



**ROTORUA
LAKES COUNCIL**
Te Kaunihera o ngā Roto o Rotorua

Kaupapataka

Agenda

NOTICE OF AN ORDINARY MEETING OF COUNCIL

Date: Wednesday 29 March 2023

Time: 9.30am

Venue: Council Chamber

MEMBERSHIP

Chair Mayor Tapsell

Deputy Chair Cr Kai Fong

Members

- Cr Barker
- Cr Brown
- Cr Kereopa
- Cr Lee
- Cr Maxwell
- Cr O'Brien
- Cr Paterson
- Cr Wang
- Cr Waru

Quorum 6

NGĀ TUKUNGA HAEPAPA A TE KAUNIHĒRA

COUNCIL DELEGATIONS

Type of Committee	Council Committee
Subordinate to	N/A
Subordinate Committees	<ul style="list-style-type: none"> • District Licencing 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	01-15-016
Membership	Mayor (Chair) Deputy Mayor (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 • 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. <p>Additional responsibilities retained by the Council committee:</p> <ul style="list-style-type: none"> • Advise and support the mayor on the development of the long-term plan and annual plans • Approval of long-term plan or annual plan consultation documents, and supporting information and consultation process prior to consultation • Approval of a draft bylaw prior to consultation

	<ul style="list-style-type: none"> • Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of the electoral officer • Adoption of, and amendment to the Committee Terms of Reference, Standing Orders and Code of Conduct • Relationships with the Te Tatau o te Arawa board, including the funding agreement • Monitor the overall financial management and performance of the council • Make financial decisions required outside of the annual plan budgeting processes • Approve the council’s insurance strategy and annual insurance placement for Council • Write-offs • Acquisition of property in accordance with the Long-term Plan • Disposals in accordance with the Long-term Plan • Review the Chief Executive’s performance annually and establish performance targets for each year • Undertake a performance review at the end of the first term of appointment as required by Schedule 7, clause 35 of the Local Government Act 2002. Undertaken no less than 6 months before the date on which the chief executive’s contract of employment for the first term expires.
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. Karakia Whakapuaki - Opening Karakia

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!

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. Ngā Whakapāha - Apologies

The Chair 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. Whakapuakitanga Whaipānga - Declarations of interest

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. Ngā Take Whawhati tata kāore i te Rārangi Take - Urgent Items not on the Agenda

Items of business not on the agenda which cannot be delayed

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

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

The Chair 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 Chair 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. Te Whakaū i ngā Meneti - Confirmation of Minutes

5.1 Council Meeting Minutes (Draft) 22 February 2023

01-15-016
RDC-1363052

Minutes (draft)

Council meeting held Wednesday 22 February at 9.30am
Council Chamber, Rotorua Lakes Council

MEMBERS PRESENT:	Mayor Tapsell (Chair) Cr Kai Fong (Deputy Chair), Cr Barker, Cr Brown, Cr Kereopa, Cr Lee, Cr O'Brien, Cr Paterson, Cr Wang, Cr Waru
APOLOGIES:	Cr Maxwell
STAFF PRESENT:	G Williams, Chief Executive; T Collé, Deputy Chief Executive, Organisational Enablement; J.P Gaston, Deputy Chief Executive, District Development; O Hopkins, Deputy Chief Executive, District Leadership and Democracy; S Michael, Deputy Chief Executive. Infrastructure and Environmental Solutions; G Rangi, Deputy Chief Executive, Te Arawa Partnership; D Jensen, Director of Finance; N Michaels, Senior Communications Advisor; D Cossar, Governance and Democracy Manager; T Rutherford, Executive of Communication, Mayor's Office; I Brell, Governance Support Advisor.

The meeting opened at 9.32am.

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

1 KARAKIA WHAKAPUAKI OPENING KARAKIA

Cr Kai Fong opened the meeting with a Karakia.

2 NGĀ WHAKAPĀHA APOLOGIES

Resolved:

- 1. That the apologies from Cr Maxwell be accepted.**

Moved: Cr Kai Fong

Seconded: Cr Waru

CARRIED

3 WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

Cr O Brien declared an interest in agenda item 6.4 Rotorua District Council (Representation Arrangements) Bill, advising his partner is an employee of the law firm which provided advice to Council on this matter.

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

Sir Howard Morrison Centre

Cr O Brien asked if an update relating to the cancellation of the recent event held at the Sir Howard Morrison Centre could be provided. The Chair requested the Chief Executive, Geoff Williams to respond. Mr Williams provided the following comments:

- A technical review has been undertaken to ascertain what happened.
- This has involved an assessment of systems, operating procedures and protocols.
- Council will be presented with the outcome on completion of the review.

Submissions Policy

Cr O'Brien asked for an update regarding possible legal action against Council's submission policy. The Chair asked Mr Williams to respond. Mr Williams said a letter had been received raising the issue of legal action, however nothing further had been received.

5 TE WHAKAŪ I NGĀ MENETI CONFIRMATION OF COUNCIL MINUTES

5.1 MINUTES OF COUNCIL MEETING HELD 8 FEBRUARY 2023

Resolved:

1. **That the minutes of the Council meeting held 8 February 2023 be confirmed as a true and correct record subject to a minor amendment.**

Moved: Cr Waru

Seconded: Cr Kai Fong

CARRIED

6. PŪRONGO KAIMAHI STAFF REPORTS

6.1 HEARINGS ON KERBSIDE ORGANIC WASTE COLLECTION IN ROTORUA

RDC-1361096

The Chair advised there would no hearing as the submitters who had indicated they would verbally present had withdrawn.

