



**NGATI WHAKAUE GIFTED RESERVES
PROTOCOL EXTRAORDINARY MEETING**

Meeting between Pukeroa Oruawhata Trust and Rotorua District Council
to be held in Committee Room 1, Rotorua District Council
on Friday 28 June 2013 at 1:30pm

Chairperson:	His Worship the Mayor		
Councillors and Trustees:	Cr Maxwell Mr S Harris Mr D Tapsell	Cr Donaldson Mr P Kingi Mr J Aratema	Mr A Wilson Mr M Short
Quorum:	6		

AGENDA

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P Guerin
Chief Executive

60-12-270\02

ROTORUA DISTRICT COUNCIL

MINUTES OF NGATI WHAKAUE GIFTED RESERVES PROTOCOL MEETING
HELD MONDAY 11 MARCH 2013 AT 10AM
IN COMMITTEE ROOM 1, ROTORUA DISTRICT COUNCIL

PRESENT: Mayor Kevin Winters (Chairperson)
Cr T Maxwell, Rotorua District Council
Cr D Donaldson, Rotorua District Council
Mr A Wilson, Pukeroa Oruawhata Trust
Mr M Short, Pukeroa Oruawhata Trust
Mr S Harris, Pukeroa Oruawhata Trust
Mr P Kingi, Pukeroa Oruawhata Trust
Mr J Aratema, Pukeroa Oruawhata Trust

IN ATENDANCE: Mr M Patchell, Hulton Patchell
Mr P Faulkner, Hulton Patchell
Mr D Kent, Property Group
Mr R Burns, Rotorua St John

APOLOGIES: Absent: D Tapsell and G Page
Late: M Short and P Guerin

STAFF PRESENT: P Guerin, Chief Executive
M Kingi, Director Kaupapa Maori;
K Kereopa, Policy Analyst & Maori Research Officer;
A Bell, Group Manager, Infrastructure Services;
R Atkinson, Parks Asset & Planning Manager;
P Dine, Works Manager, Infrastructure Services;
Y Van Vliet and H King, Shared Services Administrators

His Worship the Mayor welcomed everyone to the meeting and invited Mr Pihopa Kingi to open the meeting with a karakia.

1. **APOLOGIES**

Resolved

Mr Wilson) ***That the apologies from David Tapsell and Garry Page***
Cr Donaldson) ***(for absence) and from Malcolm Short, Peter Guerin and Mauriora Kingi (for lateness) be accepted.***

CARRIED

2. **MINUTES OF THE PREVIOUS MEETING**

Resolved

Mr Wilson) ***That the minutes of the previous meeting held on 11 September 2012 be***
Cr Maxwell) ***confirmed as a true and correct record***

CARRIED

3. MATTERS ARISING FROM PREVIOUS MINUTES

- 3.1 There were no matters arising from the previous minutes but His Worship the Mayor gave a brief update of the floating wetland, advising that it was still located at Sulphur Point as the contractors had advised that the plants were not established enough yet. It would probably be another six months before the floating wetland could be moved to its new location.

4. PROPOSED THERMAL MOTOR CAMP DEVELOPMENTS

His Worship the Mayor advised members that the "Apprentice Programme" offered by the Waiariki Institute of Technology (WIT) will be based at a site close to Placemakers on Te Ngae Road.

Mr Atkinson overviewed his report regarding development plans WIT has for the Thermal Motor Camp area at Centennial Park, emphasising that this was only the first concept draft. He tabled a Master Plan layout Proposal (Attachment 1).

Some of the works proposed by WIT are:

- Maintain existing motor camp facilities including cabins and camping and café facilities.
- Provide short-term accommodation in the lodge and cabins for students and tutors.
- Provide sports field and tennis courts for students (and for community use also).
- Maintain pedestrian access across the entire holiday park site with restricted vehicle access for students.
- Increased car parking facilities.

Mr Pihopa Kingi declared an interest as a board member of Waiariki Institute of Technology, representing Ngati Whakaue.

Mr Atkinson further advised that:

- The café will be managed by the 'Hospitality' department and will be open to students of WIT as well as the general public.
- The huts/cabins will accommodate up to four persons. The bathroom facilities for these are located in the communal area.
- The new parking facilities will be the only area of encroachment from the WIT property into the campground.
- Only the siting of two temporary buildings has been approved by Council to date.
- It is proposed that the rugby field and tennis courts will be open for public use as there are no rugby field/tennis courts available at present for public use in this area.

