

Michelle van Straalen

From: Michelle van Straalen
Sent: Friday, 26 June 2020 15:55
To: [REDACTED]
Cc: official information
Subject: FW: LGOIMA 20090 - Restrict Covenants/Concentrated land ownership Hamilton

Good afternoon [REDACTED]

I refer to your email below of 22 June 2020. I have heard back from the team responsible for providing a response.

Our response:

Hamilton City Council can confirm there have been no such reports undertaken that examine land ownership. Therefore, this information has not been provided under Section 17(e) of the Local Government Official Information and Meetings Act 1987 – in that the document requested does not exist.

If you have any concerns with the decision(s) referred to in this response, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

For your information, the Ombudsman's contact details are:

Email: info@ombudsman.parliament.nz
Post: PO Box 10152, Wellington 6143
Telephone: 0800 802 602

Kind regards,

Michelle van Straalen
Official Information Advisor | Legal Services

DDI: 07 974 0589 | Michelle.vanStraalen@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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From: [REDACTED]
Sent: Monday, 22 June 2020 3:11 PM

To: Michelle van Straalen <Michelle.vanStraalen@hcc.govt.nz>

Subject: RE: LGOIMA 20090 - Restrict Covenants/Concentrated land ownership Hamilton

Good afternoon, You recently replied to me request regarding the Restrictive Covenants. However the question had 2 parts with the second part regarding "concentrated land ownership" that is specifically referred to in the NPS documents. . Your replied with a reference to the following. With regard to "concentrated land ownership", this information is publicly available on the MBIE Urban Development Capacity Dashboard, under "Price Efficiency Indicators". <http://urban-development-capacity.mbie.govt.nz/> . However this only deals with the technical side. What I am requesting is specifically to Hamilton. Has there been any report undertaken regarding this issue. If so please provide. Thanks

Kind Regards



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From: Michelle van Straalen [<mailto:Michelle.vanStraalen@hcc.govt.nz>]

Sent: Friday, 22 May 2020 12:17 PM

To: [Redacted]

Cc: official information

Subject: LGOIMA 20090 - Restrict Covenants/ Hamilton

Kia ora

Further to your information request of 7 May 2020 in respect of Restrict Covenants, I am now able to provide Hamilton City Council's response.

You requested:

The National Policy Statement on Urban Development Capacity (Guide on Evidence) published June 2017 (updated Dec 2017) has a legal requirement for HCC to comply with.

Under 3.2 Supply which states (paragraph) 3 " other factors impacting development include land ownership intentions, very concentrated or very fragment land ownership, covenants and the capacity of developers" . My primary focus is on both Covenants and concentrated land ownership. I have been through: (1) The Urban Growth Strategy 2008 , (2)Intensification study 2007, (3) Strategic Risk Analysis reports 2008, (4)Harrison Grierson 2010 (5) all the Future Proof report (6) Market Economics report together will all the correspondence between Future Proof and MBIE. I can find little or no information on these 2 points. Please therefore provide me with all background information/ reports as how these have been covered. For Covenants please identify what (if any) capacity limitation issues have been "factored" into "infill capacity" . For Concentrated land ownership issues please refer me to (or supply) any reports that have been undertaken and / or , have this issue been addressed is " potential supply" problem with Affordability.

Our response:

Land covenants govern a wide range of items, some of which do not necessarily impact the capacity to develop dwellings on a site if they can be lifted or are on amenity issues. The contents and effects of land covenants are difficult to understand given the way they are stored by LINZ and or enforced once in place. As such, the ability to determine the impact of restricted covenants on development capacity is limited to noting those parcels which contain covenants. The 2017 Housing and Business Assessment did not include an assessment of the location of restrictive land covenants.

With regard to “concentrated land ownership”, this information is publicly available on the MBIE Urban Development Capacity Dashboard, under “Price Efficiency Indicators”. <http://urban-development-capacity.mbie.govt.nz/>

Kind regards,

Michelle van Straalen

Official Information Advisor | Legal Services

DDI: 07 974 0589 | Michelle.vanStraalen@hcc.govt.nz



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From: official information

Sent: Friday, 8 May 2020 2:53 PM

To: [REDACTED]

Cc: official information <officialinformation@hcc.govt.nz>

Subject: HPE CM: LGOIMA 20090 - Restrict Covenants/ Hamilton

Kia ora

I write to acknowledge your information request of 7 May 2020 in respect of “Restrict Covenants”

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information or not “as soon as reasonably practicable”, no later than 20 working days after the day we received your request. We will respond to you no later than 5 June 2020.

Kind regards,

Michelle van Straalen

Official Information Advisor | Legal Services

DDI: 07 974 0589 | Michelle.vanStraalen@hcc.govt.nz

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From: [REDACTED]
Sent: Thursday, 7 May 2020 10:35 AM
To: official information <officialinformation@hcc.govt.nz>
Subject: Restrict Covenants/ Hamilton

Good morning, The National Policy Statement on Urban Development Capacity (Guide on Evidence) published June 2017 (updated Dec 2017) has a legal requirement for HCC to comply with.

Under 3.2 **Supply** which states (paragraph) 3 “ other factors impacting development include land ownership intentions, very concentrated or very fragment land ownership, covenants and the capacity of developers” . My primary focus is on **both Covenants and concentrated land ownership**. I have been through: (1) The Urban Growth Strategy 2008 , (2)Intensification study 2007, (3) Strategic Risk Analysis reports 2008, (4)Harrison Grierson 2010 (5) all the Future Proof report (6) Market Economics report together will all the correspondence between Future Proof and MBIE. I can find little or no information on these 2 points. Please therefore provide me with all background information/ reports as how these have been covered. **For Covenants please identify what (if any) capacity limitation issues have been “factored” into “infill capacity” .**
For Concentrated land ownership issues please refer me to (or supply) any reports that have been undertaken and / or , have this issue been addressed is “ potential supply” problem with Affordability.

Kind Regards

Colin Jones
[REDACTED]

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