

## Council Meeting Minutes 25 August 2022

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01-15-016  
RDC-1304997

# Minutes

### Council meeting held Thursday 25 August 2022 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 Yates

**STAFF PRESENT:** G Williams, Chief Executive;  
C Tiriana, Deputy Chief Executive, Chief Executives Group;  
O Hopkins, Deputy Chief Executive, District Leadership & Democracy;  
J.P Gaston, Deputy Chief Executive, District Development;  
A Pewhairangi, Deputy Chief Executive, Community Wellbeing;  
S Michael, Deputy Chief Executive. Infrastructure & Environmental  
Solutions;  
T Collé, Deputy Chief Executive, Organisational Enablement;  
G Rangi, Deputy Chief Executive, Te Arawa Partnership;  
J Akari, Director People & Capability;  
R Fraser, Director Infrastructure & Environmental Solutions  
I Tiriana, Manager, Manager Council Communications;  
G Kieck, Manager, Corporate Planning & Strategy  
R Dunn, Governance Lead;  
I Brell, Governance Support Advisor.

The meeting opened at 9.31am.

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

#### **1 KARAKIA WHAKAPUAKI OPENING KARAKIA**

The Chair, Mayor Chadwick opened the meeting with a Karakia.

The Chair acknowledged the passing of Sir Toby Curtis and asked all those present to stand for a minutes silence.

#### **2 NGĀ WHAKAPĀHA APOLOGIES**

None

#### **3 WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST**

None

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

##### Tarawera Sewerage Scheme (confidential item)

Cr Raukawa-Tait made a request to bring the Tarawera Sewerage Scheme confidential item into public. The Chair accepted the request based on the high level of public interest. The Chair subsequently stated the item would be limited to those parts that are public information and therefore would be for information and questions only. The decision required which is commercially sensitive would remain to be dealt with in confidential.

The Chair tabled notification from the Ministry for the Environment advising that Minister Parker has confirmed that the \$6.5m funding for Tarawera Sewerage scheme is available citing the receiving of the draft workplan and deed is ready for signing.

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

##### 5.1 MINUTES OF COUNCIL MEETING HELD 28 JULY 2022

RDC-1293585

###### **Resolved**

- 1. That the minutes of the Council meeting held 28 July 2022 be confirmed as true and correct.**

Moved: Cr Donaldson

Seconded: Cr Macpherson

**CARRIED**

##### 5.2 MINUTES OF COUNCIL MEETING HELD 4 AUGUST 2022

RDC-1297420

###### **Resolved**

- 1. That the minutes of the Council meeting held 4 August 2022 be confirmed as true and correct.**

Moved: Cr Wang

Seconded: Cr Raukawa-Tait

**CARRIED**

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

##### 4.1 TARAWERA SEWERAGE SCHEME UPDATE

Stavros Michael spoke to a presentation - "Tarawera Sewerage and Reticulation Scheme" (Attachment 1).

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

**6.1 RECOMMENDATIONS FROM OTHER COMMITTEES**

RDC-1300357

**Resolved**

**That the “Recommendations from other Committees” be received:**

- 1. Operations & Monitoring Committee 4 August 2022 – Disposal of Surplus property at 283 Clayton Road.**
  
- 2. Strategy, Policy & Finance Committee meeting held 11 August 2022**
  - **Adopt Development Contribution Policy**
  - **Proposal for the revocation and disposal of identified reserves**
  - **Delegation of Authority for Chief Executive to approve contract 22/035 – Urban Water Renewal 2022-2024**

Moved: Mayor Chadwick

Seconded: Cr Donaldson

**CARRIED**

**RECOMMENDATION 1**

**DISPOSAL OF SURPLUS PROPERTY AT 283 CLAYTON ROAD**

RDC-1288723

**Resolved**

- 1. That the land at 283 Clayton Road, being Lot 29 DPS 131 (“the land”), be declared by Council surplus and disposed of using an expression of interest process.**
  
- 2. That Council delegate the Chief Executive Officer is to dispose of the land to the successful party on conclusion of the expression of interest process.**

