



**NGATI WHAKAUE GIFTED RESERVES**  
**PROTOCOL MEETING**

Meeting between Pukeroa Oruawhata Trust and Rotorua District Council  
to be held in the Committee Room 1, Rotorua District Council  
on Thursday 10 April 2014 at 1pm

Chairperson: Mayor Chadwick

Councillors and Trustees:	Cr Maxwell Mr S Harris Mr D Tapsell	Cr Sturt Mr P Kingi Mr J Aratema	Mr A Wilson Mr M Short
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Quorum: 6

## AGENDA

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G Williams  
Chief Executive

60-12-270\02

**MINUTES OF NGATI WHAKAUE GIFTED RESERVES PROTOCOL MEETING**  
**HELD ON FRIDAY 6 DECEMBER 2013 AT 2PM**  
**IN COMMITTEE ROOM 1, ROTORUA DISTRICT COUNCIL**

**PRESENT:** Mayor Steve Chadwick (Chairperson)  
 Mr Alec Wilson, Pukeroa Oruawhata Trust representative  
 Mr Stuart Harris, Pukeroa Oruawhata Trust representative  
 Mr Malcolm Short, Pukeroa Oruawhata Trust representative  
 Mr Pihopa Kingi, Pukeroa Oruawhata Trust representative  
 Mr Jackie Aratema, Pukeroa Oruawhata Trust representative  
 Mr Murray Patchell, Pukeroa Oruawhata Trust representative/Deloitte  
 Cr Trevor Maxwell, Rotorua District Council (until 2.45pm)  
 Cr Charles Sturt, Rotorua District Council  
 Cr Karen Hunt, Rotorua District Council

**APOLOGIES** Absent: Mr Peter Faulkner, Pukeroa Oruawhata Trust representative/Deloitte  
 Mr David Tapsell, Pukeroa Oruawhata Trust representative  
 Mr Geoff Williams, Chief Executive, Rotorua District Council  
 Early departure: Cr Trevor Maxwell

**STAFF PRESENT:** Mr Mauriora Kingi, Director Kaupapa Maori  
 Mr Garry Page, Manager Parks and Recreation  
 Ms Rebecca Cray, Landscape Architect  
 Mr Robert Atkinson, Parks Assets & Planning Manager  
 Mr Nick Dallimore, Manager Inner City Enterprises  
 Mrs Yvette Van Vliet, Administrator Shared Services

Mayor Chadwick welcomed everyone to the meeting. A karakia was given by Mauriora Kingi.

She informed members of the passing of Nelson Mandela today.

1. **APOLOGIES**

**Resolved**

***That the apologies from Mr Peter Faulkner, Mr David Tapsell, and Mr Geoff Williams (for absence), and for Cr Trevor Maxwell (for early departure) be received.***

Mr Wilson/Cr Sturt  
**CARRIED**

2. **MINUTES OF THE PREVIOUS MEETING**

**Resolved**

***That the minutes of the previous extraordinary meeting held on 28 June 2013 be confirmed as a true and correct record.***

Cr Maxwell/Mr Wilson  
**CARRIED**

### 3. MATTERS ARISING FROM PREVIOUS MINUTES

- 3.1 Mr Stuart Harris asked that in future all members have their Christian and surnames listed – noted.
- 3.2 Southern Government Gardens Connectivity Plan – Cr Charles Sturt queried if development for this Plan had commenced. Mr Garry Page informed the committee that Mr Marc Spijkerbosch at this stage is working on the commissioning of the art works.

Mr Malcolm Short asked that signage at the Arts Village include acknowledgement of Pukeroa Oruawhata Trust (on behalf of Ngati Whakaue) for their gifting of land.

Pukeroa Oruawhata Trust members expressed their concern regarding the involvement of the Maori Council with all the reserves in Rotorua. Mr Alec Wilson explained that the process is that Pukeroa Oruawhata Trust notifies the Historic Places Trust and any decisions are made by Pukeroa Oruawhata Trust (on behalf of Ngati Whakaue) and the Historic Places Trust.

- 3.3 Impacts of NZ Transport Agency – Rotorua Eastern Arterial – Cr Charles Sturt asked if the NZTA had discussions directly with the hapu involved. Mr Mauriora Kingi replied that NZTA had met with the collective hapu but was not sure of the outcome.

### 4. PROCESS FOR THE TRANSFER OF GIFTED RESERVE (PART CENTENNIAL PARK) BACK TO NGATI WHAKAUE

Mr Alec Wilson questioned the need for public consultation. Required by legislation. Discussed.

#### **Resolved**

1. **That the report as tabled 'Process for the Transfer of Gifted Reserve (part Centennial Park) back to Ngati Whakaue' be received;**
2. **That the Committee recommend to Council to commence the process to enable the land to be returned to Ngati Whakaue;**
3. **That further background information in support of the report be provided by Pukeroa Oruawhata Trust prior to this report proceeding; and**
4. **That Rotorua District Council supply a copy of all current leases over Ngati Whakaue Gifted Reserves land to Pukeroa Oruawhata Trust.**

Cr Sturt/Cr Maxwell  
CARRIED

This decision was passed unanimously.

Noted: Mr Harris stated that Pukeroa Oruawhata Trust had never received a copy of the lease between Rotorua District Council and Waiariki Institute of Technology they requested at the previous meeting. Mr Murray Patchell would welcome more information received regarding any leases. It was agreed that this information would be made available.

## 5. UPDATE ON LANDSCAPE ALTERATION TO TUTANEKAI STREET

### Resolved

That the report 'Update on Landscape Alteration to Tutanekai Street' be received.

Mr Wilson/Cr Sturt  
CARRIED

- PowerPoint presentation provided by Ms Rebecca Cray (**Attachment 1**), with further explanation provided by Mr Nick Dallimore.
- Mayor Chadwick acknowledged some concerns raised by members and advised that Cr Merepeka Raukawa-Tait had been in discussions with the Chamber of Commerce and would address these concerns further. Also informed the committee that a presentation regarding Strategic Directions for Rotorua will be presented to the Iwi in the near future.
- Cr Karen Hunt explained the idea of the Maori sculptures which were created by artist Joe Kemp. A plaque with an interpretation (provided by Mr Kemp) of each sculpture will be added to these in the near future.

## 6. GENERAL BUSINESS

- 6.1 Cr Karen Hunt read a letter on behalf of Mr Mike Steiner (Inner City Focus Group) regarding further enhancement of Rotorua City – (**Attachment 2**).

The Inner City Focus Group seek approval for murals (art work) to be painted on several buildings in the Rotorua City and Cr Karen Hunt recommended that the committee do a "walk through" the City to select suitable buildings for this project.

