

Agenda for a meeting of the Development Agreements Committee to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 24 JULY 2023** commencing at **9.30am**.

**1. APOLOGIES AND LEAVE OF ABSENCE**

**2. CONFIRMATION OF STATUS OF AGENDA**

**3. DISCLOSURES OF INTEREST**

The register of interests is no longer included on agendas, however members still have a duty to disclose any interests under this item.

**4. CONFIRMATION OF MINUTES**

Meeting held on Monday, 12 June 2023 3

**5. EXCLUSION OF THE PUBLIC** 9

GJ Ion  
**CHIEF EXECUTIVE**

# Development Agreements Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Mr Peter Stubbs
<b>Deputy Chairperson:</b>	Cr Janet Gibb
<b>Membership:</b>	Her Worship the Mayor Deputy Mayor Carolyn Eyre Cr Peter Thomson Cr Eugene Patterson Mr Greg Akehurst
<b>Meeting frequency:</b>	As and when required
<b>Quorum:</b>	A majority of members (including vacancies).

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## Purpose

- I. To assist the Chief Executive and officers to make timely decisions on any matters relating to development agreements.

## The Subcommittee is delegated the following powers to act:

6. To make decisions in relation to any direction sought by the Chief Executive and/or officers in relation to any matters relating to:
  - a) Development agreements; and
  - b) Any objections or other proceedings relating to Council's Development Contributions Policy

**NOTE:** The authority under paragraphs I a) and b) includes the power to direct the Chief Executive or officers to engage any expert or legal counsel.

7. To determine an approach for objection or other proceedings on Council's Development Contributions Policy.
8. To authorise the Chief Executive, or his delegate, together with any other member of the Executive Leadership Team, to negotiate and approve, within any parameters given by the Subcommittee, the content of any development agreement where infrastructure budgets are allowed for in the Long Term Plan.
9. To recommend to Council any development agreement where infrastructure budgets are not currently allowed for in the Long Term Plan.
10. To report to the Council on a six monthly basis (as a minimum) with a summary of the development agreements in progress and decisions made by the Subcommittee.

<b>To</b>	<b>Development Agreements Committee</b>
<b>Report title</b>	<b>Confirmation of Minutes</b>
Date:	Monday, 17 July 2023
Report Author:	Elizabeth Saunders – Democracy Advisor
Authorised by:	Gaylene Kanawa – Democracy Manager

## **1. Purpose of the report**

### **Te Take moo te puurongo**

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To confirm the minutes for a meeting of the Development Agreements (DAC) Committee held on Monday, 12 June 2023.

## **2. Staff recommendations**

### **Tuutohu-aa-kaimahi**

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**THAT the minutes for a meeting of the Development Agreements Committee held on Monday, 12 June 2023 be confirmed as a true and correct record.**

## **3. Attachments**

### **Ngaa taapirihanga**

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Attachment 1 – DAC Minutes – Monday, 12 June 2023.

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**MINUTES** for a meeting of the Development Agreements Committee held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 12 JUNE 2023** commencing at **9.30am.**

**Present:**

Mr P Stubbs (Chairperson)  
Mr G Akehurst (Independent Member)  
Her Worship the Mayor, Mrs JA Church  
Cr J Gibbs  
Cr E Patterson  
Cr P Thomson

**Attending:**

Ms A Diaz (Chief Financial Officer)  
Mr C Morgan (General Manager – Community Growth)  
Mr W Gauntlett (Growth & Analytics Manager)  
Ms H Coalter (Infrastructure Development Manager)  
Mr P Henderson (Infrastructure Development Manager)  
Ms A Plumpton (Senior Growth Funding Specialist)  
Mrs T Forsyth (Growth Funding Officer)

Ms E Saunders (Democracy Advisor)

**APOLOGIES AND LEAVE OF ABSENCE**

**Resolved: (Mr Akehurst/Cr Patterson)**

**That the Development Agreements Committee:**

- a. **accepts the apology for non-attendance from Cr Eyre.**

**CARRIED**

**DAC2306/01**

**CONFIRMATION OF STATUS OF AGENDA ITEMS**

**Resolved: (Her Worship the Mayor, Mrs JA Church/Mr Akehurst)**

**THAT the agenda for a meeting of the Development Agreements Committee held on Monday, 12 June 2023 be confirmed:**

- a. **with all items therein being considered in open meeting with the exception of those items detailed at agenda items 4, which shall be considered with the public excluded; and**
- b. **all reports be received.**

**CARRIED**

**DAC2306/02**

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**CONFIRMATION OF MINUTES**

**Resolved: (Crs P Thomson/Cr Gibb)**

**THAT the minutes of the meeting of the Development Agreement Committee held on Tuesday, 9 May 2023 be confirmed as a true and correct record.**

**CARRIED**

**DAC2306/03**

**EXCLUSION OF THE PUBLIC**

Agenda Item 5

**Resolved: (Her Worship the Mayor, Mrs JA Church/Cr P Thomson)**

- a. **THAT** the public be excluded from the following parts of the proceedings of this meeting:

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 2.1 Development Agreement for Law Crescent, Horotiu	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 2.2 Horotiu Bridge Road, Pedestrian Crossing		
Item PEX 2.3 Development Agreement Status Update		
Item PEX 2.4 Development Agreements Principles		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
Item PEX 2.1 Development Agreement for Law Crescent, Horotiu	7(2)(b)(ii)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 2.2 Horotiu Bridge Road, Pedestrian Crossing	7(2)(b)(ii)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 2.3 Development Agreement Status Update	7(2)(b)(ii)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 2.4 Development Agreements Principles	7(2)(c)(i)	To protect information that is subject to an obligation of confidence and to ensure the information avenue remains open, when it is in the public interest for it to do so.

**CARRIED**

**DAC2306/04**

*Resolutions DAC2306/05 to DAC2306/08 are contained in the public excluded section of these minutes.*

Having resumed open meeting and there being no further business the meeting was declared closed at 10.34am

Minutes approved and confirmed this                      day of                      2023.

Mr Peter Stubbs  
**CHAIRPERSON**

Unconfirmed



**To** | **Development Agreements Committee**

**Report title** | **Exclusion of the Public**

Date: | Monday, 17 July 2023

Report Author: | Elizabeth Saunders, Democracy Advisor

Authorised by: | Gaylene Kanawa, Democracy Manager

**1. Staff recommendations**  
**Tuutohu-aa-kaimahi**

a. **THAT the public be excluded from the following parts of the proceedings of this meeting:**  
 The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 2.1 Development Agreement Status Update	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 2.2 Development Agreement Key Principles - Final Draft		
Item PEX 2.3 Development Agreement - Next Construction		
Item PEX 2.4 Development Agreement - Da Silva Builders		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
Item PEX 2.1 Development Agreement Status Update	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
Item PEX 2.2 Development Agreement Key Principles – Final Draft	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
	7(2)(g)	To maintain legal professional privilege
Item PEX 2.3 Development Agreement – Next Construction	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 2.4 Development Agreement – Da Silva Builders	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.

## 2. Attachments Ngāa taapirihanga

There are no attachments for this report.