



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

**NOTICE OF A MEETING**

**NGĀTI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE MEETING**

**AGENDA**

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**Date: Thursday 2 November 2023**

**Time: 1.00pm**

**Venue: Committee Room 1**

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**MEMBERSHIP**

Chair

Mayor Tania Tapsell

Members

Cr Sandra Kai Fong

Cr Trevor Maxwell

Mr Malcolm Short

Mr David Tapsell

Ms Tina Ngatai

Mr Monty Morrison

Mr Sindu Morrison

Mr Rawiri Waru

Quorum

4

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## NGĀTI WHAKAUE GIFTED LANDS PROTOCOL (Pukeroa Oruawhata Trust – on behalf of Ngāti Whakaue)

<b>Type of Committee</b>	Māori Protocol Committee
<b>Background</b>	In recognition of Ngāti Whakaue spiritual and historical interest in the land, the Rotorua District Council signed a protocol agreement with Pukeroa Oruawhata Trust on 30 July 1996. This agreement sets out the process of consultation with Ngāti Whakaue regarding the gifted reserves within the Rotorua Township
<b>Purpose</b>	Provide governance over the Ngāti Whakaue Gifted Lands
<b>Principles of the Protocol</b>	The understanding between Council and Ngāti Whakaue is that so far as it may lawfully do so the Council will not effect any changes of status with respect to any such reserves or take steps to dispose of or alienate any of them without first obtaining the consent in writing of Pukeroa Oruawhata Trust (representative of Ngāti Whakaue descendants/beneficiaries) following prior negotiation and consultation on an equal standing basis with the Pukeroa Oruawhata Trust. It is understood that if such reserves should not be used for their original purpose then they should be returned to Pukeroa Oruawhata Trust on behalf of Ngāti Whakaue, unless there is agreement otherwise.
<b>Membership</b>	Ngāti Whakaue Gifted Reserves Committee members: Council Representatives
<b>Meeting frequency</b>	Bi-Annually
<b>Application</b>	<ul style="list-style-type: none"> <li>• The Council and the Pukeroa Oruawhata Trust agree that this Protocol may be amended from time to time but only by mutual agreement to provide for: <ul style="list-style-type: none"> <li>a) Any additional lands that may be established as being included in the original gift of land by Ngāti Whakaue to the Council.</li> <li>b) Any land that the Pukeroa Oruawhata Trust may wish to have transferred to the Council and included a Reserve under the appropriate designation.</li> </ul> </li> </ul>

# Order of Business

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## 1. Karakia whakapuaki - Opening Karakia

## 2. Ngā whakapaaha - Apologies

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. Te whakaū i ngā meneti - Confirmation of Minutes

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#### 3.1 Ngāti Whakaue Gifted Reserves Protocol Committee Meeting Minutes (draft) 4 July 2023

19866923

## Minutes (Draft)

Ngāti Whakaue Gifted Reserves Protocol Committee Meeting  
held Tuesday 4 July 2023 at 1 pm  
Committee Room 1, Rotorua Lakes Council

MEMBERS PRESENT: Mayor Tania Tapsell (Chair)  
Cr Sandra Kai Fong, Cr Trevor Maxwell (Rotorua Lakes Council),  
Mr Malcolm Short, Mr David Tapsell, Ms Tina Ngatai, Mr Monty Morrison, Mr Sindu Morrison, (Pukeroa Oruawhata Trustees - on behalf of Ngāti Whakaue)

APOLOGIES: Mr Rawiri Waru

IN ATTENDANCE: Mr Mark Gibb, Chief Executive, Pukeroa Oruawhata Trust

STAFF PRESENT: Geoff Williams, Chief Executive;  
Rob Pitkethley, Manager, Active and Engaged Communities;  
Stephanie Kelly, Development and Partnerships Manager;  
Ben Manley, Research Lead and Senior Advisor;  
Kingi Biddle, Pukenga Matauranga Māori;  
Gomathi Konara, Governance Support Advisor.

The meeting opened at 1.04pm.  
The Chair welcomed members and staff.

#### 1 KARAKIA WHAKAPUAKI OPENING KARAKIA

Kingi Biddle opened the meeting with a Karakia.

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## 2 NGĀ WHAKAPĀHA APOLOGIES

### Resolved

1. That apologies from Rawiri Waru be accepted.

Moved: Mr David Tapsell

Seconded: Cr Trevor Maxwell

**CARRIED**

## 3 TE WHAKAŪ I NGĀ MENETI CONFIRMATION OF MINUTES

### 3.1 NGĀTI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE MEETING 30 MAY 2022

### Resolved

1. That the minutes of the Ngāti Whakaue Gifted Reserves Protocol Committee meeting held on 30 May 2022 be confirmed as a true and correct record.

Moved: Ms Tina Ngatai

Seconded: Mr Malcolm Short

**CARRIED**

Ms Ngatai noted that the issue raised by her regarding the “Lakeland Queen” docked at Motutara Point is not included in the minutes and wanted to raise the issue again at this meeting as the vessel is still docked at Motutara Point.

## PŪRONGO KAIMAHI STAFF REPORTS

### 4.1 VOLCANIC AIR SAFARIS LTD AND KATOA JET LEASES

19862564

### Resolved

1. That the report ‘Volcanic Air Safaris Ltd and Katoa Jet Leases’ be received.

Moved: Mr David Tapsell

Seconded: Cr Sandra Kai Fong

**CARRIED**

Mr Tapsell declared a conflict of interest as he is on the board of Te Arawa Management Limited who owns the majority of shares of Volcanic Air Safaris Limited.

Rob Pitkethley overviewed the report and spoke to a presentation (Attachment 1 -slides 2 to 4).

- The operators at the lakefront have historically had leases for kiosks at the lakefront and those leases have come to an end.

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- They have been operating under the same conditions in a newer temporary site whilst the lakefront development was ongoing.
- Now that the development is nearly completed, it is appropriate to create new holding leases for the operators to continue until the commercial building is completed.

Ms Ngatai informed that they have instructed their CEO to re-direct the plans for the commercial building. As a part of that, they would like to meet with the operators to see what their requirements are. Ms Ngatai's preference is to have the lease in a holding pattern until those discussions have happened.

Mr Pitkethley informed that council will bring some draft agreements to check.