Reiterated that a member of the Ngati Whakaue Protocol committee be on the Heart of the City committee.

Discussed what images were appropriate for this project (images of tupuna and/or significant landscapes) and what buildings could be used as canvasses.

It was decided that members of Pukeroa Oruawhata Trust would discuss this further and advise Rotorua District Council of their decision and also inform who their member will be on the Heart of the City Committee.

- 6.2 Mr Alec Wilson – Rotorua Arts Trust Board – still waiting for two Ngati Whakaue representatives to be appointed to this Board – Pukeroa Oruawhata Trust to advise Rotorua District Council.
- 6.3 Mr Pihopa Kingi advised the committee that he supports the Position Statement of the collective hapu (Attachment 3 in last minutes). Mr Malcolm Short and Mr Alec Wilson stated they would support Council by contacting the major land owners of the land involved. Mayor Chadwick agreed with this approach.

The meeting was closed with a karakia by Mr Mauriora Kingi.

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The meeting closed at 3.35pm

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Attachment 1 – POT Presentation 2013

Rotorua: living the dream  
**world class**  
in **every**  
way

# Rotorua CBD Revitalisation

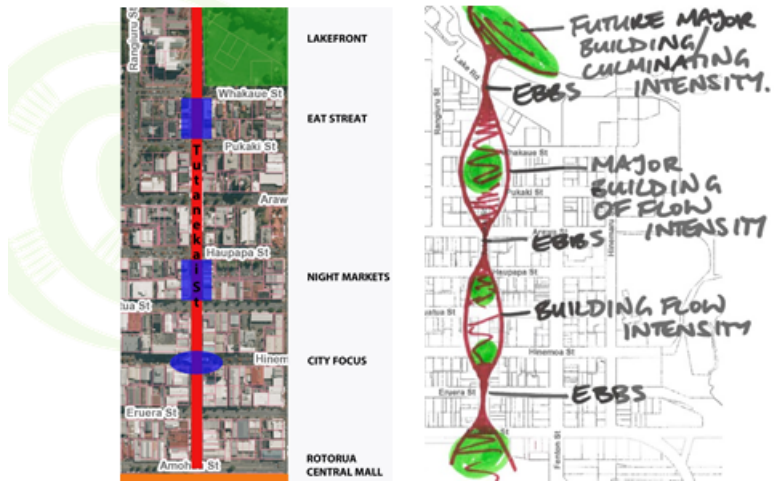


## Our 'urban playground'

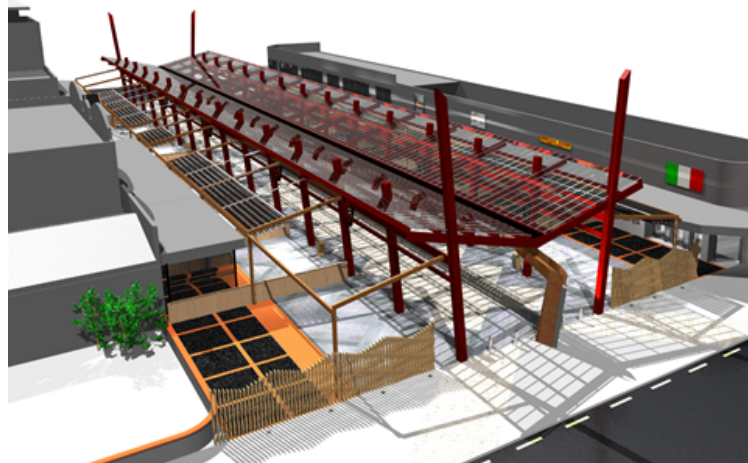


**Beautiful** Scenic Sightseeing  
**Foodies**  
 Dining Out Family  
 Indulge Different Experiences  
 Relax Explore Markets  
 Adventure Social Exciting  
 Outdoors Kids Fun  
 Friendly Beach Life

