Council to carry out commercial activities</p> |

*I also move that [\[name of person or persons\]](#) be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of [\[specify\]](#). This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because [\[specify\]](#)

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*Delete if inapplicable.

Note

[Section 48\(4\)](#) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4)Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof)—
 - (a)shall be available to any member of the public who is present; and
 - (b)shall form part of the minutes of the local authority.”

9 Public Excluded Reports

10 Readmittance of the Public