

Christchurch City Council
SUPPLEMENTARY AGENDA NO.2

Notice of Meeting:

An ordinary meeting of the Christchurch City Council will be held on:

Date: Thursday 10 December 2015
Time: 9.30am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

Membership

Chairperson	Mayor Lianne Dalziel
Deputy Chairperson	Deputy Mayor Vicki Buck
Members	Councillor Jimmy Chen
	Councillor Phil Clearwater
	Councillor Pauline Cotter
	Councillor David East
	Councillor Jamie Gough
	Councillor Yani Johanson
	Councillor Ali Jones
	Councillor Glenn Livingstone
	Councillor Paul Lonsdale
	Councillor Raf Manji
	Councillor Tim Scandrett
	Councillor Andrew Turner

9 December 2015

Principal Advisor

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Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.
If you require further information relating to any reports, please contact the person named on the report.

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59. Resolution to Include Supplementary Reports

1. Background

- 1.1 Approval is sought to submit the following reports to the Council meeting on 10 December 2015:
 61. Cashmere Forest Adventure Park
 60. Response to Parliamentary Commissioner for the Environment report on sea level rise
 61. Request for Peterborough Quarter
- 1.2 The reason, in terms of section 46A(7) of the Local Government Official Information and Meetings Act 1987, why the reports were not included on the main agenda is that they were not available at the time the agenda was prepared.
- 1.3 It is appropriate that the Council receive the reports at the current meeting.

2. Recommendation

- 2.1 That the reports be received and considered at the Council meeting on 10 December 2015.

71 Response to Parliamentary Commissioner for the Environment report on sea level rise

Reference: 15/1486480

Contact: Helen Beaumont Helen.beaumont@ccc.govt.nz

9415190

1. Purpose and Origin of Report

Purpose of Report

- 1.1 The purpose of this report is to update the Council on the response to the Parliamentary Commissioner for the Environment's report on sea level rise with respect to the level of 'precaution' in the Coastal Hazard Assessment (Tonkin and Taylor 2015), the Council's obligations with respect to Land Information Memoranda (LIMs) and under the Building Act, and the provisions for coastal hazards in the District Plan and the natural hazards strategy.

Origin of Report

- 1.2 This report is staff generated.

2. Significance

- 2.1 The decision(s) in this report are of low significance in relation to the Christchurch City Council's Significance and Engagement Policy.
 - 2.1.1 The level of significance was determined by considering the funding implications and the impact on the community.
 - 2.1.2 The community engagement and consultation outlined in this report reflect the assessment.

3. Staff Recommendations

That the Council:

1. Receive the report on the Council's response to the Parliamentary Commissioner for the Environment's report *Preparing New Zealand for rising seas: certainty and uncertainty*.
2. Direct staff to seek a further peer review of the Coastal Hazards Assessment (Tonkin and Taylor 2015) from the technical advisors, on sea level rise, to the Parliamentary Commissioner for the Environment.
3. Direct staff to review the wording of the LIM notation for properties potentially affected by coastal inundation and coastal erosion to ensure that the information provided is fair, clear and accurate.
4. Ensure the Council submission on the Resource Legislation Amendment Bill include a recommendation to the Select Committee that the Building Act 2004 and the Resource Management Act 1991 be amended so that there is better alignment and integration, reduced duplication and better consistency in the resource management system in relation to natural hazards to land.

4. Key Points

- 4.1 The report from the Parliamentary Commissioner for the Environment reinforces the need to prepare for sea level rise and recommends better direction and guidance from central government on the science, community engagement and the planning decisions that follow.
- 4.2 Information about coastal hazards on a LIM must be clear, fair and accurate and the wording needs to be reviewed in light of the PCE report to ensure that it meets these requirements.

- 4.3 Future planning provisions on coastal hazards will be developed after a comprehensive community engagement exercise to consider the issues and options for responding to the challenges of climate change and sea level rise.
- 4.4 The Building Act requires the Council to consider coastal hazards in terms of compliance with the Building Code and potentially place notices on the title of affected properties. Assessments are undertaken on a case by case basis considering the characteristics of each property.
- 4.5 There are opportunities for Council to contribute to legislative reform of both the Building Act and the Resource Management Act to enable a more consistent response to natural hazards.