A discussion took place with members agreeing there needed to be more communication with members representing Pukeroa Oruawhata and Ngati Whakaue. It was also agreed that Pukeroa Oruawhata/Ngati Whakaue should be included in all discussions with Waiariki Institute of Technology as they will then be more informed with regard to the proposed thermal motor camp developments before attending the Protocol Committee meetings. It was requested that, as the first point of contact, either Murray Patchell or Peter Faulkner be advised whenever discussions were being arranged with WIT.

Mr Atkinson advised that the student accommodation block would be hired out for public use outside of school terms. He also clarified that the lease was for 33 years, with 14 years left to run and a right of renewal for a further 33 years.

Mr Pihopa Kingi commented that WIT were aware that Pukeroa Oruawhata has a caveat on the land.

Mr Patchell commented that there was an assumption that any commercial revenue would go back to WIT. There should be a process in place to ensure that the appropriate party receives such revenue.

Cr Donaldson asked if there was any information in the lease agreement regarding commercial revenue for WIT from this proposal and gave a comparison of the “free” cycling paths available in the Whakarewarewa Forest. If such a development resulted in commercial revenue for WIT then this needed to be discussed with Pukeroa Oruawhata.

His Worship the Mayor stated that there may be a clause in the lease agreement preventing this from happening. Mr Atkinson replied that this could be done but only with the landowner’s consent.

Further discussion arose with Mr Guerin stating that in his opinion it would not be good to have a lot of constraints put on WIT as he saw this as a positive move for Rotorua. However, if WIT then proposed to develop an “international motor camp” then issues may arise and would need to be discussed in the future. This will need to be clarified with WIT.

Action Point

Council officers to have look at the lease to see if there are any trigger mechanisms for increased commercial activity – does it trigger the rental back to the landlord.

Mr Wilson stated that if the activity of the land changes, then the said land must be returned to Pukeroa Oruawhata Trust.

Resolved

- Mr Wilson)
Cr Donaldson)
1. ***That the report ‘Proposed Thermal Motor Camp Developments’ be received and contents noted.***
 2. ***That the committee resolves to endorse the first stage of development as detailed within the report. Stage 2 and Stage 3 to be delayed until discussed at an Extraordinary Meeting (to be advised).***
 3. ***That Council staff, through Mr Robert Atkinson, include Pukeroa Oruawhata Trust, through Mr Murray Patchell, in any further discussions.***

CARRIED

5. PROPOSED CHANGES TO GIFTED RESERVES

Mr Dine overviewed his report and spoke to a Powerpoint slide showing proposed changes to the Gifted Reserves as a result of planned roading projects from Lake Road through to Te Ngae Road (Attachment 2).

He explained the coloured lines on the map as follows:

- Purple – represents the designations in the District Plan (the current St John’s site, northern section of racecourse and northern part of St Michaels rugby ground, and south side of Lake Road)
- Green – represents the surplus road reserve along Ranolf Street.
- Red – represents reserve land where it may become private land.
- Yellow – represents land held by Pukeroa Oruawhata Trust, to be swapped with reserve land further along Pererika Street which St John’s had indicated would suit their needs more.

Mr Dine advised that issues surrounding management of the St John’s site could be resolved by discussions between Pukeroa Oruawhata Trust and Council.

Mr Short thanked Mr Dine for his presentation and stated that Pukeroa Oruawhata was content for St John to utilise a site here.

It was confirmed that the Top 10 Holiday Park land is leased from Pukeroa Oruawhata (the land owner). The issue of improving access to the Holiday Park from Pukuatua Street was discussed. Mr Dine stated that the entrance way was too close to the corner and will only get worse with time, particularly when the Victoria Street Arterial is constructed. He suggested the best solution would be to create an adjustment to the boundary to provide access further along Pukuatua Street to allow for all traffic movements.

His Worship the Mayor introduced and welcomed Mr Ross Burns (representing Rotorua St John). Mr Burns explained that the preferred site for them is based on historical response time to callouts within Rotorua and historically most of their callouts are out to the West. He also informed members that their long term plan is to have a smaller site located on the east side.

It was recommended that the site in Lake Road (shown in red on Attachment 2) occupied by Campbell Contracting be excluded from the resolution and specifically subject to a further report on the options. Mr Dine would report back to members further on this matter at a future date.