### Further Resolved

2. **That the Committee endorse the commencement of negotiations with PB and DV Holdings Ltd for continuation of Volcanic Air operations and record any agreement.**
3. **That the Committee endorse the continuation of the Katoa Jet lease of a kiosk site and licence through a new agreement.**

Moved: Ms Tina Ngatai

Seconded: Mr Monty Morrison

**CARRIED**

## 4.2 PROPOSED CHANGE IN RESERVE PURPOSE FOR PART OF THE ROTORUA CEMETERY RESERVE

19392690

### Resolved

1. **That the report 'Proposed change in reserve purpose for part of the Rotorua Cemetery Reserve' be received.**

Moved: Mr David Tapsell

Seconded: Cr Sandra Kai Fong

**CARRIED**

Stephanie Kelly overviewed the report and spoke to the presentation (Attachment 1 –slide 5).

- The reserve has been gifted for cemetery purposes.
- The northern part of the reserve has never been used for cemetery purposes primarily due to underlying ground conditions which are not suitable for traditional burials.
- According to the protocol, Council will be seeking to return that part of the land to Pukeroa [**Pukeroa Oruawhata Trust**] on behalf of Ngāti Whakāue. Council has passed a resolution to begin that process. Revocation of reserves take long time.
- After discussions with Pukeroa, council has passed a resolution to start a process to change the status of part of the land to community housing to enable housing to be developed in the interim.

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- Council will proceed with the revocation process to return the land regardless of the decision of this Committee to proceed with the change of status to community housing.

Mr Tapsell noted that they have yet to make a decision on the plans for this land and if they decide to use the land for the community housing purpose, only part of the land will be used for that. It will not be used exclusively for housing.

Ms Kelly noted that even if the Committee decides to support the process to change the status of part of the land to community housing, it doesn't commit anyone from actually building on the land. It can remain as an open space regardless of the reserve classification.

#### Further Resolved

- 2. That the Committee supports the return of the northern part of the Rotorua Cemetery Reserve to the Pukeroa Oruawhata Trust on behalf of Ngāti Whakaue in accordance with the Ngāti Whakaue Gifted Reserves Protocol Agreement.**
- 3. That the Committee acknowledges that the return of the land is subject to Council undertaking a process under the Reserves Act 1977 to revoke the reserve classification of the land.**
- 4. That, as an interim step, the Committee supports Council undertaking a process to change the purpose of the northern part of the Rotorua Cemetery Reserve from Local Purpose (Cemetery) Reserve to Local Purpose (Community Housing) Reserve, to enable community housing to be developed on the reserve.**

Moved: Mr David Tapsell

Seconded: Cr Sandra Kai Fong

**CARRIED**

#### 4.3 LAKEFRONT/MOTUTARA POINT WALKWAY

19862587

#### Resolved

- 1. That the report 'Lakefront/Motutara Point walkway' be received.**

Moved: Mr Malcolm Short

Seconded: Ms Tina Ngatai

**CARRIED**

Rob Pitkethley overviewed the report and spoke to the presentation (Attachment 1- slides 6 & 7).

- There is small foot bridge located at the very end of the Eastern side of the lakefront re-development zone which leads to a track and then to a boardwalk.
- Council has had the intension to widen this boardwalk as part of the city to forest cycle shared path connection. However, this infrastructure is aged and the boardwalk has been damaged due to weather events and high lake levels during the last 12 months. The vegetation around this area has also been damaged.

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- Engineers have visited the site and have decided that the lake-edge boardwalk is not feasible going forward. The proposal is to shift the walkway from lakefront to Motutara Point back and along the grass-edge of the northern edge of the golf course.
- Heritage New Zealand has been informed of the proposal.

### Further Resolved

- 2. That the Committee endorse the demolition of the existing timber boardwalk and construction of a replacement pathway elsewhere as detailed in this report.**

Moved: Mr Malcolm Short

Seconded: Mr Monty Morrison

**CARRIED**

### Action Point

- Staff to ensure that there's no wahi tapu affected and report back at the next meeting.

Ms Ngatai wished to discuss the issues around "Lakeland Queen".

Mr Pitkethley noted as follows:-

- Lakeland Queen slipped around 18 months ago.
- The jetty at the lakefront that Lakeland Queen has historically used has found to be unsound by an engineering report. The jetty should not have a ship of that size tied to it. This jetty is owned by the company who owns the Lakeland Queen.
- The Council has informed the company that they cannot operate from that jetty as public should not be accessing an unsafe structure.
- Te Arawa Lakes Trust has some concerns on the ship operating from lakefront due to the damage it does to the lakebed.
- The ship is currently on sale and council is not aware of the sale process. The time period given for the slip has expired.
- The company will need to build a new jetty if they decide to operate.

Ms Ngatai noted the following:-

- The site has a historical value to Ms Ngatai's tribe and it is an eyesore to see the ship sitting there for over 18 months.
- This historical site is in danger of becoming an old scrapyards if the boat stays there indefinitely. Therefore it should be moved to somewhere else.

Mr Pitkethley noted that the company was notified when the time period was to expire. Council will notify that the time has expired.

#### 4.4 NEW LEASE TO MENZ SHED – PERERIKA STREET RESERVE

19842663

### Resolved

- 1. That the report 'New Lease to Menz Shed – Pererika Street Reserve' be received.**

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Moved: Mr David Tapsell  
Seconded: Ms Tina Ngatai  
**CARRIED**

Rob Pitkethley overviewed the report and spoke to the presentation (Attachment 1- slide 8).

- Model Railway Club is no longer operating.
- Menz Shed is willing to occupy the building previously occupied by Model Railway Club under a new lease agreement.

Ms Ngati requested to look for the possibility of ending both leases at the same time for convenience.

Mr Pitkethley to discuss with Menz Shed regarding the above.

#### **Further Resolved**

### **2. That the Committee supports the leasing of the ex-Model Railway Club Rooms to the Menz Shed.**

Moved: Mr Malcolm Short  
Seconded: Mr David Tapsell  
**CARRIED**

#### 4.5 GOVERNMENT GARDENS RESERVE – PRINCE’S GATE ARCHES CONDITION

19863537

#### **Resolved**

### **1. That the report ‘Government Gardens Reserve – Prince’s Gate Arches Condition’ be received.**

Moved: Mr Monty Morrison  
Seconded: Mr David Tapsell  
**CARRIED**

Rob Pitkethley overviewed the report and spoke to the presentation (Attachment 1- slide 9).

- This is a significant heritage structure, which has been relocated to the present site in early 1920’s.
- A condition assessment has been done and the structure is at a point that it needs a restoration.
- Council is in the process of preparing for the renewal under annual renewal budget programme and this would affect other renewals.
- The seventh arch needs the most attention.