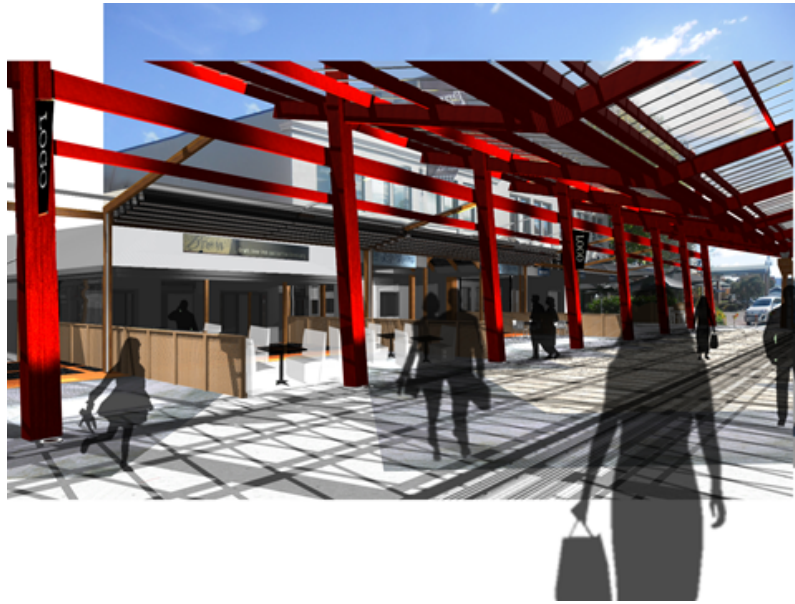
# Tutanekai St



## Inner City Eat Street Precinct Design



EAT STREET: PROJECT PROPOSAL APR



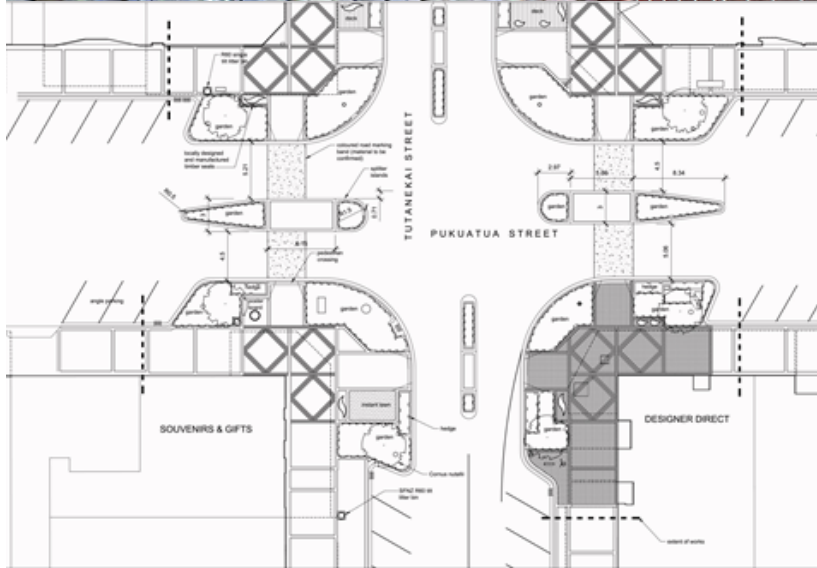


# Tutanekai Street Upgrade

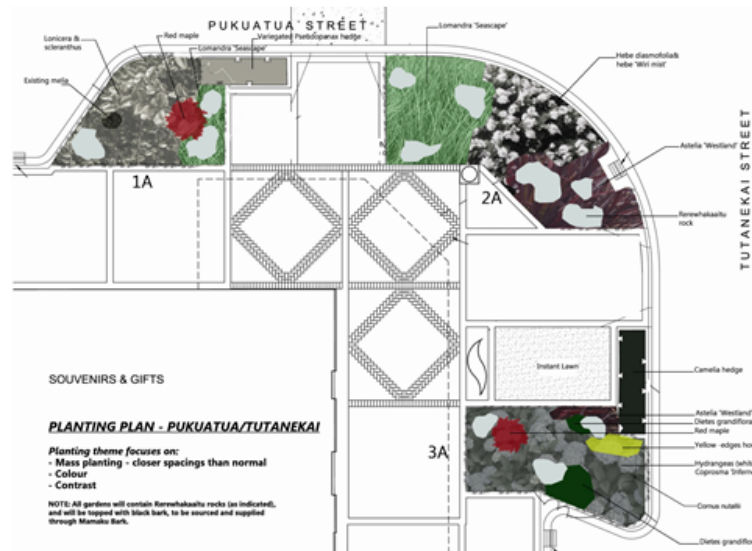


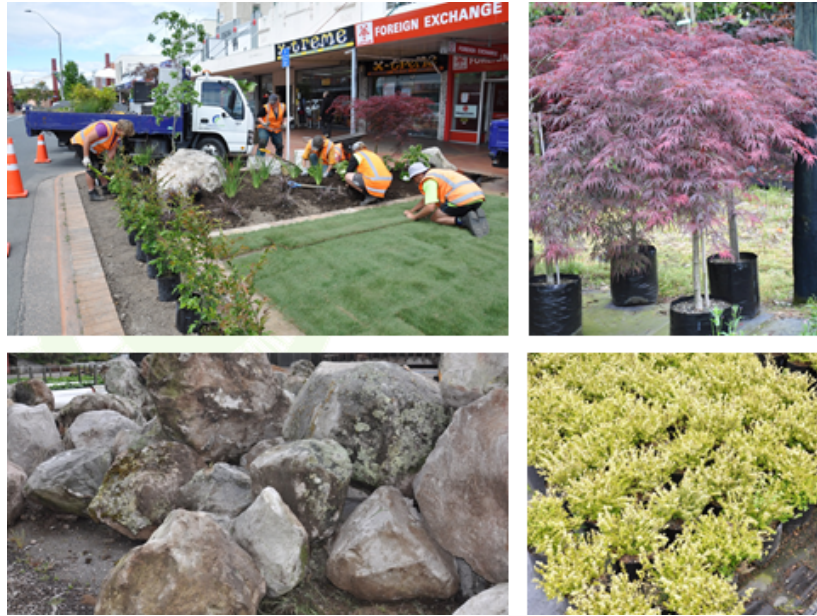














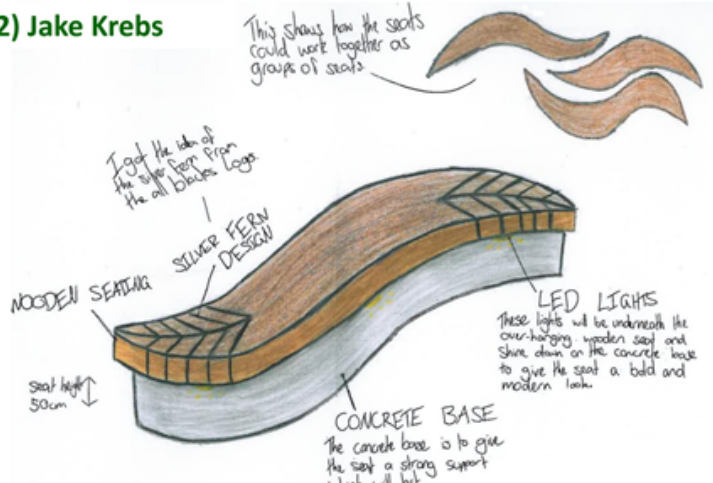




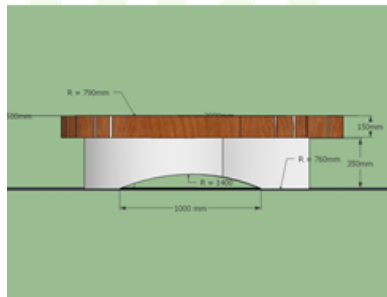
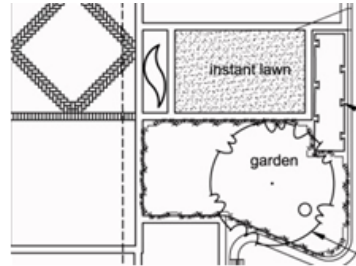
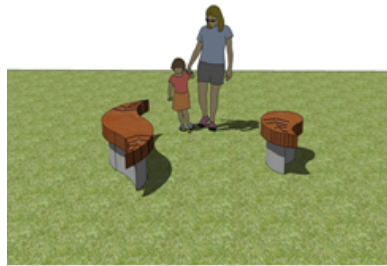




**2) Jake Krebs**



Designer Profile	Design Rationale	Design Inspiration
When I leave school I want to do something along the lines of engineering. My interest are BMX and motor cross.	My designs is promoting the forestry with the use of wood in my product.	The all blacks logo inspired me and then I developed my idea. Material used: wood, concrete, LED lights.



Rotorua: living the dream  
**world class**  
in **every**  
way



Thank – you.



*Attachment 2 – Letter from Mr Mike Steiner*

INNER CITY FOCUS GROUP, MIKE STEINER  
OYE

The legacy of our ancestors <sup>is</sup> are forever with us. Rotorua is at the dawn of a new era and the spirit of those that have given so much to our history will guide us into the future. We have embarked on a new journey for our city, one that is inclusive of all it's people and we acknowledge with love and respect, those that have gone before us and left such gifts. We speak of our famous Guides Sophia, Rangī, Maggie and Bubbles. Their contribution is legendary.