Resolved

- Mayor Winters)
Mr Wilson)
1. ***That the report "Proposed Changes to Gifted Reserves" be received and the contents noted.***
 2. ***That the committee in principle support the proposed changes to the Gifted Reserves as set out on Rotorua District Council Plan No.12094 dated March 2013, excluding the Campbell Contracting site.***

CARRIED

6. GENERAL BUSINESS

6.1 Rotorua Eastern Arterial - (see photo Attachment 3)

Mr Peter Dine gave an update on three options that were being considered by NZTA.

- Option 1 (Purple) - Widening the existing Te Ngae Road to four lanes.
Option 2 (Red) - 1964 designation from Sala Street to the proposed intersection with the Victoria Street Arterial.
Option 3 (Blue) - A combination of the above two options with the Vaughan Road link.

The estimated costs for these options are:

- Option 1 - \$90M
Option 2 - \$70M (preferred option – to get heavy traffic out of residential area)
Option 3 - Estimated to be between cost of Options 1 and 2

Mr Dine advised members that NZTA planned to make an announcement to the Infrastructure Services Committee on 2 April 2013 regarding their preferred option, with a forecasted construction date to be around 2017 at this stage.

Cr Donaldson acknowledged that there will be environmental and cultural issues that will need to be addressed. Members went on to discuss other implications this project will have on the Ngapuna community/hapu (Ngati Hurunga te Rangi/Ngati Te Roro o Te Rangi/Ngati Hinemihi, Ngati Tumatawera), including the loss of homes for some Ngapuna residents and the impact to the Marae in Ngapuna. Also, the hapu would rather develop the land themselves.

His Worship the Mayor spoke of the growth forecast coming out of central North Island with larger trucks and more overseas tourists visiting Rotorua from Tauranga.

Mr Harris commented that it seemed Tauranga would be benefiting more from this development than Rotorua.

Mr Guerin stated that growth out the eastern side of Rotorua was constrained and suggested that NZTA be invited to meet with Rotorua District Council and Pukeroa Oruawhata Trust.

Mr Guerin also invited all members of the Ngati Whakaue Protocol Committee to attend the Infrastructure Services Committee meeting on 2 April 2013. In addition it was suggested that NZTA be invited to present to Ngati Whakaue on the preferred option for the Rotorua Eastern Arterial.

6.2 Meeting Regarding Whakarewarewa Land

A discussion took place with Mr Wilson expressing his concerns that Council's "Maori Policy Officer" had given evidence against Ngati Whakaue at a Tribunal Hearing. This was corrected by Mr Mauriora Kingi who stated it was an Arbitration Hearing involving three hapu, namely Tuhourangi, Ngati Wahiao and Ngati Whakaue.

Mr Wilson stated that Mr Kingi should be seen as being unbiased because of the position he held with Rotorua District Council and asked what Rotorua District Council's policy was regarding staff members giving evidence at such hearings. He also commented that Mr Kingi was seen to be seated with Tuhourangi/Ngati Wahiao.

Mr Peter Guerin replied that he was not aware of the circumstances and could not comment at this stage.

In reply to Mr Wilson's comments, Mr Kingi informed members that he had been asked by Ngati Wahiao to give whakapapa evidence, illustrating how Tuhourangi, Ngati Wahiao and Ngati Whakaue were related. Five or six Ngati Whakaue kaumatua had descended from Wahiao through Wahiao's daughter Paretuhi, who had married Ariariterangi. He advised that his evidence was spoken in Maori and that he was not representing Rotorua District Council at that meeting.

Mr Wilson accepted Mr Kingi's explanation but said but he was concerned that "other persons" present could use his information for their own gain and reiterated that there should be a Council policy regarding Council officers speaking at certain hui. Mr Harris suggested a little more discretion be used when a situation like this arose as Mr Kingi was being seen as an advisor to Tuhourangi/Ngati Wahiao.

Mr Guerin stated that he considered Rotorua District Council was very privileged to have someone of Mr Kingi's calibre working for Council. He recognised that Mr Mauriora Kingi would have been the only person able to deliver the whakapapa for Tuhourangi.

