

01-15-016
RDC-1230082

Kaupapataka

Agenda

NOTICE OF AN ORDINARY MEETING OF COUNCIL

Date: Thursday 24 February 2022

Time: 9am

Venue: Council Chamber

MEMBERSHIP

Chair Mayor Chadwick

Cr Donaldson

Deputy Chair

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	<p>Strategy, Policy and Finance committee</p> <p>Operations and Monitoring committee</p> <p>District Licencing committee</p> <p>CEO Performance committee</p> <p>RMA Policy Committee</p> <p>Audit and Risk Committee</p>
Legislative Basis	<p>Schedule 7 S30 (1) (A), Local Government Act 2002</p> <p>Committee delegated powers by the Council as per Schedule 7, S32, Local Government Act 2002</p>
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	01-15-016-01
Membership	<p>Mayor Steve Chadwick (Chair)</p> <p>Deputy Mayor Councillor Dave Donaldson (Deputy Chair)</p> <p>Councillors' Bentley, Kai Fong, Kumar, Macpherson, Maxwell, Raukawa-Tait, Tapsell, Wang, Yates</p>
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 a 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

TŪTAWA MAI

Tūtawa mai i runga
Tūtawa mai i raro
Tūtawa mai i roto
Tūtawa mai i waho
Kia tau ai te mauri tū
Te mauri ora, ki te katoa
Hāumi e. Hui e. Tāiki e!

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

TŪTAWA MAI

I summon from above
I summon from below
I summon from within
I summon the surrounding environment
The universal vitality and energy to infuse and enrich all present
Enriched, unified and blessed

2 Apologies - Ngā Whakapāha

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

Items of business not on the agenda which cannot be delayed

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.
s.46A (7), LGOIMA

Discussion of minor matters not on the agenda.

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
s.46A (7), LGOIMA

5. Confirmation of Minutes – Te Whakaū i ngā Meneti

5.1 Council Meeting Minutes (draft) 16 December 2021

01-15-016
RDC-1214837

Minutes

**Council meeting held Thursday 16 December 2021, 9.30am
Council Chamber, Rotorua Lakes Council**

MEMBERS PRESENT: Mayor Chadwick (Chair)
Cr Donaldson (Deputy Chair), Cr Kai Fong, Cr Kumar,
Cr Macpherson, Cr Maxwell, Cr Raukawa-Tait, Cr Tapsell, Cr Wang,
Cr Yates

APOLOGIES: Cr Bentley and Cr Raukawa-Tait(early departure)

**IN ATTENDANCE BY
AUDIO VISUAL:** L Pieterse & K Macown(Audit NZ)
Kate Cornegé (Tompkins Wake)

Public Excluded: Wallace Bain (Audit & Risk Committee Chair) & J Stanway
(Audit & Risk Committee Deputy Chair)

STAFF PRESENT: G Williams, Chief Executive;
C Tiriana, Deputy Chief Executive - Chief Executives Group;
O Hopkins, Deputy Chief Executive - District Leadership & Democracy;
JP Gaston, Deputy Chief Executive - District Development;
S Michael, Deputy Chief Executive - Infrastructure & Environmental
Solutions;
T Collé, Deputy Chief Executive - Organisational Enablement;
G Rangī, Deputy Chief Executive - Te Arawa Partnership;
I Tiriana, Manager Council Communications; R Dunn, Governance Lead;
H King, Governance Support Advisor.

The meeting opened at 9.30am.

The Mayor welcomed elected members, media, staff and members of the public by livestreaming.

1 **KARAKIA WHAKAPUAKI OPENING KARAKIA**

Mayor Chadwick opened meeting with a Karakia.

2 **NGĀ WHAKAPĀHA APOLOGIES**

RESOLVED

That the apologies from Cr Bentley be accepted and the early departure of Cr Raukawa-Tait be noted.

Moved: Cr Macpherson

Seconded: Cr Donaldson

CARRIED

**3 WHAKAPUAKITANGA WHAIPĀNGA
DECLARATIONS OF INTEREST**

Cr Wang advised there could be a perceived financial interest in one of the confidential items.

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

Cr Macpherson requested a report update on the position of the RMA committee.

