

Agenda

Ngati Whakaue Gifted Reserves Protocol Meeting




Date: 7 May 2015, 2.00pm

Purpose: Protocol meeting between Pukeroa Oruawhata Trust and Rotorua Lakes Council

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| Venue: | Council Chamber, Rotorua Lakes Council |
| Facilitator: | Mayor Steve Chadwick (Chairperson) |
| Councillors and Trustees: | Cr Trevor Maxwell, Rotorua Lakes Council Cr Charles Sturt, Rotorua Lakes Council Mr Alec Wilson, 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 David Tapsell, Pukeroa Oruawhata Trust Representative Mr Stuart Harris, Pukeroa Oruawhata Trust Representative |
| Quorum: | 6 |
| In attendance: | |
| Apologies: | |

Agenda

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| 1 | APOLOGIES | |
| 2. | MINUTES FROM PREVIOUS MEETING (19 NOVEMBER 2014) - Attached |  Draft Minutes Ngati Whakaue Gifted Res |
| 3. | MATTERS ARISING FROMM THE MINUTES | |
| 4. | ROTORUA CHILD HEALTH AND LIBRARY HUB | 3 |
| 5. | KUIRAU PARK DEVELOPMENTS | 5 |
| 6. | THERMAL MOTOR CAMP LAND TRANSFER (Confidential) | 7 |
| 7. | PERERIKA STREET RESERVE LAND SWAP UPDATE (Confidential) | 8 |

G Williams
Chief Executive

ROTORUA LAKES COUNCIL

Mayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVE PROTOCOL MEETING

ROTORUA CHILD HEALTH AND LIBRARY HUB

Report prepared by: Jill Campbell, Project Manager

Report reviewed by: Jean-Paul Gaston, Group Manager, Strategy & Partnerships

Report approved by: Jean-Paul Gaston, Group Manager, Strategy & Partnerships

1. PURPOSE

The purpose of this report is to bring members of the protocol meeting up to date with the proposed Rotorua Child Health and Library Hub.

2. RECOMMENDATION 1:

1. That the report “Rotorua Child Health and Library Hub” be received.

3. BACKGROUND

The Rotorua Lakes Council as part of the Long Term Plan consultation is seeking the communities' ideas and comments on a number of aspects that the city needs to decide on moving forward.

One of those proposals is the Rotorua Child Health and Library Hub which is to be located within the existing Library building and an expanded Jean Batten Park. This report will be fully supported through a staff presentation to be given on the day.

The following information is intended to provide a brief overview of the project.

Hub Vision

To develop a hub that responds to the needs of children, whanau and communities we serve by providing a co-ordinated, efficient and shared service that focuses on integrated health provision, library and children's services, as well as a shared children's park and plaza.

Overview of the Hub

Lakes District Health Board and Rotorua lakes Council have joined together to explore the potential for a shared facility incorporating child/youth health and related services and community library services.

The preferred option is to co-locate the health and library services with a refitted Rotorua Library building to meet both child/youth health and modern library needs.

The surrounding area would also be developed to incorporate a children's playground and an improved and/or expanded Jean Batten Square.

The refitting of the existing library building – which needs upgrading anyway – is the focal point of the development.

The shared vision is to have a cluster of health services at a central, easily accessible child/family-friendly site with good parking, access to public transport and links to library/educational facilities.

Hub Goals

One-Stop-shop

A one stop shop for child services by providing an integrated, co-ordinated facility offering a range of services for children, including both health literacy and educational literacy.

Accessible Services

Children's services that are centrally located , convenient and accessible to all.

Meeting Needs

Child –related services that meet the needs of children and their families/whanau.

Adding Vibrancy

Contribute towards Rotorua 2030 goals to create a vibrant city heart and resilient communities by working innovatively through community partnerships.

Below is a copy of the proposed master plan for the Hub area.



ROTORUA LAKES COUNCIL

Mayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVE PROTOCOL MEETING

KUIRAU PARK DEVELOPMENTS

Report prepared by: Rebecca Cray, Landscape Architect

Report reviewed by: Dave Foster, Chief Operating Officer, Performance and Delivery

Report approved by: Dave Foster, Chief Operating Officer, Performance and Delivery

1. **PURPOSE**

The purpose of this report is to bring members of the protocol meeting up to date with the completed and proposed developments within Kuirau Park and the Government Gardens and to seek member's advice on the process to move some of these projects towards a successful conclusion.