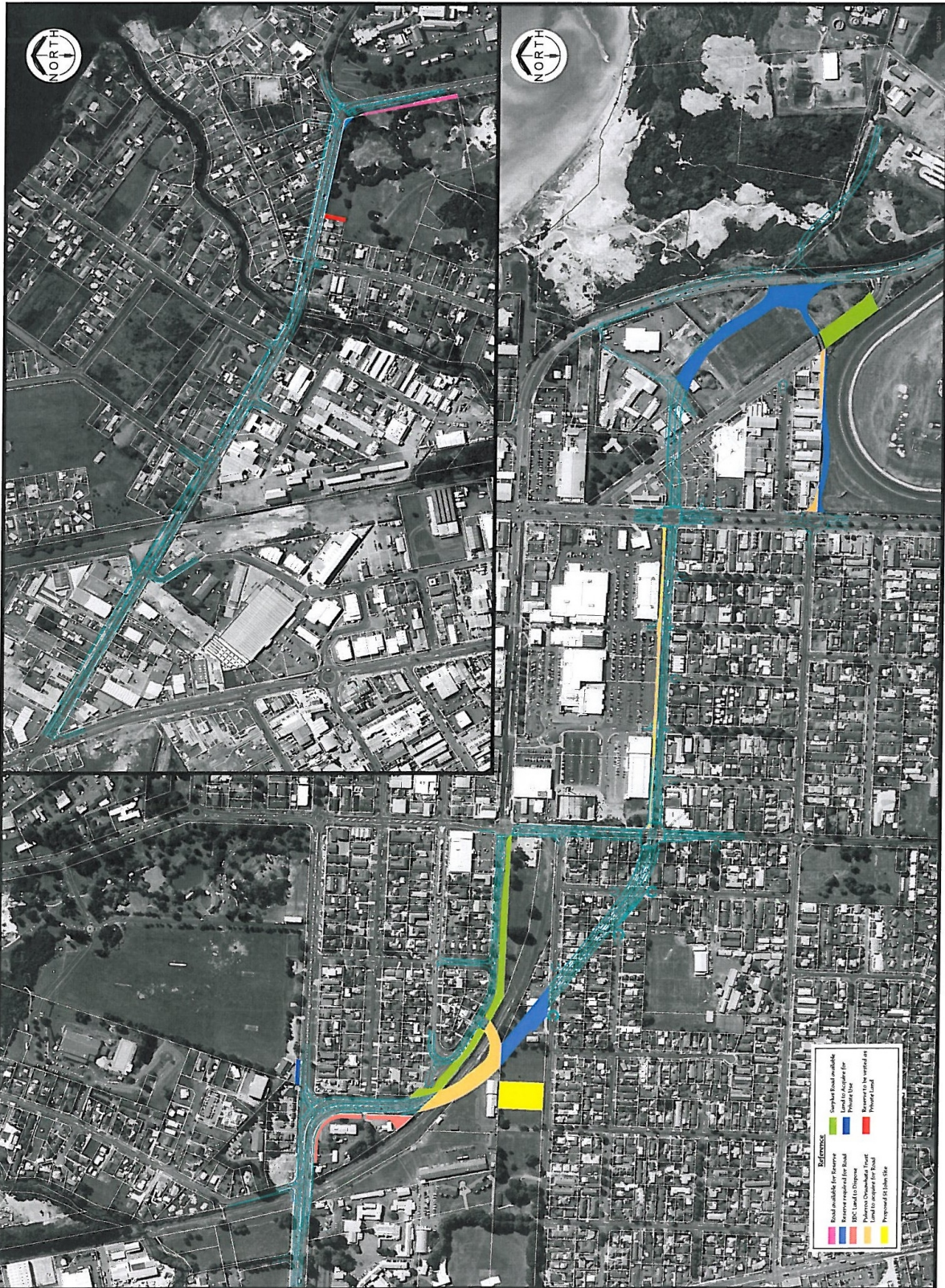
7. NEXT MEETING

Committee members would be notified of the confirmed date for the next meeting in 2013.

The meeting concluded with a karakia by Mr Pihopa Kingi.

The meeting closed at 11:55am

Plan of Proposed Changes to Gifted Reserves



	Road available for reserve		Surplus Road available
	Reserve required for Road		Land to acquire for Private Use
	RDC Land to Dispose		Reserve to be vested as Private Land
	Pukeroa Oruawhata Trust Land to acquire for Road		
	Proposed St John Site		

Attachment 3 – Rotorua Eastern Arterial



ROTORUA DISTRICT COUNCIL

His Worship the Mayor
Members
NGATI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE

UPDATE ON DEVELOPMENT PROPOSAL – ROTORUA THERMAL HOLIDAY PARK

Report prepared by: Robert Atkinson, Parks Asset and Planning Manager

Report reviewed by: Garry Page, Parks and Recreation Manager

Report approved by: Andy Bell, Group Manager Infrastructure Services

1. **PURPOSE**

The purpose of this report is to bring members of the committee up to date with the proposed developments at the Rotorua Thermal Holiday Park.

