

QLDC Council

19 October 2023

Report for Agenda Item | Rīpoata moto e Rāraki take [4]

Department: Strategy & Policy

Title | Taitara : Queenstown Lakes District Council Submissions

Purpose of the Report | Te Take mō te Pūroko

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

That the Council

1. **Note** the contents of this report;
2. **Approves** retrospectively the contents of the submission to the Ministry of Business, Innovation and Employment on its Building Consent System Review; and
3. **Approves** retrospectively the submission to the Ministry of Transport on its Draft Government Policy Statement on Land Transport 2024.

Prepared by:



Name: Erin Auchterlonie
Title: Policy Advisor
28 September 2023

Reviewed and Authorised by:



Name: Pennie Pearce
Title: Acting GM – Strategy and Policy
28 September 2023

Context | Horopaki

1. Two submissions have been made by Queenstown Lakes District Council (QLDC) to central government consultation processes since Council's last meeting.
2. The consultations submitted on were:
 - The Ministry of Business, Innovation and Employment's Building Consent System Review – 7 August 2023 (Attachment A).
 - The Ministry of Transport's Draft Government Policy Statement on Land Transport 2024 – 15 September 2023 (Attachment B).
3. Summaries of these 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 being lodged.

Analysis and Advice | Tatāritaka me kā Tohutohu

Ministry of Business, Innovation and Employment's Building Consent System Review

4. The Ministry of Business, Innovation and Employment (MBIE) consulted on the Review of the Building Consent System for New Zealand recently, with submissions closing on 7 August 2023.
5. While MBIE was only consulting on the Review of the Building Consent System, they concurrently released a policy position statement regarding risk, liability, and insurance in the building sector.
6. MBIE has stated that the policy position statement is not within the scope of this review, however it is Council's position that consideration of feedback on risk, liability, and insurance in the building sector will be integral to the success of any reform of the building sector and consent system in Aotearoa.

QLDC Response

7. The submission states that QLDC is supportive of the review in theory, but that risk, liability and insurance is a significant part of the building consent system and for the review to be meaningful, must be included. Reform that fails to address the current joint and several liability approach will result in councils shifting towards more cautious and time-consuming regulation that will have the opposite of the intended effects.
8. The submission has two components to its feedback:
 - **Risk, liability, and insurance in the building sector.** The submission urges MBIE to include risk, liability, and insurance in the scope of its review as, by definition, a first principles review of the building consent system would involve scrutiny of the allocation of the risk in the building system.

- **Consultation submission form.** QLDC has provided answers in the consultation submission form template.

9. The points in QLDC's 2022 submission to the building consent system review remain relevant and were attached to this submission.

Ministry of Transport's Draft Government Policy Statement on Land Transport 2024

10. The Ministry of Transport consulted on its draft Government Policy Statement (GPS) on Land Transport 2024 recently, with submissions closing on 15 September 2023.

11. The draft GPS on Land Transport 2024 sets out the government's strategy for investing in the land transport system. It outlines what the government intends to achieve in land transport and how this is expected to be funded.

12. While the GPS sets out the priorities for a ten year period, it is reviewed and updated every three years.

QLDC Response

13. The QLDC submission was supportive of the work that was put into the development of the draft Government Policy Statement on Land Transport 2024, including the increased focus on 'maintaining and operating the system'.

14. However, the draft GPS as a whole does not enable the transformation that is acutely needed in this space. QLDC's submission raised key concerns, including the late timing of the release of the draft GPS and the lack of strategic investment package for Queenstown and the whole of the lower South Island.

15. QLDC supported the submissions made by Taituarā and Local Government NZ to the draft GPS.

Resolution Options

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

17. The options for the submissions are the same.

18. **Option 1:** to retrospectively approve the contents of the relevant attached submissions as outlined in the recommendations.

Advantages:

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

Disadvantages:

- There are no clear disadvantages to this option.

19. **Option 2:** to request the withdrawal of the relevant attached submissions from the agencies' process.

Advantages:

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

Disadvantages:

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

20. 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

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

21. These matters are of low significance, as determined by reference to the Council's Significance and Engagement Policy. This advice deals with matters of interest to a range of individuals, organisations, groups, and sectors in the community.

22. The persons who are affected by or interested in these matters are all residents and ratepayers of the Queenstown Lakes District communities.

23. No external consultation was undertaken in preparing the submissions, as there was insufficient time to do so given the tight timeframes provided.

Māori Consultation | Iwi Rūnaka

24. The Council did not engage with Iwi or Rūnaka in preparing these submissions, as there was insufficient time to do so given the timeframes provided by the agencies.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

25. This matter relates to the Strategic/Political/Reputation risk category. It is associated with RISK10056 Ineffective provision for the future planning and development needs of the district within the QLDC Risk Register. This risk has been assessed as having a low residual risk rating.

26. The approval of the recommended option will support the Council by allowing us to implement additional controls for this risk. This shall be achieved by 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

27. There are no financial implications.

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

28. 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 Climate and Biodiversity Plan
- The Destination Management Plan
- The Ten Year Plan
- The Homes Strategy and draft Joint Housing Action Plan
- The 30 Year Infrastructure Strategy.

29. 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

30. 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.

31. 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	QLDC submission to MBIE on its Building Consent System Review
B	QLDC submission to the MOT on its draft GPS Land Transport 2024

Document revision: 2023-1