5. Context/Background

Parliamentary Commissioner for the Environment

- 5.1 Doctor Jan Wright, Parliamentary Commissioner for the Environment (PCE), released her report *Preparing New Zealand for rising seas: Certainty and Uncertainty* in November this year. She notes that sea level rise is certain but how rapidly it will rise, how different coastal areas will be affected and how we should prepare, are each the subject of uncertainty. The report acknowledges the complexity of planning for climate change and commends those Council's that have tackled the task. Recommendations include better direction and guidance from central government in three areas:
 - Scientific assessment of the impact of rising sea on coastal hazards
 - The process of engaging with the community
 - The planning and management decisions that follow.
- 5.2 Sea level rise on its own simply raises the high tide mark. It is the consequential impact on coastal hazards and the increasing frequency of damaging events that is the challenge – including tsunamis, storms, inundation and erosion. The vulnerability of different coastal areas depends on many factors but primarily on elevation, the height above the sea.
- 5.3 The report goes on to look at three of the coastal hazards that will be exacerbated by sea level rise – flooding across low lying land, erosion of soft shorelines, and groundwater that rises or becomes saline.
- 5.4 Rising seas will increase the frequency, duration and extent of coastal flooding. Modelling of the frequency of an extreme water level event (that currently expected to occur only once every 100 years) assuming 0.3 metre of sea level rise is presented for the four main centre Ports:
 - Every 4 years for Auckland
 - Every year for Wellington
 - Every year for Christchurch
 - Every 2 years for Dunedin.
- 5.5 For Christchurch this means that today's 100 year inundation event would be expected to occur every year, given 0.3 metre of sea level rise, and on every tide, given 1 metre of sea level rise.
- 5.6 Low lying coastal areas are obviously vulnerable to the effects of sea level rise. The report maps three elevation bands – less than 0.5 metre, 0.5-1.0 metre and 1.0-1.5 metre – for four coastal cities and looks at the homes, businesses and roads within these areas. The mapping for Christchurch is acknowledged as being rather different following the Canterbury earthquakes due to widespread subsidence of land. A considerable amount of the low lying land is within the Residential Red Zone and any remaining buildings in this area have been excluded from the analysis.

Table1 Low lying homes, businesses and roads in Christchurch – PCE report

	0-0.5 m	0.5-1.0 m	1.0-1.5 m	Total (0-1.5 m)
Homes	901	3629	5427	9957
Businesses	5	58	130	193
Roads (km)	40	77	84	201

- 5.7 The Commissioner is careful to point out that her analysis is not a risk assessment and simply maps elevation, including areas that are not directly connected to the sea. The actual vulnerability will depend on local conditions including the shape of the coastline, the topography of the land and seabed, and the presence of barriers such as sand dunes. The elevation mapping is not suitable for district planning purposes.
- 5.8 The Commissioner notes that ‘planning for sea level rise is currently a topic of debate in Christchurch’, particularly with information of coastal hazards placed on the LIM of nearly 18,000 properties. The Council is legally obliged provide the coastal hazard information on the LIM of affected properties. However there is discretion as to the precise wording on the LIM and the Commissioner has noted some concerns about the Council approach.
- The first concern is with the mapping of potential erosion over the next 100 years and ‘subjectively’ choosing 5% likelihood of an area being potentially affected. Related to this is the use of the Bruun Rule for modelling erosion on the open coast and the resulting prediction being ‘highly precautionary’.
 - The second concern is around lack of clarity in the description of the inundation hazard.

Land Information Memorandum

- 5.9 The precise wording of the LIM comments was changed when the proposed coastal hazard provisions were removed from the replacement Christchurch District Plan. When this was done the comments were shortened and important information was lost, particularly from the description of the inundation hazard.
- 5.10 The wording of the LIM comments for coastal erosion was carefully chosen to distinguish between the two zones in terms of the differences in timing and probability of erosion affecting any particular property. However the very succinct comments may not sufficiently differentiate the risk profiles between and across the two zones.
- 5.11 It is proposed that the LIM wording is reviewed and amended to ensure that it is clear, fair and accurate. In particular there should be clear reference to the assumptions for sea level rise built into the modelled inundation events, the chance of inundation in any one year, and the likelihood of erosion over the next 50 and 100 years.