#### **Further Resolved**

### **2. That the Committee support the continuation of planning for the restoration of the Prince’s Gate Arches.**

Moved: Mr David Tapsell

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Seconded: Mr Malcolm Short  
**CARRIED**

#### 4.6 RESERVE OPERATIONAL UPDATES

19863835

##### **Resolved**

##### **1. That the report 'Reserve Operational Updates' be received.**

Moved: Mr Malcolm Short  
Seconded: Mr Monty Morrison  
**CARRIED**

Rob Pitkethley overviewed the report and spoke to the presentation (Attachment 1)

##### **1. Motorhome parking for Blues and BBQ's Festival - Puarenga Park**

- Council received correspondence from Mr Gibb stating their position and the organisers have been informed accordingly.

##### **2. New entrance sculpture for Arts Village – Government Gardens (Attachment 1- slide 10).**

- Pukeroa has also given permission for the Arts Village to go ahead with the sculpture installation. Me Rawiri Waru has been appointed to work with the Arts Village to ensure that the project is culturally appropriate.

##### **3. New Nursery Geothermal Bore – Government Gardens (Attachment 1- slide 11).**

- The nursery geothermal bore is old and needs replacing.
- The old resource consent needs to be surrendered and a new resource consent needs to be approved. This needs the landowner's approval.
- New Nursery Geothermal Bore is a down-hole heat exchanger system. This means there is only one well and no geothermal fluid extraction. This is more efficient and shallower.

##### **Resolved**

##### **1. That the landowners of the reserve are in support of the new nursery geothermal bore and Ngāti Whakaue Gifted Reserves Protocol Committee approves for the resource consent application to be lodged.**

Moved: Mr Malcolm Short  
Seconded: Mr Sindu Morrison  
**CARRIED**

##### **4. Rotorua Museum Update – Government Gardens**

- The total project cost is now forecast to be \$81.4m, which is \$28m in excess of the original funding forecast.
- The public was consulted with three options as discussed in the report.

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Mayor Tapsell noted:-

- that the councillors are yet to receive all submissions as the consultation closed just recently,
- the councillors also are having several workshops leading up to final decision making in early August. The workshops will look at feasibility of construction and build,
- that this is the most complicated earthquake strengthening project currently in the country due to geothermal and ground conditions and the age of the building.

#### **5. Lakefront Redevelopment Update – Lakefront Reserve (Attachment 1- slide 12).**

- Completed stages are marked in green in the slide.
- There are some vegetation changes to complete.
- Stage 7, centred on the Sound Shell car park area also has been completed.

Mayor Tapsell requested Mr Pitkethley to update on the lake levels. Mr Pitkethley noted following:-

- Higher lake levels have damaged lots of infrastructure.
- The stop logs on the Rotorua side of the Ōhau channel weir has been out for about 13 months. Ōkere gates have being nearly fully opened from that time as well.
- Significant erosion in the reserves but not on the Rotorua lakefront.
- Have done some alterations to the lakefront design because of lake weed.
- The regional council is going through a better business case model for increase government funding for lake-weed management in the lakebed.

#### **6. Aquatic Centre Update – Kuirau Park**

- Stage one, which was 50m outdoor pool was finished about a year ago.
- Stage two is now underway.
- New cladding for the building is being prepared. Quite a lot of modification will be done for front of house area.
- New roof will be installed in summer.
- The intension is to open the full facility in April 2024.
- Have received some government funding for stage two. Therefore some funding left from stage two is secured for stage three.

#### **7. Kuirau Park Road Closure – Kuirau Park (Attachment 1- slide 13)**

- The roadway through Kuirau Park from the Northern end of Tarewa Rd to the central roundabout is not a public road.
- A trial closure was introduced earlier this year and a public consultation was conducted.
- The feedback from consultation was very supportive of the closure.

#### **8. Rotorua Thermal Holiday Park – Centennial Park**

- Mr Tapsell noted that they may have to discuss with Department of Conservation regarding this matter.

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- Mayor Tapsell offered to write to the minister if Ngāti Whakaue wishes the Mayor to do so.

#### **9. Rotorua Chapel – Rotorua Cemetery**

- Council needs a new Chapel at Rotorua cemetery.
- Council have been approached by funeral home type facility providers for potential partnerships to use the facilities under a commercial model while still retaining the ability for the community to access for public services.
- Council is keen to restart the discussions with Ngāti Whakaue regarding the Expression of Interest process to consider possible partners.
- Council has deferred their investment into the renewal of the Chapel until the 2024-2025 financial year

#### **10. Future Development Strategy – City wide (Attachment 1- slides 14 and 15)**

- The draft Future Development Strategy (FDS) is currently out for public consultation.
- The guts of the FDS is where the future home areas would align in the city.
- The plan will get reviewed every three years.
- Cr Kai Fong noted that the 30 year plan looks at both intensification and greenfields.

#### **GENERAL BUSINESS**

- Mr Gibb noted that in considering the FDS, the Pukeroa Orawhata Trust had identified that there were restrictive use regimes for new businesses across a number of the Trust sites due to District Plan zoning. With the way that retail industry was evolving there was a risk in losing potential new business to other BOP sites if these zoning rules did not change so the Trust would be submitting on this to Council.

#### **CLOSING KARAKIA**

Kingi Biddle closed the meeting with a Karakia.

Meeting closed at 2.46pm

Attachment 1

Slide -1



**ROTORUA  
LAKES COUNCIL**

**NGĀTI WHAKAUE GIFTED  
RESERVES PROTOCOL  
COMMITTEE HUI 4 JULY 2023**

Slide - 2



**VOLCANIC AIR AND KATOA JET  
LAKEFRONT LEASES**

New lease arrangements until new commercial building completed.

