
Agenda for a meeting of the Development Agreements Committee to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaaruawaahia on **TUESDAY, 9 APRIL 2024** 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 Wednesday, 29 November 2023 3

5. REPORTS

- | | | |
|-----|--|---------------|
| 5.1 | Chairpersons Update | <i>Verbal</i> |
| 5.2 | Proposed User-pays Framework – Infrastructure Development Manager Services | 10 |
| 5.3 | Definitions Clarification: Retirement Village; Rest Home and Lifestyle Village | 50 |
| 5.4 | Update on Development Contributions Policy Review | 54 |

6. EXCLUSION OF THE PUBLIC

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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: Bi-monthly

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:

2. 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.

3. To determine an approach for objection or other proceedings on Council's Development Contributions Policy.
4. 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.
5. To recommend to Council any development agreement where infrastructure budgets are not currently allowed for in the Long-Term Plan.
6. 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:	Tuesday, 2 April 2024
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 Wednesday, 29 November 2023.

2. Staff recommendations

Tuutohu-aa-kaimahi

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.

3. Attachments

Ngaa taapirihanga

Attachment 1 – DAC unconfirmed minutes 231129

MINUTES for a meeting of the Development Agreements Committee held in Committee Rooms 1 & 2, District Office, 15 Galileo Street, Ngaaruawaahia on **WEDNESDAY, 29 NOVEMBER 2023** commencing at **1.00pm**.

Present:

Mr P Stubbs (Chairperson)
Mr G Akehurst (Independent Member)
Her Worship the Mayor, Mrs JA Church – *from 1.10pm*
Cr J Gibb
Cr E Patterson
Cr P Thomson

Attending:

Cr M Keir – *until 1.27pm*
Mrs H Coalter (Growth & Analytics Manager)
Ms K Nicholson (Infrastructure Development Manager)
Ms A Plumpton (Growth Funding Team Leader)
Mrs T Forsyth (Growth Funding Officer)
Ms E Saunders (Senior Democracy Advisor)
Mr P Mwene (Infrastructure Development Manager)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Mr P Stubbs/Cr Gibb)

THAT the Development Agreements Committee accepts the apologies from:

- a. **Cr C Eyre & Mr W Gauntlett (Community Growth General Manager) for non-attendance.**
- b. **accepts the apology from Her Worship the Mayor, Mrs JA Church for lateness.**

CARRIED

DAC2311/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Mr P Stubbs/Cr Gibb)

THAT the agenda for a meeting of the Development Agreements Committee held on Wednesday, 29 November 2023 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.

CARRIED

DAC2311/02

DISCLOSURES OF INTEREST

There were no disclosures of interest

CONFIRMATION OF MINUTES

Resolved: (Mr P Stubbs/Cr P Thomson)

THAT the minutes for a meeting of the Development Agreements Committee held on Tuesday, 24 October 2023 be confirmed as a true and correct record, with the following amendments:

CARRIED

DAC2311/03

REPORTS

Fragmented Land Project
Agenda Item 5.1

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

- It was queried whether the developer will always have to come up with 100% of the costs for every single option or if Council will have to contribute as well? It was confirmed that it would not always be the developer liable for 100% as it would depend on the development and whether there was existing infrastructure, or a requirement to construct trunk infrastructure that would benefit more than the individual development etc.

- It was queried whether this project related to land that had no existing infrastructure. It was confirmed that this was indeed the case. It was further clarified by the Growth & Analytics Manager that staff (through the Consultants Veros who are appointed to undertake this work) are currently looking at the different scenarios for development and creating a “decision tree” so any queries that come in can be answered.
- It was confirmed that the final report will be presented at the first Development Agreement Committee meeting for 2024 with a discussion being held offline beforehand to determine the approach.

ACTION: The Growth & Analytics Manager to meet offline with the Chairperson to determine how best to present the report back to the Development Agreements Committee.

- It was noted that the lot sizes of the properties in this report are 900 to 1000sqm which are too small for onsite wastewater management and any housing would need to be connected to the reticulated network. It was further noted that the lots wouldn't meet the residential density targets for the zoning.
- It was noted that whilst the lots identified and used as an example in this report are Tuakau based this is a project that goes across the district. The scenarios vary across the district and it was further noted that there are several different scenarios in this report that also includes unformed roads.
- It was queried whether this project considers the viability of development when land is subdivided and it was noted that Veros will be contacted for further discussions to ensure this is captured.

ACTION: The Growth & Analytics Manager to have further discussion with Veros and determine the scope and feasibility of the development to provide clarification for the Committee.

Resolved: (Mr P Stubbs/Cr Patterson)

THAT the Development Agreements Committee receives the Fragmented Land Project report.

CARRIED

DAC2311/04

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 P Stubbs/Her Worship the Mayor, Mrs JA Church)

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:

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 1 – Confirmation of Minutes – 24 October 2023	Refer previous agenda for reasons.	
Item PEX 2 – Actions Register	Refer previous agenda for reasons.	
Item PEX 3.1 2024 DC Policy Review – Assessment of Retirement Villages	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 3.2 Development Agreement for Tamahere Country Club		
Item PEX 3.3 Development Agreement Completion Report		
Item PEX 3.4 Development Agreement Summary – November 2023		

- 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 – 24 October 2023		Refer previous agenda for reasons.
Item PEX 2 Actions Register		Refer previous agenda for reasons.
Item PEX 3.1 2024 DC Policy Review – Assessment of Retirement Villages	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a persons commercial position.
Item PEX 3.2 Development Agreement for Tamahere Country Club	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a persons commercial position.
Item PEX 3.3 Development Agreement Completion Report	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a persons commercial position.
Item PEX 3.4 Development Agreement Summary – November 2023	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a persons commercial position.

CARRIED

DAC2311/05

Resolutions DAC2311/06 to DAC2311/10 are contained in the public excluded section of these minutes.

It was resolved [Resolution No. DAC23 I I/07] during the public excluded section of the meeting that the following resolution be released into the open meeting but the report should remain confidential and unavailable to the public:

2024 DC Policy Review, Assessment of Retirement Villages
PEX Agenda Item 3.1

Resolved: (Mr P Stubbs/Cr P Thomson)

THAT the Development Agreements Committee:

- a. approves that staff progress the inclusion of the following matters into the Draft 2024 Development Contributions Policy:
 - i. the trigger for the assessment of development contributions for retirement villages be at building consent stage; and
 - ii. revised demand figures for retirement villages that are intended to better reflect the demand this development places on new council infrastructure; and
- b. notes that staff will bring the full Draft 2024 DC Policy to the Committee or Council in early 2024 to seek approval to consult alongside the 2024 to 2034 Long Term Plan; and
- c. resolves to release the resolutions into the open meeting, but the report remain confidential and unavailable to the public.

CARRIED

Having resumed the open meeting and there being no further business the meeting was declared closed at 2.15pm.

Minutes approved and confirmed this 29th of November 2023.

Mr Peter Stubbs
CHAIRPERSON

To	Development Agreements Committee
Report title	Proposed User-Pays Framework for Infrastructure Development Manager Services
Date:	9 April 2024
Report Author:	Hazel Coalter, Growth & Analytics Manager
Authorised by:	Will Gauntlett, General Manager Community Growth

1. Purpose of the report

Te Take moo te puurongo

To inform the Development Agreement Committee (the Committee) of the Premium Service Feasibility Report prepared on behalf of Council by Deloitte Limited, specifically the aspects of the report relating to the Infrastructure Development Manager services, which are currently funded by general rates (that is, all ratepayers fund this service, rather than those that directly benefit).

AND

Propose a pathway for the Infrastructure Development Manager services to become user-pays in line with Council's "growth funds growth" approach.

2. Executive summary

Whakaraapopototanga matua

This report discusses the provision of the Infrastructure Development Manager (IDM) services, and how they play a crucial role in supporting significant developers within the district.

In the current fiscal environment Council must ensure that, where reasonable and relevant, the costs associated with supporting development are recovered. Presently the costs of these roles financially sit with the ratepayer, in a time where rates are increasing significantly during a cost-of-living crisis.

There is a need to consider aligning the funding of these services with beneficiaries, to adhere to the Council's "growth funds growth" approach.

The report proposes a transition to a cost-recovery model, ensuring that those who directly benefit from the IDM services contribute to the cost of providing them.

The proposed charging framework aims to transition existing customers of the IDM services to funding agreements by 1 September 2024, offering them the choice to opt-in or opt-out, based on their continued desire for the service.

To enhance transparency, the report suggests incorporating wording regarding charges for the IDM service within the anticipated 2025 – 2034 Long-Term Plan. This approach ensures that future customers are fully informed of the financial implications and have the option to seek the service accordingly.

Staff have undertaken an options assessment and recommend **option two**. The contents and recommendations of this report have been assessed as having low significance.

3. Staff recommendations Tuutohu-aa-kaimahi

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.**

4. Background Koorero whaimaarama

When the IDM roles were re-scoped in 2022, and the full-time equivalent roles increased from one to three, staff undertook to investigate making some or all of the costs of running the service recoverable from those who benefit from the services.

In 2023, staff engaged Deloitte to explore the feasibility of establishing the IDM roles as a user-pays service. Staff additionally sought Deloitte to explore a premium pricing regime for resource and building consenting services. The summary document prepared by Deloitte is provided as **Attachment 1**.

Council provided Deloitte with contact details for five of the significant developers in the district who have experience engaging with the IDM, Resource Consents and Building Consents Teams.

Deloitte staff held workshops with each of the developers, through which they investigated:

- Their perception of the current state arrangements including any pain points;
 - Their appetite for, and potential features and benefits of a premium service; and
 - Alternative premium charging mechanisms.
-

The overarching theme that emerged from the stakeholder engagement was that a premium service may not be required if Council can make improvements to ease current pain points within the resource and building consents space. Notwithstanding the overall feedback, stakeholders appreciated the level of IDM services they receive.

