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Agenda for a meeting of the Development Agreements Committee to be held in Committee Rooms 1 & 2, District Office, 15 Galileo Street, Ngaaruawaahia on **TUESDAY, 4 JUNE 2024** commencing at **9:30 AM**.

*Information and recommendations are included in the reports to assist the Committee in the decision-making process and may not constitute Council's decision or policy until considered by the Committee.*

*The meeting will be opened with a karakia.*

**1. APOLOGIES AND LEAVE OF ABSENCE**

**2. CONFIRMATION OF STATUS OF AGENDA**

**3. DISCLOSURE 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. MINUTES FOR CONFIRMATION**

Confirmation of minutes

**5. ACTIONS REGISTER**

**6. REPORTS**

**6.1 Frequency of Meetings & Delegations Register**

**7. EXCLUSION OF THE PUBLIC**

It is intended to discuss all matters in the open section of the meeting, however, should in depth legal advice or information, subject to a confidence, be requested

from the Committee a resolution may be passed to exclude the public to hold these discussions.

GJ Ion  
**CHIEF EXECUTIVE**

# TERMS OF REFERENCE

## DEVELOPMENT AGREEMENTS COMMITTEE

<b>Reports to:</b>	The Council
<b>Chairperson:</b>	External appointment - 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 (Independent Member)
<b>Meeting frequency:</b>	Bimonthly
<b>Quorum:</b>	Majority of members (including vacancies)

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### Purpose

1. 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:

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

**NOTE:** The authority under paragraphs 1 a) and b) includes the power to direct the Chief Executive or officers to engage any expert or legal counsel.

1. To determine an approach for objection or other proceedings on Council's Development Contributions Policy.
2. 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.
3. To recommend to Council any development agreement where infrastructure budgets are not currently allowed for in the Long-Term Plan.
4. 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:	4 June 2024
Report Author:	Elizabeth Saunders, Senior 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 Tuesday, 9 April 2024.

## **2. Staff recommendations**

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

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**THAT the minutes for a meeting of the Development Agreements Committee held on Tuesday, 9 April 2024 be confirmed as a true and correct record.**

## **3. Attachments**

### **Ngaa taapirihanga**

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1. DAC Unconfirmed OPEN Minutes 240409

**MINUTES** for a meeting of the Development Agreements Committee held in Committee Rooms 1 & 2, District Office, 15 Galileo Street, Ngaaruawaahia on **TUESDAY, 9 APRIL 2024** at **9.30am**.

**Present:**

Mr P Stubbs (Chairperson)  
Mr G Akehurst (Independent Member)  
Cr E Patterson  
Cr P Thomson

**Attending:**

Ms A Diaz (Chief Financial Officer)  
Mrs H Coalter (Growth & Analytics Manager)  
Ms K Nicholson (Infrastructure Development Manager)  
Mrs T Forsyth (Growth Funding Officer)  
Mr P Mwene (Infrastructure Development Manager)  
Mr D Sharma (Three Waters Reform Project Manager)  
Ms E Saunders (Senior Democracy Advisor)

**APOLOGIES AND LEAVE OF ABSENCE**

**Resolved: (Cr Thomson/G Akehurst)**

**THAT the Development Agreements Committee accepts the apologies from:**

- a. Her Worship the Mayor, Mrs JA Church, Cr C Eyre, Cr J Gibb & Mr W Gauntlett (Community Growth General Manager) for non-attendance; and**

**CARRIED**

**DAC2404/01**

## **CONFIRMATION OF STATUS OF AGENDA ITEMS**

**Resolved: (Cr Thomson/G Akehurst)**

**THAT the agenda for a meeting of the Development Agreements Committee held on Tuesday, 9 April 2024 be confirmed:**

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda items 6, which shall be considered with the public excluded; and**
- b. all reports be received; and**
- c. an additional item [Proposed User Pay System - Legal Advice] be added to the Publicly Excluded section of the meeting after the PEX Actions Register.**

**CARRIED**

**DAC2404/02**

## **DISCLOSURES OF INTEREST**

There were no disclosures of interest

## **CONFIRMATION OF MINUTES**

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

**THAT the minutes for a meeting of the Development Agreements Committee held on Wednesday, 29 November 2023 be confirmed as a true and correct record.**