6.2 FINANCIAL PERFORMANCE FOR THE SIX MONTHS ENDING 31 DECEMBER 2022

RDC-1361327

Resolved:

- 1. That the report “Financial Performance for the Six Months ended 31 December 2022” be received.**

Moved: Cr O’Brien

Seconded: Cr Lee

CARRIED

Thomas Collé and David Jensen spoke to a presentation titled Financial Update – 6 Months to the 31 December 2022 (Attachment 1)

Further resolved:

- 2. That, noting operating pressure relating to Emergency Housing, Plan Change 9, Inflation and Rooding Weather Events and the cost-saving initiatives to date, Council staff will continue to identify options to achieve budget targets within their financial delegations.**

AND

- 3. That at the next Council meeting, staff will present cost saving options through the reduction of Council’s level of service to the community in order to achieve budget targets.**

Moved: Cr Kai Fong

Seconded: Cr Lee

CARRIED

6.3 BAY OF PLENTY MAYORAL FORUM TRIENNIAL AGREEMENT 2022-2025

RDC-1357689

Resolved:

- 1. That the report ‘Bay of Plenty Mayoral Forum Triennial Agreement 2022-2025’ be received.**

Moved: Cr O’Brien

Seconded: Cr Brown

CARRIED

Oonagh Hopkins overviewed the report.

Further resolved:

- 2. That Council notes that the Local Government Act 2002 requires not later than 1 March after each triennial general election of members, all local authorities within each region to enter into a triennial agreement covering the period until the next election.**
- 3. That Council endorses the Bay of Plenty Mayoral Forum Triennial Agreement 2022-2025 for approval, and provide an electronic signature of council’s Mayor to Regional Council by 28 February 2023.**

Moved: Cr Wang
Seconded: Cr Waru
CARRIED

Meeting adjourned at 10.30am and resumed at 10.44am.

6.3 ROTORUA DISTRICT COUNCIL (REPRESENTATION ARRANGMENTS) BILL

RDC-1359775

Resolved:

- 1. That the report 'Rotorua District Council (Representation Arrangements) Bill' be received.**

Moved: Cr Barker
Seconded: Cr Paterson
CARRIED

Gina Rangi overviewed the report.

Further resolved:

- 2. That Council write to the Māori Affairs Select Committee to advise that the Council withdraws its support for the Bill.**

Moved: Mayor Tapsell
Seconded: Cr Lee
CARRIED

Recorded against: Cr Waru

**7. HE WHAKATAUNGA KIA HOKI ATU TE ARONGA O TE HUI HAI HUI TŪMATAWHĀITI
RESOLUTION TO MOVE INTO PUBLIC EXCLUDED**

Resolved:

- 1. That Council move into Public Excluded session.**

Moved: Cr Waru
Seconded: Cr Brown
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
Extension of Contract 21/03 – Linton Park detention Park 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.	Section 48(1)(a) Section 7(2)(b)(ii)
Award of Contract 23/003 - Water Main Upgrade – State Highway 5 Reporoa (Handcock Road –Dairy Factory).	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.

OPEN SESSION

The meeting closed 12.44pm

To be confirmed at a Council meeting on 29 March 2023

.....
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: [click here](#)

6. Pūrongo Kaimahi - Staff Reports

01-15-016
RDC-1370494

ROTORUA LAKES COUNCIL

Mayor
Members
COUNCIL

6.1 Financial Performance for the Eight Months Ending 28 February 2023

Report prepared by: David Jensen, Director of Finance

Report reviewed by: Thomas Collé, Deputy Chief Executive Organisational Enablement

Report approved by: Geoff Williams, Chief Executive

1. TE PŪTAKE PURPOSE

The purpose of the report is to provide information on Council's financial performance for the eight months ended 28 February 2023.

2. NGĀ TŪTOHUNGA RECOMMENDATIONS

1. That the report "Financial Performance for the Eight Months ended 28 February 2023" be received.
2. That staff will continue to identify options for cost-savings in order to achieve approved budgets.
3. That any residual operational deficit will be offset against underspends in capital renewals, funded through depreciation.
4. That any residual operating deficit will not be funded through external borrowing.

3. TE MATAPAKI DISCUSSION

➤ Council's Operating Environment

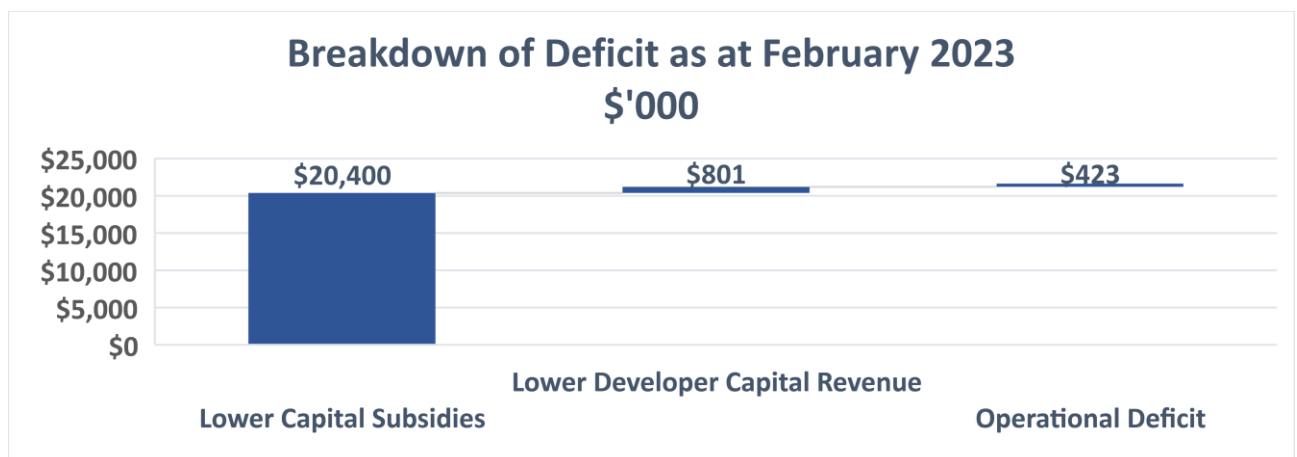
Council's operating environment contains several key challenges, which is having a significant impact on Council's financial position. These pressures include costs associated with Emergency Housing, Plan Change 9, the impact of severe weather events and inflation.