The attached summary report has been considered by the General Managers of Community Growth (responsible for IDM) and Customer Support (responsible for resource and building consents). The report highlighted some of the challenges that customers have been facing in the development space when seeking resource and building consents. The material from this work is being used to inform improvements in customer engagement in these areas and is not the focus of this report.

This report focusses on the IDM services and the potential for this to become cost recoverable.

5. Discussion and analysis

Taataritanga me ngaa tohutohu

The stakeholders provided positive feedback in relation to the IDM services they receive.

Notwithstanding a funding agreement in place with one developer, the Council does not currently recover the cost of providing the IDM services. Those developers that do have the benefit of the services have all been engaging with Council for a long time and most of which have a development agreement. One of the Council's guiding principles is 'growth funds growth' which would suggest that the role of an IDM, which is primarily focused on assisting private developers, through the facilitation of delivering enabling infrastructure, should be cost recoverable.

The services that the IDMs offer to customers is beyond negotiating and managing development agreements. The services the IDMs provide, include a holistic consideration of the impact of the proposed development on the wider community and associated network infrastructure, noting though that this consideration is outside of and separate to the regulatory consenting processes.

The roles have evolved to engage with customers at any point along the development timeline, be that at inception or to complete the delivery of the development and, at times, beyond development completion. The IDM team are cognisant of the regulatory roles and responsibilities that Council has, and their roles do not influence or interfere with those functions.

A few examples of the services that the IDMs provide are:

- Acting as a key liaison point within Council for the development team and its agents regarding land development and infrastructure provision outside of the consenting process;
 - Coordinate activities of council engineers, planners, consultants and project managers in respect of the specific project;
 - Be a conduit between Council and the developer, to build effective communication, strengthen collaboration and support the provision of comprehensive and integrated infrastructure, planning and funding solutions in respect of a specific project.
 - Assistance in vesting complex infrastructure assets;
-

- Enabling multi-party land acquisition agreements to enable trunk infrastructure;
- Support developers to consider, and apply for, alternative funding mechanisms.

Key findings specific to the IDM Services

Deloitte found that the interviewed stakeholders spoke very highly of the services provided by the IDM roles and, because of this, discussion was limited as there was a desire to spend more time focusing on the areas within the development process that they felt required improvement.

A summary from Deloitte specific to the IDM roles is shared below:

- *Stakeholders we spoke to held the IDM team (and the IDM service) in high regard and had a reasonably high degree of satisfaction with the level of service they received from that team.*
- *WDC currently has the ability to introduce IDM fees through Developer Agreements, we understand significant time is spent by the IDM team outside of the scope of these agreements (such as up-front consultation with developers and liaising with other Council departments).*
- *Because the IDM service is not currently on-charged to users, this cost is falling on ratepayers. As such it can be said that the current IDM pricing structure (or lack thereof) is not aligned with Council's 'growth funds growth' policy*
- *In the absence of a user-pays element to recover the cost, or at least subsidise a portion of the cost, Council may not be in a position to maintain the level of service provided, let alone continue to invest in strengthening the service further.*
- *A range of charge-out options could be explored (such as an hourly charge, fixed fees, or monthly retainers), the choice of which would need to be informed by financial modelling that considers various factors including:*
 - *Demand for the service;*
 - *Team composition and cost; and*
 - *Level of recovery (i.e. what proportion of the service is required to be recovered via the charge?).*

Anticipated challenges in charging for the IDM roles

All stakeholders that participated in the workshops with Deloitte have had the benefit of the IDM services at no charge. They have already been enjoying the high level of service from the team. Deloitte have commented that we may face some challenges introducing a fee for the IDM service:

- *It may be met with expectations of the service improving further.*
 - *While stakeholders recognise the differing roles and responsibilities of each of the teams responsible for individual aspects of the consenting process, they view Council as their stakeholder. They may be less likely to agree to any additional charges related to the IDM service, unless they can see improvements in other parts of the process.*
-

Council currently has the ability to agree on a client-by-client basis to enter into a funding agreement to cover the costs associated with the IDM role on a specific project. The challenges with this are:

- It is an unknown cost for the developer;
- An agreement must be negotiated every time;
- The costs of negotiating the funding agreement are often not covered;
- There is no transparency for the developer that this applies to all, and may feel like they are singled out, or that others are getting the same services at no cost;
- Often an IDM has already invested a considerable amount of time with the customer before it is clear that a long-term relationship is required.

Proposed charging framework

There are assumptions in the proposed 2024/25 Annual Plan that the IDM roles will generate revenue through the 2024/25 financial year.

Staff have explored the various options for establishing a method to charge for this service, that reflects similar charging methods already used within the organisation.

It would be useful to Council staff, and beneficial to customers, to make the charging framework transparent. This could be achieved through inclusion in the council's fees and charges schedule. While it is not a legislated charge (instead being proposed to be charged via a funding agreement), the fees and charges schedule is a sensible document to make reference to the charging regime.

This service is an opt-in / opt-out offering for developers, which until now has been free whilst the roles were establishing, and scope defined.

Initially, the IDM services were directed at those customers who required, or already had a development agreement with Council, often which set out requirements on both parties to have regular project meetings to ensure the obligations of the development agreement were being met. The increasing demand for IDM services has driven the role of an IDM to evolve over time. Through the establishment of the roles and integration with the wider organisation, the roles have taken on an extended scope, that includes projects and activities that do not fit business as usual aspects of a team, or the relevant team has not had the resource capacity to deliver.

The following is suggested wording to be considered for inclusion in the fees and charges schedule. The final wording will be informed and adjusted over the coming months through legal consideration and the Long Term Plan process.

Infrastructure Development Manager Service

Council offers an IDM service. The use of the IDM service is voluntary and offered only to select developers, or significant developments, as determined by the Community Growth General Manager where the development:

- *Is large or complex;*
 - *Will be delivered over an extended period;*
 - *May involve more than one subdivision and/or land use consent;*
-

- *May involve significant infrastructure;*
- *May involve the delivery of infrastructure beyond the boundary of the subject development;*
- *May involve the delivery of infrastructure that serves a larger catchment than the subject development;*
- *Is likely to involve the Council in significant engagement, negotiation and investigation;*
- *May require the parties to enter into development agreement.*

The engagement of the council's IDM service can be requested by, or offered to, the customer, on the agreement to enter into a funding agreement for the services. Accepting the request is at the discretion of the Community Growth General Manager. The minimum fee to engage and use the IDM service includes an upfront deposit of \$20,000, with the scope and length of engagement of the IDM service determined by agreement between parties and set out in a funding agreement.

Where the IDM service is engaged and the development requires the preparation of a development agreement, the costs associated with this will form part of the IDM Service.

Upfront deposit and funding agreement

The upfront deposit is a similar approach to the council's method of charging for a resource consent. The deposit is consumed by staff prior to any monthly charging commencing. The same approach would be taken with the IDM Services.

It is considered that the use of a deposit:

- Is a good way to acknowledge customer buy-in and engagement with the service;
- Limits the extent of time invested by the IDM team prior to funding commencing;
- Ensures that customers are focused on working quickly and efficiently towards finalising a funding agreement.

The upfront fee suggested above of \$20,000 requires further consideration and understanding through financial modelling yet to be completed. Further investigation is required to understand the viability of the roles being *fully* cost recoverable.

Deloitte will undertake financial modelling which will:

- Calculate the total cost of the IDM Service;
- Calculate the revenue potential (based on assumptions around chargeable hours and charge out rates); and
- Undertake scenario analyses for different fee structures (i.e. a fixed monthly fee, hourly rates, or combination of fixed fee upfront and hourly rates thereafter).

This will inform staff to determine a preferred charging framework, followed by engagement with the developers who currently utilise the service.

There may be times that a customer seeks the use of the IDM Service, however circumstances result in their development not proceeding. Should this be the case, the ability to terminate the IDM Services will be built into the funding agreement.

Further contemplation is required to understand whether the funding agreement should enable the potential for other staff costs to be recoverable where a project demands extraordinary input, in agreement with the developer.

It is intended to create a proforma funding agreement. This can be readily available for customers to consider prior to applying to use the IDM service. This will keep transparency high, will assist customers in conceptualising the mechanisms and impacts of the commercial arrangements, what kinds of services they can expect, and concomitant charging structures.

Both the proforma funding agreement and the outcome of the financial modelling will be presented to the Committee with recommendations before the IDM team commence engagement with existing customers.

5.1 Options

Ngaa koowhiringa

Staff have assessed **two** options for the Development Agreement Committee to consider. This assessment reflects the level of significance (see paragraph 6.1) and the engagement that has been undertaken at this time, with the developer community that are beneficiaries of the IDM Services. The options are set out below.

Option 1: Status quo.
<p>Council could continue to have the IDM services funded by the ratepayer. The roles are aligned with the vision and values of the Council and although they are focused on growth opportunities and supporting the significant developers in the district, the outcome of the roles is improving the Council's relationship with developers, and how they view working with Council. The outcomes of partnering and supporting the developers in this way is improved infrastructure and services for current and future communities.</p> <p>RISK: the community disagree that rates are used to support roles of this nature. This could result in the need to re-evaluate services that have improved the way in which Council partner with the development community.</p>
<p>Option 2: Agree that the IDM services are user-pays: (<u>recommended</u>)</p> <ul style="list-style-type: none"> • Engage with all existing IDM customers informing of the changes and seek feedback, • Prepare and agree with the Committee the funding agreement format, applicable fees and charging; • Transition all existing customers, who wish to retain use of the IDM services, by 1 September 2024; • Add the IDM service, for transparency, to the fees and charges schedule for 2025/26 in conjunction with the LTP.

With Committee approval and support for the IDM services to transition to user-pays, this option provides staff with the ability to inform and consult with the customers, particularly given that, currently, they benefit from this service free of charge.

