

## Attachment A - Policies for revocation and archiving

Policy Name	Date	Description	Reason for revocation and archive	Adopted by
<b>Community Services</b>				
<a href="#">Frankton Golf Course</a>	2011	Acknowledges the finite life of the Frankton Golf Course due to competing requirements for the land and states that Council will investigate alternative sites to replace the Frankton Golf Course.	Replaced by the <a href="#">Regional Sport and Recreation Facility Strategy 2018</a> and the <a href="#">Parks and Open Space Strategy 2021</a>	Council - 25 October 2011
<a href="#">Freedom Camping Policy</a>	2010	Outlines Council's approach to freedom camping management.	Replaced by the <a href="#">Responsible Camping Strategy 2022-2027</a> and the <a href="#">Freedom Camping Bylaw 2021</a>	Council – 17 December 2010
<a href="#">Replanting of Trees Particularly the Replacement of Poplars and Other Trees on Rural Roads</a>	2010	Outlines the funding and restrictions around replanting of trees, particularly on rural roads and the requirements for maintenance by Council unless a "Licence to Occupy" is made by a private individual.	Replaced by the <a href="#">Tree Policy 2022</a>	Council - 2 March 2010
<a href="#">Indigenous Vegetation Policy</a>	2003	States the intent of Council to preserve indigenous vegetation and improve biodiversity.	Replaced by the <a href="#">Tree Policy 2022</a> and addressed by QLDC's <a href="#">Climate and Biodiversity Plan 2022-25</a> and in actions 1.2, 1.3, 1.6-1.8, 1.10, 1.11, 1.13, 1.20, 1.22, 4.11, 6.2, 6.3, 6.5, 6.6, 6.8, and 6.9 within the plan.	Council - 22 November 2002
<a href="#">Lake Islands Fire Restrictions Policy</a>	2003	Provides actions on ways fire will be prevented and restrictions on behaviour that may cause fires on the lake islands.	Replaced by the Fire and Emergency Act New Zealand 2017 that has removed councils as the fire authority, this now sits with Fire and Emergency New Zealand.	Council - 14 February 2003
<b>Corporate Services</b>				
<a href="#">Consultation Policy</a>	2005	Sets out the process to facilitate community input into Council decision making.	Replaced by the <a href="#">Significance and Engagement Policy 2021</a> .	Council - 28 October 2005

<a href="#">Computer access options for Councillors</a>	2004	Provides options for how Councillors may be given access to computers.	Replaced by central government Remuneration Authority determinations: <a href="#">Local Government Members (2023/24) Determination 2023</a>	Council - 26 November 2004
<a href="#">Local Body Elections General Elections Hoardings</a>	1999	Sets out size, timing, and characteristics of election hoardings allowed in the district.	Replaced by <a href="#">Elections Signage Policy 2020</a> .	Council - 13 August 1999
<a href="#">Council meetings - Staff</a>	1997	States that Council may not publicly criticise staff.	Replaced by the <a href="#">Elected Member Code of Conduct</a> .	Council - 29 August 1997
<a href="#">Council meetings mobile phones</a>	1995	Does not permit mobile phones to ring in the Council Chambers during advertised meetings.	Replaced by induction for Elected Members that covers expected conduct.	Council - 22 August 1995
<a href="#">Council meetings eating</a>	1990	Does not allow eating at Council tables during meetings.	Replaced by induction for Elected Members that covers expected conduct.	Council – 1990
<a href="#">Residency Supporting Applications</a>	1990	Policy states that Council may not write letters of support for people seeking NZ residency.	Replaced by the <a href="#">Immigration Policy 2018</a> .	Council – 23 October 1990
<b>Assurance, Finance, and Risk</b>				
<a href="#">Signs Provisions and Enforcement</a>	2006	States Council's intent to manage and enforce signage provisions in the district.	Replaced by District Plan provisions, with some specific requirements outlined in bylaws, such as the <a href="#">Brothel Control Bylaw 2017</a> .	Council – 25 August 2006
<a href="#">Financial Contributions headworks policy</a>	2001	Implements charges for three waters services that are imposed on residential subdivisions and developments and differentials for non-residential land use.	Replaced by the <a href="#">Development Contribution Policy 2021</a> .	Council - 14 December 2001
<a href="#">Change in funding policy for roading Wānaka ward</a>	2001	Changes the funding policy for roading in the Wānaka ward to allow funds from section sales to fund capital roading works.	Replaced by the <a href="#">Revenue and Financing Policy 2021</a> .	Council - 16 March 2001