Through late 2022, Council staff undertook a review of forecast income and expenditure which identified a potential operating deficit of \$5.6m, recognising pressures achieving certain revenue targets and increases in Council's forecast expenditure as a result of the operating pressures noted above. This was revised downwards to a forecast deficit of \$2.9m in January 2023 through a series of cost saving initiatives including the deferral of recruitment for vacant roles, delaying or cancelling planned expenditure with contractors and to increases in revenue targets to meet the changing market conditions.

This revised forecast was presented to Council on 22 February 2023 and Council passed resolutions instructing staff to continue to investigate options for operational savings, and to bring options to the March 2023 Council meeting with recommendations to reduce Council's level of service in order to deliver a full year operating result within the approved budget.

➤ Update on Council's 2022/23 Year End Financial Position

Council's financial position has continued to stabilise as cost saving initiatives have constricted expenditure across the business, and revenue has performed ahead of initial forecasts. Within the \$21.6m year-to-date deficit shown for February, \$20m relates to the receipt of subsidies attached to capital projects and \$800k relates to lower than budgeted capital revenue from developers, leaving \$400k as the current operational deficit.



Additional savings initiatives relating to the restriction of expenditure through financial delegations are underway through March 2023. As we progress through the financial year, Council's exposure to a significant operational deficit is lessening as previous uncertainties around future costs and income become known.

While aspects of Council's operational expenditure remain above budget Council's capital renewal expenditure is well under budget, partially as a result of contractor shortages but also through decisions made on asset conditions where assets have been deemed to have longer useful lives than previously budgeted for. Capital renewals are funded through depreciation which means that while the budget and expenditure sits in capital budgets, the funding source comes from within operational expenditure.

While the 2022/23 Annual Plan approved \$81m of external borrowing to fund large capital projects such as the Lakefront Revitalisation project, the Aquatic Centre and Wastewater Treatment Plant upgrades, it is noted that capital renewals are funded through depreciation rather than through loans.

In order to manage Council's financial performance for the remaining four months of the financial year and to ensure that Council's year-end position falls within the funding envelope approved through the 2022/23 Annual Plan, this report recommends that operational deficits are netted off against Council's underspends on capital renewals to ensure that Council can continue to deliver on its level of service while eliminating the need for borrowing to fund operational expenditure.

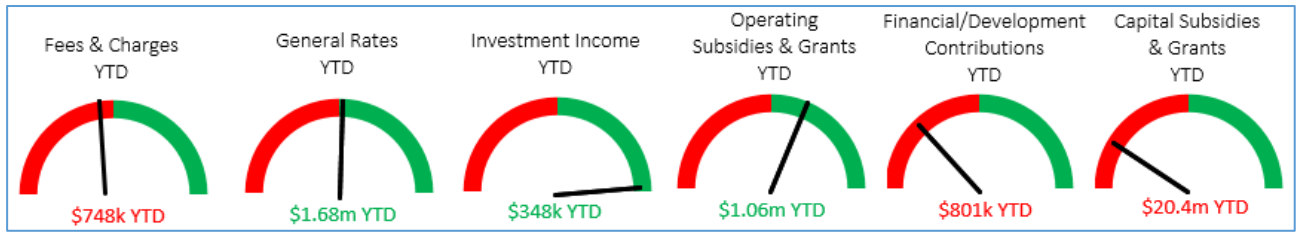
➤ Year to Date Financial Performance

As at 28 February 2023, Council has an operating surplus of \$1.4m compared to a budget surplus of \$23.0m. Most of the variance to budget continues to be related to revenue from capital subsidies due (\$20.40m) which is linked to delivery milestones of key capital projects. The balance (\$1.2m) relates to lower than budgeted development and financial contribution revenue from developers (800k) and an operational deficit of \$400k.

Our capital works programme expenditure is currently at \$54.4m against a budget of \$102.2m. The lower than budgeted spend is predominantly related to the timing of key projects and planned infrastructure renewals.