The Mayor requested this be noted and reported back to Council next year.

**5 TE WHAKAŪ I NGĀ MENETI
CONFIRMATION OF COUNCIL MINUTES****5.1 COUNCIL MEETING – 19 NOVEMBER 2021****Resolved**

That the minutes of the Council meeting held 19 November 2021 be confirmed as true and correct record.

Moved: Cr Raukawa-Tait

Seconded: Cr Kai Fong

CARRIED

5.2 COUNCIL MEETING – 25 NOVEMBER 2021**Resolved**

That the minutes of the Council meeting held 25 November 2021 be confirmed as true and correct record.

Moved: Cr Wang

Seconded: Cr Yates

CARRIED

Attendance: Cr Kumar joined the meeting at 9.35am.

6 TE WHAKAWĀTEA I NGĀ TUHINGA MATATAPU RELEASE OF CONFIDENTIAL ITEMS

6.1 REPORT OF CONFIDENTIAL ITEMS TO BE RELEASED

RDC-1208041

Resolved

That the “Report of Confidential items to be released’ be received.

Moved: Cr Raukawa-Tait

Seconded: Cr Maxwell

CARRIED

7 NGĀ TAUNAKITANGA A ĒTAHI ATU KOMITI RECOMMENDATIONS FROM OTHER COMMITTEES

RECOMMENDATIONS FROM OTHER COMMITTEES.

7.1 That the following recommendations of the Strategy, Policy & Finance Committee meeting held 2 December 2021 be adopted:

RECOMMENDATION 1

WASTE MANAGEMENT & MINIMISATION PLAN (WMMP) 2022-28

RDC-1204717

1. That Council approve “Waste Management & Minimisation Plan 2022-28” for public consultation.

Moved: Cr Wang

Seconded: Cr Yates

CARRIED

RECOMMENDATION 2

DISPOSAL OF COUNCIL LAND UNDER THE PUBLIC WORKS ACT

RDC-1204019

- 1. That Council agree that surplus road reserve at Part of Pongakawa Valley Road, Rotoehu, as shown on attached plan (Attachment 1) be disposed to the adjacent property.**
- 2. That Council agree that road reserve at 145 Pongakawa Valley Road be adjusted in accordance with the attached plan (Attachment 2) to accommodate the existing dwelling.**
- 3. That Council authorise Council officers to consult with the owners of Rotomahana Parekarangi 612B3 Block and agree on new road reserve boundaries that accommodate the proposed development.**
- 4. That Council approve the cost associated with these be met by the beneficiaries of the surplus road reserve.**

Moved: Cr Donaldson

Seconded: Cr Raukawa-Tait

CARRIED

8 PŪRONGO KAIMAHI STAFF REPORTS

RECOMMENDATION

8.1 SCHEDULE OF MEETINGS – 1 JANUARY TO 31 AUGUST 2022(UPDATE)

RDC-1209057

Resolved

1. That the report “Schedule of meetings – 1 January to 31 August 2022(update)” be received.

Moved: Cr Yates

Seconded: Cr Kai Fong

CARRIED

Further resolved

2. That Council resolves to adopt the schedule of meetings for the period 1 January to 31 August 2022 based on a monthly cycle and that the following starting times are agreed to:
 - a) that Operations and Monitoring Committee meetings shall commence at 9:00am
 - b) that Strategy, Policy and Finance Committee meetings shall commence at 9:00am
 - c) that Council meetings shall commence at 9.00am.

Moved: Cr Raukawa-Tait

Seconded: Cr Macpherson

CARRIED

RECOMMENDATION

8.2 ADOPTION OF COUNCIL’S ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2021

RDC-1211532

Resolved

1. That the report “Adoption of Council’s Annual Report for the year ended 30 June 2021” be received.

Moved: Cr Yates

Seconded: Cr Donaldson

CARRIED

ATTENDANCE: Leon Pieterse and Kataraina Macown (Audit NZ) joined the meeting via zoom.

Thomas Colle spoke to a PowerPoint titled “Rotorua Lakes Council 2020/2021 Audit Financial result”. (Attachment 3)

The Mayor invited Mr Pieterse and Mrs Macown from Audit NZ for their comments to this Report and thanked them for their work and oversight during the year.