RISK: This approach is considered to allow for appropriate engagement, with the opportunity for feedback, from the IDM customers who currently benefit from this service for free.

Staff recommend option two.

This is because option two approves, in principle, the move to the IDM services being user-pays and enables the greatest ability to be transparent in engaging with the developer community who currently use the service. Additionally, it includes timeframes for a transition of all existing customers to transition to a funding agreement.

5.2 Financial considerations

Whaiwhakaaro puutea

In the current fiscal environment Council must ensure that, where reasonable and relevant, the costs associated with supporting development are recovered. Presently the costs of these roles financially sit with the ratepayer.

The Deloitte report has undertaken two of the three parts of the scope originally set out. The Growth and Analytics Team have remaining budget to approve the third part of the scope, being financial modelling. This can be solely focused on the IDM Service, to provide the knowledge required to determine the appropriate monetary deposit to engage in the IDM Service.

The 2024/25 Annual Plan includes financial assumptions that the IDM services will generate revenue through cost recovery in the 2024/25 financial year. Imposing a 1 September 2024 deadline for transition to a funding agreement for all existing IDM customers, will ensure that some revenue is collected this financial year by the IDM Service.

Transparency with the developer community that the service is changing is considered sufficient, with all new customers being advised of the changes at initial contact.

5.3 Legal considerations

Whaiwhakaaro-aa-ture

Staff have engaged with the Council's Legal Team on this matter who are currently contemplating whether there are any legal implications associated with the commencement of charging for the IDM Service.

A summary of the legal advice will be provided verbally at the Committee meeting on 9 April 2024. This may need to be during the Public Excluded part of the meeting if it is considered that legal privilege needs to be maintained.

The legal advice will confirm whether the proposed changes to the IDM services complies with the Council's legal and policy requirements.

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. Supporting the recommendation to commence recovering the costs for the IDM service aligns with the vision and values of the Council.

The recommendations of this report enhance Council's economic community outcome of supporting local prosperity by ensuring that there is a fair, equitable, transparent, and balanced approach to the utilisation of Council resources. By on-charging IDM services to direct beneficiaries, Council's 'growth funds growth' model and strategic priority of supporting sustainable growth in our local economy is given effect to.

5.5 Maaori and cultural considerations

Whaiwhakaaro Maaori me oona tikanga

Supporting the recommendations of this report has no known direct impact on Maaori or cultural considerations.

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

As discussed in the options section 5.1, the recommended **option two** presents low risk with transitioning the IDM service to user-pays.

6. Significance and engagement assessment

Aromatawai paahekoheko

6.1 Significance

Te Hiranga

The decisions and matters of this report are assessed as of **low significance**, in accordance with the Council's [Significance and Engagement Policy](#). Currently, the cost of providing the IDM service is borne by the ratepayer. The changes proposed in this report will remove the burden of cost from the ratepayer and transfer it to the developer who is the direct beneficiary of the service.

6.2 Engagement Te Whakatuutakitaki

Highest level of engagement	Inform <input type="checkbox"/>	Consult <input checked="" type="checkbox"/>	Involve <input type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <input type="checkbox"/>
<p>As part of the brief, Deloitte consulted with five major landowners/developers within the district. Council staff initially sought permission from the developers to provide Deloitte with their contact details for the purposes of discussing with them how they had found the service with the IDM team, Resource Consent Team and Building Consent Team as part of the overall development process with Council.</p> <p>Further consultation is an outcome of this report.</p>					

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

Planned	In Progress	Complete	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Internal
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Community Boards/Community Committees
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waikato-Tainui/Local iwi and hapuu
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Communities
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Businesses
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other: Planned = all current IDM customers, In progress = the five IDM customers who participated in the Deloitte workshops.

7. Next steps Ahu whakamua

Staff can commence the engagement with all current IDM customers:

- Providing a copy of the Deloitte report;
- Providing a copy of the resolutions from this meeting;
- Commence transitioning the customers to a funding agreement for the IDM Services by 1 September 2024, where they seek to continue benefiting from the service;

- Draft, with the Council's Legal Team, the funding agreement for approval by the Committee;
- Seek feedback on the wording proposed for the fees and charges schedule.

In addition to the above it is acknowledged that the work undertaken by Deloitte raised other matters in relation to the level of service provided in other parts of the development timeline.

The IDM team will coordinate with the General Manager Customer Support to understand proposed responses to the identified areas for improvement within the resource and building consents processes. It is anticipated that stakeholders would ask for this as part of their response to changes to the IDM service, even if the charging is specific to the IDM role.

8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

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

The report fits with Council's role and Development Agreement Committee Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (<i>Section 5.1</i>).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (<i>Section 6.1</i>).	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 (<i>Section 6.2</i>).	Confirmed
The report considers impact on Maaori (<i>Section 5.5</i>)	Confirmed
The report and recommendations are consistent with Council's plans and policies (<i>Section 5.4</i>).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities (<i>Section 5.3</i>).	Confirmed

9. Attachments Ngaa taapirihanga

Attachment 1 – Deloitte Premium Service Feasibility Report Summary



Waikato District Council Premium Service Feasibility Report (Phase 1 and 2)

Corporate Finance | 21 March 2024



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Important Notice

This report is strictly private and confidential to the Recipient Parties (as defined in the Agreement dated 6 June 2023 (the "Agreement")).

Save as expressly provided for in the Agreement, the report must not be recited or referred to in any document, or copied or made available (in whole or in part) to any other party.

We accept no responsibility or liability for the contents of the report to any other party.

For your convenience, this report may have been made available to you in electronic and hard copy format. Multiple copies and versions of this report may, therefore, exist in different media. Only a final signed copy should be regarded as definitive.



Hazel Coalter
Growth & Analytics Manager
Waikato District Council
15 Galileo Street
Ngāruawāhia
WAIKATO 3720

21 March 2024

Dear Hazel,

Premium Pricing Regime Feasibility Study

You have instructed Deloitte to assist Waikato District Council (**you**, the **Client**, or **WDC**) regarding the feasibility of establishing a premium pricing regime for development services, resource consents and building consents (the **Project**).

For full details of the agreed scope of work, and an understanding of the terms and restrictions of our work, refer to our engagement agreement dated 6 June 2023 (the **Engagement Agreement**).

This document presents a summary of our views and is not intended to be exhaustive. It provides key themes addressed by interviews with selected stakeholders, as identified by you. We would be pleased to discuss the report and proposed next steps with you.

Yours sincerely

[FINAL DRAFT]

Muhammad Cajee

Partner

for Deloitte Limited (as trustee for the Deloitte Trading Trust)

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Project Overview

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Project Overview | Overview

Stakeholder feedback sessions identified a number of improvement areas to the current service which, if implemented successfully, may remove the need for a premium service. That said, there may be merit in introducing a charge for the IDM service

Introduction

- Waikato District Council (**WDC**) routinely provides property development services to developers and has the authority to charge fees for this.
- WDC have a Resource Consents team, Building Consents team and a more specialised Infrastructure Development Management service. WDC does not currently charge any fee for specialised services provided to high priority or otherwise large scale developers, and is exploring the possibility of introducing a premium pricing regime.
- In order to assist in WDC's decision whether or not to proceed with implementing a premium service offering, you have asked Deloitte to assess the feasibility of such a service.
- Our scope envisaged three key phases of work (as outlined below), being Discovery, Stakeholder Engagement, and Financial Modelling.
- The scope was designed in this way to test the appetite of the market for such a service, and if warranted, proceed towards more detailed financial analysis to understand the overall feasibility.

Introduction cont.

- Following the completion of the first two phases, it became evident that while there was generally positive sentiment from customers towards the concept of a premium service, the same stakeholders also identified a number of areas in which the current service could be developed or improved. Stakeholders suggested that if these service improvements were implemented effectively, it may remove the need for any premium service.
- Given the above feedback, it was agreed with Hazel Coalter (WDC Growth and Analytics Manager) that rather than proceeding with Phase 3 (developing a financial model for the proposed premium service), we would instead consolidate the stakeholder feedback into a series of themes with associated recommendations that WDC may consider implementing to enhance the current base service (and therefore potentially negate the demand for a separate premium service). While a mix of positive feedback and suggested improvements was provided by stakeholders, we have focused primarily on highlighting the identified improvement areas. Any emphasis of positive or negative feedback to any particular Council service is reflective of the feedback of stakeholders
- Depending on the success (or otherwise) of implementing the identified improvements, WDC may choose to revisit the project and proceed with phase 3 of the original scope at a later stage.

Scope and approach

1 | Discovery

2 | Stakeholder Engagement

3 | Options and Financial Model

Objectives

To understand the current state environment in terms of services delivered, workflow processes, team composition and charging structures (if any).

Meet with selected stakeholders to understand their needs, and the desired purpose and outcomes sought from a proposed premium service.

Develop a dynamic high-level financial model that will allow you to validate the financial feasibility of the proposed service and test the sensitivity to changes in key assumptions.

We are
here



Project Overview | Approach

Approach

- As noted previously, our work to date has focussed on two phases

Phase 1: Discovery

Objective:

- Understand the current state environment in terms of services delivered, workflow processes, team composition and charging structures (if any).

Activities:

- Facilitated a workshop (held on 16 June 2023, at WDC) with key representatives of relevant Council teams to understand the role of each team and their perspective on both the current state situation as well as the potential features of a premium service.
- Undertook desktop research to identify any premium service offerings across other Councils in NZ.

Phase 2: Stakeholder Engagement

Objective:

- Met with selected stakeholders to understand their needs, and the desired purpose and outcomes sought from a premium service.

Activities:

- Identified, based on recommendations made by WDC, five external stakeholders/customers and facilitated workshops with them to determine:
 - Perception of the current state arrangements including any pain points;
 - Appetite for, and potential features and benefits of a premium service;
 - Alternative premium charging mechanisms.
- The five parties we held workshops with are presented to the right and the full list of workshop questions are detailed in Appendix A2. Note, the workshop questions were used as a framework for the discussion. We did not request written responses to the questions.

