



**NOTICE OF AN ORDINARY MEETING
OF
COUNCIL**

AGENDA

Date: Thursday 24 September 2020

Time: 9.30am

Venue: Council Chamber

MEMBERSHIP

Chairperson	Mayor Chadwick
Deputy Chairperson	Cr Donaldson
Members	Cr Bentley Cr Kai Fong Cr Kumar Cr Macpherson Cr Maxwell Cr Raukawa-Tait Cr Tapsell Cr Wang Cr Yates
Quorum	6

NGĀ TUKUNGA HAEPAPA A TE KAUNIHERA - COUNCIL DELEGATIONS

Type of Committee	Council
Subordinate to	
Subordinate Committees	Strategy, Policy and Finance committee Operations and Monitoring committee District Licencing committee CEO performance committee RMA Policy Committee Audit and Risk Committee
Legislative Basis	Schedule 7 S30 (1) (A), Local Government Act 2002 Committee delegated powers by the Council as per Schedule 7, S32, Local Government Act 2002
Purpose	The purpose of the Council is to make decisions on all matters that cannot be delegated, that it has not delegated or that it has had referred to it by staff or a committee.
Reference	01-15-010
Membership	Mayor Steve Chadwick (Chair) Deputy Mayor Councillor Dave Donaldson (Deputy Chair) All councillors
Quorum	6
Meeting frequency	Monthly
Delegations	<ul style="list-style-type: none"> • the power to make a rate • the power to make a bylaw • the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-term Plan • the power to adopt a long-term plan, annual plan, or annual report • the power to appoint a chief executive • the power to adopt policies required to be adopted and consulted on under the LGA 2002 in association with the long-term plan, or developed for the purpose of the local governance statement; and • the power to adopt a remuneration and employment policy • the power to set and support strategies in measures related to emergency matters. • all the powers, duties and discretions under the Civil Defence Act for the proper operation and administration of the approved Civil Defence Plan; such delegation to be executed solely within the defined policy guidelines as determined from time to time by the Council and subject to the Financial limits imposed by the approved Council estimates.
Relevant Statutes	All the duties and responsibilities listed above must be carried out in accordance with the relevant legislation.
Limits to Delegations	Powers that cannot be delegated to committees as per the Local Government Act 2002 Schedule 7 S32

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1 Opening karakia - Karakia whakapuaki

He karakia mō Te Kaunihera o ngā Roto o Rotorua

E te Atua kaha rawa, ko koe te tohu Rangatira, te tohu mātauranga.

Manaakitia mai mātau, wāu pononga i tēnei wā, e mahi nei i a mātau mahi, mō te painga o ngā tāngata, o Te Kaunihera o ngā Roto o Rotorua.

Takua mai kia tau te rangimārie ki runga i a mātau i ngā wā katoa.

Ko Ihu Karaiti hoki tō mātau Ariki

Āmine

Council Prayer

Almighty God, who alone is the leader of all mankind and the fountain of all knowledge.

Send thy blessing upon us your servants this day as we strive to do all things good for the betterment of the people of the Rotorua district.

May we be tolerant in ourselves at all times.

Through Jesus Christ our Lord.

Amen

2 Apologies - Ngā whakapaaha

The Chairperson invites notice from members of:

1. Leave of absence for future meetings of the Rotorua Lakes Council; or
2. Apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

3 Declarations of interest - Whakapuakitanga whaipānga

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Urgent items not on the agenda - Ngā take whawhati tata kāore i te rārangi take

The Chairperson will give notice of items not on the agenda as follows:

Matters Requiring Urgent Attention as Determined by Resolution of Rotorua Lakes Council.

The Chairperson shall state to the meeting.

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

The item may be allowed onto the agenda by resolution of the Rotorua Lakes Council.
Minor Matters relating to the General Business of the Rotorua Lakes Council.

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Rotorua Lakes Council for further discussion.