Figures in \$000's	Actual	Budget	Variance - Favorable / (Unfavorable)
Income			
Fees & Charges	11,522	12,270	(748)
General Rates	80,915	79,235	1,680
Investment Income	715	367	348
Development & Financial Contributions	774	1,575	(801)
Subsidies & Grants - Capital	10,440	30,840	(20,400)
Subsidies & Grants - Operational	4,833	3,769	1,064
Total Income	109,199	128,056	(18,857)
Opex			
Administration Expense	2,538	2,570	32
Finance Cost	94	243	149
Maintenance	780	1,058	278
Operating Expenses	46,476	42,910	(3,565)
Staff Costs	21,421	21,753	332
Utilities	1,924	2,000	76
Depreciation	28,019	28,019	
Interest Cost	6,553	6,553	
Total Opex	107,804	105,106	(2,698)
Total Operating Surplus / (Deficit)	1,395	22,950	(21,555)
Allocated Costs			
Overheads	0		
Recovery & Applied	(1)	-69	-68
Total Allocated Costs	-1	-69	-68
Net Surplus / (Deficit)	1,396	23,020	(21,624)

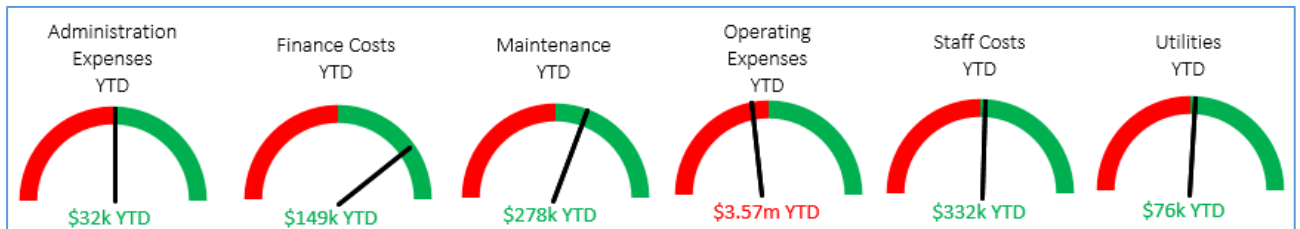
➤ **Income**



Total Income is tracking unfavourably to budget, with a \$18.9m negative variance to budget. This primarily relates to Capital Grants & Subsidies related to Capital Expenditure. Operating Income is currently \$1.5m ahead of year-to-date budget.

- Council’s fees and charges are \$748k behind year-to-date budget due to lower than forecast Subdivision Fees (\$402k lower than budget), Parking Revenue (\$403k) and Animal Control (\$113k). This remains partially offset by \$420k unbudgeted Resource Consent revenue due to the on charging of consenting costs to the Ministry of Housing.
- Rate revenue is \$1.7m ahead of year-to-date budget primarily due to higher than budgeted Water by Meter revenue and lower than budgeted rate remissions requested through 2022/23.
- Investment Income is \$348k ahead of year-to-date budget due to rising interest rates on cash deposits.
- Operating Subsidies & Grants are \$1.1m ahead of year-to-date budget due to the timing of receipts from the Ministry of Environment and other community grants.
- Financial & Development Contributions are \$520k behind year-to-date budget due to lower developer activity year-to-date.
- Capital Subsidies & Grants are \$20.4m behind year-to-date budget due to the timing of completion of capital works, particularly within the Tarawera Wastewater Scheme and the Lakefront Revitalisation projects.

➤ **Operating Expenses**

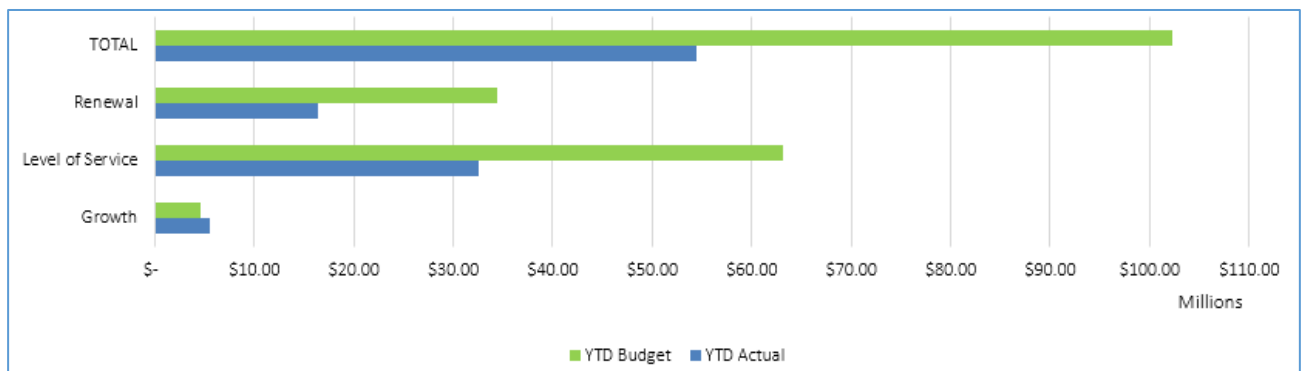


Operating Expenses are tracking unfavourably to budget, with a \$2.7m negative variance to budget.

- Administration Expenses are tracking to budget year-to-date.
- Finance Costs are \$149k under budget year-to-date due to lower than forecast external borrowing.

- Maintenance is \$278k under budget year-to-date due primarily to underspends on repairs and reactive maintenance.
- Operating Expenses are \$3.57m higher than year-to-date budget due to costs associated with Emergency Housing (\$620k), additional expenditure on roading contractors following recent flooding events (\$948k over year-to-date budget, offset by additional Waka Kotahi subsidies), additional expenditure on security contracts (\$458k over budget) and increased insurance premiums (\$345k over year-to-date budget). February numbers include costs associated with hosting the NRL All-Stars game for which offsetting income is still to be received. Council is also experiencing higher than budgeted contractual CPI adjustments on major operational contracts due to current inflation rates, predominantly within Wastewater and Waste Management.
- Staff Costs are \$332k underspent year-to-date representing the difficulties on boarding staff in the current recruitment market.
- Utilities are tracking to year-to-date budget.