Moved: Cr Tapsell

Seconded: Cr Yates

**CARRIED**

**RECOMMENDATION 1****CONSIDERATION OF FEEDBACK TO DEVELOPMENT CONTRIBUTIONS POLICY CONSULTATION**

RDC-1294463

- 1. That Council adopt the Development Contributions Policy with effect from 1 September 2022.**
- 2. That Council adopt the implementation date of the policy of 1 December 2022.**
- 3. That Council adopt that the Western Stormwater charge remain be capped at 15% in relation to amendments made to Stormwater Catchment areas.**

Moved: Cr Raukawa-Tait

Seconded: Cr Donaldson

**CARRIED**

Recorded against: Crs Tapsell, Macpherson and Cr Kai Fong.

Cr Wang noted being against resolution 2 only.

**RECOMMENDATION 2****DELIBERATIONS AND RECOMMENDATIONS ON THE PROPOSAL FOR THE REVOCATION AND DISPOSAL OF IDENTIFIED RESERVES**

RDC-1296438

- 1. That Council adopt the decision for each identified reserve site as follows:**

- 1. Coulter Road Reserve (Part)**

Retain reserve. Staff to work with community to identify opportunities to improve reserve.

- 2. Steeles Lane Reserve (Part)**

Retain reserve as likely unfeasible for development.

- 3. Wrigley Road Reserve (Part)**

Revoke status of part of the reserve and partner with Ko Te Tuara Totara O Fordlands Incorporated Society (KTTToF) to progress housing development (noting this recommendation requires a Local Bill to progress).

- 4. High Street Reserve (Part)**

Progress process for disposal and development of the reserve working with the kindergarten to explore options for the comprehensive redevelopment of the site that improves outcomes for the kindergarten and the function, quality and accessibility of the reserve, noting that any proceeds of sale will be required to improve the quality of the retained reserve area.

5. **171 Clinkard Avenue**

Direct sale to Kāinga Ora (noting this recommendation requires a Local Bill to progress).

Noting that the proceeds of sale will be used to improve recreation provision on the reserve.

6. **Turner Drive Reserve (Part)**

Progress two stage process for disposal and development of part (reduced to 50%) of the site and direct reinvestment into Turner Drive Reserve and Western Heights (noting requires Local Bill to progress).

7. **Park Road Reserve (Part)**

Progress two stage process for disposal and development of part of the site (as proposed) and direct reinvestment into Park Road Reserve and Western Heights.

8. **Linton Park West (Part) – 16 Kamahi Road**

Site to have reserve status revoked but decision on disposal or development parked while further investigation and discussions are undertaken with the Linton Park Community Centre, mana whenua and the wider community.

9. **Gallagher Street Reserve**

Progress two stage process for disposal and development of the site with proceeds to be used to improve quality of other reserves in vicinity.

10. **Lee Road Reserve**

Retain Reserve

2. That Council direct the Chief Executive to pursue a draft local bill that achieves the recommendations for each of the identified reserve sites.
3. That Council provides for a first right of refusal and subsequent expressions of interest process be adopted with criteria to be confirmed in subsequent Council meeting.

Moved: Cr Raukawa-Tait

Seconded: Cr Maxwell

**CARRIED**

A division was called:

FOR: Cr Yates (against part 9), Cr Maxwell, Cr Raukawa-Tait, Cr Donaldson, Mayor Chadwick (5)

AGAINST: Cr Wang, Cr Kai Fong, Cr Kumar, Cr Tapsell, Cr Macpherson (5)

CASTING VOTE: Mayor Chadwick

The meeting adjourned at 11.25am and resumed at 11.45am

**RECOMMENDATION 3**

DELEGATION OF AUTHORITY FOR THE CHIEF EXECUTIVE TO APPROVE CONTRACT 22/035 - URBAN WATER RENEWAL 2022-2024

RDC-1284781

- 1 That Council approve the Delegation of Authority for the Chief Executive to approve Contract 22/035 – Urban Water Renewal 2022-2024.**