Change of Volcanic Air lease to new company

Support continued commercial operations and lakefront activities

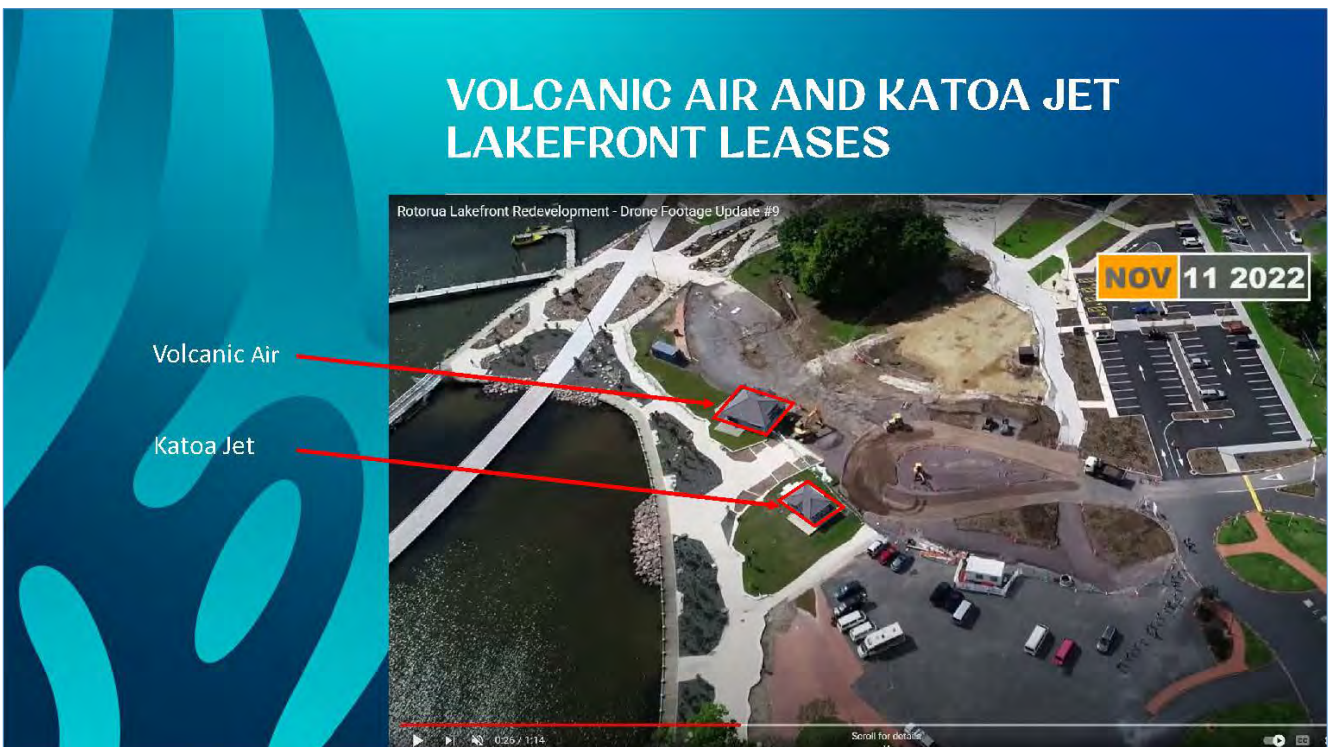
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Slide - 4



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## Slide - 5



## PROPOSED CHANGE IN RESERVE PURPOSE FOR PART OF ROTORUA CEMETERY RESERVE

Northern part of the reserve has never been used for cemetery purposes

Intention to undertake a process to return the land to POT on behalf of Ngāti Whakaue

Change in purpose to community housing to enable housing to be developed in the interim



## Slide - 6

## PROPOSED CHANGE TO MOTUTARA POINT PATHWAY

Significant damage of aged boardwalk during Cyclone Gabrielle

Ongoing sustainability of this route no longer tenable

Alternative route along Motutara Point golf course edge



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Slide - 8

## NEW LEASE TO MENZ SHED, PERIRIKA RESERVE

The aerial map shows the Pererika Street Reserve with several buildings and areas labeled: 'Menz Shed', 'Anglers Club', 'Model Railway Club', 'Pererika Soviet Reserve', and 'Scouts'. A yellow boundary line outlines the reserve area. The map includes a scale bar from 0 to 40 meters and the ROTORUA LAKES COUNCIL logo. A small text box at the bottom of the map reads: 'DATED: 21/06/2023. This map is a map generated from digital data as it is not a map of the land and is for information only. There may be errors in the map data or the map may be outdated. Contact us for further details.'

**Model Railway Club have ended their lease**

**Offer of hall sale to other clubs unsuccessful**

**Menz Shed have requested new lease for use of building**

**ROTORUA LAKES COUNCIL**

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## PRINCE'S GATE ARCHES RENEWAL

1901 NZ Heritage Category 2 structure  
Recent condition assessment shows requires significant restoration  
Preparation for 2023-24 renewal



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Slide - 10



## OPERATIONAL UPDATES

New entrance sculpture at the Arts Village

47228 The Art Village - Custom Cylindrical lit installation

Completed		Top half	
	2300mm		1300mm
	300mm		300mm



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## OPERATIONAL UPDATES

The diagram illustrates a geothermal bore system. On the left, a vertical well is shown with a depth of 3000m and a diameter of 1m. It features 'Hot rock zones' at the bottom. On the right, a detailed view of the bore shows an 'Inlet' at the top, followed by a 'Vortex generator', an 'Inner pipe', and 'Wallheat' sections. A 'Temperature gradient' is indicated along the bore. At the bottom is 'Hot rock'. The surface system includes an 'Evaporator Compressor Condenser' unit and a 'Throttle' valve.

New Nursery Geothermal Bore down-hole heat exchanger system means only one well and no geothermal fluid extraction.

Consent required to replace previous one

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## OPERATIONAL UPDATES

The site plan map shows various construction stages with their completion dates and status:

- Stage 7** – PC targeted late June 2023. Light poles being installed for sound shell footpath. Sound shell field hydroseeded waiting on grass to strike before removing fences. PC Achieved 15<sup>th</sup> June for 4 of the 6 portions of stage 6/7.
- Wharewaka** – PC Target late November. Building consent lodged 20<sup>th</sup> June. Anticipated issue 20<sup>th</sup> July. Subcontractor procurement has commenced. Due 12<sup>th</sup> July. Ground works completed.
- Stage 5** – Completed 12<sup>th</sup> August 2022. Similar lighting issue to stages 1.
- Stage 3** – Completed 17<sup>th</sup> Dec 2021. All defects closed out. Updated Electrical as builds required prior to final completion being released.
- Stage 1 & 1a** – Completed 9<sup>th</sup> July 2021. Lake bed levels – Meeting booked next week with TALT to confirm acceptance of works. Urgent infilling works. BOPRC accepted to proceed on emergency works status. Amendment to consent to capture consent. Lighting – WSP report updated issue end of next week.
- Toddler Play** – Final completion achieved on 20<sup>th</sup> June 2023.
- Stage 4** – Completed 1<sup>st</sup> April 2021.
- Stage 2** – Completed 17<sup>th</sup> Dec 2021. All defects closed out. Updated Electrical as builds required prior to final completion being released.
- Stage 2a**. Initial works PC achieved 15<sup>th</sup> June. Remainder scope works are being priced.
- Toilet Block**. Final completion issued 30<sup>th</sup> May 2023.
- Stage 6** – Completed 14<sup>th</sup> October 2022.

