

**QLDC Council**

23 March 2023

**Report for Agenda Item | Rīpoata moto e Rāraki take [13]**

**Department: Strategy & Policy**

**Title | Taitara : Queenstown Lakes District Council Submissions**

**Purpose of the Report | Te Take mō te Pūroko**

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The purpose of this report is to present the submissions made to various government agencies on open consultations relevant to the Queenstown Lakes District Council (QLDC) and the Queenstown Lakes District.

This report seeks Council's retrospective approval of the submissions' content.

**Recommendation | Kā Tūtohuka**

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That the Council:

1. **Note** the contents of this report;
2. **Approves** retrospectively the contents of the Sale and Supply of Alcohol (Community Participation) Amendment Bill Submission;
3. **Approves** retrospectively the contents of the Natural and Built Environment Bill and the Spatial Planning Bill Submission;
4. **Approves** retrospectively the contents of the Water Services Legislation Bill and the Water Services Economic Efficiency and Consumer Protection Bill Submission; and
5. **Approves** retrospectively the contents of the Future for Local Government Draft Report Submission.

**Prepared by:**



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**Title:** Policy Manager

**1 March 2023**

**Prepared by:**



**Name:** Pennie Pearce  
**Title:** Reform Programme  
Manager

**1 March 2023**

**Reviewed and Authorised by:**



**Name:** Michelle Morss  
**Title:** GM – Strategy and Policy

**1 March 2023**

## Context | Horopaki

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- 1 QLDC has responded to several government plans, policies, Bills, and inquiries in February 2023 through Council submissions.
- 2 These consultations were:
  - The Sale and Supply of Alcohol (Community Participation) Amendment Bill – 12 February 2023 (Link A).
  - Natural and Built Environment Bill and the Spatial Planning Bill – 17 February 2023 (Link B).
  - The Water Services Legislation Bill and the Water Services Economic Efficiency and Consumer Protection Bill – 17 February 2023 (Link C).
  - The Future for Local Government Draft Report – 28 February 2023 (Link D).
- 3 Summaries of the consultations and Council submissions are outlined below and attached in full. Councillors have had opportunity to view and comment on the attached submissions in draft form prior to them be lodged.

## Analysis and Advice | Tatāritaka me kā Tohutohu

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### **Sale and Supply of Alcohol (Community Participation) Amendment Bill**

- 4 The Justice Committee consulted on its Sale and Supply of Alcohol (Community Participation) Amendment Bill recently, with submissions closing on 12 February 2023.
- 5 The bill aims to improve communities' ability to influence alcohol regulation in their area by making targeted changes to the alcohol licensing process provided for in the Sale and Supply of Alcohol Act 2012. Proposed changes include:
  - Amending the Act so that parties can no longer appeal provisional local alcohol policies
  - Allowing district licensing committees to decline to renew a licence if they consider that the licence would be inconsistent with conditions on location or licence density in the relevant local alcohol policy
  - Changing who can object to licensing applications
  - Changing the way that licensing hearings are conducted.
- 6 QLDC sent a written submission to the Justice Committee as part of this consultation process.

### *QLDC Response*

- 7 Councillors have had the opportunity to view and comment on the attached submission in draft form prior to it being lodged. As the submission deadline did not align with a Council meeting, the purpose of bringing this paper retrospectively is to ensure the submission is formally sanctioned by Council and to give transparency to the community.

### **Natural and Built Environment Bill and Spatial Planning Bill**

- 8 The Natural and Built Environment and Spatial Planning Bills have been introduced to parliament and referred to the Environment Select Committee. Along with other Territorial Authorities, Council received an extension to 17 February 2023 to provide its submission to the Environment Select Committee.
- 9 The current resource management system has been recognised as being both complex and inefficient. In response to this, the Government is working to repeal the Resource Management Act 1991 and replace it with three new Acts: the Natural and Built Environment Act, the Spatial Planning Act, and the Climate Adaptation Act.
- 10 QLDC made a written submission to the Environment Select Committee as part of the consultation process and has requested to present its submission orally.

#### *QLDC Response*

- 11 Councillors have had the opportunity to view and comment on the submission in draft form prior to it being lodged. As the submission deadline did not align with a Council meeting, the purpose of bringing this paper retrospectively is to ensure the submission is formally sanctioned by Council and to give transparency to the community.

#### **The Water Services Legislation Bill and the Water Services Economic Efficiency and Consumer Protection Bill**

- 12 The Water Services Legislation and Water Services Economic Efficiency and Consumer Protection Bills have been introduced to Parliament and referred to the Finance and Expenditure Select Committee.
- 13 The Water Services Legislation Bill is an extension to the already enacted Water Services Entities Act 2022. The Bill makes some changes to the Act and includes additional detail on how the entities will operate. The Water Services Economic Efficiency and Consumer Protection Bill sets out the economic regulatory regime that will operate under the Water Services Commissioner as part of the Commerce Commission.
- 14 QLDC made a written submission to the Finance and Expenditure Select Committee as part of the consultation process.

