




AGENDA

Ngati Whakaue Gifted Reserves Protocol

30 October 2015, 2.30pm

Council Chamber, Rotorua District Council

AGENDA		
Ngati Whakaue Gifted Reserves Protocol Meeting		
<i>Date:</i>	30 October 2015, 2.30pm	
<i>Purpose:</i>	Protocol meeting between Pukeroa Oruawhata Trust and Rotorua Lakes Council	

<i>Venue:</i>	Council Chamber, Rotorua Lakes Council
<i>Facilitator:</i>	Mayor Steve Chadwick (Chairperson)
<i>Councillors and Trustees:</i>	Cr Maxwell, Cr Sturt, Cr Donaldson, Mr M Morrison, Mr A Wilson, Mr M Short, Mr P Kingi, Mr J Aratema, Mr D Tapsell, Mr S Harris,
<i>Quorum:</i>	6

Preparation for Meeting

Please read previous minutes (page 10)

Agenda Items

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ROTORUA LAKES COUNCIL

Mayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVE PROTOCOL MEETING

**NO CAT ZONE- MOTUTARA POINT, SULPHUR POINT, SANITORIUM RESERVE, GOVERNMENT GARDENS,
LAKEFRONT RESERVE, EAT STREAT**

Report prepared by: Garry Page, Open Spaces Operations Lead
Report reviewed by: Rob Pitkethley, Sports & Recreation Manager
Report approved by: Dave Foster, Chief Operating Officer, Performance and Delivery

1. **PURPOSE**

The purpose of this report is to introduce members to a presentation on the Bay of Plenty Community Cat Project facilitated by the Rotorua SPCA and ARRC Wildlife Trust based in Tauranga and further seek the committees support for adoption of a no cat zone for Motutara & Sulphur Points, Sanitorium Reserve, Government Gardens, Lakefront Reserve and Eat Streat as will be outlined in the presentation.

2. **RECOMMENDATION 1**

1. That the report 'No Cat Zone – Motutara Point, Sulphur Point, Sanitorium Reserve, Government Gardens, Lakefront Reserve and Eat Streat and the presentation Bay of Plenty Community Cat Project' be received.
2. That the Gifted Reserves Protocol Committee supports the proposed 'No Cat Zone for Motutara & Sulphur Points, Sanitorium Reserve, Government Gardens, Lakefront Reserve and Eat Streat'.

3. **BACKGROUND**

The BOP Regional Council has contributed \$110 K over 2 years to addressing cat management in the Bay of Plenty facilitated by the Rotorua SPCA and Animal Rescue & Rehabilitation (ARRC) Wildlife Trust based in Tauranga.

Rotorua SPCA has been concerned about the massive and growing stray and un-owned cat problem in Rotorua and through the BOP Community Cat Project will initiate activities to assist in reducing the un-owned cat population. Cats that are un-owned must fend for themselves, often scavenging and preying on rodents and wildlife where they are not fed. These cats, especially when they are not desexed, often suffer from health issues as they contend with high social stress their welfare may be compromised. Additionally, in urban areas, these cats may cause stress to pet cats and damage property.

A vicious cycle ensues when un-owned cats are fed but no further responsibility is taken for their welfare; they breed, their numbers multiply, their health deteriorates and they have negative impact on our community. This is not responsible but many people find themselves in this position when they feel sorry for the cats, feed them and they don't have the knowhow or support to address the greater welfare issues.

The BOP Community Cat Project has initiated what is likely to be the first in NZ; a proactive and collaborative approach to our un-owned cat problem in New Zealand.

Aims of the BOP Community Cat Programme

1. To Promote responsible cat ownership through education (and legislation).
2. Reduce the un-owned cat population in the BOP through our operation.

Long Term Benefits

1. **NO CAT ZONES** to minimise the impact on local wildlife that may be preyed upon by cats
– notably Dab Chicks & Black Gill Gulls in the lakes reserves.
2. Preventing unwanted litters of kittens and reducing the number of un-owned cats
3. Providing the public with an avenue of constructive input and an opportunity to help cats
as well as their local community.
4. Promoting responsible pet ownership.
5. Promoting a healthier environment for owned cats.

NO CAT ZONE = Sulphur Point, Government Gardens, Lake Front, Rocky Point, Eat Street, Yacht Club through to stream on East Side.

4. PRESENTATION

A presentation on the Bay of Plenty Community Cat Project will be made at the meeting by representatives from Rotorua SPCA and ARRC Wildlife Trust.

- They will give a general overview of the wider project and its timing
- Highlight the long term benefits of the project
- Discuss the issue of stray cats as it relates specifically to Rotorua and introduce the proposal to establish a No Cat Zone
- Respond to any questions asked

ROTORUA LAKES COUNCIL

Mayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVE PROTOCOL MEETING

ALTERATION TO THERMAL HOLIDAY PARK/ OLD TAUPO RD ENTRANCE

Report prepared by: Garry Page, Open Spaces Operations Lead

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 keep members informed of what changes are proposed for the entranceway to the Thermal Holiday Park from Old Taupo Road as part of the planned Hemo State Highway 30 intersection improvements.

2. RECOMMENDATION 2

1. That the report Alteration to Thermal Holiday Park / Old Taupo Rd Entrance] be received.
2. That the Protocol Meeting supports the proposed changes to the entrance to the Thermal Motor Camp as presented within this report

3. BACKGROUND

Opus Consultants, representing the New Zealand Transport Agency are seeking Council's consent to alter the entrance to the Holiday Park from State Highway 5. This land is leased to Waiariki Institute of Technology and is currently in the process of the land ownership being transferred back to Pukeroa Oruawhata Trust.

NZTA is proposing to make significant improvements to the intersection of State Highway 5 and State Highway 30. As part of these works it is necessary to change the location of the entrance to the Holiday Park. The proposed new entrance way is shown on the attached plan (attachment 1). The wider project concept is shown on the attached land requirement plan (attachment 2)