5 Confirmation of Minutes – Te whakaū i ngā meneti

5.1 Council Minutes 27 August 2020

01-15-010\26
Rdc-1049623

ROTORUA LAKES COUNCIL

Minutes

**Council meeting
held Thursday 27 August 2020, 9.30am
Council Chamber, Rotorua Lakes Council**

MEMBERS PRESENT:	Mayor Chadwick, (Chairperson) Cr Bentley, Cr Donaldson, Cr Kai Fong, Cr Kumar, Cr Maxwell, Cr Raukawa-Tait, Cr Macpherson, Cr Wang, Cr Yates
APOLOGIES:	Cr Tapsell
STAFF PRESENT:	G Williams, Chief Executive, C Tiriana, CE Office; O Hopkins, Manager Corporate Planning & Governance; J.P Gaston, Group Manager Strategy; S Michael, General Manager Infrastructure; T Collé, Chief Financial Officer; J Mikaere, Group Manager Operations; G Rangī, Mana hautū Māori; I Tiriana, Manager Council Communications; R Dunn, Governance Lead; H King, Governance Support Advisor; R Pitkethley, Sports, Recreation & Environment Manager; I Stabler, Senior Project Manager

The meeting opened at 9.31am

The Mayor welcomed Councillors, media, staff and members of the public.

1 KARAKIA WHAKAPUAKI OPENING KARAKIA

Cr Maxwell opened meeting with a Karakia.

2 NGĀ WHAKAPAAHA APOLOGIES

Resolved

That the apologies from Cr Tapsell be accepted.

Moved: Cr Wang

Seconded: Cr Raukawa-Tait

CARRIED

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**3 WHAKAPUAKITANGA WHAIPĀNGA
DECLARATIONS OF INTEREST**

Cr Donaldson declared an interest in the “Crankworx Event Funding Application” Recommendation from Strategy, Policy & Finance Committee 13 August 2020.

**4 NGĀ TAKE WHAWHATI TATA KĀORE I TE RĀRANGI TAKE
URGENT ITEMS NOT ON THE AGENDA**

No urgent items.

**5 TE WHAKAŪ I NGĀ MENETI
CONFIRMATION OF COUNCIL MINUTES**

ORDINARY COUNCIL MEETING – 29 JULY 2020

Resolved

That the minutes of the Council meeting held 29 July 2020, be confirmed as true and correct.

Moved: Cr Donaldson

Seconded: Cr Yates

CARRIED

**6 NGĀ TAUNAKITANGA A ĒTAHI ATU KOMITI
RECOMMENDATIONS FROM OTHER COMMITTEES**

6.1 REPORT OF THE STRATEGY, POLICY & FINANCE COMMITTEE MEETING OF 13 AUGUST 2020

Resolved

That the “Report of the Strategy, Policy & Finance Committee Meeting of 13 August 2020” be received.

Moved: Cr Raukawa-Tait

Seconded: Cr Maxwell

CARRIED

That the following recommendations of the Strategy, Policy & Finance Committee meeting held 13 August 2020 be adopted:

RECOMMENDATION 1

CRANKWORX EVENT FUNDING APPLICATION

Cr Donaldson withdrew from the table.

Resolved

- 1. That Council agree to an increase of \$100,000 for the 2020/21 financial year and an ongoing funding contribution in the next long-term plan of \$250,000 for the years 2022 to 2027.**
- 2. That Council agree to extend the current provisions of the underwrite to align with the funding allocation, extending this out to 2026/27.**
- 3. That Council note that on-going funding is conditional on Mountain Bike Events Limited continuing to receive funds from the Ministry of Business, Innovation and Employment (MBIE) New Zealand major events fund.**
- 4. That Council note that Rotorua Lakes Council investment will be governed by a separate funding agreement which sets out agreed performance measures, governance and reporting requirements which are reviewed annually.**

Moved: Cr Wang

Seconded: Cr Yates

CARRIED

Cr Bentley requested that his vote against this decision be recorded.

RECOMMENDATION 2

COMMUNITY RESILIENCE FUND

- 1. That Council approve amendments to the current Community Funding Investment Policy, to implement the Community Resilience Fund aimed at supporting our local community sector to “build back better” post Covid-19.**
- 2. That Council appoint one representative from each of the following:**
 - Rotorua Lakes Councillor
 - Lakes Community Board
 - Rural Community Board
 - Te Tatau o Te Arawa**to work on a panel with Council Officers to approve grants.**
- 3. That Council agree that Councillor Yates be appointed to the Community Resilience Fund decision making panel.**

Moved: Cr Raukawa-Tait

Seconded: Cr Macpherson

CARRIED

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RECOMMENDATION 3

THREE WATERS SERVICE DELIVERY REFORM/STIMULUS PROGRAMME

That Council Agree that RLC:

- 1 Sign the MoU and Funding Agreement.**
- 2 Nominate Geoff Williams, the Chief Executive of the Council as the primary point of communication for the purposes of the MoU and reform programme – as referred to on page 6 of the MoU.**
- 3 Delegate decisions about the allocation of regional funding to Geoff Williams, the Chief Executive of the Council, with the understanding that the minimum level of funding to the Council be based upon the formula used to calculate the direct council allocations, and noting that participation by two-thirds of territorial authorities within the Bay of Plenty region is required to access the regional allocation.**
- 4 Note that the MoU and Funding Agreement cannot be amended or modified by either party, and doing so would void these documents.**
- 5 Note that participation in this initial stage is to be undertaken in good faith, but this is a non-binding approach, and the Council can opt out of the reform process at the end of the term of the agreement (as provided for on page 5 of the MoU).**
- 6 Note that the Council has been allocated \$4.71m of funding, which will be received as a grant as soon as practicable once the signed MoU and Funding Agreement are returned to the Department of Internal Affairs, and a Delivery Plan has been supplied and approved (as described on page 5 of the MoU).**
- 7 Note that the Delivery Plan must show that the funding is to be applied to operating and/or capital expenditure relating to three waters infrastructure and service delivery, and which:**
 - supports economic recovery through job creation; and**
 - maintains, increases, and/or accelerates investment in core water infrastructure renewal and maintenance.**

Moved: Cr Donaldson

Seconded: Cr Wang

CARRIED

RECOMMENDATION 4

EXCHANGE OF RESERVE LAND – TAUJI STREET

- 1 That Council agree that the parcels of land, Lot 4 (reserve) and Lot 1 (private) on LT 519564 be exchanged under the provisions of the Reserves Act 1977.**

Moved: Cr Yates

Seconded: Cr Raukawa-Tait

CARRIED

7 PŪRONGO KAIMAHI STAFF REPORTS

7.1 APPROVE AMENDED LONG-TERM PLAN 2018-28 – WASTEWATER SERVICES

RDC-1044550

Resolved

That the report ‘Approve Amended Long-Term Plan 2018-28 – Wastewater Services’ be received.

Moved: Cr Donaldson

Seconded: Cr Yates

CARRIED

Oonagh Hopkins spoke to the report

Further Resolved

- 2. That Council approve pages 78-81, 186-190, 291-293 of the current Long-term Plan 2018-2028 for publication (The LTP 2018-28 amendment).**

Moved: Cr Donaldson

Seconded: Cr Raukawa-Tait

CARRIED

Cr Macpherson asked that his vote against this decision be recorded.

8 KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED

That Council move into Public Excluded session.

Moved: Cr Raukawa-Tait

Seconded: Cr Donaldson

CARRIED

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	Ground(s) under Section 48(1) for passing of this resolution
CONFIDENTIAL MINUTES of previous meeting held 29 July 2020	Please refer to the relevant clause/s in the open meeting minutes.	Good reason for withholding exists under Section 48(1)(a).
RECOMMENDATIONS FROM OPERATIONS & MONITORING COMMITTEE	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.	Section 48(1)(a) Section 7(2)(b)(ii)
Lakefront Stage 2		
Professional Services for Infrastructure		
Bus Shelter Installation and Maintenance	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) Section 7(2)(i)
Adoption of Engineering Code of Practice		
RECOMMENDATIONS FROM STRATEGY POLICY & FINANCE COMMITTEE	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) Section 7(2)(h)
Disposal of Property – 202 Old Taupo Road		
Disposal of Property - Westminster Drive		
Rotorua Aquatic Centre 50m Pool upgrade	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) Section 7(2)(i)
Out of the Forest – Alternative to land disposal - Update		

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Sections 6 or 7 of the Act or Sections 6, 7 or 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.

The Mayor gave a verbal update on the LGNZ AGM.

The meeting adjourned at 10.00 am and resumed at 10.15am.

OPEN SESSION

The meeting closed at 12.56pm

To be confirmed at a Council meeting on 24 September 2020.

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Note 1: Rotorua Lakes Council is the operating name of Rotorua District Council

Note 2: Attachments to these minutes are available on request or on Council's website www.rotorualc.nz

6 Recommendations from other Committees – Ngā Taunakitanga a ētahi atu Komiti

File No: 01-15-226
RDC-1056285

ROTORUA LAKES COUNCIL

The Mayor
Members
COUNCIL

6.1 Report of the Operations & Monitoring Committee Meeting held 3 September 2020

Report prepared by: Hilda King, Governance Support Advisor

Report reviewed by: Oonagh Hopkins, Corporate Planning & Governance Manager

Report approved by: Geoff Williams, Chief Executive

1. TE PŪTAKE PURPOSE

The purpose of this report is to provide an opportunity for Council to consider recommendations received from Operations & Monitoring Committee Meeting held 3 September 2020.