Stakeholder

Overview

WINTON

Winton is a publicly listed large-scale development firm operating throughout New Zealand and Australia. Winton specialise in land developments, however have recently expanded into building with a focus on the retirement living sector. Currently Winton's portfolio comprises a portfolio of c. 6,500 units.

In 2020, Winton entered into a partnership with Kāinga Ora to deliver more than 1300 homes over a 7-8 year period through the Lakeside development project in Te Kauwhata.

ProperT

ProperT is a small company specialising in development management at the strategic and commercial stages and overseeing the delivery process.

ProperT works with most of the big developers in the region in commercial, industrial and residential properties. Additionally, ProperT offers M&A property services.



Da-Silva Builders specialise in residential property development throughout the North Island, delivering around 75 residential dwellings per year.

Da Silva builders have over 20 years' experience in residential property and almost 10 years in property development.



Next Construction was setup by Ben and Joel, two Waikato locals specialising in end-to-end project development.

Next has a team of 7 members with over 30 contractors and 5 large projects underway in the Waikato region, totalling over 300 houses in the district.



Dines Group specialise in land development projects offering civil engineering, construction and management services.

A joint venture between the Dines Group and Fulton Hogan is developing 200 hectares into mixed use residential property and an employment complex anchored by the Yashili Dairy Plant.



Executive Summary

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Executive Summary | Key Findings

The overarching theme that emerged from the stakeholder discussions was that a premium service may not be required if Council can make improvements to ease current pain points

Finding	Summary of Feedback	Recommendations/Conclusions
Communication	<ul style="list-style-type: none"> Although on the surface stakeholders appeared to be unhappy with the level of communication they received, those that had invested time to develop relationships with the relevant team leads at Council had a generally positive experience. Larger developers (relative to the group of developers we spoke to) seemed to be able to access more senior staff at Council, which likely also explains why they had better feedback. The feedback on the Infrastructure Development Management team was almost always good. It would be worth understanding what this team does differently (communication-wise), and whether some or all of those points of difference can be implemented in the other teams. 	<ul style="list-style-type: none"> Council may consider implementing a '24 hour response promise' for emails and voicemails. If a response to the customer's query requires more time, then an acknowledgement of the email or voicemail should still be sent to the customer within 24 hours, along with some indication of how Council is going to go about addressing the query. Over and above the standard communication protocols mentioned above, measures should be put in place to elevate issues and communicate them to customers as early as possible after they were identified. Finally, team leads should consider the merits of taking a more structured approach to allocating projects to team members. For example, a team member who has supported a customer on similar projects before may be better suited to assist that same customer with a similar new project. This will not only encourage better relationship building with the customer, but the consistency will help ensure that learnings from previous projects are not lost.
Workflow	<ul style="list-style-type: none"> We understand other councils (including Hamilton City and Auckland Council) currently offer parallel processing of applications. It may be worth introducing this initially for applications that are reasonably 'vanilla' or routine, and not expected to have any peculiar aspects requiring special consideration. There would be cost implications if applications failed to meet the required criteria and had already been looked at by other teams responsible for different stages of the process. While stakeholders were unanimous in their appetite to bear this risk, how that would manifest practically is not clear. This would need careful consideration by Council. 	<ul style="list-style-type: none"> Pre-application meetings are a useful mechanism which already is available to developers. Where possible, these should be utilised more frequently to identify potential gaps, agree on the 'critical path', and formulate a plan of working more closely together (including agreeing on the communication plan). Council should explore the possibility of standing up an online tracking application that developers could log into to view the status of their applications in real time (beyond the current building consent tracker). We have not done any research into this, but it could be that similar applications already exist and are being used by other councils, or organisations with similar process workflows. The online tracking application could also serve as a useful tool for Council staff members to stay up-to-date with an application, which in turn could help break down the 'silos' between the teams (whether real or perceived).



Executive Summary | Key Findings

The overarching theme that emerged from the stakeholder discussions was that a premium service may not be required if Council can make improvements to ease current pain points

Finding	Summary of Feedback	Recommendations/Conclusions
Ease of doing business	<ul style="list-style-type: none"> There is sometimes a disconnect in the mindset and culture of some Council staff, with respect to the role they play in enabling growth and economic development in the region. Developers were consistent in their views about the prospects of the region. If steps are not taken to improve the 'customer experience' however, developers will be more inclined to look for market opportunities elsewhere. 	<ul style="list-style-type: none"> Team leaders should ensure that the commercial reality and consequence of the decisions made by Council are clearly understood, and that developers are viewed as customers rather than applicants who need Council to approve their application. Council should also consider having staff accompany the developer on a site visit, particularly for very large or complex developments, so that issues can be understood from a different perspective early on.
Demand for a premium service	<ul style="list-style-type: none"> All developers agreed that they would be interested in subscribing to a premium service, but only if Council could guarantee or commit to an accelerated and/or fixed timeline across the various services. Some of the angst caused by processing delays could be mitigated by stronger communication processes, as described earlier on. 	<ul style="list-style-type: none"> Based on our knowledge of the processes and legislation that governs the consenting process, and Council's feedback we received as part of the initial workshop, we understand that Council is unlikely to be in a position to provide certainty of timelines to any customers. Nevertheless, if Council were to proceed in further investigating a premium service, any financial modelling should focus on the following key aspects: <ul style="list-style-type: none"> Features of the service; Eligibility criteria for the service (based on developer scale, track record, etc.); Potential volumes; Staffing/delivery structure (i.e. prioritisation of premium customers within existing teams vs. a dedicated premium team).



Executive Summary | Key Findings

Notwithstanding the overall feedback, stakeholders appreciate the level of IDM services they receive. How the associated IDM cost is currently funded, versus how it should be funded needs consideration

Finding	Summary of Feedback	Recommendations/Conclusions
IDM Service Charge	<ul style="list-style-type: none"> • The stakeholders we spoke to provided positive feedback in relation to the IDM services they received. These are large-scale developers who are directly contributing to the growth of the district, through greenfield developments. • Council does have a mechanism to recover the cost of providing the IDM service through unique funding agreements put in place with individual parties. • While the mechanism is useful, it is currently applied on a case-by-case basis. This means it is limited in its application, and therefore is unlikely to be sufficiently recovering the full cost of the IDM service. We understand that currently, there is only one developer with a funding agreement in place. • Furthermore, Council operates with a ‘growth funds growth’ policy, but under the current structure the cost of the IDM team facilitating this growth is being borne by ratepayers. • On this basis there is merit in exploring a pricing regime to recover some or all of the cost of providing the IDM service. Stakeholders may resist this on two grounds: <ul style="list-style-type: none"> - They are already enjoying a high level of service from the IDM team and not paying for it. Introducing a charge may be met with expectations of the service improving further; and - While stakeholders recognise the differing roles and responsibilities of each of the teams responsible for individual aspects of the consenting process, they view Council as their stakeholder. They may be less likely to agree to any additional charges related to say, the IDM service, unless they can see improvements in other parts of the process. 	<ul style="list-style-type: none"> • Sustaining the level of service currently provided by the IDM team may not be possible unless the cost of providing it is funded sustainably. This would also be consistent with Council’s ‘growth funds growth’ policy. • The funding agreement is a useful mechanism to recover the cost of providing the IDM service, but needs to be applied more consistently and across a wider range of projects to be more effective. In essence, this would entail incorporating funding agreements (or other suitable pricing regime) into Council’s standard end-to-end process, so that the funding agreement (or whatever tool is adopted) becomes ‘institutionalised’ and applied more widely. • As an immediate next step, we recommend that you undertake a financial modelling exercise to quantify the cost of providing the IDM service and inform how that cost could be recovered, under different pricing structures. • We also recommend engaging with the five stakeholders identified in this report to socialise this concept and solicit more specific perspectives from them. • Along with the above, a co-ordinated plan should be developed to respond to the identified areas for improvement within the building consents and resource consents processes. We expect that stakeholders will ask for this as part of their response to any proposed new charges, even if the new charges are isolated to the IDM service.



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Stakeholder Feedback | Key findings

Several stakeholders felt an improved level of communication could provide a better customer experience; even if processing times did not change

Communication

- The stakeholders we spoke to all acknowledged the need for due process and the complexities that are often involved in making the decisions [Council] needs to make. These processes take time, and, in most instances, it may be unreasonable to expect that these processes can be streamlined to such an extent that the time taken is considerably reduced. So, stakeholders' expectations were reasonably aligned on this.
- Stakeholders did however believe that there was significant room for improvement in the way that Council communicates and the level of transparency that could / should be provided to developers throughout the various consenting application and related planning processes. Some stakeholders complained of there being just one phone number to call (and having limited success reaching the people they needed to through that line), or not knowing who is the most appropriate person at Council to address their particular query or concern. One stakeholder reported that it took up to 5 days to get an answer.
- Examples of where communication was not working well included a general lack of responsiveness to emails, and a failure to transfer learnings. Regarding the latter, this could be in the sense of one Council team not communicating well with another when working on the same development / consent application. It could also be the same Council team not carrying its learnings from a previous / similar consent application for the same developer, into subsequent applications for that developer, particularly where the site has similar characteristics / complexities.
- All stakeholders reported that they wanted to know earlier if there were any documents missing or potential problems that may put their consent application at risk of being delayed or not approved. Due to large debt servicing costs, one developer stated that it was cheaper for them to resolve and pay for the relocation of a bus stop by themselves, instead of waiting for Council to do it and the process being further delayed.

Communication (cont.)

- Another example was provided where a resource consent application had taken in excess of 14 months. The developer felt they were not sufficiently kept abreast of the reason for delays or given any indication of the expected likely revised timeframes, and so they were unable to make decisions around how best to manage their risk and exposure as a result.
- The feedback was not always negative though. Some stakeholders found that the staff at Council were friendly and willing to help, and where time had been invested in developing relationships with the relevant team members, those relationships often made the difference between a good experience and a bad experience for the stakeholder.