2. **RECOMMENDATION 1**

2.1 **THAT THE REPORT UPDATE ON DEVELOPMENT PROPOSAL – ROTORUA THERMAL HOLIDAY PARK BE RECEIVED AND CONTENTS NOTED.**

2.2 **THAT THE COMMITTEE RESOLVES TO ENDORSE THE DEVELOPMENTS AS DESCRIBED IN THIS REPORT**

3. **BACKGROUND**

On the 1st May 2012 Waiariki Institute of Technology (WIT) took over the lease for the Thermal Motor Camp located on reserve land next to the WIT. This is with the view of providing student and lecturer accommodation in the lodge and dedicated cabins (developed over time as proposed) toward the rear of the property. The majority of the area would remain available for use by visitors to the Rotorua District as in the past.

The area intended for student accommodation is contained within approximately one third of the holiday park property. This would be entirely contained within the rear section of the property with access for students being controlled through WIT and not through the motor camp access. Holiday Park visitors will have access to the entire property including recreational areas to be developed, refer below. It is estimated that if all student accommodation is developed as proposed that there would be sufficient room 225 students.

There are plans by WIT to construct a regional sized playing field and a set of three tennis courts along the boundary of the holiday park with the rest of Centennial Park. This would involve some levelling and removal of mature trees located on the site. WIT plans to make these recreational areas available for community use. Council is exploring the recreational opportunities that such a development will provide for the residents of the area in general. There will also need to be some way to integrate the development with the rest of the Park.

The only actual development planned for the holiday park that is of direct benefit to WIT is the placement of parking bays located on the common boundary of the holiday Park and WIT. This is to relieve the pressure that is currently being experienced by WIT.

As part of the development is the location of two temporary buildings. This is to allow for the redevelopment of the Nursing and Health Studies teaching facilities at WIT. This would be for a period of two years after which they would be removed. Parks and Recreation has already agreed to this so that WIT could maintain the momentum of this project by being able to lodge a building consent with Council.

The next stage of the proposed works will have a more permanent impact of the holiday Park area and it is to this that endorsement is sought from the members of the Ngati Whakaue Protocol Committee.

The works are for:

- New loop road around property with link into the Waiariki Campus
- New Playing field and courts to upper property
- Form new parking areas to the SW boundary

These developments will be more fully detailed through a presentation at the meeting.

Lease issues raised at the last Protocol meeting held on the 11 March 2013.

At this meeting the question was raised regarding the increase in commercial activity and does the trigger an increase in the rent back to the landlord. There are two sections in the lease agreement that look at the rental that is charged.

Section 3 – Payment of Rent

This section sets out when, how much and when the rent will be paid. The rent is to be paid in monthly instalments, based on one twelfth of the annual rent.

Section 44 – Rent Review

This section sets out the process for the review of the annual rental for the lease. Clause (a) states “that the Annual Rental from any such Rent Review shall be fixed at seven per centum (plus Goods and Services Tax). There are no other considerations within the lease document for calculating the annual rental from this lease. Any changes to the revenue from the operation are not reflected in the Annual Rental that is due.

4. ATTACHMENTS

Attachment 1: Plan of Redevelopment

Attachment 2: Location map of Reserve

Attachment 3: Copy of Lease – to be distributed at the meeting

ROTORUA DISTRICT COUNCIL

His Worship the Mayor
Members
Ngati Whakaue Gifted Reserves Protocol Committee

SOUTHERN GOVERNMENT GARDENS CONNECTIVITY PLAN

Report prepared by: Marc Spijkerbosch, Community Arts Officer

Report reviewed by: Ann Esler, Manager, Community Policy and Resources

Report approved by: Jean-Paul Gaston, Group Manager Corporate and Customer Services

1. **PURPOSE**

The purpose of this report is to present a proposal which aims to enhance the aesthetics and increase the amenity value, of the Southern Government Gardens.

2. **RECOMMENDATION 2**

2.1 **THAT THE REPORT "SOUTHERN GOVERNMENT GARDENS CONNECTIVITY PLAN" BE RECEIVED AND CONTENTS NOTED; AND**

2.2 **THAT THE COMMITTEE RESOLVES TO ENDORSE THE ENHANCEMENTS PROPOSED FOR THE SOUTHERN GOVERNMENT GARDENS AS OUTLINED IN THIS REPORT.**

3. **EXECUTIVE SUMMARY**

The proposal aims to increase activity levels in the Southern Government Gardens by establishing and re-establishing a number of view-shafts and pathways. It is anticipated that this will not only enhance the area aesthetically, but will serve to increase awareness, navigation, and hence visitation of the attractions within the Government Gardens.