Operations & Monitoring Committee members: Cr Tapsell (Chair), Cr Yates (Deputy Chair), Mayor Chadwick, Cr Bentley, Cr Donaldson, Cr Kai Fong, Cr Kumar, Cr Macpherson, Cr Maxwell, Cr Raukawa-Tait, Cr Wang, Mr Waru (Te Tatau o Te Arawa), Ms Bray (Te Tatau o Te Arawa), Mrs Rothwell (Lakes Community Board) and Mr Heard (Rural Community Board)

2. NGA TŪTOHUNGA RECOMMENDATIONS

1. That the “Report of the Operations & Monitoring Committee Meeting held 3 September 2020” be received.
2. That the following recommendations of the Operations & Monitoring Committee meeting held 3 September 2020 be adopted:

RECOMMENDATION 1 DEVELOPMENT OF DRAFT CLIMATE PLAN

RDC-1044838

1. That Council approve the Draft Climate Action Plan for wider community engagement.

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3. **BACKGROUND**

- 3.1 Reports and attachments relating to the above recommendation were included in the agenda for the Operations & Monitoring Committee meeting held 3 September 2020. This agenda is available for viewing on Council's website under rotorualakescouncil.nz/livestream

01-15-227\02
RDC-1056304

ROTORUA LAKES COUNCIL

The Mayor
Members
COUNCIL**6.2 Report of the Strategy, Policy & Finance Committee Meeting held 10 September 2020****Report prepared by:** Hilda King, Governance Support Advisor**Report reviewed by:** Oonagh Hopkins, Corporate Planning & Governance Manager**Report approved by:** Geoff Williams, Chief Executive

**1. TE PŪTAKE
PURPOSE**

The purpose of this report is to provide an opportunity for Council to consider recommendations received from Strategy, Policy & Finance Committee Meeting held 10 September 2020.

Strategy, Policy & Finance Committee members: Cr Raukawa-Tait (Chair), Cr Kai Fong (Deputy Chair), Mayor Chadwick, Cr Bentley, Cr Donaldson, Cr Kumar, Cr Macpherson, Cr Maxwell, Cr Tapsell, Cr Wang, Cr Yates, Mr Berryman-Kamp (Te Tatau o Te Arawa), Ms Marks (Te Tatau o Te Arawa), Mr Thomass (Lakes Community Board) and Mrs Trumper (Rural Community Board)

**2. NGA TŪTOHUNGA
RECOMMENDATIONS**

- 1. That the “Report of the Strategy, Policy & Finance Committee Meeting held 10 September 2020 be received.**
- 2. That the following recommendation of the Strategy, Policy & Finance Committee meeting held 10 September 2020 be adopted:**

RECOMMENDATION 1**HE PAPAĀINGA, HE HĀPORI TAURIKURA TE POUPOU RAUTAKI- ROTORUA HOMES AND THRIVING COMMUNITIES STRATEGIC FRAMEWORK**

RDC-1049869

- 1. That Council approve “He Papakāinga, He Hāpori Taurikura Te Pou pou Rautaki - Rotorua Homes and Thriving Communities Strategic Framework”**

3. **BACKGROUND**

- 3.1 Reports and attachments relating to the above recommendations were included in the agenda for the Strategy, Policy & Finance Committee meeting held 10 September 2020. This agenda is available for viewing on Council's website under rotorualakescouncil.nz/livestream.

7 Resolution to go into Public Excluded - Ka Matatapu Te Whakataunga I Te Tūmatanga (to consider and adopt confidential items)

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	Ground(s) under Section 48(1) for passing of this resolution
CONFIDENTIAL MINUTES of previous meeting held 27 August 2020	Please refer to the relevant clause/s in the open meeting minutes.	Good reason for withholding exists under Section 48(1)(a).
RECOMMENDATIONS FROM OTHER STRATEGY, POLICY & FINANCE COMMITTEE SHMPAC Project Update	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) Section 7(2)(i)
Disposal of Council Owned Property: 7 & 15 Ti Street	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	Section 48(1)(a) Section 7(2)(h)
STAFF REPORTS Sir Howard Morrison Performing Arts Centre (SHMPAC) Contract	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) Section 7(2)(i)
Rotorua District Council Holdings Ltd	Maintain legal professional privilege	Section 48(1)(a) Section 7(2)(g)

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Sections 6 or 7 of the Act or Sections 6, 7 or 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above (in brackets) with respect to each item.