**CARRIED**

**DAC2404/03**

## **REPORTS**

### Chairpersons Update

#### *Agenda Item 5.1*

The Chairperson gave a verbal update to the Committee on the following items and discussion was held:

- The Chairperson and the Chief Executive Officer have recently met to discuss the frequency of the Committee meetings and how best to work these meetings going forward.
- The Chairperson noted the 5 key aspects of the Committee:
  - i. Acting as a sounding board when new Development Agreements (Das) are being negotiated.
  - ii. Monitoring existing DAs.
  - iii. Facilitating the closure of DAs, while also capturing valuable lessons learned to enhance institutional knowledge.
  - iv. Serving as a consultative body for addressing unique challenges related to development funding, such as the fragmented land scenario.
  - v. Contributing to the formulation of Development Contribution (DC) Policy.
- The Committee members have been tasked to think about the meeting frequency and the thoughts that the Chairperson has tabled bearing in mind that any additional meetings need to go through Council first to change the meeting schedule. The Committee members are to come back to the next meeting with their thoughts & ideas.
- The Growth & Analytics Manager noted that if meetings were moved to quarterly than the Committee could possibly look at changing the delegation for those Development Agreements that require sign-off.
- Cr Patterson noted that he would support quarterly meetings along with Cr Thomson. The Growth & Analytics Manager to discuss further with the Community Growth General Manager and look to work with the Democracy team to confirm the meeting schedule and determine how best to change the frequency to quarterly.

**ACTION:** A report to be presented to the next Development Agreements Committee meeting outlining the frequency of meetings and a change in delegation.

Proposed User Pays Framework – Infrastructure Development Manager Services  
*Agenda Item 5.2*

The Growth & Analytics Manager spoke to the report which was taken as read and the following discussion was held:

- It was noted that legal advice had been sought from the internal Legal Counsel since the report had been written and this will be discussed in the Publicly Excluded section of the meeting.
- It was advised that the upfront deposit fee suggested of \$20,000 is still being considered and requires further investigation and Deloitte will undertake financial modelling for Council to provide better information.
- Overall Discussion & Questions: *The Infrastructure Development Manager services vs Regulatory & Consenting Processes – are both teams working in alignment to ensure a smooth process?*
- A query was raised in relation to the consenting process and how the Customer Support General Manager and Community Growth General Manager along with their teams will work together to capture all parts of the process? The Growth & Analytics Manager advised that there has been a reshuffle in the Customer Support space with a new consenting manager is coming on board and will continue to work together.
- The Development Agreement team are also working on their processes and looking at the best ways to work with the Customer Support team
- It was queried whether Deloitte's are stating that if Council's Regulatory team are working to statutory timeframes then there wouldn't be a need for this process? The Chief Financial Officer explained the statement from Deloitte's and provided further context.
- It was queried whether a measure of the Infrastructure Development Manager success is the resource consenting process going faster than it is currently? The Growth & Analytics Manager advised no, not at this time however the team aspire to get there and are working on that.
- The Committee noted that the Resource Consenting team needs to be bought along on the journey and match the work being done in the Infrastructure Development Management space. It was further noted that developers do get frustrated with the consenting process particularly since the consenting timeframes are currently long and over the 20 working days timeframes.
- It was queried what transparency the developers have in regards to how much it is actually costing Council to support their developments? It was noted that timesheets are not something the Development Agreement team use but could be a tool to document exactly how many hours the team are working on particular developments.



**Resolved: (Mr Stubbs/Cr Thomson)**

**THAT the Development Agreements Committee:**

- a. recommends to Council that the Infrastructure Development Manager services are transitioned, as soon as possible, to a user-pays service, through existing and new users of the services either:
  - i. opting-in via the signing of a funding agreement for the services, or**
  - ii. opting-out via choosing not to pay for the services and cease receiving the services from 1 September 2024.****
- b. recommends to Council that, for transparency, the fees for Infrastructure Development Manager services be proposed in the fees and charges schedule prepared in conjunction with the 2025-2034 Long Term Plan; and**
- c. notes the interconnections between the Resource Consenting Team (Customer Support) and the Infrastructure Development Managers and recommends that Council measure and report on the impact of the introduction of a user pay service.**

**CARRIED**

**DAC2404/04**

Definitions Clarification: Retirement Village, Rest Home & Lifestyle Villag  
*Agenda Item 5.3*

The Infrastructure Development Manager spoke to the report which was taken as read and no further discussion was held.