“Learnings are not carried from one project to the next.”

“You may not need a premium service if you just fix these issues.”

“The people answering the phone are like gatekeepers.”



Stakeholder Feedback | Key findings

Customer communication policies should be established and implemented across all the relevant teams to create consistency

Communication: Insights

Our observations were that although on the surface stakeholders appeared to be unhappy with the level of communication they received, those that had invested time to develop relationships with the relevant team leads at Council had a generally positive experience.

Larger developers (relative to the group of developers we spoke to) seemed to be able to access more senior staff at Council, which probably also explains why they had better feedback.

It appeared to us there was a lack of consistency in the way Council communicates back to stakeholders, and that communication protocols are driven by individual styles rather than institution-wide policies.

The feedback on the Infrastructure Development Management team was almost always good. It would be worth understanding what this team does differently (communication-wise), and whether some or all of those points of difference can be implemented in the other teams.

Communication: Recommendations

Consider implementing a '24 hour response promise' for emails and voicemails. If a response to the customer's query requires more time, then an acknowledgement of the email or voicemail should still be sent to the customer within 24 hours, along with some indication of how Council is going to go about addressing the query, and a heads-up around the time it may take.

If not already the case, email signatures should include the person's Direct Dialling In (DDI) number so they can be reached directly.

In the absence of any customer interface that allows customers to track the progress of their applications themselves (see later commentary on 'workflow' for more detail), Council should undertake to provide regular status updates to customers. This could be done every 2 weeks by email or phone call for example. For larger developments / projects these updates could take the form of pre-scheduled meetings with the customer at pre-agreed intervals.

Customers do not expect that their projects will be approved without any questions being raised – however they would like to be alerted to any issues as soon as those issues arise. Over and above the standard communication protocols mentioned above, measures should be put in place to elevate issues and communicate them to customers as early as possible after they were identified.

Finally, team leads should consider the merits of taking a more structured approach to allocating projects to team members. For example, a team member who has supported a customer on similar projects before may be better suited to assist that same customer with a similar new project. This will not only encourage better relationship building with the customer, but the consistency will help ensure that learnings from previous projects are not lost.



Stakeholder Feedback | Key findings

The lack of parallel processing, and inability of stakeholders to get real time insight as to the status of their applications appear to be two areas which could make a significant difference to customers

Workflow

- The primary pain point for stakeholders when it came to processing of consent applications, was that Council only progress applications to the next stage if the application has met all the requirements of the previous stage. This was contrasted to a system where applications could be processed in parallel / simultaneously by each of the respective teams with the objective of reducing the total processing time.
- All developers understood that this introduces risk to the process if an issue is identified within one team which could render the work of other Council teams redundant. As such, an application could end up taking even longer and cost even more. In response, stakeholders stated that they would be willing to accept this risk if it gave them the possibility of faster turnaround times on their applications.
- Another key issue highlighted was that, barring sending an email or making a phone call, developers had no way of finding out what the status of their consent application was. They would sometimes be asked to provide further information which they do, but do not hear back as to whether the responses or information they provided was sufficient until much later on. The idea of having an online portal that developers could log into and view the status of their application was discussed, and generally received a positive response.
- Similar applications are regularly employed in other sectors. For example, courier delivery services with online tracking functionality and text alerts for updates, or Government agencies for visa applications, etc. In time, an application like this could evolve to become Council's preferred method of receiving and reviewing applications. Currently, developers are required to download and complete the forms manually, before submitting their application and supporting documentation via email.

Workflow (cont.)

- Related to the workflow theme and in the context of identifying which tasks lie on the 'critical path', one of the stakeholders cited an instance where they were asked to commission a peer review since the external contractor they used was not a Council-approved service provider. If the list has been made available at the front-end of the process, the time and cost of the peer review could have been avoided.
- Finally, we learnt in our discussions that in some cases, a developer may have received different feedback from Council, but in response to the same or similar information provided. This inconsistency created a degree of frustration. The stakeholders often viewed the respective Council teams as working in 'silos', with teams perceived as not being aware of what work the other teams have done, or the process and correspondence undertaken by other teams to make decisions, in respect of that application.

"Everything is done in single file."

"The teams work in silos."

"What we'd really like is access and transparency [regarding the status of our application]."



Stakeholder Feedback | Key findings

Stakeholders would like more visibility over the status of their applications. Achieving this may require a combination of optimising existing services (like pre-application meetings) and new initiatives

Workflow: Insights

We understand based on anecdotal feedback from stakeholders other councils (including Hamilton City and Auckland Council) currently offer parallel processing of applications. It may be worth introducing this initially for applications that are reasonably 'vanilla' or routine, and not expected to have any peculiar aspects requiring special consideration.

There would be cost implications if applications failed to meet the required criteria but had already been looked at by other teams responsible for different stages of the process. While stakeholders were unanimous in their appetite to bear this risk, how that would manifest practically is not clear. This would need careful consideration by Council.

Workflow: Recommendations

Pre-application meetings are a useful mechanism which already is available to developers. Where possible, these should be utilised more frequently to identify potential gaps, agree on the 'critical path', and formulate a plan of working more closely together (including agreeing on the communication plan).

Council should explore the possibility of standing up an online tracking application that developers could log into to view the status of their applications in real time (beyond the current building consent tracker). We have not done any research into this, but it could be that similar applications already exist and are being used by other councils, or organisations with similar process workflows. The online tracking application could also serve as a useful tool for Council staff members to stay up-to-date with an application, which in turn could help break down the 'silos' between the teams (whether real or perceived).



Stakeholder Feedback | Key findings

Council staff are sometimes so focused on the compliance aspect of their role, perspective can be lost regarding the commercial outcomes being targeted

Ease of doing business

- Stakeholders consistently reiterated their belief in the opportunities the Waikato offers, not only for their businesses but also for the communities that live in the region. It has several attractive attributes, not least the availability of land, proximity to Auckland, and relatively more affordable prices. It's a place worth doing business in.
- At times, these stakeholders feel that Council could be more 'commercial' in its approach to get things done. The feedback we received was that certain teams within Council are excessively risk averse, and only adopt a compliance-based mindset to reviewing applications. While stakeholders respect the need for compliance, they also contended that there is generally more than one way to achieve the standards required, and Council is not always flexible in exploring what the alternatives look like.
- One stakeholder provided an example of receiving an unreasonably long list of requests as part of the RFI, and got the impression that the team at Council judged their performance by the length of the RFI rather than whether they could work with the developer to achieve a successful outcome.
- Developers sometimes feel that they are not treated as customers (in a true commercial sense, where the 'customer is king'), since Council effectively operates a monopoly and developers have no alternative - at least not within the region covered by WDC.
- To add to this, one stakeholder mentioned that an increased prevalence of flexible working arrangements, whereby Council staff may be working from home, has impacted customer service levels where time may be lost due to a Council staff member not being available when needed.
- Lastly, stakeholders felt that applications that had aspects which were out of the ordinary became difficult for Council – and stakeholders put this down to the teams generally having a greater mix of less experienced individuals.

“They are overly conservative. They try to think of every possible risk and do a RFI for that.”

“Council would get their rates quicker if they could fix these issues.”

Insights: Ease of doing business

There is sometimes a disconnect in the mindset and culture of some Council staff, with respect to the role they play in enabling growth and economic development in the region. Team leaders should ensure that the commercial reality and consequence of the decisions are clearly understood, and that developers are viewed as customers rather than applicants who need Council to approve their application.

Developers were consistent in their views about the prospects of the region. If steps are not taken to improve the 'customer experience' however, developers will be more inclined to look for market opportunities elsewhere.

Council should also consider having staff accompany the developer on a site visit, particularly for very large or complex developments, so that issues can be understood from a different perspective early on.



Stakeholder Feedback | Key findings

Stakeholders would be prepared to pay for a premium service if Council can guarantee shorter timeframes. However, they are also willing to stick with the current process as long as improvements are made

Demand for a premium service

- As previously discussed, customers were consistent in their views that demand for a premium service would likely be abated if the previously discussed improvement areas were to be implemented.
- That being said, all participants commented that they may still entertain paying a premium fee on a project-by-project basis but only if Council could guarantee or commit to an accelerated and/or fixed timeline across the various services. This would provide value to customers through reduced debt servicing costs, as well as greater certainty to their funders, suppliers, and clients.
- Customers also conceded, however, that due to the complex nature of the consenting and development process (and related legislative requirements), that they did not expect Council would be able to commit to guaranteeing timelines.
- The concept of a dedicated account manager or single point of contact whose role cut across all Council functions was explored with all the stakeholders we spoke to. While stakeholders were receptive to the idea, they noted that this would only provide value to them (as part of a premium offering) if the account manager had the authority to direct staff activities across all the underlying teams. In the absence of this authority, stakeholders noted that an account manager would add little value and may in fact just complicate an already fragmented communication system. Two of the stakeholders cited the previously trialled Hamilton City Council approach of dedicated account managers which fell short of their expectations for the same reasons as described above.

“To be effective, [WDC] would need to guarantee a shorter deadline date.”

Insights: Demand for a premium service

All developers agreed that they would be interested in subscribing to a premium service, but only if Council could guarantee or commit to an accelerated and/or fixed timeline across the various services.

Based on our knowledge of the processes and legislation that govern the consenting process, and Council’s feedback we received as part of the initial workshop, we understand that Council is unlikely to be in a position to provide certainty of timelines to any customers.

Some of the angst caused by processing delays could be mitigated by stronger communication processes, as described earlier on.

“HCC tried using Account Managers, but all they did was send status updates.”

“We would pay double if they could halve the [processing] time.”