2. **RECOMMENDATION 2:**

1. **That the report "Kuirau Park Developments" be received.**

3. **BACKGROUND**

As members are aware there is quite a bit of development work proposed for Kuirau Park. This includes the recently completed northern section of the green corridor. The Kuirau Park boulevard works are about to begin.

A presentation on the day will focus on discussion around Kuirau Parks design and how acknowledgment of the Maori history and relationship with the land can be presented to visitors. It would be good to incorporate this into a cohesive development that is contextually relevant and strongly represented through cultural and geothermal themes.

Council will also be looking at the possibility of removing the disused Jaycee Fountain located above Papatangi spring which would once again expose the spring to visitor.

Within the Government Gardens Council is starting a project to look at the renewal and updating of various signage along the Sulphur point Walkway to the Sea Scouts building located on the Lakefront Reserve. It is intended to also be able to tell the story of this most iconic area.

A full presentation will be given on the day.

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ROTORUA LAKES COUNCIL

Mayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVE PROTOCOL MEETING

THERMAL MOTOR CAMP LAND TRANSFER

Report prepared by: Garry Page, Open Spaces Operations Lead

Report reviewed by: Rob Pitkethley, Sport and Recreation Manager

Report approved by: Dave Foster, Chief Operating Officer, Performance and Delivery

1. **PURPOSE**

The purpose of this report is to bring members of the protocol meeting up to date with the process and mechanisms around the return of the Thermal Motor Camp Land to Ngati Whakaue.

2. **RECOMMENDATION 3:**

1. **That the report “Thermal Motor Camp Land Transfer” be received.**
2. **That the “Ngati Whakaue Gifted Reserves protocol Committee agree to support a heads of agreement to work through the land transfer mechanism required”.**

3. **BACKGROUND**

The land in question (Lot 1 DPS 61460 refer to attachment 1) 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 Pukeroa Oruawhata Trust 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 of the lease was made with the full agreement of Pukeroa Oruawhata Trust, both from a Gifted Reserves perspective and from their representation on the board of trustees for the Waiariki Institute of

Technology. Pukeroa Oruawhata Trust are now seeking the return of this reserve land back to them, as being the original land owners, due to the use of the reserve changing from the original intention for what it was gifted for.

The land is crown owned recreation reserve that has been vested in Rotorua District Council to manage. This does not give Council the authority to directly return the land to Pukeroa Oruawhata Trust. Council has to hand back the vesting of the land to the crown and they can then begin the processes required to enable the land title to be transferred back to Pukeroa Oruawhata Trust. The Reserves Act legislation stipulates the procedures that have to be followed. Depending on whether the land is retained as Recreation Reserve or whether the reserve designation is revoked will prescribe to what degree, public consultation will be required.

4. DISCUSSION AND OPTIONS

Council, the Crown and Pukeroa Oruawhata Trust need to decide and agree upon whether to return the vesting to the crown retaining the current reserve designation, or go through the public consultation process that is required to revoke the reserve designation before returning it to the crown.

If the intent of Pukeroa Oruawhata Trust is to continue with the use of the land as it currently is, as is permitted under the Reserves Act legislation, the crown can decide to accept back control of the land without the revocation of the current Recreation Reserve designation

Once the land is transferred back to the Crown's control with the reserve designation still applying, they are then able to vest it back to Pukeroa Oruawhata Trust. It is the Crown decision as to what degree of public consultation is required before this can occur. Again it will greatly depend on whether the current reserve designation is retained or if it requires to be revoked before vesting it in Pukeroa Oruawhata Trust.

It is of course Pukeroa Oruawhata Trust's sole decision as to whether they are willing to accept the vesting of the land to them as Recreation Reserve.

In summary

- Pukeroa Oruawhata Trust first need to decide whether they are agreeable to accept the land to be vested in them as the administering body of this recreation reserve.
- Council needs to decide that it is willing to return the vesting of the land back to the Crown for them to transfer it to Pukeroa Oruawhata Trust.
- The Crown needs to decide whether it will accept the handing back of the reserve from Council and then to vest it in Pukeroa Oruawhata Trust.