Update on Development Contributions Policy Review  
*Agenda Item 5.4*

The Growth Funding Team Leader spoke to the report which was taken as read and the following discussion was held:

- The draft policy, catchment maps and appendices will be presented to the Committee prior to the Long Term Plan public consultation next year.
- It was noted that Council will look at the amount of revenue received from developers and that Council area trying to be as accurate as they can with the numbers they have now.

## **EXCLUSION OF THE PUBLIC**

Agenda Item 6

*The Committee took time to go through each item on the Public Excluded agenda and confirmed the reason for exclusion for each report.*

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

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

- a. 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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>Item PEX 1 – Confirmation of Minutes – 29 November 2023</b>	<b>Refer previous agenda for reasons.</b>	
<b>Item PEX 2 – Actions Register</b>	<b>Refer previous agenda for reasons.</b>	
<b>Item PEX 3.1 Development Agreement Management Process</b>	<b>Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987</b>	<b>Section 48(1)(a)</b>
<b>Item PEX 3.2 Development Agreement Completion Reports – March 2024</b>		
<b>Item PEX 3.3 Development Agreement Summary – March 2024</b>		
<b>Item PEX 3.4 Development Contribution Payment Plan Update – March 2024</b>		
<b>Item PEX 3.5 Development Agreement – Dominion Road, Tuakau</b>		

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 3.6 Development Agreement - BuiltSmart	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 3.7 Reserve Parcel (NR - 11) - Acquisition Budget Increase		

- b. 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 1 Confirmation of Minutes - 29 November 2023	Refer previous agenda for reasons.	
Item PEX 2 Actions Register	Refer previous agenda for reasons.	
Item PEX 3.1 Development Agreement Management Process	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a persons commercial position.
Item PEX 3.2 Development Agreement Completion Reports - March 2024	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a persons commercial position.
Item PEX 3.3 Development Agreement Summary - March 2024	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a persons commercial position.
Item No.	Section	Interest

<b>Item PEX 3.4 Development Contribution Payment Plan Update – March 2024</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a persons commercial position.</b>
<b>Item PEX 3.5 Development Agreement – Dominion Road, Tuakau</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a persons commercial position.</b>
<b>Item PEX 3.6 Development Agreement – BuiltSmart</b>	<b>7(2)(b)(ii)</b>  <b>7(2)(h)</b>	<b>To protect information that would otherwise unreasonably prejudice a persons commercial position.</b>  <b>To enable commercial activities to be carried out without prejudice or disadvantage</b>
<b>Item PEX 3.7 Reserve Parcel (NR – 11) – Acquisition Budget Increase</b>	<b>7(2)(b)(ii)</b>  <b>7(2)(h)</b>	<b>To protect information that would otherwise unreasonably prejudice a persons commercial position.</b>  <b>To enable commercial activities to be carried out without prejudice or disadvantage</b>

**CARRIED**

**DAC2404/05**

*Resolutions DAC2404/06 to DAC2404/11 are contained in the public excluded section of these minutes.*

Having resumed the open meeting and there being no further business the meeting was declared closed at 10.30am

Minutes approved and confirmed this Tuesday, 9 April 2024.

Mr Peter Stubbs  
**CHAIRPERSON**

Unconfirmed

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<b>To</b>	<b>Development Agreements Committee</b>
<b>Report title</b>	<b>Frequency of Meetings &amp; Delegations Register</b>
<b>Date:</b>	4 June 2024
<b>Report Author:</b>	Hazel Coalter, Growth and Analytics Manager
<b>Authorised by:</b>	William Gauntlett, General Manager Community Growth

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

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

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To confirm prior discussions at the Development Agreements Committee, and recommend to Council, improvements in the efficiency of the Committee by:

- Amending the frequency of meetings for the Development Agreements Committee to quarterly; and
- Amending the Delegations Register to reflect the recommendations in this report (specifically delegating to senior staff authority to enter low-risk development agreements).