Planning and Development				
<a href="#">Policy on the Resource Consent Appeal Process</a>	2008	Sets out the process for Council to determine its position regarding an appeal on a resource consent decision and whether mediation is required.	Replaced by the <a href="#">Terms of Reference for the Planning and Strategy Committee</a> .	Council - 17 December 2008
<a href="#">Policy on requests for confidentiality under section 42 of the Resource Management Act 1991</a>	2002	States Council position on confidentiality of resource consents. All requests for confidentiality under the RMA would be delegated to the Principal Planner and would be reported to the hearings panel.	Replaced by RMA provisions; this policy was in place when QLDC's resource consent function was outsourced, and prior to edocs/idoocs being used.	Council - 19 April 2002
<a href="#">Policy for the waiver of requirement for Outline Plan</a>	Unknown	Describes the circumstances under which the requirement for an outline plan can be waived.	Obsolete; this policy was in place when QLDC's resource consent function was outsourced. Since this function is internal, this is now part of standard operating procedures a policy is no longer necessary.	Unknown
Property and Infrastructure				
<a href="#">Infrastructure Services Consultant Procurement</a>	2012	Process for the procurement of infrastructure services consultants	Replaced by the <a href="#">Procurement Policy 2021 and Procurement Guidelines</a> .	Infrastructure Services Committee - 7 February 2012
<a href="#">Application of Tender Policy to Associated Organisations</a>	2004	States that where funding is granted by Council to an organisation, that the organisation must comply with Council's tender policy and procurement process.	Replaced by the <a href="#">Procurement Policy 2021 and Procurement Guidelines</a> .	Finance Audit Property & Corporate Committee - 8 December 2004
<a href="#">Crown Range Road Vehicle Restrictions</a>	2005	Outlines what vehicles are prohibited from using the Crown Range Road and under what conditions the prohibition does not apply.	Replaced by the <a href="#">Traffic and Parking Bylaw 2018</a> .	Council - 20 December 2005
<a href="#">Street Lighting on Private Roads</a>	2003	States that street lighting on private roads would be isolated from Council lighting networks and the maintenance of this	Replaced by the <a href="#">Southern Light Strategy 2017</a> technical specifications.	Council - 19 December 2003

		lighting would not fall to Council.		
<a href="#">Wānaka and Hāwea Landfill Site Policies</a>	1998	Guidance and restrictions on what can be dumped at the landfills and proposed landfill charges for disposal of commercial green waste.	Obsolete; the landfills referenced in this policy are closed.	Council - 27 March 1998
<a href="#">Ground Opening Policy</a>	1997	Sets out requirements for trench reinstatements across the district and associated permit costs.	Replaced by the <a href="#">National Code of Practice for Utility Operators Access to Transport Corridors</a> .	Works Committee - 13 November 1997
<a href="#">Damage to Street Frontages during Property Development Activities</a>	1993	Sets out the requirement for a cash bond and quantum during development activities to cover any damage to street frontages.	Replaced by RMA consent conditions that require any damage to Council roads to be fixed at the consent holder's expense.	Works and Reserves Committee - 8 December 1993
<a href="#">Project Initiation Approval Process</a>	2006	Sets out the project initiation process and the approval process for new projects.	Replaced by the <a href="#">Procurement Policy 2021 and Procurement Guidelines</a> .	Council - 5 May 2006
<b>Strategy and Policy</b>				
<a href="#">Elderly Persons Housing Policy</a>	2000	States the need for affordable and safe housing for elderly and outlines the Abbeyfield concept of supported flatting for the elderly.	Replaced by the <a href="#">Homes Strategy 2021-2031</a> and the <a href="#">Joint Housing Action Plan 2023-2028</a> .	Council – 24 November 2000
<a href="#">Community Housing Policy</a>	2006	Sets out the eligibility framework for the community in an affordable housing system.	Replaced by the <a href="#">Homes Strategy 2021-2031</a> and the <a href="#">Joint Housing Action Plan 2023-2028</a> .	Council - 5 May 2006
<a href="#">Council role in Genetic Engineering</a>	2004	States councils anticipated role in genetic engineering.	Obsolete; Council does not play a role in genetic engineering.	Council - 17 December 2004

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## Frankton Golf Course

*Adopted - Council 25 October 2011*

1. Council acknowledge the existing Frankton Golf Course has a finite life due to competing requirements for this land.
2. Until that time, golf is the appropriate use for this land.
3. A work group comprising representatives of Queenstown Lakes District Council, Lakes Leisure, the Queenstown Golf Club and Councillor Mawhinney report back to the December 2011 full Council meeting on the preferred means and structure to operate FGC for golf until the land is required is and funds are available to develop it for other sport or recreational needs;
4. Council will work with Queenstown Golf Club to investigate alternative sites to replace Frankton Golf Course.