All three parties need to agree and work together to get the desired outcome of returning the land to Pukeroa Oruawhata Trust. The best way to bring this all together and formalise the steps to be taken, would be for all three parties to enter into a Heads of Agreement that clearly outlines the process and procedures required to reach the desired outcome.

5. CONSIDERATIONS

- There will be a loss of revenue that Council currently receives from the lease rental paid by Waiariki Institute of Technology. If this land is to remain designated as Recreation Reserve then Section 78 of the Reserves Act directs that any revenue received from that land shall be held by the administering body and applied for the purposes of this Act.
- The legal boundary of the parcel of land to be returned, commonly referred to as the Thermal Motor Camp, includes more than the land currently utilised by the motor camp. Some of this land has been integrated into the more publically accessible Centennial Park. These portions of land, currently

maintained by council and utilised by the general public, also have some and privately sponsored commemorative trees established on it. Further discussions and agreement will be required as to how these portions of land will be managed in the future.

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- Council has to make the formal decision to relinquish their role as the administering body of the land to enable the Crown to revoke that vesting in Council. Once this vesting is revoked, the decision as to what happens to the land, the processes to be followed including the degree of public consultation required, lies solely with the Crown.

Attachment1



ROTORUA DISTRICT COUNCIL

Mayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVES PROTOCOL MEETING

PROPOSED EXCHANGE OF LANDS OFF PERERIKA STREET

Report prepared by: Michael Hewerdine, Property & Investment Manager

Report reviewed by: Rob Pitkethley, Sports and Recreation Manager

Report approved by: Thomas Colle, Group Manager – Finance

1. PURPOSE

The purpose of this report is to inform the members of the protocol committee at an early stage of Council's response to Pukeroa Properties (No.2) Ltd (a Pukeroa Oruawhata Trust company) request for an exchange of land off Pererika Street.

2. RECOMMENDATION 4:

- 1. That the report "Proposed Exchange of Lands off Pererika Street" be received.**
- 2. That the Committee support in principle the overall concept of the exchange of lands**
- 3. That the Committee support in principle the extension of Ambulance Reserve (St John) out to Amohau Street with emergency access.**

3. BACKGROUND

Pukeroa Oruawhata Trust first signalled an exchange proposal in 2012 with a view to enable both parties to gain better usage of the exchange land, and since Council has decided not to progress Victoria Arterial PP2 Ltd has returned the revised proposal shown on the attached plan prepared by Stratum Consultants.

The land exchange proposal sees the company exchanging its former Railway land within the Town belt footprint (1.2046ha, green on plan) for part of the Town Belt Reserve and a strip fronting the retail complex Trade Central (2.1539ha, blue on plan).l

The Land for Town Belt Reserve was gifted to the Crown by Ngati Whakaue and remains vested in the Crown with Council responsible for the administration and management of the reserve.

The exchange areas are unequal in size but the mutual benefits are proposed to be equally advantageous.

The proposed exchange to Council benefits future management options for Sheaf Park, protects valuable open space close to the City from development, and benefits the community by creating the opportunity for improved ambulance services.

The proposed exchange benefits PP2 Ltd who propose to take back Town Belt Reserve complete with designation at their risk to use for Education Purposes for the benefit of the community and for the opportunity of securing access to their development land rear of Trade Central.

The ongoing management of the Trade Central is provided for in the District Plan, the segregation strip is held by Council fee simple and is now surplus being not required for road.

The exchange will allow expansion of the Ambulance Reserve occupied by St John out to front Amohau Street and opens up the possibility of direct Ambulance access and shorter emergency response times.

The statutory process for exchange is provided for in s15 of the Reserves Act, is complex, and involves approval by the Minister of Conservation from whom directions have been sought, including the level of consultation required. Because the land is Crown land administered by the Council, the Council cannot exchange the land directly with PP2. The Council must return the land to the Crown, who then can vest the land with PP2. This process will be less complicated if the reserve status over the land remains after the transfer might occur. Discussions with PP2 and the Crown will need to occur to clarify the process required by all parties to affect a mutually beneficial exchange.

Whilst the areas proposed to be exchanged are unequal, the view is that the benefits to both parties are freely given reflecting the Manaakitanga between us for the benefit of the wider community.

4. ATTACHMENTS

Attachment 1: Plan of proposed exchange

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