
MINUTES

WEDNESDAY 21 APRIL 2010

9.17AM – 10.31AM

10.45AM – 11.44AM

WEDNESDAY 19 MAY 2010 (RECONVENED)

9.18M – 10.31AM

10.47AM – 11.25AM

10.49AM – 11.00AM (PUBLIC EXCLUDED)

11.04AM – 11.22AM (PUBLIC EXCLUDED)

**Committee Room One
Ground Floor, Council Offices
101 Wakefield Street
Wellington**

PRESENT (WEDNESDAY 21 APRIL 2010):

Mayor Prendergast (9.17am – 10.31am, 10.45am – 11.29am)

Councillor Foster (Chair) (9.17am – 10.31am, 10.45am – 11.44am)

Councillor Pepperell (9.17am – 10.31am, 10.45am – 11.44am)

Councillor Wade-Brown (9.17am – 10.31am, 10.45am – 11.44am)

APOLOGIES:

Councillor Coughlan

DEMOCRATIC SERVICES OFFICER IN ATTENDANCE:

Fiona Dunlop – Committee Adviser

009/10DC **APOLOGIES**
(1215/52/05/IM)

Moved Councillor Foster, seconded Councillor Pepperell the motion that the Development Contributions Subcommittee receives apologies for absence from Councillor Coughlan.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Development Contributions Subcommittee:

1. *Receive apologies for absence from Councillor Coughlan.*

010/10DC MINUTES FOR CONFIRMATION
(1215/52/05/IM)

Moved Councillor Foster, seconded Councillor Wade-Brown the motion that the Development Contributions Subcommittee approve the minutes of the extraordinary meeting held on Wednesday 17 March 2010 having been circulated, be taken as an accurate record of that meeting.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Development Contributions Subcommittee

1. *Approve the minutes of the extraordinary meeting held on Wednesday 17 March 2010 having been circulated, be taken as an accurate record of that meeting.*

011/10DC CONFLICT OF INTEREST DECLARATIONS
(1215/52/05/IM)

NOTED:

Mayor Prendergast advised that she had a conflict of interesting in relation to Report 2 - Additional Information relating to the Development Contribution Remission Application for Willis Central (44-52 Willis Street, Wellington Central). She advised that she would not take part in discussion, debate or vote on the matter.

012/10DC PUBLIC PARTICIPATION
(1215/52/05/IM)

NOTED:

1. Andrew Robinson Development Manager AMP Capital Investors (New Zealand) Ltd addressed the meeting in relation to Report 1 - Additional Information relating to the Development Contribution Remission Application for Vogel Campus (16 Kate Sheppard Place

and 7-17 Mulgrave Street, Thorndon). He advised the meeting that he was seeking support from the Council for a Development Contribution remission for the development undertaken at 16 Kate Sheppard Place and 7-17 Mulgrave Street, Thorndon.

2. Con Anastasiou – Legal Counsel, Mark Ashby Planning Manager of Aurecon Limited, Ian Cassels – Principal of Boulcott Land Limited, all addressed the meeting in relation to Report 2 - Additional Information relating to the Development Contribution Remission Application for Willis Central (44-52 Willis Street, Wellington Central). They spoke in support of the application for a remission to the standard development contribution for the development of “Willis Central” (44-52 Willis Street, Wellington Central). A copy of their submissions were tabled by Mr Anastasiou and Mr Ashby.

TABLED: 012/10DC(A and B).

(During public participation the meeting adjourned for morning tea at 10.31am and reconvened at 10.45am.)

(Mayor Prendergast, Councillors Foster, Pepperell and Wade-Brown were present when the meeting reconvened.)

The Subcommittee asked questions of clarification regarding the submission from representatives for the “Willis Central” (44-52 Willis Street, Wellington Central) development.

(Mayor Prendergast left the meeting at 11.29am.)

013/10DC **ADJOURNMENT OF MEETING**
(1215/52/05IM)

Moved Councillor Foster, seconded Councillor Pepperell the motion that the Development Contributions Subcommittee adjourn and reconvene at 9.15am on Wednesday 19 May 2010 to deliberate on Reports 1, 2 and 3.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Development Contributions Subcommittee:

1. *Adjourn and reconvene at 9.15am on Wednesday 19 May 2010 to deliberate on Reports 1, 2 and 3.*

The meeting adjourned at 11.44am on Wednesday 21 April 2010.

The meeting reconvened at 9:18am on Wednesday 19 May 2010.