➤ Capital Expenses



As at 31 December 2022, Council had spent \$44.7m against year-to-date budget of \$63.7m. The full 2022/23 capital programme is \$143.8m.

Renewals expenditure is behind budget primarily due to the timing of commencement of the Aquatic Centre project (\$8.8m behind budget YTD), as well as delays or extensions to useful asset lives across the Stormwater, Water Supply and Active & Engaged Communities activities.

Level of Service expenditure is behind budget due to delays in commencing planned expenditure on the Museum (\$7m behind budget YTD), as well as underspends on the Tarawera Sewerage Scheme (\$5.8m) and the Lakefront Revitalisation project (\$3.1m).

Expenditure on key projects is as follows:

- Sir Howard Morrison Centre: \$7.9m. The centre was opened in February and is fully operational.
- Rotoiti/Rotoma Sewerage Scheme: \$5.04m. The work programme connecting properties to the scheme continues and a capital rate will be consulted on for the upcoming Long Term Plan to recover the costs associated.
- Wastewater Treatment Plant Upgrade: \$4.9m. Council is engaging in a multi-year project to upgrade major Wastewater Treatment Plant infrastructure and work has commenced through mid 2022/23.

- (iv) Transport Renewals: \$4.1m. This work programme supports the renewal of roading across the district has also funded repair works to date after the damage caused by Cyclone Gabrielle.
- (v) Pukehangi West Stormwater: 4.0m.
- (vi) Sewage Renewals: 3.8m.
- (vii) Lakefront Revitalisation: 3.7m.

4. TE TINO AROMATAWAI ASSESSMENT OF SIGNIFICANCE

The decisions or matters of this report are not considered significant in accordance with Council's Significance and Engagement Policy.

ROTORUA LAKES COUNCIL

Mayor
Members
COUNCIL

6.2 2023 Local Government New Zealand (LGNZ) Conference

Report prepared by: Rick Dunn, Governance & Democracy 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 determine the two councillors that will attend the 2023 Local Government New Zealand (LGNZ) Conference.

2. NGĀ TŪTOHUNGA RECOMMENDATIONS

1. That the report “2023 Local Government New Zealand (LGNZ) Conference” be received.
2. That Council determine that the following two councillors attend the 2023 LGNZ conference:
 - i) Cr Kereopa
 - ii) Cr Paterson
3. That Council note that the Te Tatau o Te Arawa board will appoint their representative to attend the conference.

3. TE TĀHUHU BACKGROUND

The 2023 LGNZ Conference is being held in Ōtautahi Christchurch from 26 to 28 July 2023. The 2023 LGNZ Annual General Meeting (AGM) will be held on Wednesday 26 July 2023.

Council’s policy on attendance at the annual LGNZ Conference is: (Attachment 1)

- Mayor
- Deputy Mayor
- Chief Executive
- Two Councillors
- One Te Tatau o Te Arawa board member

4. TE MATAPAKI ME NGĀ KŌWHIRINGA DISCUSSION AND OPTIONS

In addition to Mayor Tapsell, Deputy Mayor Kai Fong and Chief Executive Geoff Williams, Council can nominate two councillors to attend the 2023 LGNZ Conference. The Te Tatau o Te Arawa board will appoint one board member to be their representative at the conference.

At the time this report was written there were no details available regarding the conference theme, registration costs and accommodation options. Councillors will be advised of these once LGNZ have confirmed the conference details.

5. TE TINO AROMATAWAI ASSESSMENT OF SIGNIFICANCE

This matter does not trigger Council's Significance and Engagement Policy.

6. NGĀ KŌRERO O TE HAPORI ME TE WHAKATAIRANGA COMMUNITY INPUT/ENGAGEMENT AND PUBLICITY

Consultation on this matter is not being undertaken as the policies that relate to this business case gives decision-making powers to Council.

7. HE WHAIWHAKAARO CONSIDERATIONS

7.1 He Whaiwhakaaro Mahere Pūtea Financial/budget considerations

The conference registration fees were not available at the time this report was written. Early bird registration fees for the 2022 conference were \$1400 per person for LGNZ member Councils.

7.2 Tūraru Risks

There are no major risks associated with the decisions or matters.

7.3 Te Whaimana Authority

In accordance with the "Conference Attendance for Elected Members Policy" Council has authority to nominate two councillors to attend the 2023 LGNZ Conference.

8. TĀPIRINGA ATTACHMENT

Attachment 1: Conference Attendance for Elected Members Policy.



CONFERENCE ATTENDANCE FOR ELECTED MEMBERS POLICY

Date Adopted	Next Review	Officer Responsible
8 December 2016	1 December 2019	Group Manager, Strategy and Partnerships

Policy Purpose:

To guide decision making in relation to elected members representation of council at conferences and professional development seminars.

Policy:

That for the annual LGNZ conference, the Mayor, Deputy Mayor, Chief Executive, two councillors and a representative from the Te Tatau o Te Arawa Board; attend as council's delegates.

All councillors will have the opportunity to attend sessions of their choice at Rotorua-based conferences.

Any proposed conference attendance outside of Rotorua needs to be supported by a business case that outlines the benefits of the event against the following criterion:

The conference/event must support council's vision, business objectives and aspirations for the future as encapsulated in the Long-term Plan, or

The conference/event must support council's current priorities and/or flagship projects.