**Key**

- Complete
- Underway
- In design / procurement
- Pending

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## OPERATIONAL UPDATES

**MAP KEY**  
= Closed to vehicle access  
..... Walking/cycling tracks

### Kuirau Park Road Closure

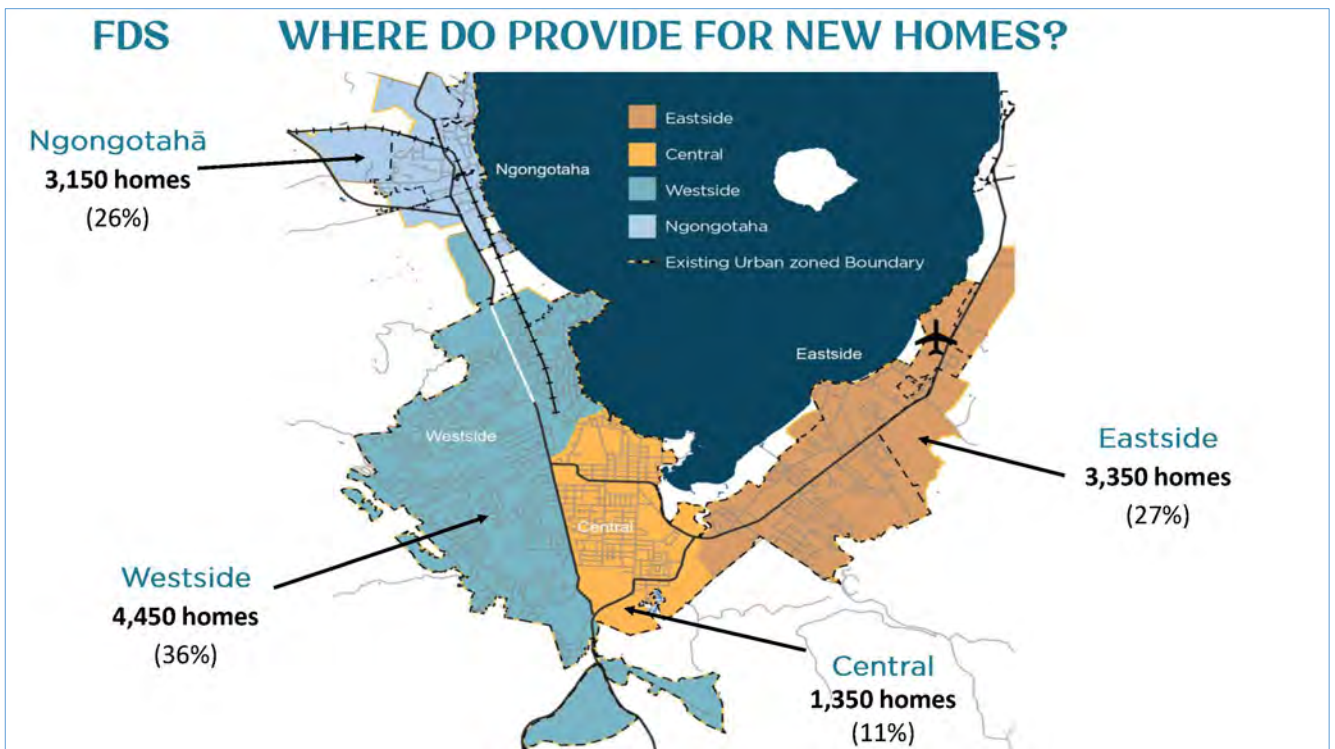
**HE KATINGA RORI KUIRAU PARK TRIAL ROAD CLOSURE**

**MAP KEY**  
= Closed to vehicle access  
..... Walking/cycling tracks

**KŌREROHIA MAI E YE WHĀNAU!**  
Have your say on the trial road closure at [www.rotorualakes.govt.nz/whakawhiriwhiri](https://www.rotorualakes.govt.nz/whakawhiriwhiri) or call 07 366 4195

**ROTORUA LAKES COUNCIL**

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## FUTURE CENTRAL AREA

### Residential

Short-term high density  
Long term Intensification

### Corridors

Upgrades- Tūtānekai St., Fenton St., Old Taupo Rd. & Central Corridor

Expanded active transport & PT Networks (& more frequent)



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## 4. Pūrongo Kaimahi - Staff Reports

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DOC ID: 20026039

### ROTORUA LAKES COUNCIL

Mayor  
Members  
NGĀTI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE

#### 4.1 Rotorua Little Theatre Society Incorporated Lease Renewal

**Report prepared by:** Richard Lyons, Recreation Planner

**Report reviewed by:** Rob Pitkethley, Manager, Active and Engaged Communities

**Report approved by:** Jean-Paul Gaston, Group Manager, Community and District Development

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#### 1. TE PŪTAKE PURPOSE

The purpose of this report is for the Committee to provide approval for RLC to commence new lease negotiations and subsequent documentation to continue offering a 10-year lease opportunity to the Rotorua Little Theatre Society Incorporated.

#### 2. HE TŪTOHUNGA RECOMMENDATION

1. That the report 'Rotorua Little Theatre Society Incorporated lease renewal' be received.
2. That the Committee endorse the continuation of the Rotorua Little Theatre Society Incorporated lease of the area of 841m<sup>2</sup> occupying their building in the Shambles Theatre Reserve (ex-Town Belt Reserve) for a period of 10 years through a new Deed of Lease.

#### 3. TE TĀHUHU BACKGROUND

The Rotorua Little Theatre Company (RLTC) currently holds a lease for an approximately 841m<sup>2</sup> area on which they have their building known as the 'Shambles Theatre' (Attachment 1). The purpose of this lease is to provide a site for a venue for hosting theatre productions.

The Shambles Theatre sits on reserve land derived from the Town Belt, with a portion initially designated as closed road (Pererika Street). Adjacent to the theatre is a narrow strip that contains an open drain and was originally part of the Sanatorium Reserve, remaining after the Ministry of Works yard's sale. In 1958, the RLTC established itself on the closed road section behind the Borough depot. While tenure, access, and parking arrangements were initially informal, a lease was officially granted in

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1983, and the reserve's classification was adjusted to Local Purpose Reserve (Community) in 1986. RLTC has been a valued tenant at this location over this long period and has received successive lease agreements to facilitate their theatre operations.

RLTC's most recent lease, initially granted in 2004 for a 10-year period and later extended for an additional 10 years is set to expire on March 31, 2024. In 2023, RLTC formally contacted the Council to request an additional 10-year lease, aiming to secure the right to continue operating the Shambles Theatre at this location until March 31, 2034.