IDM Service

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IDM Service | Key findings

Stakeholders reported a high level of service received from the IDM team. This comes at a cost however, and WDC currently does not have any systemised mechanism to recover the cost

Spotlight on the IDM Service

- The stakeholders we spoke to held the IDM team (and the IDM service) in high regard and had a reasonably high degree of satisfaction with the level of service they received from that team. Yet apart from Developer Agreements (which are reasonably bespoke and applied on a case-by-case basis), Council does not currently have any process-driven mechanism to recover the cost of providing the IDM service.
- While WDC currently has the ability to introduce IDM fees through Developer Agreements, we understand significant time is spent by the IDM team outside of the scope of these agreements (such as up-front consultation with developers and liaising with other Council departments). As such, it appears that the Developer Agreement mechanism, in its current form, is not suitably designed to recover the full cost of the IDM service.
- In addition, we understand that WDC operates under a 'growth funds growth' policy. Because the IDM service is not currently on-charged to users as part of a standard process, this cost (or at least a reasonably significant portion of the cost) is falling on ratepayers. As such it can be said that the current IDM pricing structure (or lack thereof) is not aligned with Council's 'growth funds growth' policy.
- In the absence of a user pays element to recover the cost, or at least subsidise a portion of the cost, Council may not be in a position to maintain the level of service provided, let alone continue to invest in strengthening the service further.

Spotlight on the IDM Service (cont.)

- In order to recover this cost, Council may consider introducing a charge for the services provided by the IDM team. A range of charge-out options could be explored (such as an hourly charge, fixed fees, or monthly retainers), the choice of which would need to be informed by financial modelling that considers various factors including:
 - Demand for the service;
 - Team composition and cost; and
 - Level of recovery (i.e. what proportion of the service is required to be recovered via the charge?)
- As previously highlighted, there are a number of enhancement opportunities across the whole consenting process, and there is a risk that introducing a charge for one service (IDM) that is currently operating effectively may not be well received by stakeholders, if those other aspects are not addressed and improved.
- Based on the discussions we had, the top-most priority for stakeholders was certainty, followed by time. Without any assurance on how a proposed IDM charging regime will add certainty or reduce time, Council may find that stakeholders will resist a new charge.
- If Council were to introduce a charge for IDM services, there would need to be clear articulation and communication of what the service will provide. This will help avoid expectation gaps and any overlap with other existing Council services and charges.



IDM Service | Key findings

A user-pays regime for the IDM service may have some merit. The case for introducing any fee should be informed by financial modelling and further consultation with stakeholders

Insights: IDM Service Chargeability

While stakeholders provided positive feedback in relation to IDM services, they generally view Council as a single entity and do not necessarily differentiate between the individual teams working across the consenting process.

There is however merit in recognising the cost of providing a high level of service within the IDM team. This cost is largely driven by the amount of time invested by not only the IDM team members themselves, but also the senior members of other Council teams who are consulted with as part of the IDM team's approach to ensuring Council's high priority and large-scale customers are getting access to the right people at Council.

Sustaining this level of service may not be possible unless the cost of providing it is funded sustainably. This would also be consistent with Council's 'growth funds growth' policy.

IDM Service Chargeability: Recommendations

It would be important to define the commercial parameters of any proposed IDM pricing regime. This should be informed by a financial modelling exercise which would seek to determine (and validate) the cost of providing the IDM service under a set of assumptions and inform how that cost could be recovered under different pricing structures.

We also recommend engaging with the five stakeholders identified in this report to socialise this concept and solicit more specific perspectives from them. This would provide the market validation required as part of the business case for introducing any new fees.

Along with the above, a co-ordinated plan should be developed to respond to the identified areas for improvement within the building consents and resource consents processes. We expect that stakeholders will ask for this as part of their response to any proposed new charges, even if the new charges are isolated to the IDM service.



Premium Service Research

Project Overview	4
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Premium Service Research | Summary

Our research identified two Councils that currently offer premium consenting services in New Zealand

Wellington City Council (WCC)

- Premium applications are considered by request on a case-by-case basis for non-notified consents at a charge of 2.0x and 3.0x the normal processing fees incurred for consents processed with 10 and 5 days respectively.
- When contacted, WCC were not forthcoming with details of either the eligibility criteria, or volumes of customers using the service.

Auckland Council (AC)

- The Premium Service is marketed by AC as tailored project management service for complex developments that need a higher level of council support and management through the resource and building consent, engineering approval, and compliance process. Features of the service include;
 - Discussing the proposal and consenting strategy at an early stage;
 - Providing one point of contact;
 - Access to experienced resource consent, building consent and engineering advisors;
 - Managing the consenting process and coordinating the large amounts of specialist and expert input;
 - Providing a strong focus on resolving issues ahead of lodging;
 - Providing coordination, mediation and resolution services with different departments, CCOs or other parties as required;
 - Managing media, enquiries, local board requests and other communications including mayoral;
 - Agreeing timeframes and budgets up front, with regular checks on performance and progress throughout the approvals process.

Auckland Council (AC) (cont.)

Eligibility criteria include

- A build cost of more than \$100m
- Complex resource requirements, which could include a development or event with:
 - national or regional significance
 - a high media profile or political attention
 - significant unresolved environmental, infrastructure or funding issues that, if not resolved, place the development at risk of not going ahead
 - significant specialist, engineering, or council involvement
 - a long-term program of dependent consents (within a defined redevelopment boundary or precinct plan area) by one or more applicants
 - consents lodged in parallel with designations and plan changes.

Fees

An up-front deposit based on the project's value plus additional further charges based on the complexity of the project.

Note:

The two premium consenting services identified appear to target two separate customer types with WCC focussing on quick turnaround of non-notified consents, while the AC service is targeted at large complex developments of national significance (over \$100m). We understand the WCC service very much focusses on simple 'vanilla' applications.

Aside from these premium consenting services, a number of other Councils around NZ offer fast track building consent services. We have not sought to provide summaries of the fast track services provided by other councils.



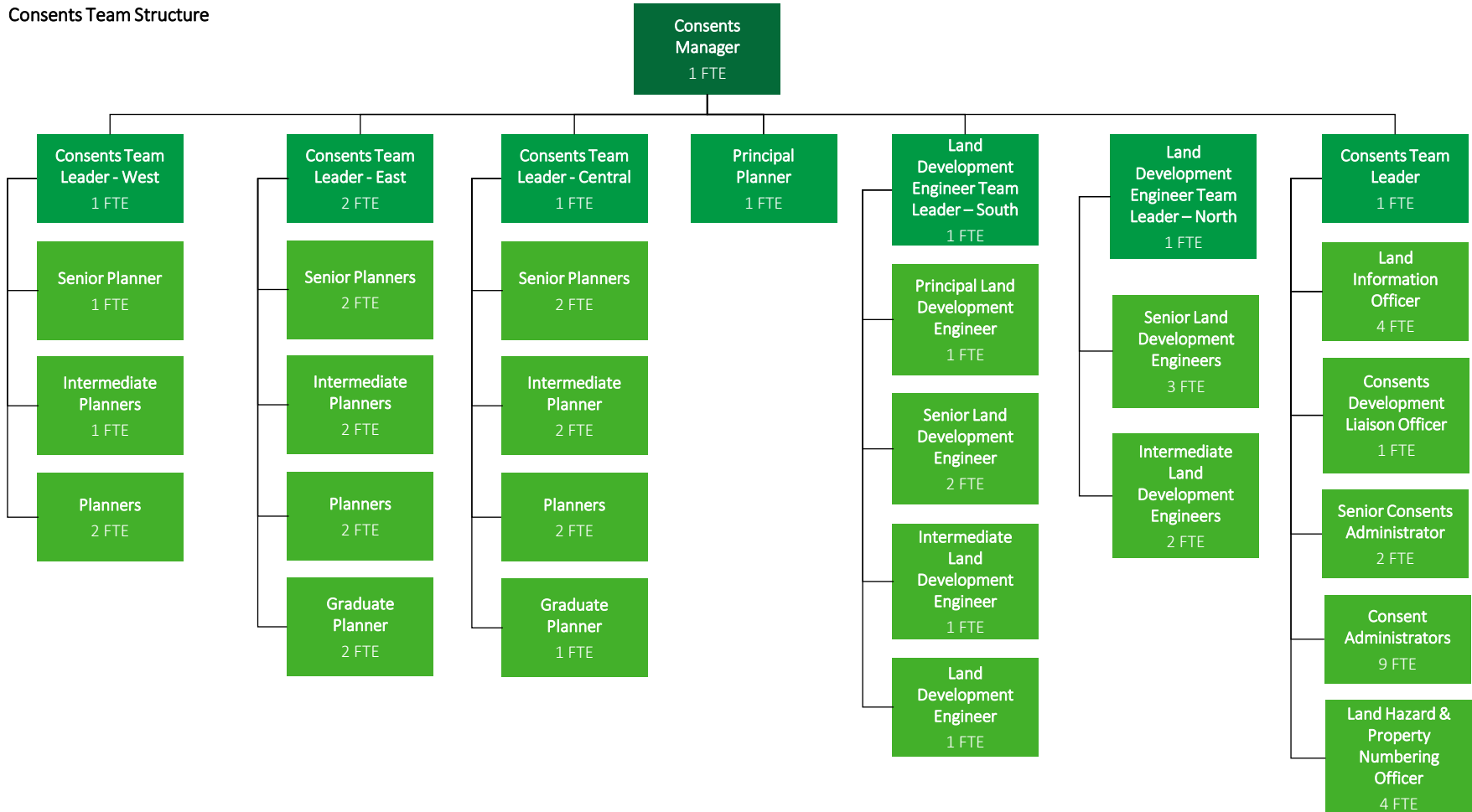
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Appendices | A1: Organisation Structure