Precaution and the Coastal Hazards Assessment report (Tonkin and Taylor)

- 5.12 The Commissioner makes a number of references to the degree of precaution built into the scientific modelling carried out by coastal scientists – in terms of the technical work and the decisions with respect to the likelihood of an event occurring. She considers central government policy on sea level rise to emphasise the need to take a ‘precautionary approach’ which has resulted in ‘precaution’ being built into technical assessments, for example, by assuming high end assessments of sea level rise. Similar concerns have been expressed by members of the community concerned about the coastal hazards assessment undertaken for this Council.
- 5.13 The Commissioner’s report adopts a sea level rise of 0.3 metre between 2015 and 2065 – taking the average of the midpoints of the four Intergovernmental Panel on Climate Change (IPCC) scenarios for global sea level rise. The Coastal hazards Assessment report, Tonkin and Taylor 2015, (T&T report) recommended adopting the mid-range sea level rise projections for the ‘business as usual’ scenario – being 0.4 metre by 2065 and 1.0 metre by 2115.

- 5.14 This element of ‘precaution’ comes from the assumptions made for sea level rise over the next 50 and 100 years and the present guidance from the Ministry for the Environment. The background technical report details the Ministry for the Environment advice and recommendations:

The national guidance manual for coastal hazards and climate change (MfE, 2008) recommends a risk-based approach considering the consequences of a range of higher sea levels, starting the analysis with 0.5 m and at least consider 0.8 m by the 2090s. The equivalent “gate-values” extended out to 100 years to align with Policy 24 of the NZCPS, are 0.7 m and 1.0 m by 2115.

- 5.15 The NIWA background report also notes that credible projections for sea level rise by 2100 range from 0.5 to 1.0 metres; with rises well above 1 metre possible if the acceleration in polar ice sheet losses continues.
- 5.16 It should be noted that the Commissioner’s recommendations are then directed at central government to improve the guidance given to local government and to consider a National Policy Statement to deal with the effects of sea level rise – either as a standalone policy document or as part of the National Policy Statement on natural hazards.
- 5.17 When reviewing the draft of the T&T report Council staff agreed that the projections for sea level rise were appropriate to underpin a prudent approach to land use planning. The approach was considered to be consistent with the central government guidance and policy direction, and took into account the latest science from the IPCC. It is also in line with the projections for sea level rise being used by other Council’s around the country.

Table 2 Allowance for sea level rise – New Zealand councils

Council	Metres over 50 years	Metres over 100 years
Northland	0.4	1.0
Auckland	0.5	1.0
Wellington	0.5	1.0
Waikato region	0.4	1.0
Bay of Plenty region		0.9
Hawkes Bay	0.5	1.0
Horizons Manawatu region	0.31	0.95
Nelson	0.5	1.0
Tasman	0.5	1.0
Otago		1.0

- 5.18 While it will be sometime before any improved direction and guidance can be expected from central government Council could undertake a second peer review of technical work done by Tonkin and Taylor. The review would take into account the comments made in the PCE report on the appropriate levels of risk and precaution, and clarity as to the underlying assumptions and range of uncertainty in the modelling results. The peer review would ideally be carried out by NIWA as the technical advisors to the PCE. This could lead to further amendments to the LIM notation.

Coastal hazards and the Building Act

- 5.19 The Building Act requires the Council building consent authority to consider hazards in two ways – building code compliance and under sections 71-72.
- 5.20 All new building work is required to comply with the building code. Coastal hazards generally impact compliance with the following building code clauses:

B1 – Structure. This will need to be considered (for example) if erosion were to affect foundations

B2 – Durability. Water, and in particular salt water, can have a major effect on the life of building materials.

E1 – Surface water. Floor levels need to be considered to ensure houses do not flood.