The current lease's terms required RLTC to undertake necessary building maintenance throughout its duration. Over the 20 years of the last lease, RLTC has worked to fulfil these obligations and has obtained the necessary Building Warrant of Fitness requirements to continue operating. Despite being an older building, it is well set out for theatre performances and meets regulatory requirements for an operating theatre.

The reserve land upon which the RLTC building sits is managed under the Townships Reserve Management Plan, and is still classified as a Local Purpose (Community) Reserve. However, this Management Plan is considerably outdated and overdue for revision. It is anticipated that this revision will be initiated in the next 1-2 years, providing an opportunity to gather broader community input on the use of reserves in the medium to long term.

On the same reserve the Rotorua Municipal Band has a lease for their building and this is due to expire on March 31, 2032. There was also a lease for the Rotorua Pipe Band building at this Reserve but after the building was damaged by a fire last year, this building was removed and this lease surrendered. The Rotorua Pipe Band now shares a building on the Peririka Street Reserve.

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

Option	Pros	Cons
<p>Approve a new lease with a term of 10 years, with a contractual obligation to maintain the building.</p> <p><b><i>Recommended Option</i></b></p>	<ul style="list-style-type: none"> <li>Provides the theatre with a continued venue to operate.</li> <li>Will ensure maintenance investment to the existing building and its facilities.</li> <li>Provides an incentive to look for newer shared facility options</li> <li>Provides time to complete Reserve Management Plan review.</li> </ul>	<ul style="list-style-type: none"> <li>Does not provide an opportunity to thoroughly consider whether this is an appropriate use of the site in the longer term.</li> </ul>

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Option	Pros	Cons
Decline request in the interim and consider through a review of the Reserve Management Plan.	<ul style="list-style-type: none"> <li>• Would provide the opportunity to consider whether this continues to be an appropriate use of the site.</li> <li>• Would enable wider community views to be considered.</li> </ul>	<ul style="list-style-type: none"> <li>• Lease expires before any review would be completed so removal of leaseholders ability to operate. Hardship suffered by the leaseholder due to uncertainty.</li> </ul>

## 5. HE WHAIWHAKAARO CONSIDERATIONS

### 5.1 Mahere Pūtea Financial/budget considerations

The Rotorua Little Theatre Company pays a community based rent for the occupation of this site which is only \$120 per annum. There is an insignificant financial implication on the Council of this activity. If the lease was not renewed there would be a liability incurred to the RLTC to remove their building from the site. They would also need to source funding for a new building if they were to continue to operate as an independent performing arts and theatre society.

### 5.2 Tūraru Risks

The building is aging and there is an increasing need for ongoing maintenance. To ensure that RLTC continues to maintain the aging building we recommend that any new lease agreement include a contractual clause obligating the leaseholder to provide independent building condition reports and acting on identified maintenance needs. This will ensure necessary maintenance occurs and should also accelerate the need to consider a more appropriate building and potential site or the future possibility of a shared use community building that would provide a more sustainable longer term operating model for providing community theatre opportunities.

The Rotorua Little Theatre Company (RLTC) and the Shambles Theatre have established themselves as consistent contributors to the local performing arts landscape. Since RLTC's incorporation in 1951, they have regularly maintained an annual membership base of 100-120 individuals and create four theatre productions per year. Beyond their artistic endeavours, they extend support to various community events and provide their venue for use by charitable trusts. Notably, the theatre serves as an educational resource for local drama classes, a platform for emerging artists and plays a central role in the Rotorua Accelerando Programme, which offers vital pathways for local youth towards tertiary education and future careers.

The RLTC places particular importance on remaining in their current location. The continuity of their operations in this setting is seen by them as key to their ability to provide for ongoing contributions to the local arts community. Not renewing the lease for their building on this site would potentially create reputational damage for the Council with a possible perception of a lack of support for this independent theatre society.

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**6. NGĀ ĀPITI HANGA  
ATTACHMENTS**

Attachment 1: Location map of the Rotorua Little Theatre Society Incorporated building within the Council Township Reserves Community Reserve at 8 Amohau Street.



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## ROTORUA LAKES COUNCIL

Mayor  
Members  
NGĀTI WHAKAUE GIFTED RESERVES COMMITTEE

### 4.2 Government Gardens Reserve – ProDrive Golf Rotorua Ltd Lease Variation

**Report prepared by:** Richard Lyons, Recreation Planner

**Report reviewed by:** Rob Pitkethley, Manager, Active and Engaged Communities

**Report approved by:** Jean-Paul Gaston, Group Manager, Community and District Development

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#### 1. TE PŪTAKE PURPOSE

The purpose of this report is for the Committee to consider a request by Prodrive Golf Rotorua Ltd (Prodrive Rotorua) for the term of their lease to be extended out for another 25 years.

#### 2. HE TŪTOHUNGA RECOMMENDATION

1. That the report ‘Government Gardens Reserve – Prodrive Golf Rotorua Ltd Lease Variation’ be received.
2. That the Committee recommends to Council that it approve the provision of a revised lease for Prodrive Rotorua with a 15 year term expiring in 2038.

#### 3. TE TĀHUHU BACKGROUND

Prodrive Rotorua have a lease for an area of the Government Gardens Reserve, opposite the Energy Events Centre, to operate a mini putt and golf driving range. The original lease was granted to the previous tenant in 1997 for a term of 33 years with a final expiry of December 2030. The current leaseholder was assigned the lease in 2018.

In 2021 the leaseholder contacted Council to request if the lease term could be extended out for another 33 years to be able to provide security for a return on significant maintenance investment and upgrades which were needed to the existing facility. Since 2018 Prodrive have increased the patronage through the driving range by 300% and the harsh sulphurous atmosphere at the site had meant that maintenance requirements were significantly higher than what might have been expected with similar sites located in other areas. Discussions with the lease holder occurred to understand more detail about the required investment, after which the requested term extension was reduced to 20 years and presented to the Committee in 2022. The Committee noted that the investment proposed was targeted to maintenance that the lease holder should have been doing under their lease conditions anyway. The

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Committee considered it would be more appropriate for the leaseholder to complete this maintenance before dealing with a request for an extension of the term.

The Committee's position on the need to do maintenance was communicated to the leaseholder who has since undertaken work on replacing all the nets around the driving range and tidying up the facility. They have also installed a "Trackman Range" virtual golf system in each of the driving range bays to increase the user experience and provide simulations for playing a variety of international courses. Prodrive has informed us that this investment in maintenance and improvements over the last two years at Rotorua has exceeded \$500,000 in cost.