## **2. Executive summary**

### **Whakaraapopotanga matua**

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An action from the meeting of 9 April 2024 was to present a report to the next committee meeting outlining staff recommended frequency of meetings and any alterations to the delegations.

The Chairperson's verbal update is documented in the 9 April 2024 meeting [minutes](#), this report formally recommends alterations to the frequency of the meetings and alterations to the delegations for certain Development Agreements (DAs).

### 3. Staff recommendations Tuutohu-aa-kaimahi

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**THAT the Development Agreements Committee recommends to Council:**

- a. amends the Governance Structure 2022-2025 to adjust the frequency of the Development Agreements Committee from bi-monthly to quarterly; and
- b. amends the Delegations Register be to extend the Chief Executive's delegation to including the authority to enter into a development agreement under s207A of the Local Government Act 2002 where:
  - i. the development agreement is for the purpose of capturing development contributions that would otherwise be applicable if the development were in a development contribution catchment; and/or
  - ii. the development agreement is for the purpose of facilitating infrastructure works associated with a development where no other council process regulates the delivery of the infrastructure work.

### 4. Background Koorero whaimaarama

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The Development Agreements Committee (DAC) has been operating for approximately a year, following the most recent local government elections. The Council had identified DAs as an area of the business which required a higher level of governance, oversight and assurance.

The establishment of the DAC has provided the opportunity for a number of experienced councillors to be closer to the negotiations, and equally provide the development team with a forum to discuss negotiations and challenge thinking in this space. The DAC includes an independent chairperson, who has expertise in legal negotiations, and an expert member, who has expertise in development contributions and economic evaluation.

The chairperson and Chief Executive Officer recently met to discuss the frequency of the committee meetings and how best to work these meetings going forward. This discussion identified a potential to reduce the number of meetings each year.

## 5. Discussion Matapaki

During the DAC meeting of 9 April 2024, the chairperson noted the five key aspects of the Committee, which are set out in the table below. Considering the proposed changes to the meeting schedule to reduce the number of meetings to four (4) / quarterly from six (6) / bi-monthly, comments have been provided to consider how staff would be affected by the change.

Key aspects of Committee	Staff Comments
<p>Guiding the negotiation of, and approving (or recommending to Council approval of), new development agreements.</p>	<p>Staff greatly appreciate the forum provided to them by the committee, to discuss and challenge thinking in relation to DA negotiations.</p> <p>Given the general nature of the more challenging DA negotiations, altering the timing of meetings should not impact outcomes, as these negotiations often span many months. If development timeframes require a decision out-of-cycle, an extra ordinary committee meeting could be proposed.</p> <p>Currently staff prepare reports for all DAs, regardless of the level of risk. The time spent by staff (to prepare reports) and the DAC members (to review them), could be reduced particularly where the DAs are low risk for the purpose of:</p> <ul style="list-style-type: none"> <li>• capturing development contributions that would otherwise be applicable is the development were in a development contribution catchment, and/or</li> <li>• facilitating infrastructure works associated with a development where no other council process regulates the infrastructure works</li> </ul>
<p>Monitoring existing development agreements.</p>	<p>Staff now monitor DAs, managed by the designated development manager who leads the delivery of the obligations in the DA.</p> <p>The monitoring is now a regular reporting item to the committee, and the status report provides guidance to the committee when problems may be arising.</p>
<p>Overseeing the closure of development agreements, and capturing valuable lessons learned to enhance institutional knowledge.</p>	<p>All historic DAs have now been closed and, as others complete, they will undergo a review and reporting process to the committee.</p> <p>The reporting on completed DAs is not time critical, so will not be affected by alterations to the timing of meetings proposed.</p>



Key aspects of Committee	Staff Comments
Serving as a consultative body for addressing unique challenges related to development funding.	<p>Staff lead unique enquiry in this space. At times consultation with the committee is sought, or information is provided to inform of the funding challenges that Council and/or developers are facing.</p> <p>Should consultation with the committee be necessary between quarterly meetings an extra ordinary meeting could be arranged to support this. It is not anticipated that this would be regularly required.</p>
Contributing to the formulation of the development contribution policy.	<p>The development contribution policy is reviewed in line with the Long Term Plan every three years.</p> <p>Given the cyclical nature of this review, altering the meeting schedule will not impact this programme of work. Contribution to the development contribution policy can also be covered through Councillor workshops and briefings.</p>

The operation of staff and the DAC have improved over the last year, as processes have been put in place to negotiate, manage, monitor and close out DAs.