The business case to be approved by a recommendation from the CE to council.

Generally, travel costs of accompanying persons will not be paid for.

At the conclusion of the conference, the elected representative is required to provide a written report to council.

ROTORUA LAKES COUNCIL

Mayor
Members
COUNCIL

6.3 Proposed Land Development and Road Realignment – 61 Kawaha Point Road

Report prepared by: Stephanie Kelly, Strategic Lead – Urban Development Partnerships

Report reviewed by: Jean-Paul Gaston, Deputy Chief Executive – District Development

Report approved by: Geoff Williams, Chief Executive

1. TE PŪTAKE PURPOSE

The purpose of this report is to seek the Council’s approval on a proposal to progress development on the surplus freehold property at 61 Kawaha Point Road, using a request for proposals process to identify a preferred developer and to seek in-principle approval for the development of a sportsfield on Boielle Park for the primary use by Waikite Sports Club Inc.

2. NGĀ TŪTOHUNGA RECOMMENDATIONS

1. That the report “Proposed Land Development and Road Realignment – 61 Kawaha Point Road” be received.
2. That the Council declares the land at 61 Kawaha Point Road, being Lot 3 DPS 22550 (“the land”) to be surplus, and approves the land for development and disposal using a request for proposals process.
3. That the Council delegates the Chief Executive Officer and the Chairperson of the Community and District Development Committee to dispose of the land to the successful party on conclusion of the request for proposals process.
4. That the Council notes that to achieve an optimal development outcome for the land at 61 Kawaha Point Road, that the unformed road known as Frank Street extension will be realigned using Section 114 and 116 of the Public Works Act 1981 prior to the request for proposals process commencing.
5. That the Council approves in-principle, the development of a new sportsfield on Boielle Park for the use of the Waikite Rugby and Sports Club Inc., subject to the Club committing to the development of their existing Number 2. Field.
6. That the new sportsfield on Boielle Park will be funded using Financial Contributions and proceeds from the disposal of other Council land currently being progressed.

3. **TE TĀHUHU BACKGROUND**

61 Kawaha Point Road

The Rotorua Lakes Council owns approximately 8,000m² of freehold land at 61 Kawaha Point Road. The land is narrow and linear in shape and runs adjacent to unformed Council road, known as Frank Street extension. The road includes part of the Ngongotaha cycleway and connects Kawaha Point Road and the end of Frank Street (refer Attachment 1).

The land was purchased by Council in 1954 for £6,000 when the larger block, of which this land formed part, was subdivided. The only use of this land has been for informal grazing of horses from time to time. The land is not, nor has it ever been held as reserve, it does not meet the criteria of Council's Open Space Level of Service Policy and is therefore considered surplus to requirements.

The surplus land at 61 Kawaha Point Road presents an opportunity to achieve a number of wider community outcomes including supporting the development aspirations of Waikite Rugby and Sports Club Inc., as well as providing additional housing for Rotorua.

Boielle Park

Boielle Park is a Council reserve adjoining the Waikite Rugby and Sports Club Inc. land to the east. It is approximately 31,000m² in size and reasonably flat. The reserve features a small children's playground but receives minimal use, primarily because it has no road frontage and subsequently poor visibility into the reserve creating safety issues.

Waikite Rugby and Sports Club Inc.

The Waikite Rugby and Sports Club Inc. is located directly to the east and adjoining the land at 61 Kawaha Point Road. The Club have a long history and are a pivotal part of the Koutū and wider Rotorua community.

As with many sports clubs in New Zealand, the Club has experienced a number of struggles in recent years including declining membership and aging facilities. Its assets include a large club room building, parking area and two rugby fields. The Club's Number 1 field is maintained to the condition of a standard community field, and the Number 2 field is not maintained to a sportsfield standard and has previously only been used for junior rugby training.

The Club are in a unique position in that they own their own land (approx. 7 hectares), which provides them with opportunities to consider options that would ensure their long-term financial sustainability and enable much needed investment into Club facilities.

Council staff and the Club have been in discussions for the past two years on the potential development of the Club's second field for residential housing, and how development of the land at 61 Kawaha Point Road could support and enable the Club's development aspirations. Initially the Club had expressed an interest in undertaking the development of both their own land and the Council-owned land, but have since chosen to focus solely of progressing their own development whilst continuing to work in partnership with Council to ensure alignment between the sites.

Accordingly, the proposal now is that:

- The unformed road would be realigned to sit partly on Frank Road extension and partly on 61 Kawaha Point Road) using Section 114 and 116 of the Public Works Act 1981 prior to a request for proposals process.
- The remaining land at 61 Kawaha Point Road would be declared surplus, and Council would carry out a public request for proposals to enable the development of the land for residential housing through either a direct sale to a preferred developer or through a partnership with a developer.
- Subject to the Waikite Rugby and Sports Club Inc committing to develop their existing Number 2 Field for residential housing Council would develop a new sports field on Boielle Park for their use.

A number of inputs from Council are required to support and enable the Club to achieve their development aspirations. This includes:

- The road known as **Frank Street extension** is constructed as part of the proposed development of 61 Kawaha Point Road to provide additional vehicle access,
- providing a **stormwater solution** that provides for the development of the Club land and 61 Kawaha Point Road, and
- ensuring the Club continue to have access to **a second sport fields** of sufficient quality for community sports.

These inputs are discussed in more detail in section 4 below.