- 5.21 Sections 71-72 of the Building Act require building consent authorities to consider hazards to the land that a building is constructed on. In some circumstances a building consent authority that is also a territorial authority must issue a building consent even if a hazard exists on the land, but also must notify the Registrar-General of Land so the a notice is placed on the certificate of title.
- 5.22 The T&T report provides information on properties that may be subject to coastal hazards. The information provided is not site specific and was not prepared in order to determine if a property was 'likely' to be subject to a hazard under section 71 of the Building Act. 'Likely' is discussed in other documents, and for the purposes of the Building Act the decision was made to discount coastal inundation zone 2 and coastal erosion zone 2. Although it could be argued that those properties close to the boundary with hazard zone 1 would also meet the 'likely' test, there was not enough information available to justify pursuing this.
- 5.23 The Building Control Group does not use the T&T report to dictate that the hazard will definitely apply in regard to any building consent. The report, in particular coastal inundation zone 1 and coastal erosion zone 1, is used as a trigger to carry out further assessment, rather than being the assessment in its own right.
- 5.24 The applicant/designer is required to consider all conditions that the building and site are likely to encounter during the life of the building and design accordingly. Council expects a professional to provide a report on the impact of any coastal hazards so that it can be considered. This is little different in concept to designing for other conditions that may impact on the building such as river flooding, wind loads or seismic loads. An appropriate equivalent example is that on all hill sites where Council expects the designer (usually via a geotechnical expert) to make a clear statement as to whether a hazard exists on the site.
- 5.25 The Building Control Group has, and is continuing to, explore the validity of our approach. Ongoing work in this regard includes:
- Peter Sparrow has met with Andrew Crisp, Deputy Chief Executive, and Derek Baxter, GM Building System Performance, at Ministry of Business, Innovation and Employment (MBIE) outlining the importance of reviewing the Natural Hazard sections of the Building Act. MBIE have agreed in principle to prioritize this review into their work program and discussions are continuing. Several solutions have been discussed, but MBIE officials will need to undertake policy work to look at any unintended consequences that may occur and we will be helping them with this work.
 - A Principal Building Official (David Hutt) is seconded to MBIE for 2 days a week to work on projects that are mutually beneficial to MBIE and Council. This includes guidance on the hazard notice provisions of the Building Act.
- 5.26 The PCE report did not alter the Building Control Group's approach to coastal hazards. Any potential hazard needs to be assessed on a site-by-site basis, and the report did not provide reason to ignore potential hazards.

Coastal hazards and the Christchurch District Plan

- 5.27 The proposed coastal hazards provisions, as notified in July 2015, have been removed from the proposals to be heard by the Independent Hearings Panel by an Order in Council. This directs Council to undertake a review of the existing coastal hazard provisions, as soon as is reasonably practicable, using the standard Resource Management Act process. This review will commence

following the release of the decisions of the Independent Hearings Panel on the replacement Christchurch District Plan.

- 5.28 A programme of engagement with coastal communities will take place prior to the development of planning provisions. Local communities are best placed to be involved in creating possible solutions for their neighbourhoods. Council can assist by providing good information on the physical realities and financial implications of the various scenarios for the future. The development of options for adapting to climate change and sea level rise will be aligned with both the refresh of the Urban Development Strategy and the 'responding to future challenges' stream in the 100 Resilient Cities programme.

The natural hazards strategy

- 5.29 In October 2014 Environment Canterbury presented a report summarising Local Government New Zealand's (LGNZ) think-piece Managing Natural Hazard Risk in New Zealand to the Canterbury Regional Strategy and Policy Forum (the Forum). The Forum response was to commission a report on the value of a regional approach to managing risk. In March 2015 Environment Canterbury presented a more detailed report and the Forum agreed to the development of a regional wide strategy for hazards management as well as further development of the Canterbury Maps portal for storing and disseminating natural hazards information.
- 5.30 At a meeting on 22 September 2015 the Regional Planners and Emergency Management Officer's Group, chaired by Environment Canterbury, agreed that a terms of reference and timeline should be prepared for a Regional Risk Reduction Committee to lead the preparation of the regional hazards strategy. This Council provided feedback on the draft terms of reference and has indicated its interest in being part of the RRRC – a committee that will continue to exist following the completion of the regional hazards strategy.
- 5.31 The focus of the regional hazards strategy will be on developing council's work programmes based around four key themes – interagency alignment, public awareness and education, roles and responsibilities, and regional research. A strategy, similar in style and content, to the Canterbury Regional Economic Development Strategy, prepared in August 2015 under the auspices of the Canterbury Mayoral Forum, is envisaged.
- 5.32 The draft timeline for the completion of the regional hazards strategy is April 2016. The Council expects to play a significant role in the development of the regional strategy.