Our concept is to have, where possible, our cultural heritage reflected throughout the city in a respectful, dignified and meaningful way. We have just recently had two very beautiful carvings by respected carver, Joe Kemp, installed at the intersection of Tutanekei and Pukuatua streets. These pieces are loaned to the city for a given period of time by Joe to show how we can illustrate that this type of installation can have a very positive impact on the community.

① We propose, with permission, to further enhance the journey by having the Images of our respected ancestors i.e. our Guides painted in strategic locations within the heart of our city, presented with the story ( The spirit of our Ancestors guiding us into the future ). We seek your blessing and approval for such a project. Tatou Tatou.

File No: 60-12-0270\02  
RDC-NumberROTORUA DISTRICT COUNCILMayor  
Members  
NGATI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE**UPDATE – PROGRESS ON RETURN OF ROTORUA THERMAL HOLIDAY PARK LAND****Report prepared by:** Robert Atkinson, Parks Asset and Planning Manager**Report reviewed by:** Garry Page, Parks & Recreation Manager**Report approved by:** Andy Bell, Group Manager Infrastructure Services**1. PURPOSE**

The purpose of this report is to bring members of the Ngati Whakaue Protocol Agreement up to date regarding the progress of the return of the fee simple land located under the Rotorua Thermal Holiday Park, Centennial Park.

**2. RECOMMENDATION 1**

**That the report 'Update – Progress on Return of Rotorua Thermal Holiday Park Land' be received.**

**3. BACKGROUND****Rotorua Thermal Holiday Park**

The land in question (Lot 1 DPS 61460 refer to attachment 3) was originally part of the Arikikapakapa block. This section of the block was managed by the Crown until 1947 when it was made part of the Rotorua Domain administered by the Rotorua Borough Council. The Arikikapakapa block was gifted by Ngati Whakaue to the people of Rotorua to be used for recreation and education purposes. This section of Centennial Park forms part of the Gifted Reserves network and is governed by the Gifted Reserves Protocol Committee which has Ngati Whakaue and Rotorua District Council representation.

The motor camp was developed in the early 1950's and was further upgraded after approval of a new development plan in 1954 and the closure of the old municipal camping ground in Glenholme. The motor camp today is bordered by the Waiariki Institute of Technology to the south, Lake Tangatarua to the north, Old Taupo Road to the east and the remainder of Centennial Park to the west. The 12.1625 hectare camp grounds contains a mixture of tent, caravan and motor home sites with cabins, ablution and kitchen facilities, pools, shops, a catered lodge and caretakers cottage.

The Thermal Holiday Park is operated under a lease agreement with Council. The lease was purchased by the Waiariki Institute of Technology in 2012 with the understanding that a portion of the motor camp would be able to be used for student accommodation freeing up for public use when not required. They also have plans to develop a portion of the land as recreational sports fields for their use that can be used by the public on the same basis. The purchase was made with the full agreement of Ngati Whakaue, both from a Gifted Reserves perspective and from their representation on the board of trustees for the Waiariki Institute of

Technology. Ngati Whakaue now claims the use of the reserve has changed from the original intention for what it was gifted for and has requested the return of the land back to them as the original landowners.

The first stage to begin the process for this to occur is to get Council agreement for the land to be transferred to Ngati Whakaue. A report will be presented to the Strategy / Policy and Finance Committee on the 21<sup>st</sup> May 2014.

Pukeroa Oruawhata Trust has provided to Council a supporting document for the transfer of the Thermal Motor Camp land and this is attached as Attachment 1.

#### **4. ASSESSMENT OF SIGNIFICANCE**

The decisions or matters of this report are considered significant in accordance with Council's Policy on Significance. This states that a matter shall be determined to be significant when a proposal or decision to transfer ownership or control of a strategic asset as per s.97(1)b of the Local Government Act 2002.

As a significant decision or matter, the Council must apply greater diligence to the decision making requirements of the Local Government Act 2002 section 76-82. This includes, but is not limited to, the degree to which different options are identified and assessed and the extent to which community views are considered, including whether consultation is required.

#### **5. COMMUNITY INPUT/ENGAGEMENT AND PUBLICITY**

Public consultation will be required as per the Reserves Act 1977 and the Local Government Act 2002.

#### **6. CONSIDERATIONS**

##### **6.1 Financial/budget considerations**

##### **Thermal Motor Camp**

Advertising:	\$1,500
DoC fees	\$ 840+Disbursements
Legal Fees	\$1,500
Total cost	\$3,840

This cost has not be budgeted in either the Long Term Plan or 2015 Annual Plan.

Loss of income -\$ 107,000 per annum.

There would be a small savings in maintenance costs as Council would no longer be responsible for maintaining the unused area of the motor camp.

Currently it costs Council approximately \$1.2 M p.a. to maintain all of the Gifted Reserves with a revenue return from leases and concessions of \$307,000 p.a.

##### **6.2 Policy and planning implications**

The disposal of specific reserve land has not been allowed for in any Council planning documents. This topic is however touched upon in the Open Space Strategy on pg 35 under the heading of 'Is there any surplus Open Space?'

*“.....There may well be publicly owned open space that is no longer fully utilised or may be more valuable to the community to be recycled, disposed of and reinvested in open space that meets today's and future recreation trends. Obviously such steps will not be taken lightly and would be the exception rather than the rule.”*

The disposal of this section of the reserve will trigger a review of the Urban Reserves Management Plan as disposal of reserve areas are not considered with in this document.

### **6.3 Risks**

The risks of the decision are noted below:

- Public consultation may come out against the proposal to return the land.
- Negative perception of Council within the public arena through the perceived loss of reserve land.
- No control over the time for Department of Conservation or the appropriate central government agency to complete their required processes.
- That the Crown does not approve the removal of the reserve status thus not enabling the transfer of ownership.

In considering the risks thought has been given to the loss of the reserve land and recreational opportunities that this may represent. This is considered by Council staff to be minimal. Interruption to the recreational opportunities offered by these areas will not occur beyond what already exists through the existing development on this portion of the reserve.

### **6.4 Authority**

Council has the ability to complete the actions detailed in this report, following appropriate public consultation, through the provisions of the Reserve Management Act 1977 and the reserve areas being vested with Council.

Council however does not have the authority to uplift the Reserve classification as this is only able to be completed by the Minister of Conservation or delegate.