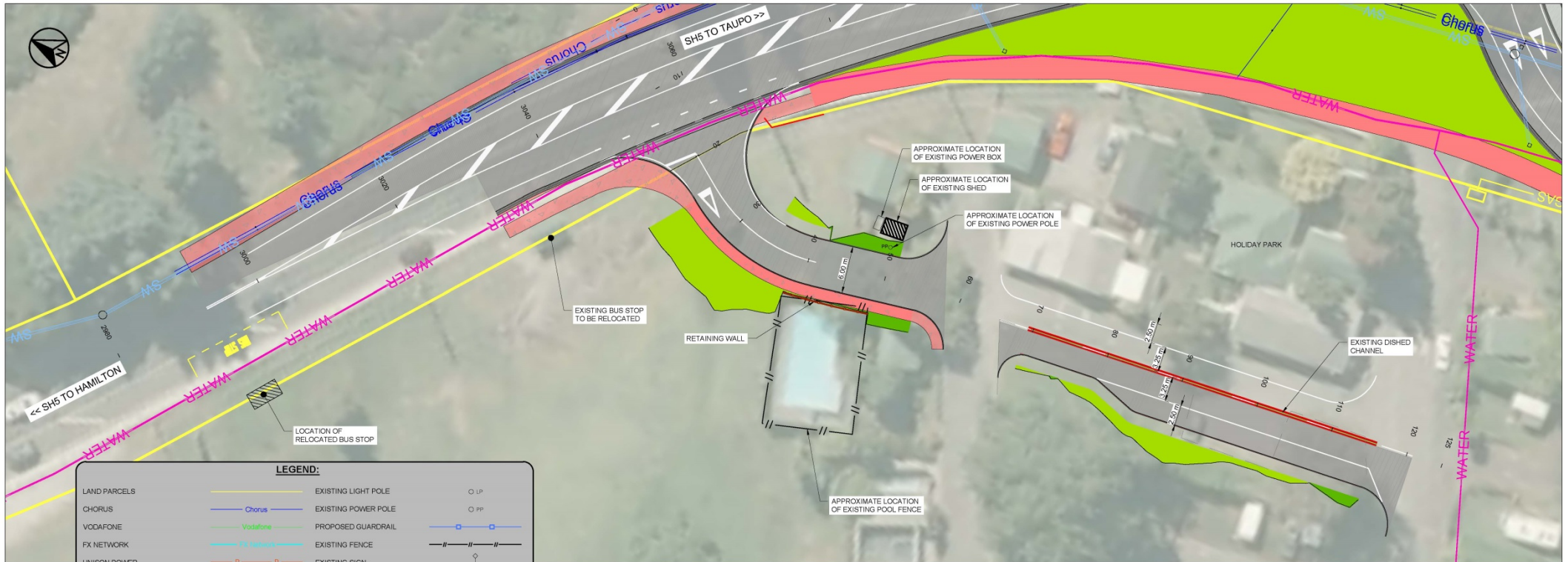
A presentation on the project will be made at the meeting by Chris Farnsworth, the NZTA Project Manager and Anthony Averill from Opus.

They will

- Talk to the plans and give a general overview of the wider project and its timing
- Discuss the proposed changes to the entrance to the holiday park, why the change is required and the impacts of this change.
- Highlight the achievements to date and
- Respond to any questions asked.

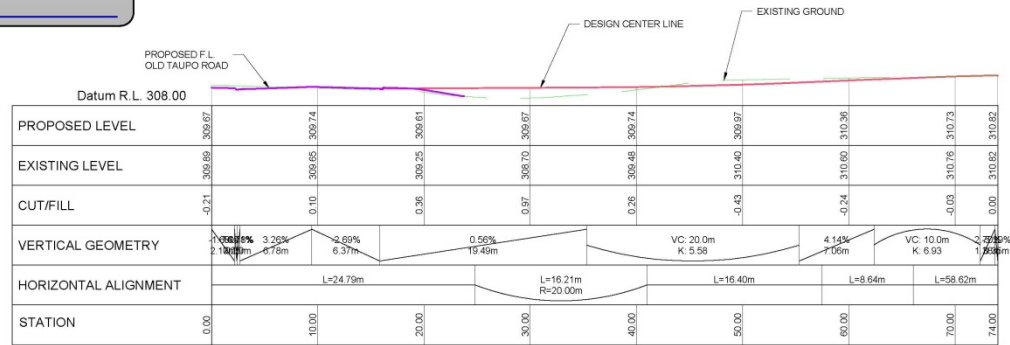
4. ATTACHMENTS

Attachment 1: Proposed designs for new entrance to the Thermal Motor Camp



LAYOUT PLAN
SCALE: 1:250 (A1) 1:500 (A3)

LEGEND:		
LAND PARCELS		EXISTING LIGHT POLE
CHORUS		EXISTING POWER POLE
VODAFONE		PROPOSED GUARDRAIL
FX NETWORK		EXISTING FENCE
UNISON POWER		EXISTING SIGN
VECTOR GAS		EXISTING CULVERT
WATER SUPPLY		EXTENT OF EARTHWORKS (CUT)
SANITARY SEWER		EXTENT OF EARTHWORKS (FILL)
STORMWATER		KERB & CHANNEL
		PROPOSED DESIGNATION
		LP
		PP



LONGSECTION
SCALE: 1:250 (A1) 1:500 (A3)

PRELIMINARY

Revision	Amendment	Approval	Revision Date
B	DESIGN LAYOUT UPDATE	F S	24/09/2015
C	DESIGN LAYOUT UPDATE	F S	15/09/2015
D	ADDED 3D DESIGN AND PROFILE	F S	18/10/2015
E	UPDATED KERB TYPES	F S	22/10/2015




Project
NZ TRANSPORT AGENCY
SH5 - REGION 4 - RP54/0.00
HEMO SH5/30 INTERSECTION IMPROVEMENTS

Sheet
HOLIDAY PARK ENTRANCE
LAYOUT PLAN AND LONGSECTION

Designed	Approved	Approved Date
F SHILTON	F SHILTON	15/09/2015
Drawn	Scales	Project No.
J FRASER	1:250 (A1) 1:500 (A3)	2-89464.00

Sheet No.	Revision
C350	E

Draft Minutes Ngati Whakaue Gifted Reserves Protocol Meeting		
<i>Date:</i>	7 May 2015, 2pm	
<i>Purpose:</i>	Protocol meeting between Pukeroa Oruawhata Trust and Rotorua Lakes Council	

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 Jackie Aratema, Pukeroa Oruawhata Trust Representative
Mr Stuart Harris, Pukeroa Oruawhata Trust Representative

Quorum: 6

In attendance: Ron Dunham, CEO Lakes District Health Board

RLC Staff: Jill Campbell, Project Manager; Jean-Paul Gaston, Group Manager; Jenny Riini, Partnership Advisor; Heather Pearson, Partnership Advisor; Rebecca Cray, Landscape Architect; Michael Hewerdine, Property & Investments Manager; Rob Pitkethley, Sports & Recreational Manager; Garry Page, Open Space Operations Lead; Mauriora Kingi, Director Kaupapa Maori; Hilda King, Business Support Advisor.

Apologies: Mr David Tapsell, Pukeroa Oruawhata Trust Representative
Pihopa Kingi, Pukeroa Oruawhata Trust Representative
Malcolm Short, Pukeroa Oruawhata Trust Representative

1. WELCOME

Mayor Chadwick welcomed everyone present. Trevor Maxwell opened with a karakia.

2. APOLOGIES

Resolved

That the apologies from Mr D Tapsell, Pihopa Kingi & Malcolm Short be accepted.

Cr Sturt/Mr Wilson
CARRIED

3. CONFIRMATION OF PREVIOUS MINUTES

Resolved

That "The minutes of the Ngati Whakaue Gifted Reserves Protocol Committee meeting held 19 November 2014 be accepted as true and correct record".

Mr Wilson/Cr Sturt
CARRIED

3. MATTERS ARISING

- Item 6 – Under General Business, clarification on the lease conditions relating to Marguerita Street Reserve to be discussed under General Business item in today's meeting.
- Pukeroa Oruawhata Trust Committee Member update – Mr Stuart Harris has been replaced by Mr Monty Morrison.
- Item 5 - Alex Wilson asked for an update on the "Te Arawa Soldiers Memorial Restoration".

Te Arawa Soldiers Memorial Update

Mayor Chadwick gave the following update:

In 2014 the Rotorua District WW100 Commemorations Committee decided to investigate restoring Te Arawa Soldier's memorial in The Government Garden's. Consultation with Iwi, conducted between October and December 2014, confirmed that there was support for the project.

Progress on the project to date has included commissioning a conservation plan for the memorial, undertaking additional research on the memorial to inform funding requests and the Iwi consultation, seeking quotations for specific aspects of the restoration and applying for funding.