Moved: Cr Raukawa-Tait

Seconded: Cr Donaldson

**CARRIED****7. PŪRONGO KAIMAHI  
STAFF REPORTS**

- 7.1 DELEGATION OF AUTHORITY FOR THE CHIEF EXECUTIVE TO APPROVE CONTRACT 21/040 – TARAWERA RD RESERVOIR DESIGN & BUILD**

RDC-1301675

**Resolved**

- 1. That the report “Delegation of Authority for the Chief Executive to approve Contract 21/040 – Tarawera Rd Reservoir Design & Build ” be received.**

Moved: Cr Donaldson

Seconded: Cr Maxwell

**CARRIED****Further Resolved**

- 2. That Council approves the Delegation of Authority for the Chief Executive to approve the award of Contract 21/040 – Tarawera Rd Reservoir Design & Build.**

Moved: Cr Tapsell

Seconded: Cr Donaldson

**CARRIED**

- 7.2 DELEGATIONS TO THE CHIEF EXECUTIVE DURING INTERIM ELECTION PERIOD 2022**

RDC-1296056

**Resolved**

- 1. That the report “Delegations to the Chief Executive during Interim Election Period 2022” be received.**

Moved: Cr Raukawa-Tait

Seconded: Cr Kai Fong

**CARRIED**

**Further Resolved**

2. That subject to the limitations set out in the Local Government Act 2002, Schedule 7, 32 (1) that Council delegates all of its responsibilities, duties, and powers to the Chief Executive for the period from the day after the declaration of the election results until the swearing in of the new Council, subject to a requirement that the Chief Executive may only exercise this delegation after the following:
- (a) consultation with the person elected to the position of Mayor,
  - (b) may only attend to those matters that cannot reasonably await the first meeting of the new Council and;
  - (c) shall be reported to the first meeting of the new Council; and
- 3 That if any urgent decisions arise in this period requiring significant political input, then an extraordinary Council meeting will be called.

Moved: Cr Yates

Seconded: Cr Macpherson

**CARRIED**

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

**Resolved**

1. That Council move into Public Excluded session.

Moved: Cr Kai Fong

Seconded: Cr Wang

**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 28 JULY AND 4 AUGUST 2022	Please refer to the relevant clause/s in the open meeting minutes.	Good reason for withholding exists under Section 48(1)(a).

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
<p>RECOMMENDATIONS FROM OTHER COMMITTEES – OPERATIONS &amp; MONITORING COMMITTEE MEETING HELD 4 AUGUST 2022:-</p> <p>1 Sir Howard Morrison Centre Project completion</p> <p>RECOMMENDATIONS FROM OTHER COMMITTEES – STRATEGY, POLICY &amp; FINANCE COMMITTEE MEETING 11 AUGUST 2022:-</p> <p>1 Approval of Ground Lease at the Rotorua Lakefront</p> <p>2 Approval of Contract (Contract 22/037) for the Detailed Design and Construction of the Rotorua Wastewater Treatment Plant Upgrade</p> <p>3 Approval of Contract 232/040 Rotorua District Wide Rural Vegetation Control 2022-2025</p> <p>4 Property development project</p>	<p>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>Prevent the disclosure or use of official information for improper gain or improper advantage.</p> <p>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>Section 48(1)(a) Section 48(1)(a)</p> <p>Section 48(1)(a) Section 7(2)(j)</p> <p>Section 48(1)(a) Section 7(2)(b)(ii)</p>
<p>Contract 21-051 Aquatic Centre Pool Hall and Front of House</p>	<p>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>Prevent the disclosure or use of official information for improper gain or improper advantage.</p>	<p>Section 48(1)(a) Section 7(2)(i)</p> <p>Section 48(1)(a) Section 7(2)(j)</p>



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
Contract for the Construction of the Stage 1 – Tarawera Sewerage Scheme	<p>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>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>Section 48(1)(a) Section 7(2)(b)(ii)</p> <p>Section 48(1)(a) Section 7(2)(i)</p>
Chief Executive’s Performance Review	Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) Section 7(2)(a)

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.

**OPEN SESSION**

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Meeting closed at 3.20pm

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S O 28.4 Minutes of the last meeting before election

Confirmed

  
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Chief Executive  
Geoff Williams

  
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Chair  
Steve Chadwick

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: [click here](#)