The enhancements around Sulphur Lake (the Casting Pool) will greatly improve connectivity between a number of locations in the Southern Government Gardens, in particular, with the Rotorua Arts Village. This would also inherently create a tranquil, picturesque and leisurely walking environment to include temporary sculpture and carvings, historic story panels, informal picnic areas and other points of interest.

4. **BACKGROUND**

The area surrounding the casting pool (Sulphur Lake) has, until recent times, been devoid of vegetation. A number of formal pathways have been established at the northern end with no apparent destination, other than to achieve a glimpse over the water. The formal pathway halts abruptly on the lake's western edge, while on the east side, foot traffic has worn an informal track towards the Polynesian Spa.

Currently, there is an amount of discarded refuse within and around the casting pool – presumably as a result of the area's exclusion from the greater, more visited, Government Gardens. It is expected then, that the establishment or re-formalisation of connective pathways, and the installation of temporary sculpture will increase activity levels in this area, and further resolve litter and vagrancy issues.

To further the case for enhancement of this area, the old 'Orchid House' on Hinemaru Street (situated alongside Tamaki Tours) has been recently dismantled, and the site is due to be completely cleared by the end of June. This will further lift the profile of the Southern Government Gardens, and provides extra impetus for its enhancement.

Although the casting pool is not a natural feature, it has unique historic and tranquil qualities. The establishment of view-shafts and formal pathways will require limited modification/impact on the existing area, while the resulting enhancements and sculpture trail have the potential to provide real amenity value for locals and tourists alike.