To date we have gratefully received funding from:

- | | |
|-----------------------------------|----------|
| • First Sovereign Trust | \$30,000 |
| • Rotorua Energy Charitable Trust | \$25,000 |
| • NZCT | \$30,000 |

Council's contribution to the project, assuming it goes ahead as planned, will be \$30,920.00 (cost of conservation plan; staff time for Iwi consultation, past and future project management and administration, future research).

We are awaiting the decision of the Lottery WWI Commemorations, Environment and Heritage (LWEH) Committee to find out if we have been successful in securing a grant of \$250,925.00 to complete the project. Applications to this fund closed December 2014 and we have been informed that the Committee will meet at the end of this month (May).

If we are successful in securing all of our funding the project will commence immediately. If not, we will have two options i.e. to re-scope the project to fit our actual budget or alternatively, seek further funding to make up any shortfall.

If full funding is available, the project will go ahead as it was presented to the Ngati Whakaue Gifted Reserves Protocol Meeting on 19 November 2014. The tekoteko will be cast in bronze, by the students and master carvers at NZ Master Arts & Crafts.

- The project is due to be completed by 2018 and the WW1 committee are focused on that. Any suggestions for additional opportunities for funding would be greatly appreciated.

ATTENDANCE: Mr Monty Morrison joined the meeting at 2.15pm

4. RECOMMENDATION 1: ROTORUA CHILD HEALTH AND LIBRARY HUB

Resolved

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

Mr Wilson/Cr Maxwell
CARRIED

Ron Dunham, District Health Board Chief Executive – spoke to a Powerpoint presentation (**Attachment 1**) and commented on the following points.

- The purpose of today’s presentation is to ensure that everyone here is informed at the same level.
- It’s about the establishment of a centre for children in Rotorua.
- Our children in Rotorua are 30% of our population and 100% of our future.
- It’s not only about physical health, it’s about social, emotional and spiritual well-being.
- the combined vision of Council and DHB and the establishment of a HUB and redeveloping the existing library as a shared facility

Mr Gaston talked about changes to the building, its environment and the removal of the old community house building.

Copies of the Child Health and Library Hub booklet were handed out to all present. This is also available for viewing on Council’s website.

Cr Sturt declared an interest as a member of the DHB and a member of RLC.

He commented that he had received requests from people asking if the centre parking in Haupapa Street could be removed. Not only to make it safe, it would give opportunities to brighten that area and make it more user-friendly.

Mayor Chadwick – EXEL may come in as a co-location partner, but this is yet to be explored. EXEL is a project that’s only got one more year’s funding. They’re not sure as to whether they build or become part of this precinct, but they are considering this place.

Cr Sturt - What has been the support of this concept from the paediatricians and clinical teams?

Mr Dunham – Within the District Health board the Paediatricians and Nurses are really supportive and enthusiastic. The next step for me is to talk to the partners with a lot more detail. To date everyone knows about it and are really interested, but now we need to start pinning things down in terms of their participation.

Cr Sturt – Why do you think it’s necessary to relocate the paediatric and child potential development centres from hospital hill?

Mr Dunham - One of the reasons is about wellness and healthy children. The paediatricians have worked through how they will change their practice to be more community-orientated and visit homes and community groups.

No additional funding has been obtained so the best way to resource the project would be to borrow the necessary funds.

At one stage the DHB had looked at locating the centre next to the primary school on the hill, but the library hub option was preferred as it has more connectivity with the community.

Mayor Chadwick – This proposal is in Council’s Draft Long-term Plan so we’ll wait for community feedback before a final decision is made.

5. RECOMMENDATION 2: KUIRAU PARK DEVELOPMENTS

Resolved

That the report “Kuirau Park Developments” be received.

Cr Maxwell/J Aratema
CARRIED

Rebecca Cray (Landscape Architect) spoke to a Powerpoint presentation **Attachment 2**

Today’s goal is to update you on what’s happening in Kuirau Park and to see your advice and directions in other developments coming up.

We’re in the process of getting Wildlands to do an ecological report as to how we can enhance the geothermal features.

Alex Wilson – Suggested to plant more ti trees.

Ms Cray - Our first question to you all is to do with the JC Fountain (Slide 7). We’re investigating removing this man made rock mound and restoring the spring which we believe is under there. I know this area is very significant in Maori history and there’s a long history of bathing. We’d like to know your thoughts and feelings about this restoration?

Mr Wilson – We went through about 3 or 4 years of discussion before my elders allowed this to go there. They allowed it to go there due to the violent reaction of the hot pool which would sometimes spill on to the road. The mound was designed to help contain it.

Ms Cray – There is still steam coming out of it, but the trickling water doesn’t work, the wiring that used to operate lights no longer work either. We’re expecting that there’s a spring under there.

Mr Wilson – My forefathers agreed to having the rock mound and they’d never agree to things lightly. The whole idea of the mound was to control the hot pool.

Ms Cray – I was under the impression that we’ve put in a bore and piping especially to create that feature.

Mr Wilson – No, they tried to pipe it, but it disintegrated.

Ms Cray – As this mound is in a significant natural area, we would want to take all the man-made intervention out of there, i.e. the rocks and cement. It will be planted with natives and allowed to naturally drain and look beautiful in a natural state. That would be the intent if the mound is to go.

Mr Page commented that he was directly involved when the “terraces” geothermal feature was closed down. It was at the time of the enforced bore closures in proximity to Whakarewarewa. The geothermal feature used to be fed by a separate geothermal bore that also feeds the Kuirau Park footpools. This bore was closed down and other arrangements were made for the footpools. The cost of a new geothermal feed line from the Aquatic Centre bore to the terraces was cost prohibitive so had not been reactivated.

Further discussion took place around the bores and the lake of hot water that used to exist.

Mr Jackie Aratema - Have you given the possibility of the pink and white terraces?

Mr Wilson - I feel the existing fountain could be used, maybe with a bit more work you could look at turning it into geothermal terraces to become an attraction.

Ms Cray – At this stage it sounds like its staying?

Mr Wilson – For now yes, but I'll have further discussions with our people at Ohinemutu.

Mayor Chadwick – Maybe when you see the other proposals for Kuirau Park you might find that this may no longer fit.

Cr Sturt – I agree with the Mayor, maybe we are looking at this in isolation. We need to look at the whole development.

Mr Geoff Williams – The district plan has designated this area as a significant natural feature for Rotorua and quite a historical one. I think with the concept work the question has to be asked “How do we make this whole area attractive in a way that is actually honouring its history and also enhancing the natural features that are actually there?” I think the next stage for us, rather than go any further with this specific concept would be to come back with a much broader concept for the area.

Mr Wilson – This place is of great significance to his whanau. They went through a lot of trouble to get the current mound. Come back with the concept plan so we can have a good overview.

Ms Cray – Thank you for your feedback.

We've talked about renewing the signage in both Kuirau Park and along the Sulphur Bay area walkway (Slides 9 & 10).

We're looking at a fresh look and making them more interactive for children, so they're learning the stories and cultural history of Kuirau Park.

Mr Wilson – Approximately 2 years ago they were talking about a revolving stand with stories on, where tourist could just press a button.

Ms Cray – I was not aware of this.

Mayor Chadwick – When we look at the whole concept and design of Kuirau Park, your input is where the history and the stories can be most appropriately depicted.

Ms Cray – Who is the best person to liaise with to get a culturally sensitive signage product? We could possibly have bi-lingual signs or Maori graphic under laid in it.