6. Legal Implications for LIMs from the PCE report

- 6.1 The PCE report, at section 7.5, acknowledges that 'the Council is legally obliged to keep the hazard zone information on the LIMs of affected properties'. This statement in the report reflects the Council's statutory obligation in section 44A(2)(a) of the Local Government Official Information and Meetings Act 1987 (LGOIMA):

"(1) A person may apply to a territorial authority for the issue, within 10 working days, of a land information memorandum, in relation to matters affecting any land in the district of the authority.

(2) The matters which shall be included in that memorandum are:

(a) information identifying each (if any) special feature or characteristic of the land concerned, including but not limited to potential erosion, or inundation, or likely presence of hazardous contaminants, being a feature or characteristic that—

(i) is known to the territorial authority; but

(ii) is not apparent from the District Plan under the Resource Management Act 1991..."

- 6.2 It is mandatory for a LIM to include all of the information specified in section 44A(2)(a) - (h) (other mandatory information that must be provided in a LIM includes drainage records, drinking water, rates owing on a property, building consents and requisitions etc). Section 44A(6) states that there are no grounds for a Council to withhold information specified in subsection (2) or to refuse to provide a LIM where one has been requested.
- 6.3 Section 44A(2) does not provide for a governance decision to be made by the elected members of the Council; information known to the Council either is or is not information that must be included in a LIM.
- 6.4 The T&T report contains information that identifies potential coastal erosion and coastal inundation hazards for certain properties in the district, is known to the Council (the Council itself obtained the report) and is not information that is apparent from the District Plan. It is therefore mandatory information the Council must disclose, as recognised by the PCE report.
- 6.5 However, the Council has a discretion in relation to the wording it uses to convey the mandatory information in a LIM. This is an administrative function undertaken by technical staff of Council with knowledge of the necessary information, with advice from the legal team as required.
- 6.6 The PCE report noted that 'when hazard information is put on a LIM, it must be clear'. This statement is consistent with recent case law, which notes that information on LIMs must be accurate, state the position fairly, and not mislead: *Weir v Kapiti Coast District Council* [2013] NZHC 3522.
- 6.7 The *Weir* case (together with *Marlborough District Council v Altimarloch Joint Venture Ltd* [2012] NZSC 11) also confirmed that where a Council holds a report that identifies potential hazards, in alerting a LIM recipient to the existence of the report a Council is not warranting the accuracy of the opinions in the report. It is simply disclosing the information it holds on the hazards identified in the report. Appropriately worded disclosure of a report then allows a LIM reader to review that information and obtain other relevant information they consider may be required. In the *Weir* case the Court also noted, at paragraph 64, that to satisfy section 44A(2)(a): *The Council needs to know about the report but it does not need to believe that the predictions in them are accurate or even probably accurate.*
- 6.8 In relation to this sentence in *Weir* advice to the Council notes that *it is acceptable for a LIM to alert recipients to a report even though a Council may have doubts about its accuracy. This then becomes a matter of fact and degree as to how the information is fairly and not misleadingly provided on the LIM. We suspect there is a broad spectrum of possibilities. For example we could envisage a situation where a discredited report known to Council no longer requires mention. As an alternative to Council being assured about the science behind a report (which may sometimes be difficult to be categorical about) reference to alternative reports or positions could be made, or an appropriate qualifying notation could be included.*
- 6.9 The T&T report has not been the subject of a detailed review by the PCE or been discredited by the PCE. However, the PCE report suggests the wording used on LIMs in relation to the T & T report (in relation to coastal inundation) is not sufficiently clear. As noted above, Council staff are now reviewing the content of the LIM comments relating to the T&T report to ensure they are clearer, in light of the PCE report comments. The most recent LIM comments already include as a final sentence that *The [T&T] report will be subject to further review through planning processes and as a result the [hazard] information recorded on the LIM for this property may change in the future.* If a further peer review is to be obtained of the T & T report, as recommended in this report, then the peer review may also lead to further changes to the LIM comments.

Attachments

There are no attachments to this report.

Confirmation of Statutory Compliance

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories

Authors	Helen Beaumont Judith Cheyne	Unit Manager - Natural Environment & Heritage Senior Solicitor
Approved By	Michael Theelen	Chief Planning Officer

72 Request for Peterborough Quarter

Reference: 15/1490772

Contact: Paul Silk paul.silk@developmentchristchurch.co.nz 941 6585

1. Purpose of Report

- 1.1 This report seeks the Council's agreement for Development Christchurch Ltd (DCL) to formally engage with the market with respect to the land comprising the old convention centre site and surrounding Council-owned sites. This land has been identified in earlier Council resolutions as forming part of the "Peterborough Quarter", which DCL has been mandated to facilitate development of as one of its 'proof of concept' projects.