## **7. ATTACHMENTS**

Attachment 1: Background information supplied by Pukeroa Oruawhata Trust

## Pukeroa Oruawhata Trust

13 December 2013

### **Supplementary paper in support of the Transfer of Rotorua Thermal Motor Camp back to Pukeroa Oruawhata Trust (on behalf of the descendants of the original 295 owners)**

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#### Background:

Rotorua Thermal Motor Camp occupies a 12.1625ha leasehold site situated within the larger "Arikikapakapa Recreation Reserve" gifted by Ngati Whakaue and formalised by way of gazette notices in 1908 & 1904. The original Arikikapakapa Reserve is now used as follows:

- Southern Arikikapakapa Reserve (NZMACI t/a Te Puia)
- Rotorua Golf Course
- "Nine Hole" Golf Course
- Waiariki Institute of Technology Campus
- Rotorua Thermal Motor Camp
- Recreation Reserves (Centennial Reserve)

The Arikikapakapa Reserve is located with the boundaries of that area of land known as the Pukeroa Oruawhata Block.

The mandated representatives of the descendants of the original owners of the Pukeroa Oruawhata Block are the trustees of Pukeroa Oruawhata Trust.

Under the terms of the gifting of the reserve land, the understanding was that the gifted lands would be used for public use / public amenity.

The status of the gifted lands is formally recognised by the 1993 Ngati Whakaue Gifted Lands agreement with the Crown and the Gifted Reserves Protocol Agreement between Rotorua District Council and Pukeroa Oruawhata Trust.

To protect the Trust's interests in the underlying titles from further alienation by sale or long term lease and preserve the intent of the original gifting, Pukeroa Oruawhata Trust registered caveats over those titles identified as gifted lands.

#### Rotorua Thermal Motor Camp

The land occupied by Rotorua Thermal Motor Camp was vested in the RDC to be held in trust for the purpose as a recreation reserve with the crown residual interest still applicable.

The current motor camp lease commenced 1 July 1994 for a term of 33 years for a business use as a "**public camping ground and motor camp facility including all facilities thereto**".

The motor camp has been operated on a **commercial basis** by the lessee PM & C Ellery from 1994 until its sale to Waiariki Institute of Technology in 2012.

WIT, as part of its due diligence process associated with the purchase of the motor camp lease, consulted with POT prior to any formalisation of their interest in the property. WIT undertook the transaction on the full understanding that:



- a. POT viewed the transaction as a “normal” commercial transaction
- b. WIT was aware and supportive of POT’s intention to seek to have the underlying land returned to it on behalf of the original owners.

### **WIT Purchase of Thermal Motor Camp Lease - Summary of recent events**

#### **- 1 July 2011:**

POT formally confirms to WIT that the proposed purchase is viewed as a “**commercial transaction between WIT & the Ellery’s ... the terms of the existing lease continuing** or, if alternate terms are proposed, that these remain “normal” commercial terms that are acceptable to POT in all accounts.”

#### **- 17 July 2013:**

Joint meeting RDC (Winters/Page)/WIT (Bloor)/POT (Short/Wilson/Patchell/Faulkner) with POT’s position put as:

- The Trust is supportive of WIT’s proposed developments
- That the lease specific use conditions are prescriptive and that **the nature of the development proposed will be outside of the specific use** provided for.
- Recommendation made that the **lease is varied to accommodate the change in use** to ensure that WIT’s interests are protected.
- That the **change in use triggers the hand back provisions.**

A Heads of Agreement was requested by RDC reflecting and formalising the intent. This was to be approved and executed by RDC in August 2013.

#### **- 17 September 2013:**

Meeting with RDC (Williams / Muston / Page) and POT (Short / Patchell / Faulkner)

- HoA advised as not having been presented to Council for execution as previously advised.
- RDC staff advised that **the lease and the underlying reserve status do not allow WIT to undertake the developments proposed**, (even with RDC and POT consent).
- Agreement **that addressing the ownership and reserve status was a pre-requisite** for WIT’s development to proceed.

#### **- 6 December 2013:**

Protocol Committee resolves to recommend to Council to commence the process to enable the land to be returned to Pukeroa Oruawhata Trust.

### **Summary**

- The motor camp is located on land original gifted for the purposes of public use / public amenity.
- WIT proposed change of use is supported by both RDC and POT
- The change of use triggers the hand back provisions contained within the gifted lands provisions which, in line with established procedures, do not require public consultation.
- The existing lease and the reserve status of the underlying land prevent WIT from undertaking the development as proposed.

To provide WIT with certainty and to best protect its investment, the following actions are required:

1. The hand back provisions are triggered and the underlying titles are returned to POT
2. The underlying reserve status is revoked to allow for WIT to complete its development
3. The terms of lease are changed to provide WIT with both certainty and surety of tenure.

File No: 60-12-270\02

ROTORUA DISTRICT COUNCIL

The Mayor  
Members  
NGATI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE

**REMOVAL OF TOTEM POLE, GOVERNMENT GARDENS**

**Report prepared by:** Marc Spijkerbosch, Community Arts Officer

**Report reviewed by:** Ann Esler, Manager Community Engagement & Support

**Report approved by:** Oonagh Hopkins, Acting Group Manager Corporate & Customer Services

**1. PURPOSE**

The purpose of this report is to seek support from the committee for the removal of the gifted totem pole located within the Government Gardens, adjacent to the Klamath Falls Rose Gardens.

**2. RECOMMENDATION 2**

- 2.1 **That the report “Removal of Totem Pole, Government Gardens” be received.**
- 2.2 **That the Committee resolves to endorse the decommissioning and subsequent removal of the Kwagiulth Totem Pole, Government Gardens.**

**3. BACKGROUND**

The Kwagiulth Totem pole was carved by Tony Hunt, a master carver and tribal elder of the Kwagiulth Indians of Vancouver, Canada in 1990. The carving was started in Vancouver, and finished in Rotorua, with much of the carving and finishing done at the Forestry Exhibition at Arawa Park. It was gifted by the people of Canada to the people of Rotorua to commemorate the sesquicentennial of the founding of New Zealand.

The totem pole has suffered considerable decay for quite some time. Following a concerted and expensive restoration effort in 2003, the Western Red Cedar log has continued to rot, particularly in the pith. Conservator Jack Fry reassessed the totem in 2013 and announced that it had reached the end of its life outdoors. It is currently in a very poor state, and after consideration of costs (approx. \$10-15,000) and in view of an acceptable life span, Council’s internal public art steering committee proposed that the totem pole be decommissioned and removed (September, 2013).

The existing reserve management plan for the Government Gardens contains a policy regarding the Totem Pole. Policy 7.2.4.9.22 of the Township Reserves Management Plan on pg 98 reads:

*To maintain, preserve and protect the Kwagiulth Totem Pole, presented to the people of New Zealand by the Acting High Commissioner for Canada, Mr Leslie A.K. Jones on behalf of the people of Canada to commemorate the New Zealand Sesquicentennial year 1990. The totem is to be held in the Government Gardens in Rotorua but may be removed temporarily for special events.*

The removal of the totem pole is considered a minor amendment of the reserve management plan and will not trigger the requirement for a full public consultation process to be undertaken.

