

SUMMARY OF CONFIDENTIAL DECISIONS RELEASED

Release of Public Excluded Resolutions / Q2 2022

Meeting Date	Council/ Committee	Report Name	Resolution
28.05.2020	Council	Contract 19/031: Tender Approval for Rotorua Lakefront Redevelopment Construction: Stage 2, 2a, 3 and 4	<p>1. That the report Contract 19/031: “Tender Approval for Rotorua Lakefront Redevelopment Construction: Stage 2, 2a, 3 and 4” be received.</p> <p>Moved: Cr Donaldson Seconded: Cr Yates CARRIED</p> <p>2. That the authority to award a contract to Campbell Infrastructure in an amount not to exceed the tendered sum of \$7,251,824.48 and the authority to approve variations as a contingency up to another \$570,000 be delegated to the Chief Executive.</p> <p>3. That this report not be made publicly available.</p> <p>4. That the minutes be made publicly available after the successful and unsuccessful tenderers have been advised.</p> <p>Moved: Cr Donaldson Seconded: Cr Kumar CARRIED</p> <p>Abstained: Cr Macpherson and Cr Bentley</p>

<p>10.09.2020</p> <p>24.09.2020</p>	<p>Strategy, Policy & Finance Committee</p> <p>Council</p>	<p>SHMPAC Project Update</p>	<ol style="list-style-type: none"> 1. That Council agree that the RLC investment in the SHMPAC redevelopment project be increased by \$6.0m to \$17.5m to enable a total project budget of \$28.5m to be set. 2. That Council note that this will enable Council to deliver the full benefit for the community. 3. That Council note that this \$6.0m includes an appropriate project contingency of \$2.5m delegated to the CE, which will not be spent unless required. 4. That this resolution remain confidential until after the project has reached practical completion. <p>Moved: Cr Donaldson Seconded: Cr Maxwell CARRIED</p>
<p>24.09.2020</p>	<p>Council</p>	<p>Contract 18/015b Main Construction Contract for SHMPAC</p>	<ol style="list-style-type: none"> 1. That the report "Contract 18/015b Main Construction Contract for SHMPAC" be received. <p>Moved: Cr Yates Seconded: Cr Donaldson CARRIED</p> <p>Further resolved</p> <ol style="list-style-type: none"> 2. That the Council approve the award of contract 18/015b Sir Howard Morrison Performing Arts Centre to Hawkins 2017 Ltd for the sum of \$17,440,566 noting that this contract award aligns with Option 1 Optimised Investment which was presented at Strategy Policy and Finance Committee on 10 September 2020.

			<p>3. That Council approves an extension of the consultant contract with Shand Shelton (contract 17/049 signed 3/8/18) from the end of detailed design through to the end of the defects liability period, and an increase in fee by up to \$891,443 from \$1,776,750 (+ \$125,600 disbursements), to up to \$2,793,793 in total.</p> <p>4. That Council notes that a project contingency of \$2.5m has been delegated to the Chief Executive and with his approval can be expended on construction or consultant contracts if required, subject to remaining within the overall project budget of \$28.5m.</p> <p>5. That this report not be made publicly available.</p> <p>6. That the minutes relating to this item be made publicly available EXCLUDING points 3 and 4 which will remain confidential until Practical Completion of the contract works.</p> <p>Moved: Cr Donaldson Seconded: Cr Wang CARRIED</p>
03.06.2021 28.06.2021	Operations & Monitoring Committee Council	Sir Howard Morrison Performing Arts Centre Facade	<p>1. That Council allocate \$3.04m additional capital to the SHMPAC project budget in FY2021/22 in order to address façade issues.</p> <p>2. That Council allocate \$1.33m additional capital to the SHMPAC project budget in FY2021/22 in order to meet theatre services requirements necessary for opening and delivery of the planned programme of community and touring performances.</p> <p>3. That Council allocate \$0.78m additional capital to the SHMPAC project budget in FY2021/22 to cover an expected shortfall in budget for additional technical team professional fees related to building condition work not anticipated at time of contract (2018).</p>

