

**QLDC Council**

**1 August 2024**

**Report for Agenda Item | Rīpoata moto e Rāraki take [5]**

**Department: Chief Executive**

**Title | Taitara : Chief Executive’s Report**

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

The purpose of this report is to report on items of general interest that do not require a full officer report and to summarise meetings of recent Standing Committee and the Wānaka-Upper Clutha Community Board.

**Recommendation | Kā Tūtohuka**

That the Council:

1. **Note** the contents of this report;
2. **Delegate** to the Chief Executive all of the responsibilities, duties and powers under the Local Government (Rating) Act 2002 and enable subdelegation of the responsibilities, duties and powers specified below to the following named individuals (subject to Schedule 2: General rules applying to all delegations):

**Local Government (Rating) Act 2002**

<b>Section</b>	<b>Description</b>	<b>Delegate</b>
20	Rating units in common ownership – decision on two or more rating units to be treated as one rating unit	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader
27(5)	Divide rating units - decisions on whether to divide rating units and on the methodology for division for general rate, targeted rate, rateability, or remission	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader
28(2)	Identify rating unit - whether disclosure of the name of a person is necessary to identify a rating unit	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader
28(3)	Rating database information copy fee - to determine the fee for supplying copies of information from the rating information database	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader

<b>Section</b>	<b>Description</b>	<b>Delegate</b>
29	Objections to Rating Information database – to determine objections to the rating information database	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader
35(b)	Names – Rating Information database - to remove names from the rating information database	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader
39	Objections – Rates records - to determine objections to rates records	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader
40	Correction of errors - to correct errors in the rating information database and rating records	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader
41	Amended assessment if error in rating information database or rates record is corrected	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader
50	Rates invoices - to issue invoices based on previous years rates	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader
52	Rate payments - determine agreeable method of rate payments	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader Rates Officer Finance Officer – Rates
54	Collectable amounts – not to collect small amounts	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader
61(1)	Collect unpaid rates - to recover unpaid rates from owner & to make arrangements with ratepayers to repay arrears over an acceptable period	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader Rates Officer
62	Recover unpaid rates - to recover unpaid rates from persons other than owners	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader

Section	Description	Delegate
63	Proceedings for unpaid rates – to commence proceedings for unpaid rates	Assurance, Finance & Risk General Manager
67	Rating sale – to commence rating sale or lease provisions	Chief Executive
72	Rating sale – to sell or lease rating unit by private treaty	Chief Executive
77-83	Abandoned land – to sell abandoned land	Chief Executive
85	Rates Remission for Land affected by Natural Calamity - the extent of any remission shall be determined by the Council or its delegated officers.	Assurance, Finance & Risk General Manager Planning and Development General Manager
90	Power to write-off rates	Assurance, Finance & Risk General Manager Finance Manager
99	Application for Charging Order - to apply for charging orders	Assurance, Finance & Risk General Manager Finance Manager
85,87, 114,115	Remissions and postponement - To administer remissions and postponement policies	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader
135	Evidence Provision - To sign documents for Court proceedings	Assurance, Finance & Risk General Manager
Schedule 1 & 2	Non-rateability of land - Determining non-rateable land	Assurance, Finance & Risk General Manager Finance Manager Financial Services Team Leader Rates Team Leader

**3. Approve** the vesting of the following reserves:

RCL Henley Downs Limited RM230485

- i. Local Purpose (Walkway and Services) Reserve – Lot 78 being 1,400m<sup>2</sup> in area.

Subject to the following works being undertaken at the Applicant's expense:

- i) Compliance with the conditions of resource consent RM230485 (and any subsequent variations) which include:
  - a. The submission of landscape plans to Council for certification by the Parks and Open Spaces Planning Manager;
  - b. The formation of an off-road trail within Lot 78 and the existing Lot 98 DP 519609 to meet the Grade 2 standard of the Queenstown Lakes District Council (QLDC) Cycle Trail and Track Design Standards & Specifications (2016);
  - c. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve to vest in QLDC to protect the Council from liability to contribute towards

- any work on a fence between any public reserve vested in or administered by the Council and any adjoining land;
- d. The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserve, to ensure any fences on land adjoining, or boundaries along any reserve, shall no greater than 1.2m in height, and be 50% visually permeable;
  - e. A three-year maintenance period by the consent holder commencing from vesting of the reserve; and
  - f. A maintenance agreement for reserve prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period.
- ii) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy 2016; and
- iii) Presentation of the reserve in accordance with Council's policies.

Hayes Creek Development Limited RM220821

- ii. Esplanade Reserve - Lots 101 and 102, being 11,113m<sup>2</sup> and 3,180m<sup>2</sup> in area.