The totem pole is also mentioned as part of the Government Gardens Historic Registration Area and approval will need to be gathered from the Historic Places Trust prior to the removal of the totem pole. At the time of writing the report, it is unclear what will need to be provided to NZHPT to enable a decision to be made.

#### 4. **ATTACHMENT**

Appendix A – Current Images of Totem Pole, February 2014

### Appendix A – Current Images of Totem Pole



FIG 1—Face has rotted off top feature



FIG 2—Advanced decay in top feature



FIG 3—Decay in lower section



FIG 4—Base of Totem Pole

ROTORUA DISTRICT COUNCIL

Mayor  
Members  
NGATI WHAKAUE GIFTED RESERVES PROTOCOL MEETING

**POSSIBLE RELOCATION OF ROTORUA CONTINUING CARE TRUST (WHARE AROHA) TO KUIRAU PARK**

**Report prepared by:** Paul Spurdle, Client Support Manager

**Report reviewed by:** Garry Page, Parks and Recreation Manager

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

**1. PURPOSE**

The purpose of this report is to present to the Protocol members the report that went to the Council meeting held on the 6 March 2014.

**2. RECOMMENDATION 3**

1. That the report Possible Relocation of Rotorua Continuing Care Trust (Whare Aroha) to Kuirau Park be received.
2. That the Committee resolves to support in principle the relocation of Rotorua Continuing Care Trust to the southern carpark of the Rotorua Aquatic Centre;
3. That the Committee endorse the appointment of ..... to a working group to be established.

**3. BACKGROUND**

A report was prepared and presented to Council on the 6 March 2014 concerning the possible relocation of the Rotorua Continuing Care Trust (RCCT) to the southern carpark of the Aquatic Centre located in Kuirau Park.

The following resolution was passed at that meeting:

1. That the report "Support for Rotorua Continuing Care Trust (Whare Aroha) Relocation" be received.  
Cr Sturt/Cr Searancke  
CARRIED
2. That dependent on continued positive consultation with the public and iwi, Council agrees in principle to the proposed relocation of RCCT to the southern car park area of the Aquatic Centre.
3. The proposal be included in the Draft Annual Plan for public consultation purposes, and it be noted that this proposal replaces the previous decision to allow the Rotorua Continuing Care Trust to relocate to the Rawhiti flat complex because of limitations created by available space.
4. That the cost of relocating and replacing an agreed number of Aquatic Centre car parks would be incurred by the Rotorua Continuing Care Trust as part of the proposed development.  
Cr Sturt/Cr Kent  
C14/03/009  
CARRIED

The full report is reproduced here for your information and discussion at the Protocol meeting.

#### **4 ATTACHMENTS**

Attachment 1: Council report – Support for Rotorua Continuing Care Trust (Whare Aroha) Relocation

**Attachment 1 - Council report – Support for Rotorua Continuing Care Trust (Whare Aroha) Relocation**File No: 20-03-030  
RDC-435899ROTORUA DISTRICT COUNCILMayor  
Chairperson and Members  
COUNCIL**SUPPORT FOR ROTORUA CONTINUING CARE TRUST (WHARE AROHA) RELOCATION****Report prepared by:** Paul Spurdle, Client Support Manager**Report reviewed by:** Jean-Paul Gaston, Executive Officer**Report approved by:** Geoff Williams, Chief Executive**1. PURPOSE**

This report is to update Councillors on the on-going discussions with Rotorua Continuing Care Trust (RCCT) and present a new option for their relocation.

Due to landlord development plans, RCCT are looking to relocate Whare Aroha from their existing site east of the Queen Elizabeth Hospital at the Lake Front. In the past, RCCT had been given Council support to relocate their hospital to the Rawhiti pensioner housing complex on Millar Street in Glenholme.

This report outlines another possible location, subject to geotechnical reports, and public and further iwi consultation.

**2. EXECUTIVE SUMMARY**

This report recommends that the car parking area to the south of the Aquatic Centre be made available to RCCT to relocate the Whare Aroha aged care facility. As part of the proposed concept, RCCT would incur cost of relocating the existing car park, which creates the ability to achieve a cost neutral outcome for Council and assists both parties in the following ways:

Council benefits

- An opportunity to use a Council reserve to its maximum potential to provide an outcome and valuable service for the community, particularly when aged care is becoming more necessary in the next few decades.
- Council will be provided a replacement car park in a more appropriate location that will enable better use, and revitalisation of Kuirau Park.
- The presence of a facility like Whare Aroha on Kuirau Park will assist in addressing the safety concerns and negative perceptions of the area.
- Providing the opportunity to use Kuirau Park ensures that the Whare Aroha facility remains in a location close to the inner city.

### RCCT benefits

- A charitable organisation that provides a valuable service to Rotorua will have access to a valuable piece of land with a uniquely Rotorua outlook.
- Subject to Regional Council discussions, RCCT would have access to geothermal energy for sustainable heating of the facility.
- The facility remains in a central location meaning it is easily accessible for both visitors and staff.

### 3. RECOMMENDATIONS:

1. That the report “Support for Rotorua Continuing Care Trust (Whare Aroha) Relocation” be received.
2. That dependent on continued positive consultation with the public and iwi, the Committee agrees in principle to the proposed relocation of RCCT to the southern car park area of the Aquatic Centre.
3. The proposal be included in the Draft Annual Plan for public consultation purposes, and it be noted that this proposal replaces the previous decision to allow the Rotorua Continuing Care Trust to relocate to the Rawhiti flat complex because of limitations created by available space.
4. That the cost of relocating and replacing an agreed number of Aquatic Centre car parks would be incurred by the Rotorua Continuing Care Trust as part of the proposed development.

### 4. BACKGROUND

The RCCT own and operate Whare Aroha which is a successful 78 bed facility, certified to provide hospital, rest home, and dementia care. However, to enable Pukeroa Lakefront Holdings Limited to develop their land on the Lakefront, RCCT is required to vacate their present facility in May 2016.

As such, RCCT must find a new location to operate Whare Aroha. Given the RCCT's charitable status and tight funding ability the ability to find a site large enough and of similar quality to their existing location is a difficult task. Council has been working with RCCT to find an appropriate location, and in the past support to relocate their hospital to the Rawhiti pensioner housing complex on Millar Street in Glenholme was provided by Council. Unfortunately, after further investigation, the Millar Street site did not provide enough space for the Whare Aroha facility and was subsequently no longer considered a viable option.