			<p>4. That Council approve Contract Variation 02 to Shand Shelton (Contract 17/049 for lead design consultant representing full design team) for \$879,920 including \$150,000 contingency which results in a contract value of \$3,723,083.</p> <p>5. That this report not be made publicly available.</p> <p>6. That the minutes relating to this item be made publicly available once the project is completed.</p> <p>7. A public update will be released in conjunction with the approved LTP document providing an overview of the project and projected completion costs.</p> <p>Moved: Cr Raukawa-Tait Seconded: Cr Yates CARRIED</p>
05.08.2021 26.08.2021	Operations & Monitoring Committee Council	Award of Contract 21-038 Lakefront Redevelopment Stage 5	<p>1. That Council approve award of 'Contract 21-038 Lakefront Redevelopment Stage 5' to HEB Construction Limited for a sum not exceeding \$5,132,944.90 and the authority to approve variations from a contingency of up to another \$480,000 be delegated to the Chief Executive.</p> <p>2. That this report NOT be made publicly available.</p> <p>3. That the minutes are NOT made publicly available until after practical completion of this contract has been achieved.</p> <p>Moved: Cr Wang Seconded: Cr Donaldson CARRIED</p>

23.09.2021	Council	Request to use Financial Contributions to purchase land for reserve purposes	<p>1. That the report 'Request to use Financial Contributions to purchase land for reserve purposes' be received.</p> <p>Moved: Cr Yates Seconded: Cr Macpherson CARRIED</p> <p>Further resolved</p> <p>2. That the Council approve the use of additional funding of up to \$800,000 from the existing financial contributions reserve to purchase, at market value, the four lots (being lot 21,22,23 & 24 – totalling approximately 2,986 m2 as shown on the attached plan) to create a reserve within the Diamond Street subdivision that aligns with the level of service standards in the Open Space Level of Service Policy.</p> <p>3. That the Chief Executive be authorised to complete the purchase.</p> <p>4. That this report be made publicly available once negotiations with the landowner to purchase land for reserves are complete.</p> <p>5. That the minutes relating to this item be made publicly available once negotiations with the landowner to purchase land for reserves are complete.</p> <p>Moved: Cr Donaldson Seconded: Cr Macpherson CARRIED</p>
03.03.2022 31.03.2022	Operations & Monitoring. Committee Council.	Approval of contract 22/015 minor works	<p>1. That Council approve the delegation to the Chief Executive to award Contract 22/015 Minor Works Transport Network 2022 – 2025.</p>

		<p>transport network 2022-2025</p>	<ol style="list-style-type: none"> 2. That Council approve that the value of the contract is not to exceed \$5m. 3. That this report NOT be made publicly available. 4. That the minutes are NOT made publicly available until after practical completion of this contract has been achieved. <p>Moved: Cr Donaldson Seconded: Cr Yates CARRIED</p>
<p>14.04.2022</p> <p>28.04.2022</p>	<p>Strategy, Policy & Finance Committee</p> <p>Council</p>	<p>Sir Howard Morrison Performing Arts Centre Update</p>	<ol style="list-style-type: none"> 1. That Council acknowledges the 20 December 2021 decision of Minister Allan to grant \$632,000 (GST excl.) towards the Council's costs to outfit the Sir Howard Morrison Performing Arts Centre with permanent professional theatre lighting, sound and staging equipment as described in its Regional Culture and Heritage application upon which the Minister's decision was made. 2. That the project be completed to the high standard described in the application and that Council underwrites any further cost escalations throughout the life of the project without any expectation of returning to this fund for additional monies. 3. That this report NOT be made publicly available.

			<p>4. That the minutes relating to this report be made publicly available alongside announcements made by the Minister as to the funding allocations made by the Regional Culture and Heritage Fund.</p> <p>Moved: Cr Kai Fong Seconded: Cr Yates CARRIED</p>
<p>14.04.2022</p> <p>28.04.2022</p>	<p>Strategy, Policy & Finance Committee</p> <p>Council</p>	<p>Te Whare Taonga O Te Arawa Building Project Update</p>	<p>1. That Council accept ground strength of 70% New Building Standard (NBS) instead of the previous 80% NBS on the basis that the cost benefit and risk assessment does not support the additional works required to achieve 80%.</p> <p>2. That the Council notes that 70% NBS is not considered earthquake prone or risk, and exceeds both the regulatory requirement to achieve 34% or higher, and the New Zealand Society of Seismic Engineers recommended minimum of 67%.</p> <p>3. That Council direct staff to ensure external funders commitment remains at 70% NBS and staged project delivery; and to seek further funding to enable the maximum possible amount of project scope to proceed.</p> <p>4. That Council direct staff to ensure procurement of the construction contract(s) enables the works to be staged to deliver as much scope as funding allows with a minimum scope being full structural strengthening, full roof repair and fit-out and services of zones 1, 2 and 3.</p> <p>5. To remain confidential until after practical completion.</p>