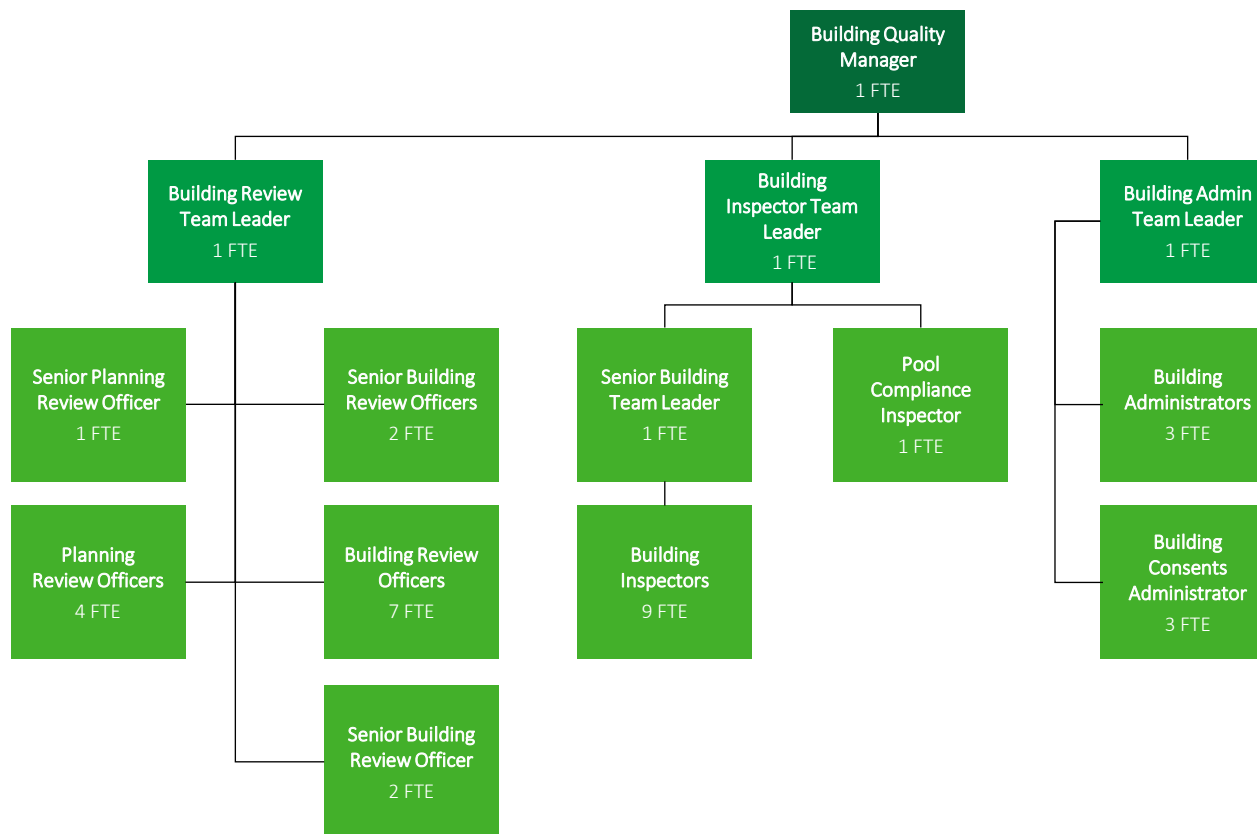
Consents Team Structure



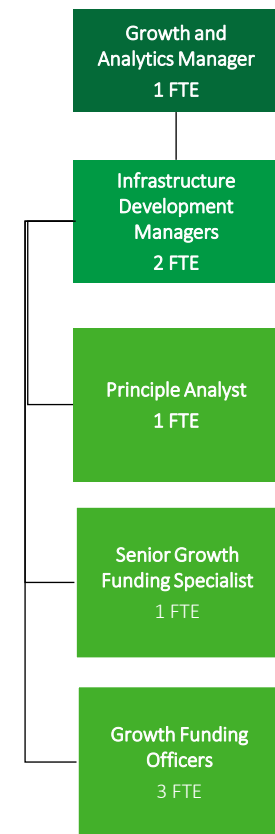


Appendices | A1: Organisation Structure

Building Consents Team Structure



Development Managers Team Structure





Appendices | A2: Interview Question List

Interview Question List

Background and Demographics

- Please introduce yourself and your role/profession and how you currently interact with Council in your role?
- What type of projects or developments do you usually work on?
- Do you primarily work within the Waikato District on development projects?
- If you work with other Councils in the same capacity as you operate with WDC, please share what other Council areas you operate within.
- Please tell us about your experience/interactions with the following business units within WDC

Development Agreements (Infrastructure Development Managers)	<ul style="list-style-type: none"> • Comments • Experience • Interactions • Do you interact with other Council's in this capacity, if so, how does it differ to the offering within WDC. • Are there aspects of the relationships you have with other Councils in this capacity that are worth noting that WDC could consider.
Consenting processes (Consent Planners and LDEs)	<ul style="list-style-type: none"> • Comments • Experience • Interactions • Do you interact with other Councils in this capacity, if so, how does it differ to the offering within WDC. • Are there aspects of the relationships you have with other Councils in this capacity that are worth noting that WDC could consider.
Building Consent processes (Building officers/inspectors)	<ul style="list-style-type: none"> • Comments • Experience • Interactions • Do you interact with other Councils in this capacity, if so, how does it differ to the offering within WDC. • Are there aspects of the relationships you have with other Councils in this capacity that are worth noting that WDC could consider.



Appendices | A2: Interview Question List

Interview Question List (cont.)

Pain Points and Challenges

For each of the three areas within WDC (Development Agreements, Resource Consenting and Building Consents), please tell us:

- What are the most significant challenges you face during the current process?
- How much time and effort does it typically take to get a project approved?
- Are there any specific roadblocks or bottlenecks you encounter in the current process?

Value Proposition:

For each of the three areas within WDC (Development Agreements, Resource Consenting and Building Consents), please tell us:

- How would you perceive a premium service that offers faster and more streamlined approvals? For example, this could include having an internal key account manager to provide customised assistance helping you navigate the end-to-end development / consenting process.
- What features or benefits would you expect such a premium service to have?
- If a pre-application service was available, how regularly would you use it (ie would you always seek a pre-app meeting prior to lodging an application, or only in some instances).
- What value do you place on the knowledge sharing between parties that occurs in the pre-application phase of the development process?

Cost-Benefit Analysis:

- Would you be willing to pay extra for a premium service?
- If yes, would you seek a service that was end-to-end, or an opt-in/out offering where you could seek premium services in some areas of the development process and not others?
- What price range / premium over and above current cost seems reasonable to you?
- From the price range suggested above, would you prefer this as a set monthly fee, or a time and charge arrangement.
- What financial or efficiency gains would you anticipate from using a premium service?
- What would you expect from a premium development service?
- Would you be willing to accept meeting minimum levels of expectations on you / your contractors with respect to reporting and provision of information?

Existing Alternatives:

- Are there any private or specialised consulting services you currently use for streamlining any aspects of the development process?
- What do you like or dislike about these existing alternatives?
- Have you experienced a streamlined/premium development service from another Council? If yes, which Council, and please describe your experience.

Timelines and Deadlines:

- How important is it for your projects to adhere to specific timelines?
- Can you provide examples of projects that suffered due to lengthy consideration or negotiation delay through the Council development processes?
- Based on your experience of working with Council could these pain points be removed without introducing a new premium service? If so where do you see the areas for improvement?



Appendices | A2: Interview Question List

Interview Question List (cont.)

Customer Service and Communication:

- On a scale of 1 to 5 (with 1 being very poor and 5 being excellent), what level of customer service do you currently experience with:
 - Consenting
 - Building
 - Development Agreements/IDMs
- Describe what sort of customer experience you expect, or which areas are currently falling short of your expectations.
 - Consenting
 - Building
 - Development agreement/IDMs
- What additional level of customer service and communication would do you expect from a premium development service?
- How would you like to be updated and engaged throughout the process?

Market Demand:

- Do you believe there is a demand for a premium development service in the Waikato District? Why or why not?
- Would other industry professionals or stakeholders benefit from such a service?

Potential Concerns:

- Do you have any concerns or reservations about a premium service that you think need to be considered by Council?



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To	Development Agreements Committee
Report title	Definitions Clarification: Retirement Village, Rest Home and Lifestyle Village
Date:	9 April 2024
Report Author:	Privinn Mwene, Infrastructure Development Manager
Authorised by:	Will Gauntlett, General Manager, Community Growth

1. Purpose of the report

Te Take moo te puurongo

To inform the Committee on the comprehensive definitions and clarifications regarding the terms 'Retirement Village', 'Rest Home', and 'Lifestyle Village'.

2. Executive summary

Whakaraapopotanga matua

This report outlines the definitions and characteristics of Retirement Villages, Rest Homes, and Lifestyle Villages. These facilities play distinct roles in providing accommodation and services to the elderly population. It incorporates detailed insights into the operational, regulatory, and community aspects of each, catering to our ageing population's diverse needs and preferences.

3. Staff recommendations

Tuutohu-aa-kaimahi

THAT the Development Agreements Committee receives the Definitions Clarification: Retirement Village, Rest Home, and Lifestyle Village Report.

4. Background

Koorero whaimaarama

Development Agreement Committee requested the staff reports back to the committee on the definitions of the 'Rest Homes', 'Retirement Village' and 'Lifestyle Village'.

Staff have completed the research on the definitions and section 5 of this report contains the findings.

5. Discussion Matapaki

5.1 Retirement Village

The ***Retirement Villages Act 2003*** defines a retirement village as a complex or community consisting of two or more residential units offering accommodation and possibly services or facilities, primarily for retirees and their spouses or partners. Residents typically contribute a capital sum for the right to live there, with various forms of occupancy and payment models accommodated, including freehold, leasehold, and licenses to occupy, among others. This definition encompasses both the financial arrangements made for residency and the additional service fees that may apply for access to various amenities.