RCCT are now looking at other options for their relocation, and have again asked Council for assistance in finding potential sites which meet their needs and may contribute positively to Council assets and the community.

### 5. DISCUSSION AND OPTIONS

Reassessing Council land that could be suitable for Whare Aroha, it was determined that Kuirau Park could be an option in assisting RCCT.

#### 5.1 **Enable relocation to Aquatic Centre land with a lease applied as per Council's current community facilities policy**

In considering Kuirau Park, the option of locating in close proximity to the Aquatic Centre fits well with the Council adopted master plan for the area (see Figure 1.0) and provides some key linkages with other community facilities, such as Parksyste.





Figure 1.0: Kuirau Park Master Plan Study 2011

The area south of the Aquatic Centre is identified in the Master Plan as a possible location for community facilities in the future. It is currently a car park which at times can be busy, but is generally underused. Additionally, a large building is most appropriate in this particular part of the park as it would integrate into the existing built environment better than anywhere. There are also synergies with it being located in close proximity to Parksyrde and access could be gained from various points including Tarewa Place, and the existing Aquatic Centre entrances.

Figure 1.1 shows a conceptual perspective on how the facility may fit into the car park area.

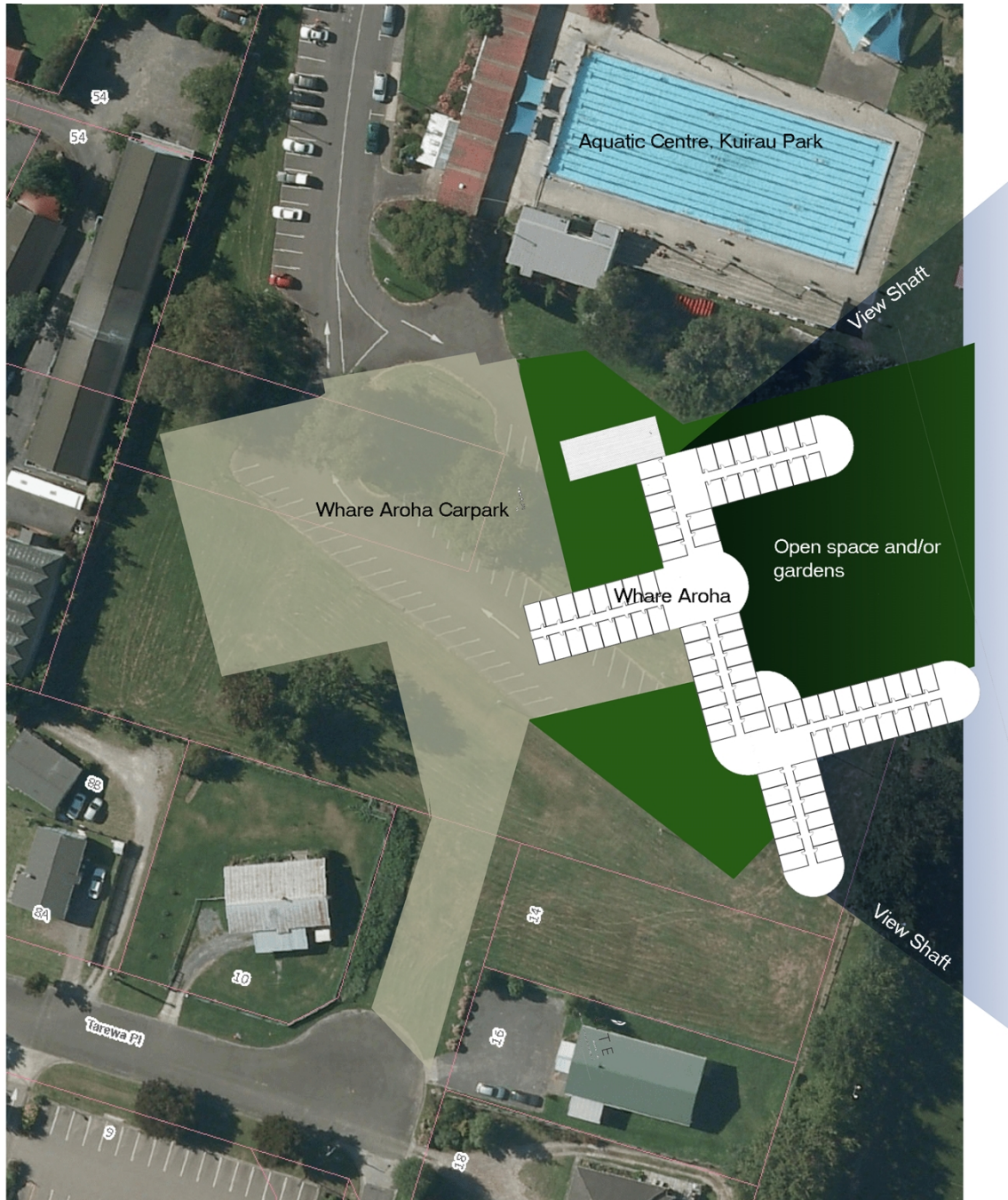


Figure 1.1: A conceptual location plan of how the facility could fit in the area. Note: This building design for Whare Aroha is based off a facility designed for another site. This has been used solely to illustrate how the scale of the facility would fit on the area.

As the proposed site is located on a car park which on some occasions is utilised by users of the Aquatic Centre and the wider reserve, a new car park would be required. It is considered that the car park could be relocated to the centre of Kuirau Park which would actually provide a better outcome for wider environment than the existing car park. Centralising the car parking into the centre of Kuirau Park means they will be beneficial for all users of the reserve including people who visit the reserve for:

- Sports
- Markets
- Gardens and Geothermal Features
- Aquatic Centre
- Events

The relocated car park also fits in with future plans for the reorientation of the Aquatic Centre to open out onto Kuirau Park and the Kuirau Park Master Plan Study which is shown in Figure 1.0. The benefits of the relocated car park to a more central area of the reserve is illustrated below in Figure 1.3