4. **TE MATAPAKI ME NGĀ KŌWHIRINGA** **DISCUSSION AND OPTIONS**

Vehicle access

Development of 61 Kawaha Point will require the currently unformed road or Frank Street extension to be formally constructed. This will improve vehicle access to the Waikite Club and also significantly improve access for the community from Kawaha Point Road through to Frank Street and the wider Koutū area. This includes an existing 60 lot high density residential development known as Mountview Green (under construction) which is currently only able to be accessed off Frank Street.

Due to the linear shape of 61 Kawaha Point Road and Frank Street extension, developing this land based on the current layout of the land and the adjoining road would result in a poor development outcome and essentially create a 'rat-run' for traffic between Kawaha Point Road and Frank Street.

To achieve a better development outcome and urban design best practice, it is proposed to realign the unformed road as shown on the concept plan included as Attachment 2. Realignment of the road will create three individual land parcels and achieve a number of positive outcomes:

- Improved connection between Kawaha Point Road, the Waikite Rugby and Sports Club Inc. and Frank Street
- Improved traffic safety for motorists, cyclists and pedestrians
- Improved walking and cycling experience for people using the Ngongotaha Cycleway
- Reducing potential negative visual effects on the Waikite Club and existing residential area
- Increased safety outcomes for Waikite Club through increased passive surveillance
- Improved liveability for future residents

As this is an existing road and the proposed realignment will not extinguish the public right of access, and because both the land to be declared road and the road to be stopped will be dealt with at the same time, the road realignment can be undertaken using the Public Works Act 1981 (PWA) rather than using the standard road stopping process set out under the Local Government Act 1974. The PWA

process requires the preparation of a survey plan showing the areas to be stopped and the areas to be declared road, and an application to Land Information New Zealand.

The construction of the road to Council's infrastructure standards would be the responsibility of the preferred developer selected through the Request for Proposal's process discussed further in this report.

Provision of additional sportsfield

If the Waikite Club proceed with the development of their second field, they will require the use of an additional sportsfield. It is proposed that Boielle Park be upgraded to provide a second field.

A recent analysis of the demand and supply of Council's existing sportsfield network identified a significant undersupply of sportsfield provision within the Western and Central areas of Rotorua. The development of a sportsfield on Boielle Park will ensure that the club continues to have access to high quality facilities and provide an additional sportsfield for use by other sports clubs and the wider community. The development of an additional field will also improve public access, use and safety of an existing underutilised reserve.

Current estimates for the development of the field including drainage and lighting is \$350,000-\$450,000. A financial contribution for reserves will be payable for each new lot created upon subdivision of 61 Kawaha Point Road and the Club's land. It is proposed that the financial contribution is used to fund the development of a new field with any additional funding that may be required being sought out of the proceeds of sale from the former Council reserve at 283 Clayton Road.

Stormwater solution

The discussions between Council and the Club regarding the potential development of 61 Kawaha Point Road and the Club's second field have been ongoing for the last two years. Subsequently Council staff were able to anticipate the need for upgrades to stormwater infrastructure and ensure that funding was included in the application made to the Government's Infrastructure Acceleration Fund (IAF).

Of the \$85 million in IAF funding granted to the Council, \$3.32 million has been allocated to support the development of the Club land and 61 Kawaha Point Road. Detailed feasibility work is required, and is expected to include a 8,000m³ stormwater detention pond and wetland development, and upgrades to the existing stormwater network within the area.

Request for proposals process

It is critical that the development of 61 Kawaha Point Road demonstrates good urban design and achieves optimal outcomes for residents and the surrounding community including improved connectivity and liveability. To achieve this outcome, it is recommended that the development of 61 Kawaha Point Road is progressed via a requests for proposals process.

Interested developers would be required to submit a proposal which specified their purchase price or outlined how they would partner with Council, along with a proposed development concept. Proposals would then be assessed using the following criteria:

Criteria	Requirements	Weighting
Purchase price or innovative partnership approach	Offer to purchase price <u>or</u> proposed innovative partnership approach.	40%
Developer track record	Respondent's performance in successfully undertaking and completing residential development projects including details of two projects (including visuals/plans) undertaken within the last five years.	15%
Development timeline	Development timeline including any key milestones.	15%
High level concept	Detail on the development concept proposed for the Site (including preliminary high level sketch plan and/or visuals) including details of the following: <ul style="list-style-type: none"> • Anticipated yield • Proposed Housing typology (e.g. affordable, market) • Approach to development to ensure alignment with best practice urban design standards 	30%

Where similar RFP processes for the disposal and development of Council land have been undertaken, the Chief Executive has been delegated to dispose of the land at the conclusion of the RFP process. With the establishment of the new Committee structure, it is recommended that the Chief Executive and the Chairperson of the Community and District Development Committee be delegated to dispose of the land at the conclusion of the RFP process.

5. **TE TINO AROMATAWAI ASSESSMENT OF SIGNIFICANCE**

The decisions in this report are not considered significant in accordance with Council's Significance and Engagement Policy.

6. **NGĀ KŌRERO O TE HAPORI ME TE WHAKATAIRANGA COMMUNITY INPUT/ENGAGEMENT AND PUBLICITY**

Consultation with the wider community has not been undertaken on the matters that are the subject of this report. The land is freehold and is zoned residential. It has never been held as reserve and is not considered a Strategic Council Asset or of significance to the community. Future subdivision consent processes will identify if additional consultation is required with people identified as being potentially affected by the proposal.

As stated Council staff have been having ongoing discussions with the Waikite Rugby and Sports Club Inc. In addition, information on the proposal has been provided to Te Komiti Nui o Ngāti Whakaue along with an invitation to meet and discuss the proposal further.