			<p>6. That this report NOT be made publicly available due to commercially sensitive information therein.</p> <p>7. That the minutes relating to resolutions 1 to 4 be made publicly available once funding discussions are concluded and the minutes relating to resolution 5 be made publicly available at practical completion of the project.</p> <p>Moved: Cr Raukawa-Tait Seconded: Cr Yates CARRIED</p>
14.07.2022	Council	Infrastructure Acceleration Fund Contracts	<p>1. That the report “Infrastructure Acceleration Fund Contracts” be received.</p> <p>Moved: Cr Tapsell Seconded: Cr Macpherson CARRIED</p> <p>Further resolved</p> <p>2. That the Council resolves to enter into an \$84,599,000 Infrastructure Acceleration Funding Agreement with Kāinga Ora to deliver \$201,535,000 of Infrastructure Projects by 2029 to achieve 3,086 housing outcomes.</p> <p>3. That the Council resolves to enter into the best endeavour Housing Outcomes Agreements with Kāinga Ora and identify developers to deliver specified housing outcomes.</p>

			<p>4. That based on resolutions 1-3, the Chief Executive Officer be authorised on behalf of Council to sign the Infrastructure Acceleration Funding Agreement and the Housing Outcomes Agreement with Kāinga Ora.</p> <p>5. That this report (excluding the contracts) be made publicly available when the outcome of the fund is publically released by Kāinga Ora.</p> <p>6. That the minutes relating to this item be made publicly available when the outcome of the fund is publically released by Kāinga Ora.</p> <p>Moved: Cr Donaldson Seconded: Mayor Chadwick CARRIED</p>
27.08.2022	Council	Tender Approval for Contract 22/020: Taniwha Springs Water Supply Pump station Upgrade	<p>1. That the report “Tender Approval for Contract 22/020: Taniwha Springs Water Supply Pump station Upgrade” be received.</p> <p>Moved: Cr Yates Seconded: Cr Kai Fong CARRIED</p> <p>Further Resolved;</p> <p>2. That the Council approve the award of “Contract 22/020” for the Taniwha Springs Water Supply Pumpstation Upgrade Construction to Spartan Construction Ltd for the sum of \$2,481,538.00.</p> <p>3. That the report not be released.</p>

			<p>4. That the minutes relating to this item be made publically available after successful and unsuccessful tenderers have been advised.</p> <p>Moved: Cr Wang Seconded: Cr Yates CARRIED</p>
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25.08.2022	Council	Request to approve Hearings Commissioners for Plan Change 9: Housing for Everyone	<p>1. That the report ‘Request to approve Hearings Commissioners for Plan Change 9: Housing for Everyone’ be received.</p> <p>Moved: Cr Kumar Seconded: Cr Wang CARRIED</p> <p>Further resolved</p> <p>2. That Council approves the panel of preferred Hearings Commissioners (Appendix 1).</p> <p>3. That Council approves an additional short list of potential Commissioners (Appendix 2) to draw from should any of the preferred Hearings Commissioners not be available.</p> <p>4. That Council as a “specified territorial authority” establishes a hearings panel under clause 96, First Schedule of the Resource Management Act and delegates to the Hearings Panel the following functions:</p> <p style="padding-left: 20px;">(a) determine, control and conduct the hearing for Plan Change 9: Housing for Everyone (in accordance with section 32AA, sections 39 to 42, and clauses 8AA and 8B, First Schedule of the Resource Management Act); and</p>
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			<p>(b) make recommendations to the Council in accordance with clause 99, First Schedule of the Resource Management Act.</p> <p>5. That Council delegates to the Chief Executive Officer the power to appoint Hearings Commissioners to the Hearing Panel from the preferred panel in Appendix 1 or, in the event of unavailability, from the shortlist in Appendix 2.</p> <p>6. That the report not be made publicly available.</p> <p>7. That the minutes be released following the Council meeting on 25 August 2022.</p> <p>Moved: Cr Yates Seconded: Cr Donaldson CARRIED</p>
25.08.2022	Council	Award of Contract 21-051 Aquatic Centre pool hall	<p>1. That the report "Award of Contract 21-051 Aquatic Centre Pool Hall and Front of House" be received.</p> <p>Moved: Cr Yates Seconded: Cr Donaldson CARRIED</p> <p>Further resolved</p> <p>2. That Council note that recommendations 3, 4 and 5 are all subject to the "Better Off Funding" application of \$8.05m being successfully approved by the Department of Internal Affairs.</p> <p>3. To remain confidential until after practical completion.</p>