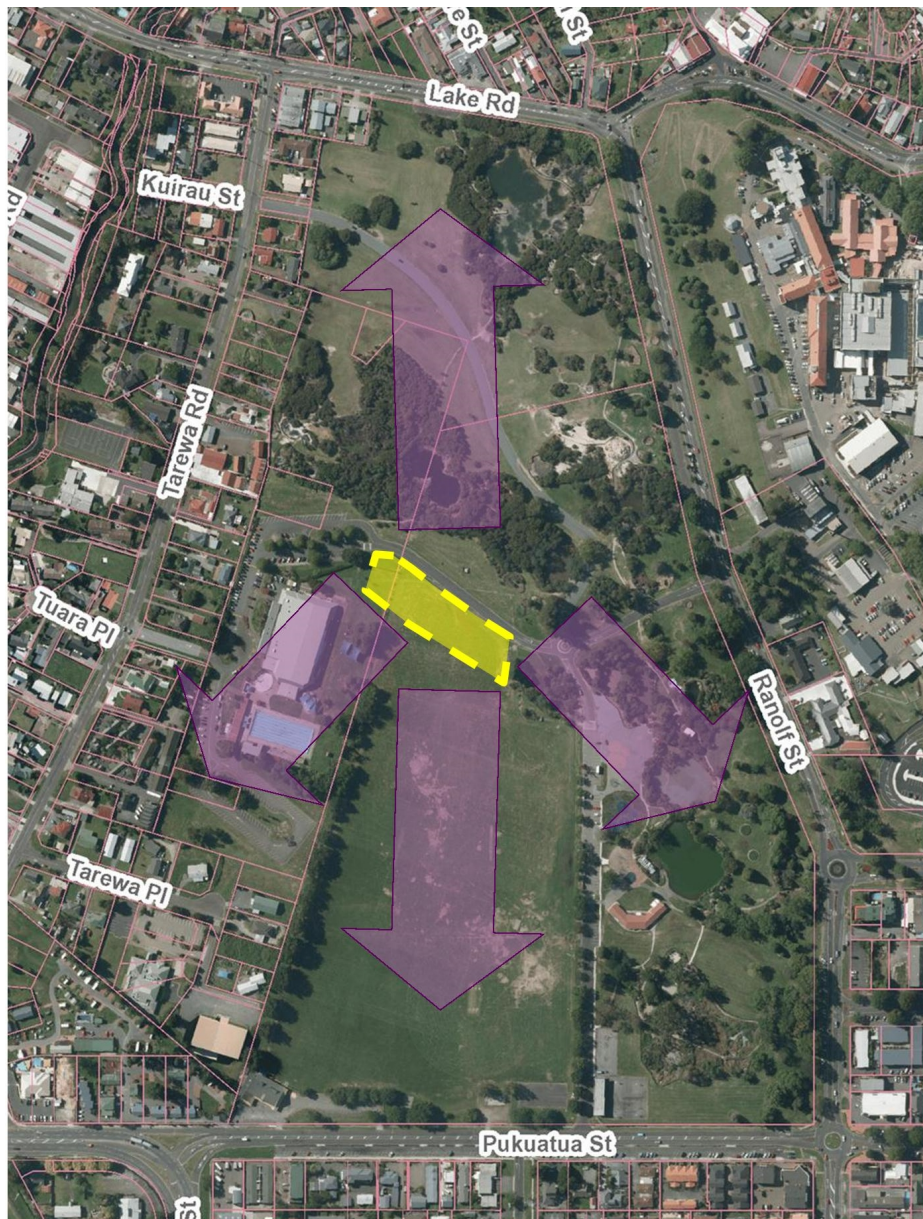


Figure 1.3: Connections and added value of a centralised car park.

The estimated cost of constructing a replacement car park for 140 vehicles which includes lighting is approximately \$400,000. This is a cost that would be met by RCCT as part of the proposed development on the reserve. This figure is on the conservative side, and if support in principle is provided, detailed assessment could be determined that 140 car parks is not necessary bringing the cost of its construction down.

## 5.2 Alternative options for Whare Aroha relocation

A review of Council's other reserve areas and non-reserve land holdings has identified no other options where the land area is large enough or offers the same value as this Kuirau Park concept.

The Rawhiti complex had been identified previously and the option was included in the Long-term Plan for public consultation. Strong support was provided for the linkages to pensioner housing. However, as detailed planning has progressed, the size on the Rawhiti site has become the barrier to the viability of the proposal.

### 5.3 Council to provide no direct support

This option is also currently being explored by the RCCT. The cost of suitably sized land with a good outlook in the central areas of the city has required the Trust to scale down its proposal and to look outside of the main city area. Having the facility located on the outskirts of the urban area is not seen as a positive outcome for the Rotorua community or for RCCT.

Council's ability to offer direct financial support for the relocation of the facility is limited within current constraints.

It is therefore proposed that the option of allowing RCCT to lease a site on the existing southern Aquatic Centre car park on Kuirau Park remains the best option for the RCCT and the Rotorua community.

## 6. ASSESSMENT OF SIGNIFICANCE

This proposal triggers council's Significance Policy, in that it will impact on, and have likely consequences for:

- a) The current and future social, economic, environmental, or cultural well-being of the district or region.
- b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision or matter

It also triggers the following significant thresholds:

- A proposal or decision to significantly alter the intended level of service for any significant event – including a decision to commence or cease such activity (s97 (1) (a))
- A proposal or decision to transfer ownership or control of a strategic asset
- A proposal to enter into a partnership with the private sector to carry out a significant activity.

## 7. COMMUNITY INPUT/ENGAGEMENT AND PUBLICITY

Kuirau Park is of high significance to iwi with its geothermal activity historically been used for bathing, cooking and cultivations. In relation to this, parts of the reserve have been gifted, whereas other parts were purchased by Council. Engagement and consultation with relevant Maori is paramount in taking the concept forward. To date, the high level concept has been discussed at Council's Iwi Consultation Committee which identified several hapu which need to be engaged with. Since then, a couple of relevant iwi representative have been presented the concept and their response was positive.

It is acknowledged in an ideal situation, conversations would have been held with all these iwi groups prior to seeking support in principle from Council for the concept. However, it is also helpful to have Council's support in principle for the concept when engaging with interested parties.

## 8. CONSIDERATIONS

### 8.1 Financial/budget considerations

As the RCCT would incur the costs of relocating the car park, the establishment of Whare Aroha on the reserve will come at no cost to Council.

### 8.2 Policy and planning implications

Kuirau Park is designated as Recreational Reserve under the Reserve Act and zoned as Reserve A in the Operative District Plan. It is zoned Reserve 2 in the Proposed District Plan and is designated in that District Plan. Either a change in designation for that particular area of Kuirau Park or a resource consent application is required to establish the community hospital/dementia care facility on the site.

As the proposal is only a concept, it is yet to be determined which process would be undertaken to legally establish the use on the reserve.

### **8.3 Risks**

There is a potential risk in that if Council were allow the construction of Whare Aroha on Council reserve and for whatever reason, RCCT was to fall over and the facility had to shut. This could leave a large privately owned building on Council administered reserve land. Despite this, it is considered that this risk can be avoided by crafting the lease agreement for the land in such a way that enables Council to dictate what uses can establish in the building in the event of RCCT disbanding.

### **8.4 Authority**

Council have the authority to make the decisions presented in the recommendations of this report.