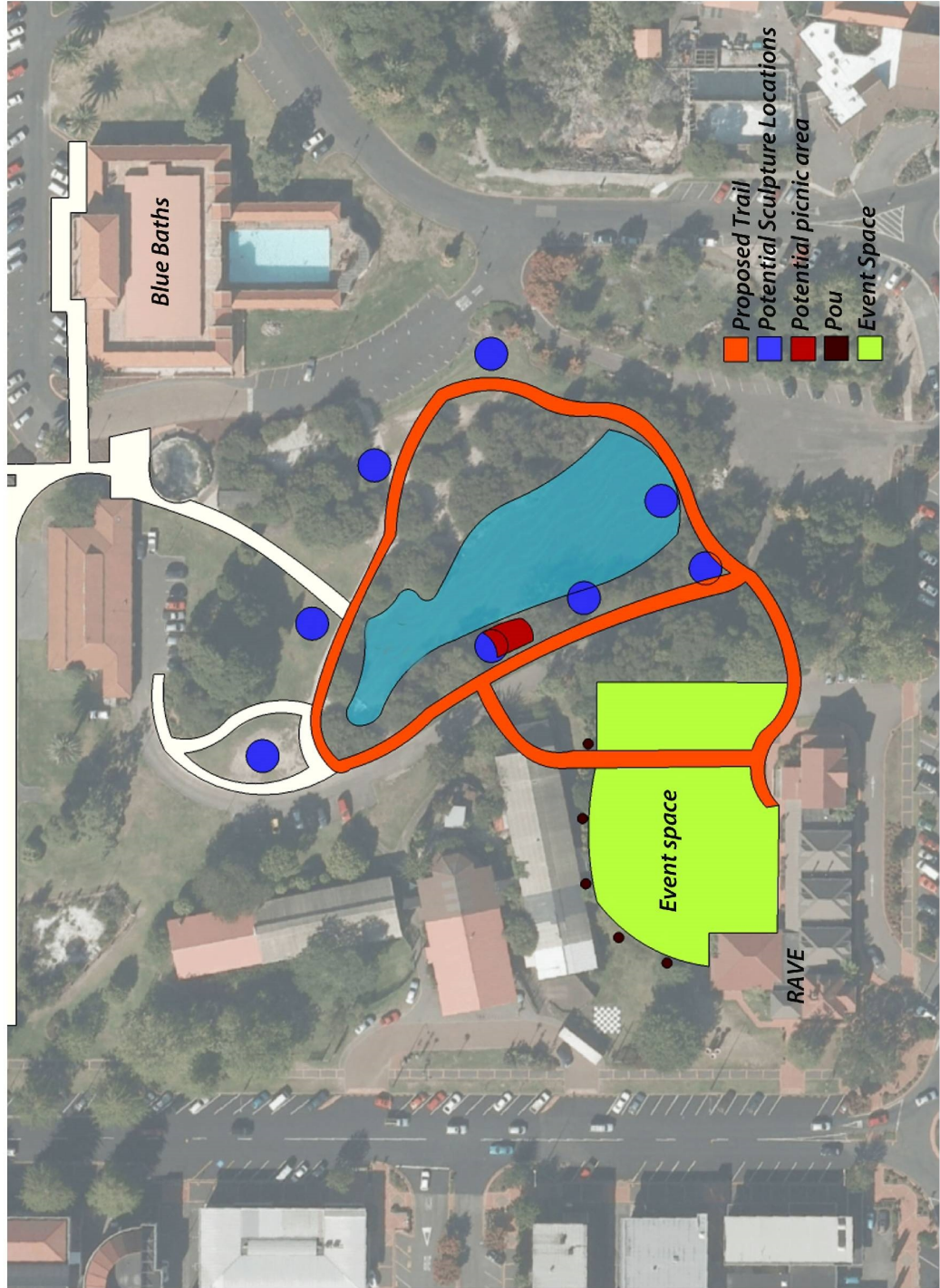
5. **ATTACHMENTS**

Attachment 1 - "Proposed Sculpture and Leisure Trail – Phase 1"

Attachment 2 - "Proposed Sculpture and Leisure Trail – Phase 2"