Further resolved

2. **That Council resolves to adopt the audited Annual Report and the Audited Summary for the Rotorua Lakes Council for year ended 30 June 2021.**
3. **That the Mayor and Chief Executive be authorised to sign the Letter of Representation and Statement of Compliance section of the Annual Report.**
4. **That the Chief Executive be authorised to make minor editorial changes and/or mandatory audit adjustments and misstatements, if any, as agreed with Council’s auditors.**

Moved: Cr Donaldson

Seconded: Cr Yates

CARRIED

Attendance: Mr Pieterse and Mrs Macown (Audit NZ) signed off and left the meeting at 10.20am.

RECOMMENDATION

8.3 DRAFT ROTORUA DISTRICT COUNCIL (ELECTORAL MODEL) BILL 2022 (REPORT)

RDC-1211365

Resolved

1. **That the report “Draft Rotorua District Council (Electoral Model) Bill 2022 (Report)” be received.**

Moved: Cr Yates

Seconded: Cr Tapsell

CARRIED

Oonagh Hopkins gave an overview of the report and advised Kate Cornegé was available to answer any legal questions.

Attendance: Kate Cornegé (Tompkins Wake) joined the meeting via audio visual at 10.30am.

The Mayor invited Ms Cornegé to talk to the Bill.

Further resolved

2. **That Council delegates authority to the Chief Executive to pursue a draft local bill in the form attached to this report, (Attachment 4) subject to any further amendments necessary to achieve the purpose as set out in section 3 of the draft local bill.**

Moved: Cr Yates

Seconded: Cr Donaldson

CARRIED

Cr Kumar and Cr Macpherson asked that their votes against be noted.

9 HE WHAKATAUNGA KIA HOKI ATU TE ARONGA O TE HUI HAI HUI TŪMATAWHĀITI RESOLUTION TO GO INTO PUBLIC EXCLUDED

RESOLVED

That Council move into Public Excluded session.

Moved: Cr Kai Fong

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 16 December 2021	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 COMMITTEES Extension of Contract 17/031	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)
Contract 21/052: Minor Stormwater works 2021-24	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)
Code of Conduct	Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) Section 7(2)(a)
	Maintain legal professional privilege.	Section 48(1)(a) Section 7(2)(g)
	Maintain effective conduct of public affairs through protection of such members, officers, employees and persons from improper pressure or harassment.	Section 48(1)(a) Section 7(2)(f)(ii)

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 meeting adjourned at 11.05am and resumed at 11.20am.

OPEN SESSION

The meeting closed 1.03pm

To be confirmed at a Council meeting on 24 February 2022

.....
Chair

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](#)

6 Notice of Motion – He Whakamōhio I Te Mōtini

ROTORUA LAKES COUNCIL

RDC-1219913

NOTICE OF MOTION

STANDING ORDER

24. REVOCATION OR ALTERATION OF RESOLUTION

24.1 Member may move revocation or alteration of a decision

A member may give the chief executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, subordinate body, local or community board. The notice must set out:

- (a) The resolution or part of the resolution, which the member proposes to revoke or alter;
- (b) The meeting date when the resolution was passed;
- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information to satisfy the decision-making provisions of sections 77-82 of the LGA 2002.

If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal be referred to the chief executive for consideration and report.

NOTICE OF MOTION SUBMITTED BY:

Name: Cr Yates

Date: 25 January 2022

Signed:



- (i) That part 2 of the resolution "Schedule of Meetings – 1 January to 31 August 2022" is proposed to be altered:

RECOMMENDATION

8.1 SCHEDULE OF MEETINGS – 1 JANUARY TO 31 AUGUST 2022 (UPDATE)

Further resolved

- 2. That Council resolves to adopt the schedule of meetings for the period 1 January to 31 August 2022 based on a monthly cycle and that the following starting times are agreed to:

RDC-1219913

- a) That Operations and Monitoring Committee meetings shall commence at 9:00am
 - b) That Strategy, Policy and Finance Committee meetings shall commence at 9:00am
 - c) That Council meetings shall commence at 9.00am.
- (ii) The resolution was adopted at the Council meeting held on 16 December 2021.
- (iii) The following motion is proposed to replace the original motion:

RECOMMENDATION**SCHEDULE OF MEETINGS – 1 JANUARY TO 31 AUGUST 2022**

2. That Council resolves to adopt the schedule of meetings for the period 1 January to 31 August 2022 based on a monthly cycle and that the following starting times are agreed to:
- a) That Operations and Monitoring Committee meetings shall commence at 9:30am.
 - b) That Strategy, Policy and Finance Committee meetings shall commence at 9:30am.
 - c) That Council meetings shall commence at 9.30am.
- (iv) The meeting at which it is proposed to consider this motion:
- a) Council meeting
 - b) 24 February 2022
- (v) The notice must be given to the Chief Executive at least 5 clear working days before the meeting:
- a) by 17th February 2022

RDC-1219913

Signed by not less than one third of the council members (4 councillors)

- 1. Cr Trevor Maxwell  25.01.22
- 2. Cr Tania Tapsell  28.01.22
- 3. Cr Fisher Wang  28.01.22
- 4. Cr Mercia-Dawn Yates  25.01.22

7 Staff Reports – Pūrongo Kaimahi

01-15-016
RDC-1228153

ROTORUA LAKES COUNCIL

Mayor
Members
COUNCIL

7.1 Te Tatau O Te Arawa Annual Report 2021

Report prepared by: Isabel Brell, Governance Support Advisor

Report reviewed by: Gina Rangī, Deputy Chief Executive, Te Arawa Partnership

Report approved by: Geoff Williams, Chief Executive

1. TE PUTAKE PURPOSE

The purpose of this report is to provide an opportunity for Te Tatau o Te Arawa (TToTA) to present to Council its Annual Report 2021.

2. HE TŪTOHUNGA RECOMMENDATION

That the report 'Te Tatau o Te Arawa Annual Report 2021' be received.

3. TE TUHINGA WHAKARĀPOPOTOTANGA EXECUTIVE SUMMARY

In the past year, Te Tatau o Te Arawa has been leading and supporting a number of important Kaupapa to deliver its commitments in the partnership.

This report will give Council an update on Te Tatau o Te Arawa annual report.

4. NGĀ ĀPITI HANGA ATTACHMENTS

Attachment 1: Te Tatau o Te Arawa Annual Report 2021 - distributed separately. (RDC-1229175)

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

01-15-016
RDC-1228364

ROTORUA LAKES COUNCIL

Mayor
Members
COUNCIL

NGĀ TAUNAKITANGA A ĒTAHI ATU KOMITI RECOMMENDATIONS FROM OTHER COMMITTEES

Report prepared by: Isabel Brell, Governance Support Advisor

Report reviewed by: Oonagh Hopkins, Deputy Chief Executive – District Leadership & Democracy

Report approved by: Geoff Williams, Chief Executive

1. **TE PŪTAKE PURPOSE**

The purpose of this report is to provide an opportunity for members to consider recommendations received from other committees.

2. **NGA TŪTOHUNGA RECOMMENDATIONS**

1. That the report 'Recommendations from other committees' be received.
2. That the following recommendations of the Strategy, Policy & Finance Committee meeting held 10 February 2022 be adopted:

RECOMMENDATION 1

HOUSING AND BUSINESS CAPACITY ASSESSMENT HOUSING SHORTFALLS AND HOUSING
BOTTOM LINES

RDC-1223320

1. That Council adopt the Housing and Business Capacity Assessment (Main Report) in Attachment 1 and the Housing and Business Capacity Assessment (Technical Report) in Attachment 2.
2. That Council approve the inclusion of the Housing Bottom Lines, in Attachment 3, into the District Plan.

3. **TE TĀHUHU 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 February 2012. This agenda is available for viewing on Council's website, click here to access [agendas, minutes and presentations](#) .

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9 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 16 December 2021	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 COMMITTEES : Lakefront Contract update Polynesian Spa Update Contract approval – Taniwha water supply cultural management plans Contract approval – Rotorua wastewater treatment plant upgrade	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. 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)(b)(ii) Section 48(1)(a) Section 7(2)(i)

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.