WEDNESDAY 19 MAY 2010

9.18M – 10.31AM

10.47AM – 11.25AM

10.49AM – 11.00AM (PUBLIC EXCLUDED)

11.04AM – 11.22AM (PUBLIC EXCLUDED)

PRESENT (WEDNESDAY 19 MAY 2010)

Mayor Prendergast (9.18am – 10.31am, 10.47am – 11.04am)

Councillor Foster (Chair) (9.18am – 10.31am, 10.47am – 11.25am)

Councillor Pepperell (9.18am – 10.31am, 10.48am – 11.25am)

Councillor Wade-Brown (9.18am – 10.31am, 10.47am – 11.25am)

APOLOGIES:

Councillor Coughlan

DEMOCRATIC SERVICES OFFICER IN ATTENDANCE:

Fiona Dunlop – Committee Adviser

013/10DC **APOLOGIES**
(1215/52/05/IM)

Moved Councillor Foster, seconded Mayor Prendergast the motion that the Development Contributions Subcommittee receives apologies for absence from Councillor Coughlan for the reconvened meeting.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Development Contributions Subcommittee:

- 1. Receive apologies for absence from Councillor Coughlan for the reconvened meeting.*

014/10DC **OFFICER UPDATE**
(1215/52/05/IM)

NOTED:

John McSweeney – Programme Manager, Development Contributions gave a presentation to the Subcommittee and supplementary information was provided.

TABLED INFORMATION: Reference 014/10DC(a).

015/10DC **ADDITIONAL INFORMATION RELATING TO THE DEVELOPMENT CONTRIBUTION REMISSION APPLICATION FOR VOGEL CAMPUS (16 KATE SHEPPARD PLACE AND 7-17 MULGRAVE STREET, THORNDON) (9.55AM – 10.31AM)**
Report of Tim Wild – Planning Technician, Development Planning.
(1215/52/05IM) (REPORT 1)

NOTED:

The Subcommittee heard submissions from Jim Lynch – Legal Counsel for AMP Capital Limited and Andrew Robinson – Development Manager for AMP Capital Limited who both addressed the Subcommittee in support of the application to Wellington City Council for a remission to the standard development contribution for the “Vogel Campus” located at 16 Kate Sheppard Place and 7-17 Mulgrave Street, Thorndon.
A copy of their submission was tabled.

TABLED INFORMATION: 015/10DC(a)

Moved Councillor Foster, seconded Councillor Mayor Prendergast the substantive motion recommendation 1.

The substantive motion recommendation 1 was put and declared CARRIED.

RESOLVED:

THAT the Development Contributions Subcommittee:

1. *Receive the information.*

NOTED:

The Chair advised that the Subcommittee would deliberate on the application for remission in public excluded session and make its final decision on the remission application later in the meeting. See 019/10DC for the final decision on the application.

(The meeting adjourned for morning tea at 10.31am and reconvened at 10.47am.)

(Mayor Prendergast, Councillors Foster and Wade-Brown were present when the meeting reconvened.)

016/10DC **ADDITIONAL INFORMATION RELATING TO THE DEVELOPMENT CONTRIBUTION REMISSION APPLICATION FOR MALVINA MAJOR RETIREMENT VILLAGE (118 BURMA ROAD, JOHNSONVILLE) (10.47AM – 10.48AM)**
Report of Tim Fletcher – Manager Customer Services and Business Support.
(1215/52/05IM) (REPORT 3)

Moved Councillor Foster, seconded Councillor Mayor Prendergast the substantive motion recommendation 1.

The substantive motion recommendation 1 was put and declared CARRIED.

RESOLVED:

THAT the Development Contributions Subcommittee:

1. Receives the information.

NOTED:

The Chair advised that the Subcommittee would deliberate on the application for remission in public excluded session and make its final decision on the remission application later in the meeting. See 022/10DC for the final decision on the application.

(Councillor Pepperell returned to the meeting at 10.48am.)

017/10DC **RESOLUTION TO EXCLUDE THE PUBLIC**
(1215/52/05/IM)

Moved Councillor Foster, seconded Pepperell the motion to exclude the public.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Development Contributions Subcommittee:

1. *Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:*

Report 1 - Additional Information relating to the Development Contribution Remission Application for Vogel Campus (16 Kate Sheppard Place and 7-17 Mulgrave Street, Thorndon)

Report 3 - Additional Information relating to the Development Contribution Remission Application for Malvina Major Retirement Village (118 Burma Road, Johnsonville)

Grounds: Section 48(1)(d) Local Government Official Information and Meetings Act – That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendations in proceedings

Reasons: Section 48(2)(a)(i) Any proceedings before a local authority where a right of appeal lies to any Court or tribunal against the final decision of the local authority in those proceedings; or

Section 48(2)(a)(ii) The local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings.

The meeting went into public excluded session at 10.49am.

For items 018/10DC and 021/10DC, please see the Public Excluded minutes.

The meeting returned to open session at 11.00am.