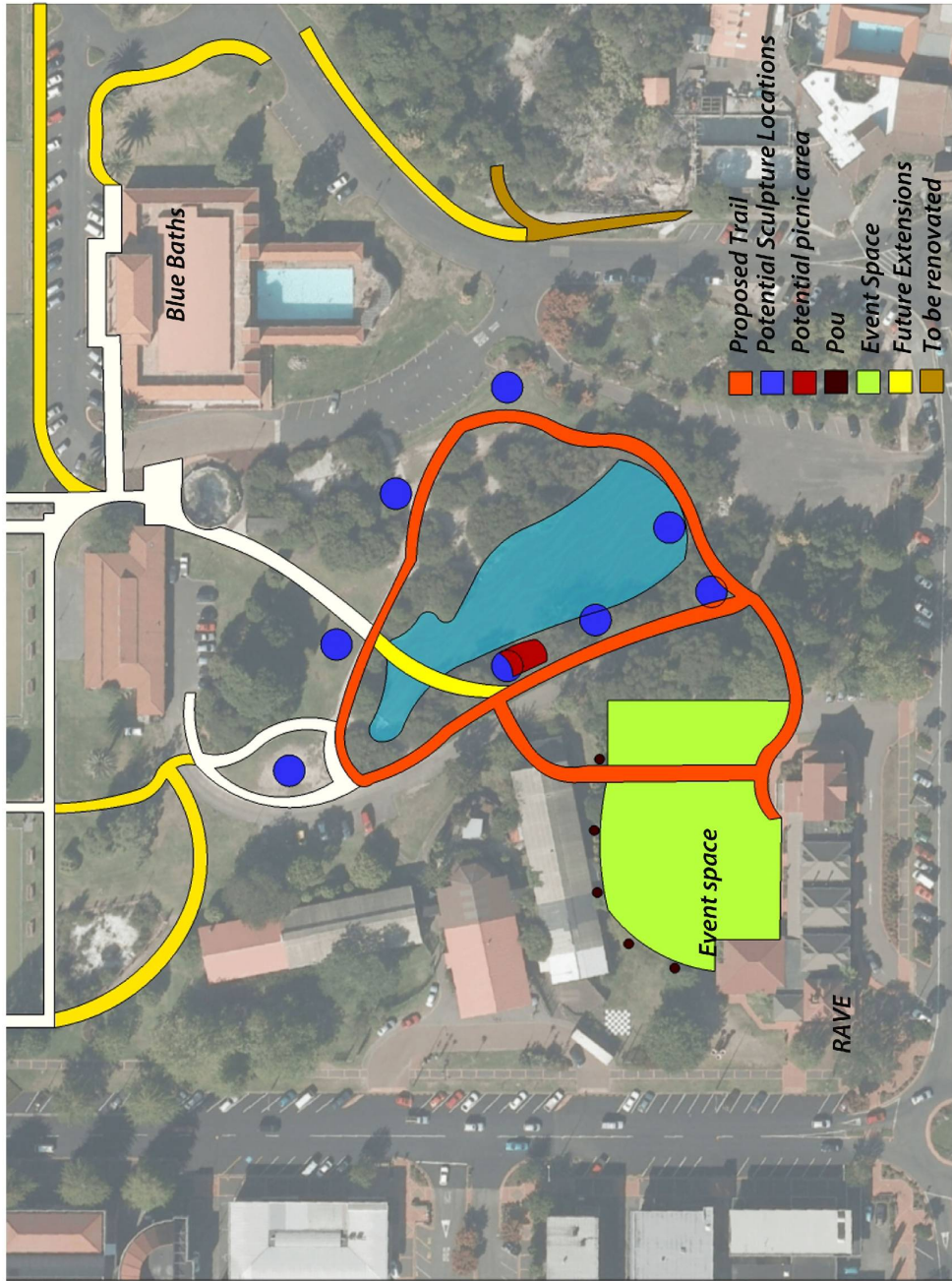
Proposed Sculpture & Leisure Trail

- Southern Government Gardens
PHASE 1



Proposed Sculpture & Leisure Trail

- Southern Government Gardens
PHASE 2



ROTORUA DISTRICT COUNCIL

His Worship the Mayor
Members
NGATI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE

IMPACTS OF NEW ZEALAND TRANSPORT AGENCY – ROTORUA EASTERN ARTERIAL

Report prepared by: Robert Atkinson, Parks Assets and Planning Manager
Claire Abbiss, Resource Management Planner (Opus Consultants)

Report reviewed by: Garry Page, Parks and Recreation Manager

Report approved by: Andy Bell, Group Manager Infrastructure Services

1. **PURPOSE**

The purpose of this report is to bring the impact of the proposed Rotorua Eastern Arterial on the Sanatorium Reserve and Rotorua Cemetery Reserve to the members of this committee's attention.

2. **RECOMMENDATION 3**

2.1 **THAT THE REPORT "IMPACTS OF NEW ZEALAND TRANSPORT AGENCY – ROTORUA EASTERN ARTERIAL" BE RECEIVED AND CONTENTS NOTED.**

3. **BACKGROUND**

There is an existing Rotorua Eastern Arterial (REA) designation alignment (in place since the 1960's) which crosses the Sanatorium Reserve. New Zealand Transport Agency (NZTA) proposes to alter the existing alignment on the Sanatorium Reserve and designate a new area on the corner of the Cemetery Reserve. The alteration and new area are required to accommodate current NZTA design standards. Both reserves are subject to the Rotorua District Council and Ngati Whakaue Protocol Agreement.

The Rotorua Township Reserve Management Plan (2006) acknowledges and includes specific policies for the existing highway designation on the Sanatorium Reserve.

NZTA is seeking feedback about any issues or concerns associated with the existing designation and proposed changes on the Sanatorium Reserve, and the proposed new designation across the Cemetery Reserve.

The attached plan shows the alignment at the western end of the arterial, and shows where it crosses these two reserves.

Chris Farnsworth of the NZTA will make a short presentation about the REA project. The presentation will provide an overview of the REA project and the effects on the Gifted Reserves.

4. **ATTACHMENTS**

Attachment 1 – Preliminary Concept Landscape Plan – Sheet 1 of 4.



ROTORUA DISTRICT COUNCIL

His Worship the Mayor
Chairperson and Members
Ngati Whakaue Gifted Reserves Protocol Committee

CHANGE OF DATE FOR SEPTEMBER MEETING

Report prepared by: Robert Atkinson, Parks Asset and Planning Manager

Report reviewed by: Garry Page, Parks and Recreation Manager

Report approved by: Andy Bell, Group Manager Infrastructure Services

1. **PURPOSE**

The purpose of this report is to inform members that the date of the next meeting needs to be altered.

2. **RECOMMENDATION**

2.1 **THAT THE REPORT "CHANGE OF DATE FOR SEPTEMBER MEETING" BE RECEIVED AND THE CONTENTS NOTED.**

2.2 **THAT THE COMMITTEE RESOLVES TO MOVE THE NEXT MEETING TO THE 23 SEPTEMBER AT 1PM.**

3. **BACKGROUND**

The next meeting of the Ngati Whakaue Gifted Reserve Protocol Committee is scheduled for the 13 September 2013. A number of Council members are unable to attend on this date and would like to seek the committee's approval to move the date.

A tentative date of the 23 September at 1pm is proposed or another such date as can be agreed upon at the meeting.