With the improved processes DAC members have referenced increased confidence in staff, in relation to the boundaries within which to negotiate DAs. Additionally, staff have been working on improved internal organisational communication which has enabled earlier engagement with the developer/customer. This has led to a number of DAs being avoided, as the developer has agreed to include works within a proposed development as part of the consented works.

### Types of Development Agreements

A key role of the DAC is to approve staff to engage in DA negotiations on behalf of council. There are currently two situations where staff currently prepare DAs, on a relatively regular basis, where the risk to Council is consistently low. Given the nature of these DAs and the consistent low risk to Council, staff are recommending altering the Delegation Register for the following:

#### 1. Development agreements for the purpose of capturing development contributions that would otherwise be applicable if the development were in a development contribution catchment.

A DA is used in this scenario where a property is outside of the development contribution catchment area, but the developer is seeking to connect to the nearby infrastructure services (generally wastewater and water).

Without a DA Council would not be able to secure the payment of development contributions for the development and would therefore restrict the developer's ability to connect to the services.

The Council have undertaken many of these and have created a standardised DA document. The developers are amenable to entering into the agreement as part of securing a connection to the existing network. These agreements are prepared by staff with assistance from the legal team.

## 2. Development agreements for the purpose of facilitating infrastructure works associated with a development where no other council process regulates the infrastructure works.

At times, infrastructure works are required outside of a subject property to connect a development to infrastructure, when a resource consent has not been required. Currently, the Council processes do not facilitate review and approval of the design, construction oversight or vesting/capitalisation of the infrastructure, unless it is a condition of a resource consent. The General Managers of Service Delivery and Customer Support are both aware of this challenge and are willing to investigate enabling a process in the future.

Staff will continue to facilitate the works through a DA until such time as the work programme can be undertaken to enable this type of work to enter the Engineering Plan Approval (EPA) process without a resource consent.

The developers have been agreeable to the negotiation of a DA for this purpose, as their priority is to get the work completed. In these instances, the developer is paying for all costs associated with the physical works, including the costs of Council engaging an independent engineer to oversee the works.

Risk for Council is low, there are no costs for Council and the outcome delivers vested assets to Council. Without these agreements the developers are unable to undertake the works required to connect to existing network infrastructure.

### 5.1 Options

#### Ngaa koowhiringa

Staff have assessed that there are two reasonable and viable options for the Committee to consider. This assessment reflects the level of significance (see paragraph 6.1). The options are set out below.

Option one – Do not support the reduction in meetings, and the changes to the delegations sought. The impact of this option is that the costs of the DAC meetings would remain the same, which is currently a cost to the ratepayer. Additionally, the development team have less agility with the customer when preparing and executing the low-risk DAs discussed in this report.

Option two – Support the reduction in meetings and the changes to the delegations sought. The impact of this option is a reduction in costs associated with running the DAC, more agility for the development team to promptly respond to customer needs where they relate to the low-risk DAs. It removes the need to prepare a report to the committee for consideration and align the execution of the document with the next available meeting. Implementation and close out of the low-risk DAs will continue to be reported and monitored by the Committee.

**Staff recommend option 2** because it provides an opportunity to reduce Council costs and improves the staff ability to be agile in their work program and response times for customers.

## **5.2 Financial considerations**

### **Whaiwhakaaro puutea**

The committee has two independent members who are paid. By reducing the number of meetings, the annual cost of the committee will reduce. The efficiency of the committee and the key aspects of support it provides to staff has been considered, and that there will be no loss in productivity of the staff who rely upon the committee.

It is considered that the proposed changes to the schedule of meetings will reduce the cost of the Committee without impacting business as usual for the development team staff.

The proposed changes to the Chief Executive delegation are only for DAs where the whole cost sits with the developer and there is no cost to Council.

## **5.3 Legal considerations**

### **Whaiwhakaaro-aa-ture**

The development team undertake all negotiations for agreements with the support of the legal team or external legal. Once negotiations reach a mutually agreeable position, the legal team are briefed to prepare a draft agreement for consideration by the developer and their legal team.