Cr Sturt – It was difficult to get those signs in Kuirau Park. Yes to updating them. But the concept of the signs is fine.

Mr Williams – A common theme received in the submissions was the fact that there's a real lack of the use of Te Reo Maori in Council's signage. The fact that this area is so strong in tikanga Maori, we should be reflecting this both in terms of the use of Te Reo but also in design as well. This is a piece of work we will come back to you with.

Ms Cray – We're doing a lot of development in Kuirau Park. The 'Green Corridor' is developing and at the moment these signs only align with the top part. If we're going to put in new signs we really want to do it cohesively and do it right.

Mr Wilson –To make changes, the easiest way to handle this is to make contact with Peter Faulkner. He will call one of us and we can take it from there.

Action Points:

- Mr Wilson to have further discussions with the committee and others about the proposed developments.

CONFIDENTIAL ITEMS

Resolved

That the Committee move into a Public Excluded session.

Cr Sturt/Peter Faulkner
CARRIED

OPEN SESSION (CONTINUED)

8. General Business

Mr Mauriora King commented that last year the Council had identified different parcels of land that were surplus to requirements in Arataua Street, Ariariterangi Street and Tryon Street.

Any transfer of land has to go through a notification process. We have to publicly notify that the land is going to be transferred back to the original owner. If there are no objections then Council will make that decision. A paper will go to Council for Councillors to allow us to put in this notification. If there are any objections then it goes to the Environment Court.

I'm noting this as hopefully a letter will go to the Trust.

Mr Wilson – If Mauriora forwards a letter to us we can start taking some action on it.

9. Closing

The meeting closed at 3.40pm with a karakia by Mauriora Kingi.

ACTION POINTS

Agenda Item No	Action	Assignee
7a	Draft letter in support of Councils view regarding the performing arts centre.	Alex Wilson
8	Draft letter to Pukeroa Oruawhata Trust regarding the transfer of Arataua Street, Ariariterangi and Tryon street as per discussion above.	Mauriora Kingi



Integrating Child Health Services

Children's Health

- A centre that delivers to the community from the community
- A centre that is completely child focussed
- Ensures all children have access to all health services they are entitled to
- Working with children and Whanau to:
 - Ensure they are loved and safe
 - They have the ability, knowledge and skills to prosper
 - Ensure they have good mental, physical health
 - They are connected to their families and community
- Deliver, coordinate, connect



Journey of Discovery

At the same time Council was progressing the district's Rotorua 2030 vision to revitalise the inner city to make a vibrant, people-friendly destination.

The centrally located Rotorua Library began a review of its services aimed at understanding the future needs of the community and how to stay relevant. Repair maintenance to the Library building was also required including a new roof, cladding and windows.



A Collaborative Children's Hub

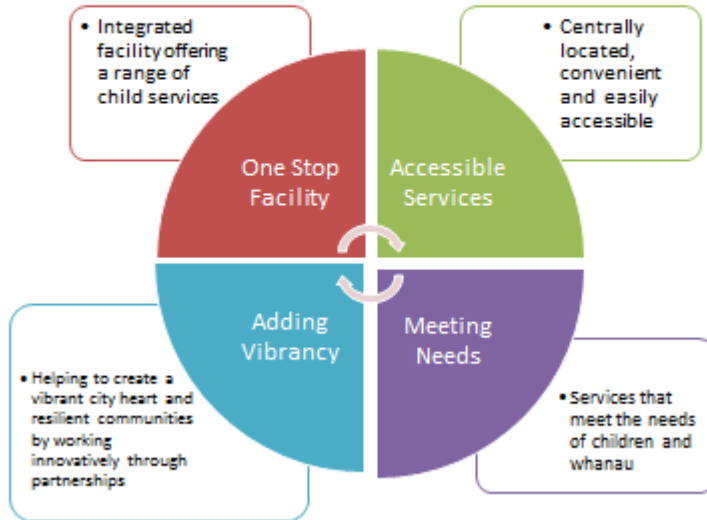
The two organisations saw an opportunity to combine the two projects and redevelop the existing Library as a shared facility, responding to the needs of children, families/whanau and the wider community



Vision

"A Hub that responds to the needs of children, whanau and communities we serve by providing a coordinated, efficient and shared service that focuses on integrated health provision, library and children's services, as well as a children's park plaza"





Hub Services

- Paediatric outpatients
- Child development team
- General public health
- Child protection services
- Mental Health Services
- Parenting Advice
- Oral Health
- Library Services
- Playground





What We Are Trying To Achieve

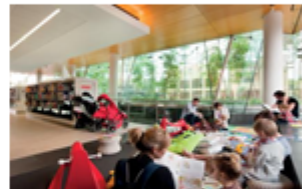
A precinct that responds to the needs of children, whanau and community by providing a coordinated, efficient and shared service including:

- Integrated health provision
- Library and child services
- Shared children's park and greenspace



Master Plan

- Integrated service approach, blending health provision, library and children's services
- Provide a single point of referral for Rotorua children to receive health care
- Aim to significantly improve accessibility to health outcomes
- Library of the future by reinventing itself and making it more relevant to users





Space to Play

Jean Batten Square Upgrade:

- Playground: multi-sensory, dual purpose play equipment for both play and health assessment
- Include Wood First Policy and Art
- Greenspace within the inner-city





Next Steps

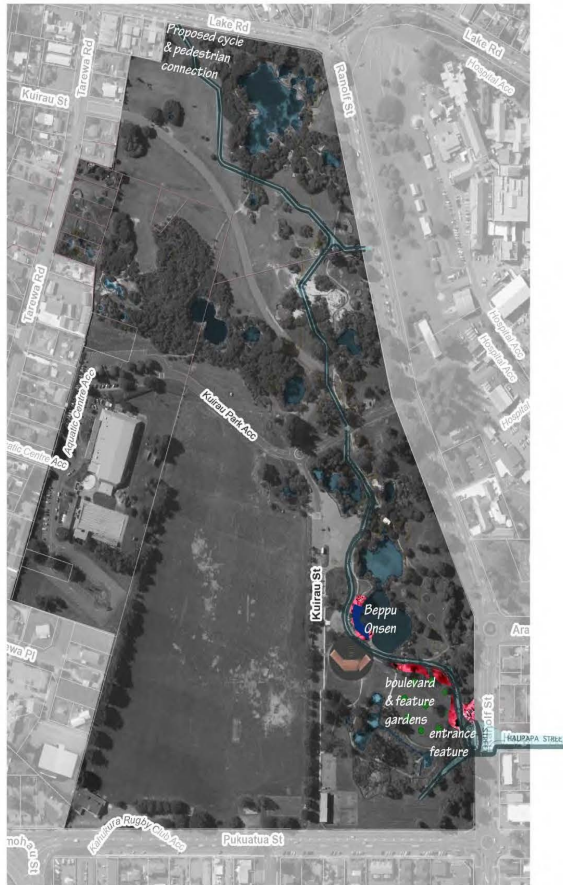
- Council's Long-term Plan consultation and deliberations
- Project & financial commitment confirmed
- User Group Engagement
- Cultural Values Group Established
- Concept design complete

Kuirau Park Update

Ngati Whakaue Gifted Reserves
May 2015



KUIRAU PARK BEPPU ONSEN DEVELOPMENT



RIAN CONNECTION + SNA Overlay





PUBLIC EXCLUDED SESSION

6. RECOMMENDATION 3: Thermal Motor Camp Land Transfer

A full report was tabled at the meeting (Attachment 3).

