

Agenda for a meeting of the Development Agreements Committee to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 12 JUNE 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 Tuesday, 9 May 2023 3

5. EXCLUSION OF THE PUBLIC 9

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CHIEF EXECUTIVE

Development Agreements Committee

Reports to:	Council
Chairperson:	Mr Peter Stubbs
Deputy Chairperson:	Cr Janet Gibb
Membership:	Her Worship the Mayor Deputy Mayor Carolyn Eyre Cr Peter Thomson Cr Eugene Patterson Independent member (to be appointed)
Meeting frequency:	As and when required
Quorum:	A majority of members (including vacancies).

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:

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 1 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.

To	Development Agreements Committee
Report title	Confirmation of Minutes
Date:	Monday, 29 May 2023
Report Author:	Elizabeth Saunders – Democracy Advisor
Authorised by:	Gaylene Kanawa – Democracy Manager

1. Purpose of the report

Te Take moo te puurongo

To confirm the minutes for a meeting of the Development Agreements (DAC) Committee held on Tuesday, 9 May 2023.

2. Staff recommendations

Tuutohu-aa-kaimahi

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

3. Attachments

Ngaa taapirihanga

Attachment 1 – DAC Minutes – Tuesday, 9 May 2023.

MINUTES for a meeting of the Development Agreements Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia held on **TUESDAY, 9 MAY 2023** commencing at **1.30pm**.

Present:

Mr P Stubbs (Chairperson)
Her Worship the Mayor, Mrs JA Church
Cr E Patterson
Cr P Thomson

Attending:

Ms A Diaz (Chief Financial Officer)
Mr C Morgan (General Manager – Community Growth) – from 1.42pm
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)
Mr G Akehurst (Market Economics)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Patterson/P Thomson)

That the Development Agreements Committee:

- a. **accepts the apologies for non-attendance from Cr Gibb and Cr Eyre.**

CARRIED

DAC2305/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs P Thomson/Patterson)

THAT the agenda for a meeting of the Development Agreements Committee held on Tuesday, 9 May 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;**
- b. **in accordance with Standing Order 9.12 the Committee resolves that the following item be added to the agenda as a matter of urgency as advised by the Chairperson and the Chief Executive:**

Agenda Item 3 – Appointment of Independent Member; and

- c. **all reports be received.**

CARRIED

DAC2305/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

Appointment of Independent Member:
Agenda Item 3

It was discussed by the Committee the possibility of having Mr Greg Akehurst appointed as the other independent member for the the Committee as per the terms of reference. It was confirmed that this needed to be approved by a recommendation to Council and therefore whilst Mr Akehurst was in attendance he could not vote at this meeting, however he would be accorded speaking rights for the meeting.

Resolved: (Mr Stubbs/Cr P Thomson)

THAT the Development Agreements Committee recommends to Council:

- a. **the appointment of Mr Greg Akehurst (Market Economics) to the Development Agreements Committee.**

CARRIED

DAC2305/03

EXCLUSION OF THE PUBLIC

Agenda Item 4

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 Agreements Process in Waikato District and Status of Agreements	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 Update –Pokeno		
Item PEX 2.3 Development Agreement Update – Mid Waikato		
Item PEX 2.4 Development Contribution Objection		
Item PEX 2.5 Development Agreement, Infrastructure Acceleration Fund, Ngaruawahia		

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 Agreements Process in Waikato District and Status of Agreements	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.
	7(2)(j)	To prevent use of the information for improper gain or advantage.
Item PEX 2.2 Development Agreement Update – Pokeno	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 2.3 Development Agreement Update – Mid Waikato	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 2.4 Development Contribution Objection	7(2)(g)	To protect legally privileged information.
	7(2)(j)	To prevent use of the information for improper gain or advantage.
Item PEX 2.5 Development Agreement, Infrastructure Acceleration Fund, Ngaruawahia	7(2)(g)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.

CARRIED

DAC2305/04

Resolutions DAC2305/05 to DAC2305/10 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 2.40pm.

Minutes approved and confirmed this day of 2023.

Mr Peter Stubbs
CHAIRPERSON

Unconfirmed

To | **Development Agreements Committee**

Report title | **Exclusion of the Public**

Date: | Tuesday, 6 June 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 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 Committee 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 protect information that would otherwise unreasonably prejudice a person's commercial position
Item PEX 2.2 Horotiu Bridge Road Pedestrian Crossing	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
Item PEX 2.3 Development Agreement Status Update	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
Item PEX 2.4 Development Agreements Committee 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.

2. Attachments

Ngaa taapirihanga

There are no attachments for this report.