			<p>4. That subject to successful “Better Off Funding”, Contract 21-051 for Rotorua Aquatic Centre Pool Hall – Construction works, be awarded to Naylor Love Limited, up to the value of \$17,461,685 excluding GST.</p> <p>5. To remain confidential until after practical completion.</p> <p>6. That this report NOT be made publicly available due to commercially sensitive information therein.</p> <p>7. That the minutes of recommendations 1), 2), and 4) be made publicly available once the construction contract is signed and recommendations 3) and 5) after Practical Completion of the construction contract.</p> <p>Moved: Cr Wang Seconded: Cr Yates CARRIED</p>
04.08.2022 25.08.2022	Operations & Monitoring. Committee Council	Sir Howard Morrison Centre Project Completion	<p>1. To remain confidential until the final accounts are agreed.</p> <p>2. That Council approves an increase in budget of up to \$2.5m to close out final contractor and consultant claims.</p> <p>3. To remain confidential until the final accounts are agreed.</p> <p>4. That this report NOT be made publicly available due to commercially sensitive information therein.</p> <p>5. That items (1), (2), and (5) of the minutes¹ be made publicly available on 1st September and that items (3), (4) and (6) remain confidential until final accounts are agreed for these contracts.</p>

¹ The minutes referred to are the minutes of Operations & Monitoring Committee on 4 August 2022. Therefore, the numbering relates to the same set of minutes.

			<p>Moved: Cr Tapsell Seconded: Cr Yates CARRIED</p>
<p>11.08.2022 25.08.2022</p>	<p>Strategy, Policy & Finance Committee Council</p>	<p>Approval Of Contract (Contract 22/037) For The Detailed Design and Construction of the Rotorua Wastewater Treatment Plant Upgrade</p>	<p>1. That Council approve the award of Contract 22/037 for the Detailed Design and Construction of the Rotorua Wastewater Treatment Plant Upgrade In the amount of \$58,793,000 to Trility.</p> <p>2. That this report not be made publicly available.</p> <p>3. That the minutes relating to this item be made publicly available on approval of minutes of meeting.</p> <p>Moved: Cr Raukawa-Tait Seconded: Cr Wang CARRIED</p>
<p>11.08.2022 25.08.2022</p>	<p>Strategy, Policy & Finance Committee Council</p>	<p>Approval of Contract 22/040 Rotorua District Wide Rural Vegetation Control 2022 – 2025</p>	<p>1. That Council delegate the approval to award Contract 22/040 Rotorua District Wide Rural Vegetation Control 2022 – 2025 to the Chief Executive.</p> <p>2. That Council approve the value of the contract is not to exceed \$2m.</p> <p>3. That this report not be made publicly available.</p> <p>4. That the minutes are not to be made publicly available until after practical completion this contract has been achieved.</p> <p>Moved: Cr Raukawa-Tait Seconded: Cr Wang CARRIED</p>

24.11.2022	Council	Contract 22-013 - Maleme Road (RP 1910 - 4340) Seal Extension	<p>1. That the report 'Contract 22-013 - Maleme Road (RP 1910 - 4340) Seal Extension' be received.</p> <p>Moved: Cr Waru Seconded: Cr Wang CARRIED</p> <p>Further resolved</p> <p>2. That Council approves the Contract 22-013 - Maleme Road (RP 1910 - 4340) Seal Extension to Hickey Contractors Ltd to the sum of \$1,036,640.37.</p> <p>3. That this report not be made publicly available.</p> <p>4. That the minutes relating to this item be released after the successful and unsuccessful tenderers have been advised.</p> <p>Moved: Cr Wang Seconded: Cr Waru CARRIED</p>
24.11.2022	Council	Support to Unlock Industrial Land	<p>Resolved</p> <p>1. That the report 'Support to Unlock Industrial Land' be received.</p> <p>Moved: Cr Waru Seconded: Cr Brown CARRIED</p> <p>Further resolved</p>

			<ol style="list-style-type: none">2. That Council note the significant value to the district economy of supporting the unlocking of zoned industrial land for investment and for increasing employment.3. That Council note that a portion of the infrastructure investment will be recovered over time through connection agreements.4. That Council agrees to include \$3m (currently not budgeted in the LTP) in the 2023/24 Annual Plan budget for water and waste water infrastructure, to enable the development of the Peka block and to future proof development in the wider Waipā area. Council investment is subject to the development proceeding.5. That Council note a future report will detail potential aligned opportunities to rationalise Council's industrial property holdings.6. That the report not be made publicly available.7. That the minutes relating to this report remain confidential until after the project is announced publicly by all partners including Peka Trust, Kānoa Regional Development Unit (MBIE) and Council/Rotorua NZ. <p>Moved: Cr Waru Seconded: Cr Wang CARRIED</p>
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