Subject to the following works being undertaken at the Applicant's expense:

- i) Compliance with the conditions of resource consent RM220821 (and any subsequent variations) which include:
- a. The submission of a pedestrian easement layout plan detailing the southern connection from the western boundary of Lot 101 with Lot 307 DP 505513 to Alec Robins Road to Council for approval;
  - b. A draft pedestrian easement instrument;
  - c. The submission of detailed design of mounding within the site adjacent to the public access easement to Council for certification by the Parks and Open Spaces Planning Manager;
  - d. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between any public reserve vested in or administered by the Council and any adjoining land;
  - e. Formation of all the trails within the public access easements connecting Alec Robins Road to the Esplanade Reserves (and in the case of the southern easement, across the Esplanade Reserve).
  - f. A maintenance agreement for reserve prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period; and
  - g. A three-year maintenance period by the consent holder commencing from vesting of the reserve; and
  - h. The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserve, to ensure Council is not responsible to

contribute to work on any fence between a public reserve vested in or administered by Council and any adjoining land.

- ii) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy 2016; and
  - iii) Presentation of the reserve in accordance with Council's policies.
4. **Agree** that any reserve improvement contributions are offset against those payable in accordance with the Developments Contributions Policy current at the time of contributions payment, subject to:
- i) Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks & Open Spaces Planning Manager.
  - ii) Final approval of any reserve improvement costs to be delegated to the Parks & Open Spaces Planning Manager and is subject to the applicant demonstrating the actual costs of the improvements.
  - iii) If the cost of work to construct the approved plans exceeds the contributions available to be credited, the additional cost shall be at the Applicant's expense.

**Prepared by:**



**Name:** Mike Theelen  
**Title:** Chief Executive  
11 July 2024

## **Context | Horopaki**

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### **Change to Delegations**

1. There are several delegation updates proposed to enable officers to undertake various duties under the Local Government (Rating) Act 2002.
2. Delegations require Council approval and delegated authority must be in place before officers can progress the actions detailed under specific sections of the Act. These are essentially sub-delegations from the Chief Executive to the named officers and a responsibility, duty or power delegated to an officer (other than a financial delegation) is also delegated to all officers in a direct line of authority above that officer.
3. Responsibilities, duties or powers delegated to officers by the Chief Executive under the Local Government (Rating) Act 2002 may not be sub-delegated.

### **Proposed Reserves to vest in the Whakatipu**

4. These paragraphs are provided to give some context to members who were not present at the Community & Services Committee meeting held on 27 June 2024. Three reserves are proposed to be vested within two separate subdivisions in Queenstown. The Community & Services Committee considered an officer report on this topic and recommended approval of the proposed reserves, subject to various conditions.
5. Lot 78 within Stage DP2 of the Hanley's Farm subdivision is proposed to be vested. This is to be a Local Purpose (Walkway and Services) Reserve which will provide a pedestrian walkway through and along Woolshed Creek. This reserve is to be adjacent to the existing Local Purpose (Drainage) Reserve (Lot 98 DP 519609).
6. Lots 101 and 102 within a subdivision at 64 Alec Robins Road are proposed to be vested. These reserves will contain trails that serve as a connection to/from Lake Hayes/Bridesdale and connect into the existing Lake Hayes Track and the Twin Rivers Trail.

### **Committee Meetings of the Previous Round**

#### Community & Services Committee – Councillor Ferguson (Chair) (27 June 2024)

Recommendation:

1. Proposed Reserves to Vest in the Whakatipu

Information:

2. Chair's Report

#### Wānaka-Upper Clutha Community Board – Mr Simon Telfer (Chair) (11 July 2024)

Information:

1. Review of Navigation Safety Bylaw 2018
2. Dibble Artwork Proposal for Wānaka lakefront
3. Chair's Report

Attachments | Kā Tāpirihaka

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A	Local Government (Rating) Act 2002 – Delegations to Officers
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Approved By: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

## Local Government (Rating) Act 2002

The Chief Executive is delegated any and all of his responsibilities, duties and powers to act on any matter, subject to the limits and conditions set out in the delegations register (excluding those matters in respect of which delegation is prohibited by any Act or Regulation). This power includes the authority to sub-delegate such powers pursuant to clause 32B of Schedule 7 of the Local Government Act 2002 as the Chief Executive determines necessary.

As Chief Executive I therefore have delegated authority to exercise all of the Council’s responsibilities, duties and powers under **Local Government (Rating) Act 2002**.

I also delegate to the following individuals all of the responsibilities, duties and powers specified below (subject to Schedule 2 General rules applying to all delegations – Queenstown Lakes District Council):

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The previous listed sub-delegations under the **Local Government (Rating) Act 2002** are revoked and these delegations shall take effect from this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

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Mike Theelen  
Chief Executive  
Queenstown Lakes District Council