#### *QLDC Response*

- 15 Councillors have had the opportunity to view and comment on the attached submission in draft form prior to it being lodged. As the submission deadline did not align with a Council meeting, the purpose of bringing this paper retrospectively is to ensure the submission is formally sanctioned by Council and to give transparency to the community.

#### **The Future for Local Government Draft Report**

- 16 The Future for Local Government Review (FfLG Review) was established in April 2021 by the Minister of Local Government. Its overall purpose is to consider how New Zealand's system of local democracy and governance will need to evolve over the next 30 years to improve the wellbeing of New Zealanders and actively embody the Treaty partnership.
- 17 The FfLG Review is being undertaken by the Future for Local Government Panel (FfLG Panel). The current FfLG Panel members were selected through the Cabinet appointment process. All FfLG Panel members have considerable experience in senior leadership roles both in local and central government. The FfLG

Panel members are Jim Palmer (Chair), Penny Hulse MNZM, Antoine Coffin, Gael Surgenor, and Brendan Boyle.

- 18 The FfLG Panel has issued a Draft Report outlining a range of recommendations about how the system of local government could be evolved and requested feedback on those recommendations. QLDC made a written submission to the FfLG Panel as part of the feedback process.

#### *QLDC Response*

- 19 Councillors have had the opportunity to view and comment on the attached submission in draft form prior to it being lodged. As the submission deadline did not align with a Council meeting, the purpose of bringing this paper retrospectively is to ensure the submission is formally sanctioned by Council and to give transparency to the community.

#### **Options**

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- 20 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

- 21 The options for each submission are the same.

- 22 **Option 1:** to retrospectively approve the contents of the relevant attached submission as outlined in the recommendations.

#### *Advantages:*

- 23 The submission will remain in the relevant agencies' process and QLDC will have participated effectively.

#### *Disadvantages:*

- 24 There are no clear disadvantages to this option.

- 25 **Option 2:** to request the withdrawal of the relevant attached submission from the agencies' process.

#### *Advantages:*

- 26 The submission will be withdrawn from the agencies' process and any inaccurate representations of QLDC's position will not be considered.

#### *Disadvantages:*

- 27 No aspect of QLDC's position will be represented in the process.

- 28 This report recommends **Option 1** for each submission (if representative of the council's position) to ensure that QLDC participates effectively in the relevant consultation process.

#### **Consultation Process | Hātepe Matapaki**

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#### **Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka**

- 29 This matter is of low significance, as determined by reference to the Council’s Significance and Engagement Policy. This advice deals with a matter of interest to a range of individuals, organisations, groups, and sectors in the community.
- 30 The persons who are affected by or interested in this matter are all residents and ratepayers of the Queenstown Lakes District communities.
- 31 No external consultation was undertaken in preparing these submissions, as there was insufficient time to do so given the tight timeframes provided.

#### **Māori Consultation | Iwi Rūnaka**

- 32 The Council sent the submission points of the Natural and Built Environment Bill and Spatial Planning Bill submission to iwi for consideration prior to submission.
- 33 Other submissions did not engage with Iwi or Rūnaka in preparing this submission, as there was insufficient time to do so given the tight timeframes provided by the Committees.

#### **Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka**

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- 34 This matter relates to the Strategic/Political/Reputation It is associated with RISK00038 – Lack of Alignment – Strategies and Policies within the QLDC Risk Register. This risk has been assessed as having a low inherent risk rating.
- 35 The approval of the recommended option will support the Council by allowing it to implement additional controls for this risk. This shall be achieved by monitoring future changes in legislation based on the advice to government, in particular addressing those issues that directly affect QLDC and the Queenstown Lakes District community.

#### **Financial Implications | Kā Riteka ā-Pūtea**

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- 36 There are no financial implications.

#### **Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera**

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- 37 The following Council policies, strategies and bylaws were considered:

- The outcomes and principles of the Vision Beyond 2050
- The QLDC Spatial Plan
- The QLDC District Plan
- The Alcohol Restrictions in Public Places Bylaw 2018
- The Climate and Biodiversity Plan
- The QLDC Homes Strategy
- The 30 Year Infrastructure Strategy.

- 38 The recommended option is consistent with the principles set out in the named policy/policies.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

39 Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

40 The recommended option:

- Can be implemented through current funding under the Ten Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	<a href="#">QLDC submission on the Sale and Supply of Alcohol (Community Participation) Amendment Bill</a>
B	<a href="#">FINAL QLDC submission to NBE and Spatial Planning Bills</a>
C	<a href="#">Water Services Legislation Bill and the Water Services Economic Efficiency and Consumer Protection Bill Submission</a>
D	<a href="#">Future for Local Government Draft Report Submission</a>

Note that the attachments are presented as links in this report rather than 'actual' attachments to prevent adding extraneous pages to the agenda.

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