Prodrive have also recently identified additional work that needs to be done with the roof and purlins that have suffered accelerated corrosion due to the sulphurous environment. They also have plans to completely refurbish the mini-putt course to add more modern mini-putt features. To justify replacing the roof and continued improvements they have now requested an extension of 25 years to their lease for the site that would take the termination date from 2030 out to 2049 (25 years from now). This would require entering into a new lease rather than an extension to the current lease because that would be longer than the Reserves Act statutory maximum term of 33 years.

Council staff are only delegated to approve the term of a lease up to 10 years. Any lease term over 10 years requires the approval of Council. It is not understood whether a new 25 year lease for this activity would be acceptable to Council and because this activity is already allowed for in the Reserve Management Plan it would not require public consultation. However this Reserve Management Plan is significantly out of date and overdue to be reviewed. It is hoped that this review will be initiated in the next 1-2 years and so will enable wider community views to be ascertained about acceptable activities in reserves in the longer term.

The Council has recently participated in a Rotorua Golf Facilities Strategy that at a draft stage has identified the Prodrive Golf Driving Range as a recreational facility and one of only two covered driving ranges in the Rotorua district. The other driving range is at the Lakeview Golf Club. The Strategy identifies that the diversity of the golf network is low and recommends Golf NZ, the golfing clubs and facilities work towards creating more course and golfer diversity to sustain the golf network across Rotorua. The retention of the Prodrive Golf Driving Range would help at least maintain the existing diversity of golf offerings in Rotorua.

With increasing aged facilities, it is recommended that any new lease will be required to include a contractual clause which obligates the leaseholder to provide independent maintenance condition reports that need to be actioned on to support quality golf facilities. Additionally a programme of capital investment should also be provided and monitored to ensure the continued improvement of the service offering.

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

##### **Option 1**

Approve a new lease with a term of 25 years, with contractual obligations to obtain independent condition reports and commit to maintenance requirements to continue providing a quality golfing facility

Approving a new lease with the necessary clauses to monitor and act upon maintenance requirements will allow Prodrive to keep operating and provide golf opportunities in Rotorua. The only other driving range is club based and out of town at Lakeview so the Prodrive range provides a close option for locals

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and visitors to be able to participate in this aspect of the sport. The business has invested in maintenance and improvements with their Trackman Range systems so have committed to the requests from the Committee's earlier consideration of lease extensions. If approved by the Committee, this lease would still need to be approved by Council before being implemented.

### **Option 2**

Approve a new lease with a term of 15 years with contracted maintenance obligations plus a 10 year right of renewal conditional on maintenance and improvement investments being completed.

A minimum term of 15 years would provide the necessary security of tenure to enable the operators to obtain the necessary return on the current and ongoing maintenance needs being met and the investment into the Trackman Range improvements. Having an additional 10-year right of renewal being available conditional on further improvements being added, would still provide the encouragement to invest without locking in an extensive term where there is no guarantee that improvements to the existing offering would be made. A lease of this duration would still require Council approval.

Option 2 is the recommended option.

### **Option 3**

Decline request in the interim and consider through a review of the Reserve Management Plan which contemplates the Government Gardens

The intention is to renew the Township Reserves Management Plan in the next 1-2 years but this does not create any security for the existing operators. The existing lease runs out in 2030 which does provide some time, however Prodrive have informed us there is work to do on the roof that is likely significant so will affect how they consider the investment required and the likely time to generate a commercial return. If there is no security past 2030 there may be an earlier surrender to the lease or the quality of the offering declines as investment into the facility is minimised due to the shorter period to generate a return.

The closure of this facility would be detrimental to the diversity of golfing experiences offered in Rotorua and if the maintenance was minimised, the quality of the offering would likely reduce too. Given we have a Destination Rotorua brand proposition to try and lift the quality of offerings across the city, delaying a decision on a new lease will also likely delay improvements to this activity.

## **5. HE WHAIWHAKAARO CONSIDERATIONS**

### **5.1 Mahere Pūtea Financial/budget considerations**

At present Council receives \$18,300 per annum from the Prodrive Rotorua lease. Monies attained through revenue generated by reserve activities must be reinvested back into reserves

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ROTORUA LAKES COUNCIL

Mayor  
Members  
NGĀTI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE

#### 4.5 Proposed Time Limited Parking in Select Gifted Reserves

**Report prepared by:** Kurt Williams, Manager, Community and Regulatory Services

**Report reviewed by:** Rob Pitkethley, Manager, Active & Engaged Communities

**Report approved by:** Jean-Paul Gaston, Group Manager, Community and District Development

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##### 1. TE PŪTAKE PURPOSE

The purpose of this report is to confirm whether the proposed introduction of time limited parking in the Government Gardens and Kuirau Park is supported by the committee and whether further consultation is required before proceeding.

##### 2. HE TŪTOHUNGA RECOMMENDATION

1. That the report 'Proposed Time Limited Parking in Select Gifted Reserves' be received.
2. That the Committee approve the introduction of proposed time limited parking in Government Gardens, and Kuirau Park (as detailed in the attached maps).

##### 3. TE TĀHUHU BACKGROUND

Stemming from Council's Annual Plan deliberation process, Council's Regulatory staff were initially tasked with investigating the implementation of paid parking in three Reserves, namely Kuirau Park, Government Gardens and the Lakefront Reserve.

Following further investigation, it was confirmed that paid parking was not an anticipated activity in these locations through the Reserves Management Plan and that public consultation would be needed if paid parking remained the focus and was proposed to be introduced.

As a result, a progress update was taken back to the Community & District Development Committee meeting on 11 October which resulted in the activity being refocused on the potential to implement time limited parking in the suggested areas instead.

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The purpose of the implementation of time limited parking in these areas is ultimately to redirect any inappropriate long term parking behaviours to alternative parking areas outside of the Reserve. This will address currently high levels of 'free' all day parking occurring in these reserves. This parking behaviour negatively impacts the ability of legitimate reserve users to gain easy access to the reserves due to a lack of parking turnover.

It is anticipated that following the introduction of time limited parking, Council would widen the scope of enforcement (parking warden) activity to include these areas to help ensure correct utilisation and turnover of the carparks to in turn, foster legitimate use of these areas.

The scope of the affected areas is described below:

a). **Government Gardens:** See attachment 1.

All pink areas proposed to convert to P90 car parks. This includes Queens Drive from the Princes Gate Arch, down toward the Museum, the carparks immediately in front of the museum and select locations in the vicinity of the Blue Baths.

b). **Kuirau Park:** See Attachment 2:

All areas shown in red proposed to convert to P90 car parks. This includes Kuirau Street heading North from Pukuatua Street and the area to the immediate South of the Basketball Courts.