Resolved

- 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 agreement to work through the land transfer mechanism required.**

Cr Sturt/A Wilson
CARRIED

Mr Wilson - The length of time taken has been frustrating

Mr Page agreed that this has been a frustrating process especially sorting through legislation and the requirements. I believe the outcome that everyone wants to achieve is all the same. It's about finding the easiest way forward to get there.

Slide 1

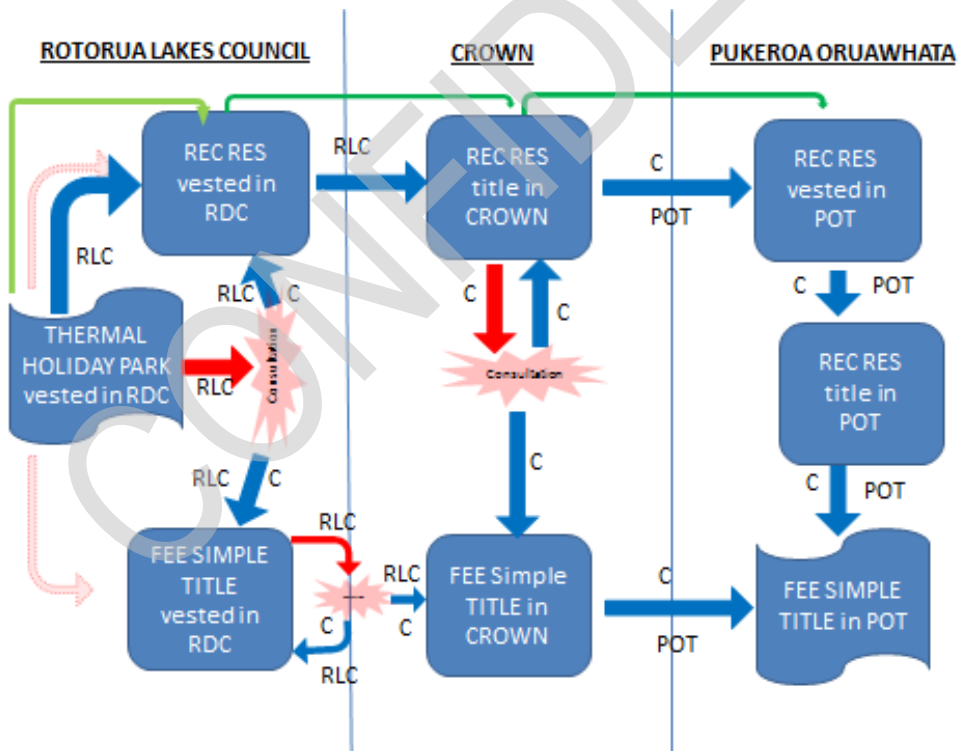
A map of the Thermal Camp which we're looking at handing back.

- The Green shaded portion is the land currently utilised by and maintained by the Thermal Motor camp
- The Blue shaded areas though currently within the Motor camp lease boundaries are not utilised by them and are maintained by RLC.
- The blue shaded area of Moncur Dr next to the CT Club has been incorporated into Centennial Park and is utilised by the general public providing access to the main part of Centennial Park. There are a number of “tree Trust” sponsored trees on this land.
- The blue shaded area adjacent to Old Taupo Rd is mown grassland with some bare geothermal areas. This is currently maintained by Council
- The yellow shaded area is mown grassland recreation reserve outside of the motor camp lease area and is currently maintained by Council
- Potential future boundary adjustment incorporating the yellow shaded land into the Motor Camp lease area to be returned to POT with the blue shaded portion next to the CT Club to be incorporated with the RDC managed Centennial Park.



Slide 2

There are 3 stages to work through, as shown in the chart below:



The land at the moment is Recreational Reserve with title in CROWN.
Council currently has the land vested in it as recreation reserve. Council can only surrender the vesting to give it back to the crown and the crown has the ability to move it from there.
Council doesn't have the legislative authority or powers to actually transfer that ownership.

CONFIDENTIAL

Council need to decide if the land should remain as recreational reserve or work through making a FEE SIMPLE TITLE before its handed back to the Crown.

If it remains as Recreational Reserve, then no changes are involved.

To change it back to FEE SIMPLE TITLE, there's a legislative requirement and consultation is required.

The Reserves Act sets the legislation that has to be followed.

Following consultation it is actually the Crown/Minister that will decide whether the land remains in Recreational Reserve or becomes Fee Simple Title.

If it goes to FEE SIMPLE TITLE then Council again may have to go through a process before they can hand back to the Crown with the Significance Policy creeping in. This is a piece of legislation "the local government amendment act" that we still need to do some work on.

If kept as recreational reserve, we can surrender that vesting and it goes straight back to the Crown. Once it goes back to the Crown, Council's involvement is removed.

The Crown can make a decision whether to lift that recreational reserve status and bring it back to FEE Simple and then go through the consultative process. The outcome of the consultation will determine whether this land remains as Recreational reserve in the Crown or becomes Fee Simple.

If it goes to Fee Simple they can decide how they will dispose of it.

If it's kept as recreational reserve and there is no reason why it can't stay as recreational reserve, then the vesting just goes to Pukeroa Oruawhata.

This process is about reaching agreement with the crown. Once it's invested with Pukeroa Oruawhata, then over time the crown and Pukeroa Oruawhata can work through mechanisms on how they can transfer the title to Pukeroa Oruawhata, whether it be recreational reserve or further down the track Fee Simple title.

Certainly the path of least resistance is keeping the land as recreational reserve as far as Councils concerned, hand it back to the Crown, and then the Crown vests it to Pukeroa Oruawhata as the administering body of that land.

Complete faith and agreement between the 3 bodies (Rotorua Lakes Council, Crown & Pukeroa Oruawhata) is required. All agreeing to the same outcome, that is the return of the land to Pukeroa Oruawhata Trust.

Heads of Agreement

Rotorua Lakes Council

- Commit to outcome – Return of land to POT
- Relinquish vesting of Rec Reserve(RA s.27)

The Crown

- Commit to outcome – Return of land to POT
- Accept Rec Reserve vesting return from RLC (RA s.27)
- Vest in POT (RA s.26)

Pukeroa Oruawhata

- Commit to outcome – Return of land to POT
- Accept vesting of Reserve (RA s.26)

Once the vesting is transferred from Council, Council loses all influence over what happens to this land in the future.

CONFIDENTIAL

Mayor Chadwick – Have we written to the Crown and got this process underway? What's the delay? Is it identifying the process?

Mr Page – Discussions have been with Council to hand it back directly to Pukeroa Oruawhata Trust (POT). However, as the land was vested to the Council from the Crown then Council doesn't have the ability to vest the land directly to POT and it has to go back through the Crown. The Crown has been involved to a limited extent through the Department of Conservation (DOC) over the last 2 years and would have to agree to follow this suggested process or identify the appropriate Crown agency if it was not DOC.

Mayor Chadwick suggested a way forward would be for the Ngati Whakaue Gifted Reserves Protocol Committee to work through the land transfer mechanism and set up a Heads of Agreement with staff under the direction of the Chief Executive.

There was general support to this approach from the members present.

Mr Page – Council wants to hand it back, the Crown hasn't decided their position on this yet. There has been nervousness on both parties (POT and RLC) around the Crown actually following this process through. We want to make sure we have some agreement on the best way to proceed.