A retirement village also includes shared spaces and amenities accessible under the residents' occupation right agreements. However, parts of a rest home or hospital care facility are only considered part of a retirement village if they consist of residential units and common areas explicitly linked to the retirement village through occupation rights.

Notably, the Act clarifies what does not constitute a retirement village, such as owner-occupied units without additional services for retirees, boarding houses, and educational residence halls. The determination of whether a property qualifies as a retirement village is based on the operation's nature and economic effect, rather than the formal description in any documents.

Further, the status of a property as a retirement village is not affected by the proportion of retirees living there or by any undeveloped land or buildings intended for future retirement village use that currently have no residents.

This section should be interpreted alongside regulations that may specify certain properties as being within or outside the scope of what is considered a retirement village under the Act.

5.2 Rest Homes

Under the ***Residential Care and Disability Support Services Act 2018***, Rest Home means premises used to provide rest home care.

The ***Health and Disability Services (Safety) Act 2001*** defines rest home care as residential care services aimed at supporting or promoting the independence of individuals who are considered frail due to age or other factors. This care is distinct from geriatric services and is not provided in conjunction with them.

Specifically, the Act characterizes rest home care as services offered to three or more individuals who are not related by blood, marriage, civil union, or de facto relationship to the service provider. These services must be provided in premises marketed primarily as residences for the elderly frail, with the expectation of payment. Payment may be rendered directly by the individuals receiving care, by the Crown, or by any other party.

Lifestyle Village

Lifestyle Villages target active seniors who seek a balance between autonomy and community living. These modern, low-maintenance homes are designed for ease of mobility and minimal upkeep, set within secure, gated communities that boast a range of amenities from communal dining and recreational facilities to health and wellness centres.

Unlike Retirement Villages, Lifestyle Villages prioritize independence and self-management, with a focus on social engagement and physical activity to enhance the quality of life for residents.

Comparison Matrix

Feature	Retirement Village	Rest Home	Lifestyle Village
Primary Purpose	Provide residential accommodation with services or facilities mainly for retirees and their partners.	Provide 24-hour care and support for individuals who cannot live independently due to age, disability, or health conditions.	Offer comfortable, low-maintenance homes for active, older adults valuing independence and community.
Residency Model	Residents typically pay a capital sum for the right to live there, which can include a variety of occupancy rights.	Focuses on providing care, with costs often covered by personal funds or subsidies for those eligible.	Residents buy, rent, or lease homes, paying for the right to occupy and for community amenities.
Services & Facilities	Can include medical facilities, leisure activities, cleaning, and meal services.	Includes medical care, assistance with daily activities, and personal care.	Emphasizes lifestyle amenities like communal lounges, pools, gyms, and social activities.
Independence Level	Designed for those wanting to maintain independence, with options for care as needed.	Aimed at those needing regular nursing care and assistance with daily life.	Targets fully independent living with optional community activities.

Regulatory Framework	Governed by the Retirement Villages Act 2003. Registration required under specific legislation.	Covered under the Health and Disability Services (Safety) Act 2001.	Not typically regulated under specialized senior care legislation but may follow general housing laws.
Ideal For	Individuals or couples in retirement seeking a balance of independence and available care.	Those requiring constant care and medical attention, often with limited independence.	Active older adults seeking a community lifestyle without the need for on-site care services.

6. Attachments Ngaa taapirihanga

There are no attachments for this report.

To	Development Agreements Committee
Report title	Update on Development Contributions Policy Review
Date:	9 April 2024
Report Author:	Annette Plumpton, Growth Funding Team Leader Hazel Coalter, Growth and Analytics Manager
Authorised by:	Will Gauntlett, General Manager Community Growth

1. Purpose of the report

Te Take moo te puurongo

To update the Committee on:

- the progress of the Development Contributions Policy (DCP) review; and
- outline the actions taken as a result of the shift to an Enhanced Annual Plan (EAP).

2. Executive summary

Whakaraapopotanga matua

On 28 February 2024, Council made the decision to defer the 2024-2034 Long Term Plan (LTP) by one year, and instead present an EAP. This has implications for the DCP review process and timeline and has led to the deferral of the review of the DCP and continuation of the 2021 policy for an additional year.

3. Staff recommendations

Tuutohu-aa-kaimahi

THAT the Development Agreements Committee receives the Update on the Development Contributions Policy Review Report.

4. Background

Koorero whaimaarama

Although Council was meant to start a new LTP process this year, due to the changing political landscape and legislation around the Water Services Acts, central government has given local councils the option to defer their 2024-34 LTPs by 12 months and instead prepare an EAP for the 2024/25 financial year.

On 28 February 2024, Council decided to take this option and deliver a short-term plan, called the 2024/25 Annual Plan. This approach provides more time to address immediate challenges in our district, particularly concerning water infrastructure, Waka Kotahi funding, affordability, and QV rates revaluation timelines.

It also allows more time to gain a better certainty about the government's next steps regarding initiatives such as 'Local Water Done Well.' This aligns Council's planning with broader government objectives.

The 2024/25 Annual Plan will outline Council's activities, projects, programmes, priorities, and initiatives for the next 12 months and their rating impacts. Essentially it will outline year one of the 2024-34 LTP but as a standalone document and includes elements that are typically part of a LTP and requires consultation, which distinguishes it from a 'normal' Annual Plan.

5. Discussion

Matapaki

Due to the decision to move ahead with an EAP, it has limited what Council can do in the development contributions space, in the 2024/25 financial year. The DCP is strongly linked to the LTP (through the Capital Works schedules), and advice from external legal counsel (Simpson Grierson) is to extend the 2021 DCP for one year (under clause 49(1)(e) of Schedule 1AA of the LGA) to keep it on the same timeline as the LTP.

Another major reason for this is that making any significant changes to the 2021 DCP will require s82 consultation. The same level of consultation would then be required in 2025, when the LTP is consulted on.

Essentially, the negatives of making any changes to the 2021 DCP, prior to a full review, have been deemed to outweigh any positives. Therefore, the following decisions have been made:

- No wording or policy application changes will be made to the policy in 2024/25.
- The Capital works schedule will be updated, which will impact charges (see Appendix 1).
- Changes to charges will be consulted as part of the Annual Plan.

Staff have updated year 4 of the LTP to account for the capital works in the EAP, which is reflected in the levies for 2024/25. Everything else in the 2021 DCP will remain as it is now.

The draft DCP has undergone external legal review, and staff have been working on implementing the last of the changes suggested in that process. The catchment maps have been updated, with some changes regarding contiguous properties being checked with the waters team before the initial drafts are run. These will then need to be reviewed to ensure the boundaries are accurate.

Growth Data will be applied when the draft catchment maps are finalised. After this work is complete and the capital works have been proposed for the 2025-2034 LTP, the levies will be modelled, and the other appendices produced.

6. Next steps

Ahu whakamua

Staff will continue work on the draft policy, catchment maps and appendices. This will be presented to the committee prior to the LTP public consultation next year.

7. Attachments

Ngaa taapirihanga

Attachment 1 – Updated charges for 2024/25 in 2021 DCP.

Attachment 1

The table below shows the updated charges and includes a comparison with the adopted 2021 policy charges. The changes are relatively small with lower charges in some areas due to changes in the work programme and increases in others due to increased costs of wastewater infrastructure.

Catchment	Total charges	LTP 21 - 31 Total charges	Increase (Decrease)
All areas (if not covered below)	\$6,193	\$6,291	-\$98
Horotiu 1	\$30,705	\$33,572	-\$2,867
Huntly	\$14,888	\$13,519	\$1,369
Lorenzen Bay 2	\$29,271	\$25,893	\$3,378
Meremere	\$20,958	\$21,056	-\$98
Ngaruawahia	\$20,905	\$20,389	\$516
Pokeno	\$29,018	\$29,221	-\$203
Raglan	\$29,211	\$25,833	\$3,378
Rangiriri	\$20,958	\$21,056	-\$98
Southern Districts	\$8,837	\$8,898	-\$61
Tamahere CLZ	\$16,052	\$16,113	-\$61
Tamahere Subcatchment A	\$25,535	\$25,596	-\$61
Tamahere Subcatchment B	\$27,847	\$27,908	-\$61
Taupiri/ Hopuhopu	\$18,790	\$18,831	-\$41
Te Kauwhata	\$53,466	\$52,523	\$943
Tuakau	\$22,533	\$24,160	-\$1,627
Wahaanga Coast	\$40,438	\$40,536	-\$98

To | **Development Agreements Committee**

Report title | **Exclusion of the Public**

Date: | Friday, 17 November 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 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	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 3.2 Development Agreement Completion Reports – March 2024		
Item PEX 3.3 Development Agreement Summary – March 2024		
Item PEX 3.4 Development Contribution Payment Plan Update – March 2024		

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 3.5 Development Agreement – Dominion Road, Tuakau	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 3.6 Development Agreement – BuiltSmart		
Item PEX 3.7 Reserve Parcel (NR – 11) – Acquisition Budget Increase		

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 person's 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 person's commercial position
Item PEX 3.3 Development Agreement Summary – March 2024	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
Item PEX 3.4 Development Contribution Payment Plan Update – March 2024	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
Item PEX 3.5 Development Agreement – Dominion Road, Tuakau	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position

Item No.	Section	Interest
Item PEX 3.6 Development Agreement - BuiltSmart	7(2)(b)(ii) 7(2)(h)	To protect information that would otherwise unreasonably prejudice a person's commercial position To enable commercial activities to be carried out without prejudice or disadvantage
Item PEX 3.7 Reserve Parcel (NR - 11) - Acquisition Budget Increase	7(2)(b)(ii) 7(2)(h)	To protect information that would otherwise unreasonably prejudice a person's commercial position To enable commercial activities to be carried out without prejudice or disadvantage

2. Attachments

Ngaa taapirihanga

There are no attachments for this report.