The red dotted line represents the extent of Council's current Parking Policy area. Kuirau Park would need to be appropriately phased from a timing perspective to incorporate an update in the policy to include this area. This guides which actions can be taken in regard to occupancy levels so that it is consistent with the CBD utilisation.

c). **The Lakefront Reserve:** See attachment 3.

A further scoping exercise has since been completed and includes Memorial Drive and the new Parking areas at the North Western end of the Lakefront, close to Saint Michaels Church.

The result of this work is there are now no planned changes located on the Lakefront Reserve itself. The only change is highlighted in green as illustrated below. This is located entirely in Council's Road Reserve, not the Gifted Reserve. As such, this information is provided to ensure clarity about this particular location.

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

To date, discussions around the Annual Plan action points, and the refocus to time limited parking instead have been held with the Community and District Development Committee only.

If approval for implementing time limited parking is not able to be gained from the Gifted Reserves Committee, the parking in these areas will remain as it is.

If approval is gained, a phased implementation plan will be developed and communicated back to the Community and District Development Committee which will confirm the timing of any changes. This will

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be accompanied by a communications plan to ensure current and future users are well informed of the changes.

**5. NGĀ ĀPITIHANGA  
ATTACHMENTS**

Attachment 1: Government Gardens



Attachment 2: Kuirau Park



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Attachment 3:



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## ROTORUA LAKES COUNCIL

Mayor  
Members  
NGĀTI WHAKAUE GIFTED RESERVE PROTOCOL COMMITTEE

### 4.6 Reserve Operational Updates

**Report prepared by:** Rob Pitkethley, Manager Active and Engaged Communities

**Report approved by:** Jean-Paul Gaston, Group Manager, Community and District Development

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#### 1. TE PUTAKE PURPOSE

The purpose of this report is to update the Committee on current operational matters within the Gifted Reserves.

#### 2. HE TŪTOHUNGA RECOMMENDATION

1. That the report 'Reserve Operational Updates' be received.

#### 3. TE TĀHUHU BACKGROUND

##### 3.1 Plan Change 9 (PC9) Housing for Everyone

The Housing for Everyone Plan Change or Plan Change 9 ("PC 9 or the Plan Change") was initiated to enable greater housing supply and choice in the Rotorua District, by amending the current Rotorua District Plan ("District Plan") Rules. These changes are necessary for RLC to address the housing shortage and meet the increasing demand for smaller more affordable houses that are ideally built in areas that have good access to jobs, public transport, amenities and other community facilities.

Extensive consultation and engagement was undertaken prior to notification of the plan change on 20 August 2022. The Medium Density Residential Standards (MDR) came into effect on this date. These standards essentially introduces a package of mandatory provisions that will enable landowners to build up to three houses of up to three storeys on their site as of right.

A total of 99 submissions and 173 further submissions were received on PC9. Submissions and further submissions related to a wide range of matters including MDRS opposition, Papakāinga, extent of high density zone and natural hazards. Hearings were held in August 2023 heard by 3 independent commissioners. A total of 28 submitters appeared at the hearing. Council is expecting the recommendation from the commissioners in December following which Council will consider the recommendation and advise the Minister of the Environment. Through Order in Council (OIC), RLC has until March 2024 for these provisions to be made operative.

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### **3.2 The Future Development Strategy**

The Future Development Strategy (FDS) 2023 – 2053 is a long term (30-year) growth strategy for Rotorua that will guide future growth planning and investment decisions. It directs where residential and business growth is to be located, in what form, and what infrastructure will be needed to support that growth. The draft FDS was publicly notified for submissions on 1 June and a lot of engagement also occurred prior to this date while the strategy was being developed. The public engagement period on the draft FDS was between 1 June and 17 July. In total 108 submissions were received. Of the submissions received, 35 asked to be heard before the Joint Committee. The hearings and deliberations were held end of August/early September. Rotorua Lakes Council (RLC) and Bay of Plenty Regional Council (BOPRC) appointed the FDS Joint Committee to consider the submissions made to the FDS, hear those submitters who wished to be heard, and to make recommendations to RLC and BOPRC on: any changes to the draft FDS; and approval of a Final version of the FDS by both local authorities. The FDS Joint Committee approved the FDS (subject to some changes) on 24 October 2023. The FDS will be presented to the RLC Council on 22 November for adoption. BOPRC will be adopting the FDS at their BOPRC Council meeting on 14 December.

### **3.3 Sala Street Reserve**

At the 13 September 2023 Community and District Development Committee meeting, the change in reserve purpose from Local Purpose (Cemetery) Reserve to Local Purpose (Community Housing) Reserve for the northern part of the Rotorua Cemetery Reserve was approved. The reason for the change in reserve purpose is to enable the Pukeroa Ōruawhata Trust to investigate and progress housing on the reserve. The final step is to publish the change in purpose in the NZ Gazette and this is currently being progressed.

### **3.4 Commercial Lease – possible assignment process**

We are aware of an approach to a Commercial lease holder in a Gifted Reserve around the potential sale of the business and what that might mean for any assignment of the existing lease. This process can be discussed at the Committee meeting.

### **3.5 Lakeland Queen, Motutara Point – Government Gardens**

The future of the Lakeland Queen has been discussed with the current owner. The vessel is for sale and there has been some interest but there is no definitive timeline on when the boat will be removed from the Motutara Point slip way. There are several options being explored by the owner and this can be further discussed at the meeting.

### **3.6 Motutara Point Pathway**

The information on the proposed Motutara Point pathway route along the edge of the old golf Motutara Point course was assessed by Council's in-house Pūkenga Rangahau who researched the area and walked over the route with the Project Manager. The only feature identified, Te Papa o Te Arawa, is a large rock close to the shoreline at the western end of the general area but it is not near of affected by the new proposed pathway route. We are currently going through procurement for the construction at the moment and work will most likely begin after Christmas and should be completed within four weeks from starting.

### **3.7 Lakefront Redevelopment Update – Lakefront Reserve**

The final two components of the Rotorua Lakefront Redevelopment are being worked on with the intention to have these completed in the next 2-3 months. The construction of the Whare waka building is progressing with the target completion date being 22 December but it is acknowledged this is a very tight timeframe. The Stage 2A works at the northern end of Tutanekei Street have begun and Campbell Contracting are planning to have this section completed in mid-December. This will tie in the existing works to the end of Tutanekei Street and further prevent illegal vehicle access to the Village Green and playground area. Relocation of some of the trees at the eastern end of the lakefront redevelopment site

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## **5 Ngā take atu anō - General Business**

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## **6 Te Karakia Whakamutunga - Closing Karakia**

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