Mayor Chadwick – Has anyone contacted the Crown to get involved in this process?

Mr Page – we've talked to the conservator with the Department of Conservation and he has given us this advice and path that we should follow. The previous conservator Henry Weston who is with us now has led us a lot of the way through this process. Key considerations to work through are:

- No surprises
- DOC/LINZ /OTS engagement
- Reserves Act
- Significance policy (LGA)
- Public Consultation
- Motor Camp lease revenue
- Value of land on crown balance sheet
- Current Reserve use
 - Centennial Park/ Sponsored Trees.

It's imperative that we get engagement with DOC/LINZ/OTS which has been hard to get to date.

What may be a bit of a stumbling block for the Crown to work through, is the value of that land on their balance sheet. Does this go through LINZ? as they have a valuation on their balance sheet at the moment of \$1m. So they'll want to sort out where that's going to come off. Whether its from the Office of Treaty Settlement, but the Crown is adamant that its not coming out of their sheet.

7. RECOMMENDATION 4: PROPOSED EXCHANGE OF LANDS OFF PERERKIA STREET

Resolved

That the report "Proposed Exchange of Lands off Pererika Street" be received.

A Wilson/M Morrison
CARRIED

Garry Page overviewed the report, including the following comments:

- The blue shaded rectangular area adjacent to Pererika St is Gifted Reserve Town Belt Recreation Reserve managed and maintained as a Gifted Reserve by RLC
- The narrow blue shaded area on the Amohau/ Pukuatua St corner is segregation strip reserve land owned in fee simple title by RLC
- The green shaded land is commercial land owned in fee simple title by PP2
- The red outlined land is the St John's Ambulance Reserve site.
- POT wants to exchange the green shaded land for the 2 blue shaded parcels of land



A question was raised regarding the previous agreement and the involvement of a pipeline and compensation due.

Peter Faulkner - If the land swap proceeds this will negate the compensation.

Resolved

1. That the "Committee support in principle the overall concept of the exchange of lands".

A Wilson/Cr Sturt
CARRIED

Resolved

2. That the "Committee support in principle the extension of Ambulance Reserve (St John) out to Amohau Street with emergency access".

A Wilson/Cr Sturt
CARRIED

7a: Wolham House/Rave Update

Cr Maxwell – While we're in CONFIDENTIAL, and because we don't meet often I'd like to ask for an update on Wolham House/RAVE.

Mr Williams - The decision was made together to refocus the original Convention centre as the Sir Howard Morrison Performing Arts Centre. We recognized that as well as renaming it we wanted to see it used far more for performing arts products and to become Rotorua's iconic performing arts centre. We embarked in some consultation with the performing arts groups within Rotorua and received some very positive feedback. The not so positive feedback came from the 2 performing arts groups. (Shambles and Casablanca)

Their theatres are currently in a state of disrepair and they don't have the funding to invest in them and bring them back up to standard.

If they were to provide a consent application to us, that would trigger questions around fire safety and other aspects which would really cast doubt on their continued operation.

They recognize all this, but they don't have the funding to do anything about it. They looked at the proposal about the Sir Howard Morrison theatre and they decided that this would not meet their needs. They decided to head down an alternative track.

This culminated in a proposal to the Rotorua Energy Trust to fund a 5 - \$7m project to build a new theatre for these 2 groups in the Arts Village Area.

They asked if Council would support this? I asked the question, Is this economically viable? The outcome of this was that Council funded a study on to the business case.

The feasibility shows that Council would need to pass \$100,000.00pa operational subsidy for this proposal to work.

From a public point of view, there is not a good argument as to why public funding would go to invest in another performing arts theatre which would be in direct competition with an already fully public funded facility.

Our belief is that these two groups do need alternative accommodation. Their performance needs could be met within the Sir Howard Morrison Performing Arts Centre. Its interesting to note that the business plans for these groups also included the fact that they would be renting out their new theatre to performing arts groups obviously direct and in competition with the Sir Howard Morrison Performing Arts centre.

At some point this is going to come back as a report to Council over the next couple of weeks. We will be highlighting shortcomings that we see in the business case and the difficulty that Council would have to support this type of proposal. The key challenge is you are also party to this and you will be approached for your permission to build a new theatre complex on the Arts Village.

Cr Sturt – I was chairman of Parks and I do not recall the RAVE concept including a performing arts centre.

Cr Maxwell – Question to Mr Wilson, have you ever been approached about this?

Mr Wilson – All that area was done without our permission and that area used to be the old pound. We were annoyed that we weren't informed about it. We still say no, but we'll fully discuss it again at our next meeting and we'll give you and answer from there.

Mayor Chadwick – I'm surprised, that they've developed up a business case to take to the Energy Trust, without going to you for approval. The assumption that this would be a Council decision to grant approval for them to build there is surprising.

CONFIDENTIAL

Cr Sturt - We changed the use of the Convention Centre from a convention/function centre to a performing arts centre due to the pressure from the commercial sector. We did this in consultation with some of these groups.

Mr Aratema - Why can't the concert chamber be adapted for the smaller theatre?

Mayor Chadwick – This is what Council agreed to. This would lower the cost for the community to use and increase utilisation.

Mr Wilson – We'll get a letter back to you in support of what you've discussed here.

Resolved

That the Committee move out of Public Excluded session.