7. HE WHAIWHAKAAROTANGA CONSIDERATIONS

7.1 Mahere Pūtea Financial/budget considerations

The anticipated cost to undertake the road realignment and the Request for Proposals process is \$20,000. This includes surveyor costs, property specialist services and legal fees.

A registered valuation of the land at 61 Kawaha Point Road has not been obtained. The current rateable value is \$250,000.

7.2 Kaupapa Here me ngā Hiraunga Whakariterite Policy and planning implications

The decisions in this report are consistent with Council's Property Disposal Policy.

The land is zoned residential in the Rotorua District Plan enabling it to be developed for residential use.

7.3 Tūraru Risks

There are no identified risks associated with the decisions in this report.

7.4 Te Whaimana Authority

Only full Council has the authority to make a decision to dispose of Council land and the method of disposal.

Council's Manager, Transportation Infrastructure Networks is delegated by the Chief Executive to make decisions on the stopping and declaring of roads under the Public Works Act 1981.

8. NGĀ ĀPITIHINGA ATTACHMENTS

Attachment 1: Location map of key sites (RDC-1365403)

Attachment 2: Proposed road realignment of Frank Street extension (RDC-1364634)

Attachment 1: Location map of key sites



Attachment 1 : Location map of key sites

N
NZTM Projection

0 25 50 100 150 Metres

**ROTORUA
LAKES COUNCIL**

Path: G:\Project\SDP76xxx\SDP76067\KeyLocationsCommitteeReport\KeyLocationsCommitteeReport.aprx Printed Date: 28/02/2023

Attachment 2: Proposed road realignment of Frank Street extension



ROTORUA LAKES COUNCIL

Mayor
Members
COUNCIL

6.4 Local Governance Statement 2022-2025

Report prepared by: Greg Kieck, Manager Corporate Strategy and Planning

Report reviewed by: Oonagh Hopkins, Deputy Chief Executive - District Leadership and Democracy

Report approved by: Geoff Williams, Chief Executive

1. TE PŪTAKE PURPOSE

The purpose of this report is to approve the Rotorua Lakes Council Local Governance Statement 2022-2025 for public release.

2. NGĀ TŪTOHUNGA RECOMMENDATIONS

1. That the report “Local Governance Statement 2022 – 2025” be received.
2. That the Council resolves to approve for public release the Rotorua Lakes Council Local Governance Statement 2022-2025 as circulated in a separate document.

3. TE TĀHUHU BACKGROUND

The Local Government Act 2002 requires all local authorities to prepare and make publicly available a Local Governance Statement within six months following a triennial election. The Local Governance Statement provides information about the processes that Council uses to engage with residents. It also outlines how Council makes decisions and shows how residents can influence Council decisions and processes.

Section 40 of the Local Government Act 2002 prescribes the specific information which must include:

- (a) the functions, responsibilities, and activities of the local authority; and
- (b) any local legislation that confers powers on the local authority; and
- (ba) the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under [section 158](#) or [159](#); and
- (c) the electoral system and the opportunity to change it; and
- (d) representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and

- (e) members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and
- (f) governance structures and processes, membership, and delegations; and
- (g) meeting processes (with specific reference to the applicable provisions of the [Local Government Official Information and Meetings Act 1987](#) and standing orders); and
- (h) consultation policies; and
- (i) policies for liaising with, and memoranda or agreements with, Māori; and
- (j) the management structure and the relationship between management and elected members; and
- (ja) the remuneration and employment policy, if adopted; and
- (k) equal employment opportunities policy; and
- (l) key approved planning and policy documents and the process for their development and review; and
- (m) systems for public access to it and its elected members; and
- (n) processes for requests for official information.

4. TE MATAPAKI ME NGĀ KŌWHIRINGA DISCUSSION AND OPTIONS

Following the elections in October 2022, Council has undertaken a number of forums in which it has reviewed and developed its structures and operations around how to fulfil its roles and responsibilities.

The Local Governance Statement sets out how Council will conduct itself over the coming three years.

5. TE TINO AROMATAWAI ASSESSMENT OF SIGNIFICANCE

The decisions or matters of this report are not considered significant in accordance with the Council's Significance and Engagement Policy.

6. NGĀ KŌRERO O TE HAPORI ME TE WHAKATAIRANGA COMMUNITY INPUT/ENGAGEMENT AND PUBLICITY

Not applicable

7. HE WHAIWHAKAARO CONSIDERATIONS

7.1 Mahere Pūtea Financial/budget considerations

Not applicable

7.2 Kaupapa Here me ngā Hiraunga Whakariterite Policy and planning implications

Not applicable

**7.3 Tūraru
Risks**

Not applicable

**7.4 Te Whaimana
Authority**

The Local Governance Statement is a requirement of the Local Government Act 2002 and must be prepared and made publicly available within six months of the election.

**8. TĀPIRINGA
ATTACHMENT**

Attachment 1: Local Governance Statement 2022 – 2025 (RDC-1372469)
(Circulated as a separate document)

7. He whakataunga kia hoki atu te aronga o te hui hai hui tūmatawhānui - Resolution to move into public excluded (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 THE COUNCIL MEETING HELD 22 FEBRUARY 2023	Please refer to the relevant clause/s in the open meeting minutes.	Good reason for withholding exists under Section 48(1)(a).
INFRACORE LIMITED STRATEGIC DIRECTION	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)
	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	Section 48(1)(a) Section 7(2)(h)

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.