019/10DC **ADDITIONAL INFORMATION RELATING TO THE DEVELOPMENT CONTRIBUTION REMISSION APPLICATION FOR VOGEL CAMPUS (16 KATE SHEPPARD PLACE AND 7-17 MULGRAVE STREET, THORNDON) (11.00AM – 11.03AM)**
 Report of Tim Wild – Planning Technician, Development Planning.
 (1215/52/05IM) (REPORT 1)

NOTED:

Following consideration of the remission application from AMP Capital the Subcommittee voted on the remaining recommendation in the officer's report. See 015/10DC for the resolution to receive the information.

Moved Councillor Foster, seconded Mayor Prendergast the substantive motion recommendation 2 and a new recommendation 3 (as follows):

THAT the Development Contributions Subcommittee:

3. Delegate to the Chair and Mayor Prendergast the authority to sign a letter advising AMP Capital of the reasons for the Subcommittee's decision.

The substantive motion recommendation 2 and new recommendation 3 were put and declared CARRIED.

RESOLVED:

THAT the Development Contributions Subcommittee:

1. *Receive the information.*
2. *Agree to grant a remission of the stormwater components (\$52,533.20) of the development contributions fee and invoice Capital Properties a revised and final fee of \$929,604.02.*
3. *Delegate to the Chair and Mayor Prendergast the authority to sign a letter advising AMP Capital of the reasons for the Subcommittee's decision.*

NOTED:

The resolution differs from the recommendation in the officer's report as follows:

The Subcommittee added the text in **bold**.

020/10DC **ADDITIONAL INFORMATION RELATING TO THE DEVELOPMENT CONTRIBUTION REMISSION APPLICATION FOR WILLIS CENTRAL (44-52 WILLIS STREET, WELLINGTON CENTRAL) (11.03AM – 11.04AM)**

Report of Tim Wild – Planning Technician, Development Planning.
(1215/52/05IM) (REPORT 2)

NOTED:

The Committee noted that the report had been withdrawn as the applicant had withdrawn this remission application.

(Mayor Prendergast left the meeting at 11.04am.)

The meeting returned to public excluded session at 11.04am.

For item 021/10DC please see the public excluded minutes.

The meeting returned to public session at 11.22am.

022/10DC **ADDITIONAL INFORMATION RELATING TO THE DEVELOPMENT CONTRIBUTION REMISSION APPLICATION FOR MALVINA MAJOR RETIREMENT VILLAGE (118 BURMA ROAD, JOHNSONVILLE) (11.22AM – 11.25AM)**

Report of Tim Fletcher – Manager Customer Services and Business Support.
(1215/52/05IM) (REPORT 3)

NOTED:

Following consideration of the remission application from Ryman Healthcare Limited the Subcommittee voted on the remaining recommendation in the officer's report. See 019/10DC for the resolution to receive the information.

Moved Councillor Foster, seconded Councillor Wade-Brown the substantive motion recommendation 2 (as amended) and a new recommendation 3 (as follows):

THAT the Development Contributions Subcommittee:

2. Agrees to a partial remission of the development contribution fees and invoices Ryman a revised and final fee **as amended** of \$79,829.78, **recognising that the agreed reduced intensity of 0.7 EHU is not applied to the roading contribution as this has already been discounted to recognise actual demand** for the extension of the Malvina Major Retirement Village (118 Burma Road, Johnsonville).

3. Delegate to the Chair and Chief Executive the authority to sign a letter advising Ryman Healthcare the reasons for the Subcommittee's decision.

The substantive motion recommendation 2 as amended and a new recommendation 3 were put and declared CARRIED.

RESOLVED:

THAT the Development Contributions Subcommittee:

1. *Receives the information.*
2. *Agrees to a partial remission of the development contribution fees and invoices Ryman a revised and final fee **as amended** of \$79,829.78, **recognising that the agreed reduced intensity of 0.7 EHU is not applied to the roading contribution as this has already been discounted to recognise actual demand** for the extension of the Malvina Major Retirement Village (118 Burma Road, Johnsonville).*
3. *Delegate to the Chair and Chief Executive the authority to sign a letter advising Ryman Healthcare the reasons for the Subcommittee's decision.*

NOTED:

1. The resolution differs from the recommendation in the officer's report as follows:

The Subcommittee added the text in **bold** and the following is the explanation of the amendment.

Resolution 2 has been amended as the original Development Contribution assessment of \$77,418.75 included the 75% roading remission and a further 30% remission (based on a 0.7 EHU calculation) that was applied to the remaining Development Contribution roading component of \$8036.77. This 'double counting' in favour of Ryman Healthcare Ltd has been corrected by removing the 0.7 EHU calculation to the roading contribution, resulting in an amended Development Contribution of \$79,829.78 (inc GST).

The meeting concluded at 11.25am on Wednesday 19 May 2010.

Confirmed: _____

Chair

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