Cr Maxwell/Cr Sturt
CARRIED

CONFIDENTIAL

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

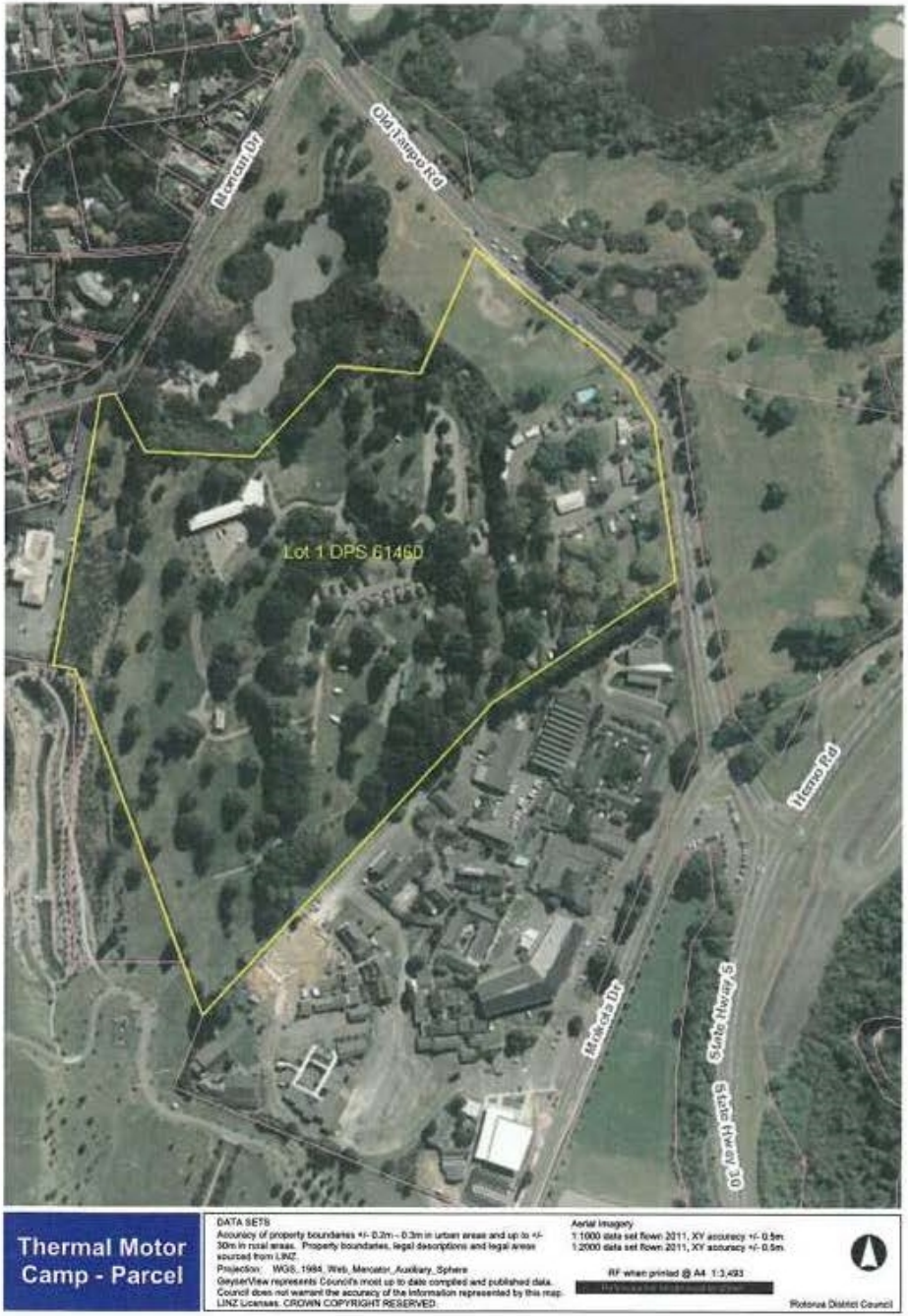
- Pukeroa Oruawhata Trust first need to decide whether they are agreeable to accept the land to be vested in them as the administering body of this recreation reserve.
- Council needs to decide that it is willing to return the vesting of the land back to the Crown for them to transfer it to Pukeroa Oruawhata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

Attachment 1



ROTORUA LAKES COUNCIL

Mayor
Members
NGATI WHAKAUE GIFTED RESERVE PROTOCOL COMMITTEE

VARIOUS LAND TRANSFER UPDATE

Report prepared by: Robert Atkinson, Open Spaces Operations Advisor
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 the members up to date with the proposed process and requirements for the return of various portions of Council administered land within the District.

2. **RECOMMENDATION 3**

That the report 'Various Land Transfer Update' be received.

3. **BACKGROUND**

The Rotorua Lakes Council is currently in the process of returning various pieces of Council administered land to Iwi control. Areas of interest to Ngati Whakaue are:

- Thermal Motor Camp
- Victoria Arterial Property Disposal
- Arataua Street
- Ariariterangi Street
- Tryon Street (11&13)
- Possible sale of piece of Sala Street Plantation Reserve (to Glenbrae)
- Kouramawhiwhiti (Soundshell area, Rotorua Lakefront)

A verbal update will be given at the meeting on the above by various Council Staff.

ROTORUA LAKES COUNCIL

Mayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVE PROTOCOL MEETING

RESTORATION OF TENE WAITERE CARVINGS WITHIN THE GOVERNMENT GARDENS

Report prepared by: Robert Atkinson, Open Spaces Operations Advisor
Marc Spijkerbosch, Community Arts Advisor
Report reviewed by: Rob Pitkethley, Sports and Recreation Manager
Report approved by: Dave Foster, Chief Operating Officer, Performance and Delivery

1. **PURPOSE**

The purpose of this report is to bring the members of this committee up to date with the works involving the restoration of the historic Tene Waitere Carvings located within the Government Gardens.

2. **RECOMMENDATION 4**

That the report Restoration of 'Tene Waitere Carvings within the Government Gardens' be received.

3. **BACKGROUND**

This report is to detail some background, current requirements for the restoration and future maintenance aspects related to the 18 carvings that adorn the three recognised entranceways into the Government Gardens.

The three entrance way structures were built after the establishment of the sanatorium and bathhouse now known as the Government Gardens. The carvings on Prince's Gate, Hinemaru Street gateway and Hinemoa Street are attributed to the work of Tene Waitere, renowned Ngati Tarawhai carver. There is little documented history of Tene's work at the gardens; however it is generally known that between 1902 and 1910, Tene was employed at times by the Tourist Department to produce carvings some of which was used for the model Maori Village created for an Expo in Hagley Park, Christchurch in 1904.

It is these that were shipped back to Rotorua a few years later, with some installed at the NZ Maori Arts and Crafts Institute and others installed into the Government Gardens.

In May 2010, Council commissioned a report specifically looking into the conservation requirements for all 18 carvings across the main entrance ways into the Government Gardens. The report was prepared by Dean Whiting and Jim Schuster. It highlighted a number of issues with the carvings that had developed since the last major restoration and maintenance works were completed in 1996. These works were supervised by Maori Taonga Conservator Nick Tupara and consisted of the removal of decayed sections, repainting, replacement of Paua shell eyes and rebuilt bases where required.

The 2010 report highlighted a number of minor issues that need to be addressed to return the carvings to a preserved state. Some of the issues highlighted included wood movement of the new bases exposing the join lines, reaction of the timber preservative with geothermal gas resulting in black staining, reassessment of below ground portions once exposed and the restoration of the painted surfaces.

The proposed restoration is to be undertaken over the next two to three months and will address the issues mentioned above. Once this is completed a maintenance plan will be developed to provide for the future upkeep of these carvings.

Rob Rika, a direct descendant of the notable master carver, Tene Waitere, will be undertaking the restoration work. He was suggested by Jim Schuster, conservator with Heritage New Zealand and supported by the Museum Pukenga who has also endorsed the undertaking of the restoration.

In talking about the opportunity to undertake the restoration of these carvings, Mr Rika commented,

“I find myself looking at the carvings and wanting to learn some of the techniques that he may have used back in the day.

“Because I look so closely at it I can tell how sharp his chisels were – little things like that. And then I can see what kind of chisels he may have had that I don’t have. Every now and again I think ‘I don’t have that chisel,’ so I go back to his lot and find it. Slowly I’ve been adding his chisels to my collection.”

A blessing of the carvings was undertaken on the 29th September by Rev. Robert Schuster prior to the restoration commencing.

ROTORUA LAKES COUNCIL

Mayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVES COMMITTEE

DEVELOPMENT WORKS WITHIN KUIRAU PARK

Report prepared by: Robert Atkinson, Open spaces Operations Advisor
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 on developments proposed for Kuirau Park over the next two years and to seek members advice on the proposed works so as to achieve a successful outcome.

2. **RECOMMENDATION 5**

That the report 'Development Works within Kuirau Park' be received.

3. **BACKGROUND**

As members of the Protocol Committee you would already be aware of a lot of the developments that have happened in and around Kuirau Park over the last couple of years.

This report will focus on what other developments / activities the will impact upon Kuirau Park in the near future. The table below has been split into three categories but it is felt be Council staff that each of these activities will have an impact on Kuirau Park.

The three categories are:

- Capital Development – This is the creation of something new
- Renewal – The replacement of an existing asset or feature
- Maintenance – This is works that are undertaken as a matter of day to day management but will have an impact on the character or quality of the park. This is not intended to be an exhaustive list.