2. Staff Recommendations

That the Council:

1. Agree to DCL engaging with the market with respect to the Council-owned land in Peterborough Street (specifically 95 Kilmore Street and 82 and 84 Peterborough Street) and surrounding Council-owned sites in order to seek development partners aligned to Council objectives for the redevelopment of the Peterborough Quarter.
2. Note that DCL will work with Elected Members and Council staff to determine the development objectives, outcomes and risk profile that they would like to see represented in a possible development agreement on the Peterborough Quarter land.
3. Note that once a preferred developer has been identified and key commercial terms identified DCL will come back to Council for full approval to proceed.

3. Key Points

- 3.1 On 13 August 2015 Council formally resolved for Development Christchurch Ltd (DCL) to progress the development proposal using Council owned land publicly known as the Old Convention centre site located on Peterborough Street. This would be used to support a wider regeneration project known as Peterborough Quarter.
- 3.2 DCL have now had a chance to consider this request and are now in a position to formally engage with the market on the potential development options for the site. Given the regeneration focus of DCL and the desire to engage collaboratively with Regenerate Christchurch, it is intended that DCL take a much broader view of development requirements and opportunities than a more traditional 'highest and best use' approach.
- 3.3 As such, DCL is also seeking approval to take into account development opportunities or impacts associated with the wider tract of land (the Peterborough Quarter bounded by Peterborough Street, Durham St North, Kilmore Street and Colombo Street) as well as surrounding Council-owned sites that may be impacted, influence or potentially form part of this development.
- 3.4 During the course of the macro level master planning exercise for Peterborough Quarter, DCL is also likely to identify other sites that will help catalyse best outcomes for the Peterborough Quarter development and the city. The adjacent Crowne Plaza site is one obvious example that is likely to have some influence on the regeneration of the Peterborough Quarter. Another example could be private land holdings on or around the area that could be acquired through land swaps with CCC sites in other areas. Any final decisions on any of these additional sites or options will however, be made by Council in a separate paper.

- 3.5 Current Council processes for land disposal and transfer had been developed in an environment that did not consider the potential role of a Council owned development authority.
- 3.6 Having established DCL, it will be imperative that DCL is able to assess and develop potential development opportunities with certainty that the land will be available for DCL to complete the transaction. As such, DCL is requesting that Council agree to the land under question to be excluded from any normal Council processes for the disposal of surplus land. DCL is currently negotiating an interface agreement with the CCC that will clarify the terms under which DCL will access surplus Council land in future.
- 3.7 Consistent with the broad regeneration mandate for DCL, it is expected that Council will also be requested to articulate and agree the development outcomes and objectives that they would expect DCL to deliver through a potential development on the Peterborough Quarter site. Assuming that DCL receives full access to the land, it is expected that this process will occur early in 2016.
- 3.8 Once DCL has determined that a development agreement is possible that meets the Council's objectives and outcomes, DCL will bring a separate paper to Council seeking Council's approval to completing the development agreement.

Attachments

There are no attachments to this report.

Signatories

Author	Eric Assendelft	Senior Advisor
Approved By	Eric Assendelft Karleen Edwards	Senior Advisor Chief Executive

47 Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items listed overleaf.

Reason for passing this resolution: good reason to withhold exists under section 7.

Specific grounds under section 48(1) for the passing of this resolution: Section 48(1)(a)

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):
- (a) Shall be available to any member of the public who is present; and
 - (b) Shall form part of the minutes of the local authority.”

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 are as follows:

ITEM NO.	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	SECTION	SUBCLAUSE AND REASON UNDER THE ACT	PLAIN ENGLISH REASON	WHEN REPORTS CAN BE RELEASED
73	CASHMERE FOREST ADVENTURE PARK	S7(2)(1)	CONDUCT NEGOTIATIONS	THE REPORT CONTAINS SENSITIVE INFORMATION WHICH, IF RELEASED CAN AFFECT THE COURSE OF NEGOTIATIONS AND SHOULD REMAIN CONFIDENTIAL.	Recommendations of the report can be released post Council decision, balance of the report can be released following completion of any agreement.