### **AND**

Staff confirm that recommendations comply with the Council's legal and policy requirements. If the recommendations in this report are approved by the Committee and Council, staff will seek the support of the legal and democracy teams in the specific wording amendments of the Governance Structure and Delegation Register.

## **5.4 Strategy and policy considerations**

### **Whaiwhakaaro whakamaaherehere kaupapa here**

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

## **5.5 Maaori and cultural considerations**

### **Whaiwhakaaro Maaori me oona tikanga**

There are no material cultural considerations that are affected by the recommendations of this report and changes sought to the staff delegation register or the frequency of committee meetings.

## **5.6 Climate response and resilience considerations**

### **Whaiwhakaaro-aa-taiao**

The matters in this report have no known impact on climate change or resilience for the Council.

## 5.7 Risks Tuuraru

Staff have considered the risk to the team’s ability to undertake their roles and responsibilities with a reduced number of meetings of the Development Agreements Committee. It is considered that with the changes sought to the Delegation Register, there will be no impact on the ability of staff to undertake their roles efficiently.

## 6. Significance and engagement assessment Aromatawai paahekoheko

### 6.1 Significance Te Hiranga

The decisions and matters of this specific report are assessed as of low significance in accordance with the Council’s [Significance and Engagement Policy](#).

### 6.2 Engagement Te Whakatuutakitaki

Highest level of engagement	Inform	Consult	Involve	Collaborate	Empower
	✓				
<p><i>Staff and the Committee discussed the proposed changes and potential implications at the previous committee meeting, it is considered that the changes will empower staff to undertake low risk DA negotiations in a more agile manner, supporting the clients’ outcomes. Staff believe that no external engagement is warranted in regard to the recommendations in this report.</i></p>					

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
		✓	Internal
			Community Boards/Community Committees
			Waikato-Tainui/Local iwi and hapū
			Affected Communities
			Affected Businesses

## 7. Next Steps Ahu whakamua

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Recommendations to go to Council meeting and on approval changes the Governance Structure and Delegation Register.

## 8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

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As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Committee's Terms of Reference and Delegations	Recommendation to Council required
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (section 5.1)	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (section 6.1)	Low
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (Section 6.2)	Confirmed
The report considers impact on Maaori (Section 5.5)	Confirmed
The report and recommendations are consistent with Council's plans and policies (Section 5.4)	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities (Section 5.3)	Confirmed

## 9. Attachments Ngaa taapirihanga

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None

<b>To</b>	<b>Development Agreements Committee</b>
<b>Report title</b>	<b>Exclusion of the Public</b>
<b>Date:</b>	4 June 2024
<b>Report Author:</b>	Elizabeth Saunders, Senior Democracy Advisor
<b>Authorised by:</b>	Gaylene Kanawa, Democracy Manager

## 1. Staff recommendations

### Tuutohu-aa-kaimahi

**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:**

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>Item PEX 1</b> <b>Minutes from meeting held on Tuesday, 9 April 2024.</b> <b>Item PEX 2</b> <b>Actions Register</b>	<b>Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987</b>  <b>Section 48(1)(a)</b>	
<b>Item PEX 3.1</b> <b>Development Agreement - Completion Report May 2024</b>		
<b>Item PEX 3.2</b> <b>Development Agreement Status Update - June 2024</b>		

<b>Item PEX 3.3 Development Contributions Payment Plan Update - May 2024</b>	
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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:

<b>Item No.</b>	<b>Section</b>	<b>Interest</b>
<b>Item PEX 1 Minutes from meeting held Tuesday, 9 April 2024.</b>		Refer to the previous Public Excluded reason in the agenda for this meeting.
<b>Item PEX 2 Action Register</b>		
<b>Item PEX 3.1 Development Agreement - Completion Report May 2024</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a persons commercial position.</b>
<b>Item PEX 3.2 Development Agreement Status Update - June 2024</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a persons commercial position.</b>
<b>Item PEX 3.3 Development Contributions Payment Plan Update - May 2024</b>	<b>7(2)(b)(ii)</b>	<b>To protect information that would otherwise unreasonably prejudice a persons commercial position.</b>

## **2. Attachments**

### **Ngaa taapirihanga**

None