It is important to remember that this is a complete list and no timeframes have been put against this, however Council staff are currently working on costing each of these proposals to better understand the timing required to provide the ability to deliver on them.

KUIRAU PARK UPGRADE IMPROVEMENTS (IMPLEMENT)	
DESCRIPTION	NOTES
CAPITAL DEVELOPMENT	
No.2 FOOT POOLS UPGRADE, project includes new bbq, paving, concrete, furniture, gardens, shelters, lighting and paddling pool relocation/renewal.	* Some garden revamps money for Lake Timaru edge gardens. Implement ducting and some lighting for peripheral areas e.g. market and playground.
Public toilets	Exeloo?: where, when, how many?
Drainage/power for event area. Install proper drainage for KP boulevard area	Maybe for use by Candles by Candlelight and other events that can be attracted to Kuirau Park
CCTV for high -risk or problem areas	Include in scope for existing CCTV renewal programme?
Continue rock edging of Lake Timaru	
TAREWA RD ENTRANCE establish flax harvesting area, tidy up thermal area Tarewa Road	Opportunity to apply for community funding. This year we have \$20,000 for waterways reveg planting which could be tapped into. Remove bamboo at this end and dig drain
Extend market area	Work with Rotary. Price range due to unknown drainage costs.\$50 - \$80,000
Vehicle access behind kiosk building	Lime chip costs per sqm, doesn't need to be permanent until Beppu Kitchen finalised.
Create more carparking	Won't install more carparking but will look at ways to bring market closure to Aquatic Centre carpark through pedestrian connections and or extend market area across road into this site.
Water for event area	Installation of new drinking fountain.
Implement Kuirau Park towers concept	\$80k in LTP in a few years, funding currently in LTP for 2020 and forward.
Beppu Kitchen	To construct a community kitchen using the natural geothermal resource with in Kuirau Park.
RENEWAL	
Replace all old seats and bins with wooden ones	
Upgrade path connections to green corridor, north end. Upgrade path loop around Lake Timaru	Some scoping required
Upgrade all drinking fountains	Bring in same design and look as the new replacements elsewhere in Rotorua
New scented gardens, demolish old	\$45,000*New garden to be paid for by FMBT. Old = 380sqm area to demolish and reinstate.

KUIRAU PARK UPGRADE IMPROVEMENTS (IMPLEMENT)	
DESCRIPTION	NOTES
Clean up toot and whistle area	<i>CPTED Funding? RECT Funding for Arts project or FMBT for revegetation component.</i> Marc S keen to support some sculpture going into this area (approx 6) with the next symposium. *Excludes reveg costs and Castlecorp labour. General area= 7,700 sqm ; Paths to upgrade = 470sqm (est cost for lime paths \$28k); Exotic tree removals \$30k; may later include 6 x sculpture pediments = \$3k; sculpture contribution \$25k
Re-do internal kerbing up southern end of Kuirau St	Possible funding through Parks Roding Renewals.
Expose piped stream and return to a more natural alignment.	Combination of stormwater and open spaces funding.
Remove/tidy hockey foundations/netball court/cricket practice nets. Kahukura club carpark, proper kerb and channel, renew netball and carpark	Scope/cost/plan. Investigate grant for netball courts as part of youth development
Cohesively upgrade all signage	Two stages. Plan & Design this year, produce and install next year.
Renew bridge over Lake Timaru	
Install proper drainage for playground area, ensure all pathways are graded/drained to run surface water off	
Renew grey cobbles around main foot pool area and/or extend boulevard where paving is lifted	Will wait until it can be incorporated into the Beppu Kitchen design.
Paint or partially demolish kiosk building	
Jaycee Fountain	To fully investigate options around the restoration, removal of this.
MAINTENANCE	
Circular display bed removals	Tap box irrigation, rotary hoe circles, reinstate as grass
Linemarking for Ranolf St parking bays	
Remove all old light poles	Electrical budget?, lights currently not working
Restore native vegetation to remaining edges of Lake Timaru	Some covered by revamps allocation, complete rest in next years allocation.
Create uniquely Kuirau maintenance COP	Code of practice, include everything.
Tree replacement program	Planning/planting plan/order in. Can use existing reserve tree planting funding.
Use of Lake Kuirau thermal water for interactive public use	Scope/plan.

KUIRAU PARK UPGRADE IMPROVEMENTS (IMPLEMENT)	
DESCRIPTION	NOTES
Complete a brochure detailing the wonders and history of Kuirau Park for visitors	
Integrate sportsfields into rest of reserve if no longer required	Village green aesthetic

In order to keep this process moving forward it would be appreciated if Pukeroa Oruawhata Trust could nominate a contact person so that planning and implementation is not adversely affected by the restriction imposed by seeking clarification and input only at the formal protocol meetings.

A presentation will be given on the day to gather the thoughts and impressions of the protocol committee on the proposed developments.

ROTORUA LAKES COUNCIL

Mayor
Members
NGATI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE

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 update the members of the protocol committee of the progress with Pukeroa Properties (No.2) Ltd (PP2) request for an exchange of land off Pererika Street with Council.

2. RECOMMENDATION 6

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

3. BACKGROUND

The Proposal by PP2 Ltd is a zero value exchange of former railway land (green on plan) off Pererika Street for an area of Town Belt Reserve and segregation strip at Trade Central (blue on plan).

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

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 proposed exchange benefits future management options for Sheaf Park, and benefits the community by improved ambulance services.

The proposed exchange benefits PP2 Ltd who propose to use the Reserve for Education Purposes and by providing access to rear land.

The ongoing management of the segregation strip at Trade Central is provided for in the District Plan, and is surplus being not required for road.

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.

Costs in effecting the exchange will be borne equally by RLC and PP2 Ltd including costs of relocation of the affected clubs.

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. CURRENT POSITION

It is proposed to facilitate this exchange by using Sec 15 Reserves Act. The Land Status Reports that are required for each parcel have been completed. Council's requirement to consider the equality of exchange is not considered necessary due to both parties agreeing to a nil value exchange, and the requirement for Iwi consultation is also deemed unnecessary as Ngati Whakaue are party to the exchange.

The lands involved in the exchange are currently being surveyed, and it is anticipated that approved plans and titles will be available in mid-December. Council will then be required to publicly notify the proposed exchange, and at least 1 month after the public notice process, are required to pass a Council Resolution to pursue the exchange.

Provided Council decides to progress the matter an exchange Agreement is then prepared and entered into by both parties to the exchange and the Department of Conservation (DOC). Following the Dept of Conservation publishing a Gazette Notice authorising the exchange, Transfer documents can be prepared so that titles can transfer giving effect to the exchange. It is thought that the exchange will be completed by May 2016.

In respect of the request by PP2 to store topsoil on the area of Council Reserve that will pass to PP2 as part of the exchange, Councils Sports Recreation division do not have any concerns with the fill/top soil from the PPNo2 site being stored on the Pererika Street site and can see the merit in doing this, but do have some concerns as to whether it is sensible to do this before the Reserves Act consultation process to revoke the reserve status has been undertaken; the reason for our concern is only because we believe storing topsoil at the site is likely to raise questions or concerns from the residents adjacent to the site and as a consequence may influence the consultation process. It would be better to wait until the consultation process has been completed before the fill/topsoil is stored on this site.

5. ATTACHMENTS

Attachment 1 - Plan of proposed exchange (Page 43)

