

Agenda for a meeting of the Development Agreements Committee to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaaruawaahia on **WEDNESDAY, 6 SEPTEMBER 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, 24 July 2023 3

5. EXCLUSION OF THE PUBLIC 8

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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 Mr Greg Akehurst (Independent Member)
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, 28 August 2023
Report Author:	Elizabeth Saunders – Senior 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 Monday, 24 July 2023.

2. Staff recommendations

Tuutohu-aa-kaimahi

THAT the minutes for a meeting of the Development Agreements Committee held on Monday, 24 July 2023 be confirmed as a true and correct record.

3. Attachments

Ngaa taapirihanga

Attachment 1 – DAC Minutes – Monday, 24 July 2023.

MINUTES for a meeting of the Development Agreements Committee held in Committee Rooms 1 & 2, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 24 JULY 2023** commencing at **9.30am.**

Present:

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

Attending:

Cr M Keir
Cr K Ngataki
Cr V Reeve
Ms A Diaz (Chief Financial Officer)
Mr W Gauntlett (Growth & Analytics Manager)
Ms H Coalter (Infrastructure Development Manager)
Ms K Nicholson (Infrastructure Development Manager)
Mr R Cooper (Growth Funding Officer)
Mrs T Forsyth (Growth Funding Officer)

Ms E Saunders (Democracy Advisor)

APOLOGIES AND LEAVE OF ABSENCE

There were no apologies.

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Cr Gibb/Cr P Thomson)

THAT the agenda for a meeting of the Development Agreements Committee held on Monday, 24 July 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

DAC2307/01

DISCLOSURES OF INTEREST

Her Worship the Mayor, Mrs JA Church declared a non-financial conflict of interest in relation to Item PEX2.3 – Development Agreement, Next Construction.

CONFIRMATION OF MINUTES

Resolved: (Her Worship the Mayor, Mrs JA Church/Cr Gibb)

THAT the minutes for a meeting of the Development Agreements Committee held on Monday, 14 June be confirmed as a true and correct record.

CARRIED

DAC2307/02

EXCLUSION OF THE PUBLIC

Agenda Item 5

Resolved: (Cr P Thomson/Cr Gibb)

- 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 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 Agreements Status Update	7(2)(b)(ii)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 2.2 Development Agreement Key Principles – Final Draft	7(2)(b)(ii) 7(2)(g)	To enable negotiations to carry on without prejudice or disadvantage. To maintain legal professional privilege
Item PEX 2.3 Development Agreement – Next Construction	7(2)(b)(ii) 7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage. To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 2.4 Development Agreement – Da Silva Builders	7(2)(b)(ii) 7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage. To enable negotiations to carry on without prejudice or disadvantage.

CARRIED

DAC2307/03

Resolutions DAC2307/04 to DAC2307/08 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 11.00am.

Minutes approved and confirmed this day of 2023.

Mr Peter Stubbs
CHAIRPERSON

To | **Development Agreements Committee**

Report title | **Exclusion of the Public**

Date: | Monday, 28 August 2023

Report Author: | Elizabeth Saunders, Senior 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 - Finalisation		
Item PEX 2.3 Approval of Development Agreement - Horotiu		

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 2.4 Development Contribution Payment Plans	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX2.5 Request for Development Contribution Payment Plan - Pookeno		
Item PEX2.6 Request for Development Contribution Payment Plan - Tamahere		

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 - Finalisation	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 Approval of Development Agreement - Horotiu	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 No.	Section	Interest
Item PEX 2.4 Development Contribution Payment Plans	7(2)(g)	To maintain legal professional privilege
Item PEX 2.5 Request for Development Contribution Payment Plan - Pookeno	7(2)(b)(ii) 7(2)(a)	To protect information that would otherwise unreasonably prejudice a person's commercial position To protect a persons privacy
Item PEX 2.6 Request for Development Contribution Payment Plan - Tamahere	7(2)(b)(ii) 7(2)(a)	To protect information that would otherwise unreasonably prejudice a person's commercial position To protect a persons privacy

2. Attachments Ngaa taapirihanga

There are no attachments for this report.