## **Freedom Camping Policy**

*Adopted – Council 17 December 2010*

*See following page for policy.*

# Freedom Camping in the Queenstown Lakes District

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**Adopted – Council 17 December 2010**



Prepared by the Queenstown Lakes District Council

QLDC, Private Bag 50072, Queenstown



The Council acknowledges the use of graphic images kindly made available by I-Site New Zealand, Tourism New Zealand



## Our approach to freedom camping

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**Freedom camping is the use of public land for free overnight camping.**

**Many people consider freedom camping as a right – with that right comes the responsibility to camp with respect for the local environment and laws.**

**We welcome visitors who camp responsibly, have on-board facilities to remove their waste, respect public and private property and follow some simple rules.**

**Freedom camping within our townships, residential areas, parks and gardens is not acceptable.**

**We ensure a wide range of affordable accommodation is available for those who want to stay in our district.**

**We also want our roadsides, lakes and rivers to remain clean and our public places to be available for all to enjoy.**

## Freedom camping today

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Today freedom camping is an important part of the New Zealand tourism industry and is also popular among some New Zealand residents.

Freedom campers include:

- New Zealand residents who holiday or live and travel in mobile homes and who camp as part of their traditional summer holiday
- Visitors who rent purpose built mobile campervans for their holiday experience
- Visitors who rent or buy cars and vans modified (to varying degrees) for sleeping/camping
- Visitors who camp alongside their vehicle in a tent or otherwise “rough it”
- Transient workers seeking free accommodation

The Queenstown Lakes District is very popular year round for freedom camping.

Freedom camping enables campers to save considerable money on accommodation in turn freeing up money to spend on other

activities. Freedom camping also enables campers to experience some of the more remote and scenic parts of our district.

Freedom camping also poses a number of issues for our communities. These include:

- Pollution of waterways, beaches, roadsides, parks and gardens and other public places with human waste and rubbish
- Risk of fire being started by campers unaware of fire rules and risks.
- Loss of amenity and privacy for residents living nearby popular freedom camping hot-spots.
- Lost revenue for camping ground operators including theft of services (showers, power) by some freedom campers
- High cost of enforcement, signage, compliance and waste management.
- Poor image of campers sleeping and undertaking ablutions in streets and car parks.
- Loss of availability of parking for residents and workers
- Risk of crime against campers and associated impacts on tourism

## A national issue

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Freedom camping is an issue across the whole of New Zealand. In December 2007 a freedom camping forum was formed by the Tourism Industry Association of New Zealand with representation from:

- Tourism Industry Association New Zealand
- Local Government New Zealand (including QLDC)
- Tourism New Zealand
- Regional Tourism Organisations New Zealand
- New Zealand Transport Agency
- Ministry for the Environment
- Keep NZ Beautiful
- Youth Hostel Association
- Holiday Accommodation Parks New Zealand
- Maori Tourism Council
- Automobile Association
- Ministry of Tourism
- New Zealand Motor Caravan Association
- Department of Conservation
- New Zealand Police
- Bus and Coach Association
- Campervan Operators (United Campervans, Tourism Holdings Ltd (Maui, Britz and Backpacker rentals), KEA Campers NZ, Jucy NZ, Wicked Campers, Spaceships NZ.)

The Freedom Camping forum has produced the following outputs:

### **'Camping our way' website launched:**

[www.camping.org.nz](http://www.camping.org.nz) is now live. The site is designed in such a way that the 'ask a local' message takes centre stage, but it also includes information on ecowise practices, keeping safe, facilities, regional camping, what to do and where to stay in New Zealand.

Over 30 rental vehicle companies have been kept abreast of site development and we are asking all companies to link to the site and actively promote it to visitors during the booking process.

### **Campervan window stickers and posters:**

Campervan operators have been sent posters for their check-in areas and sufficient stickers to label their entire campervan fleet side-windows. Both the posters and stickers push the same 'ask a local' message and direct visitors to Department of Conservation (DOC) visitor centres, i-SITEs and holiday parks.

### **Training:**

Holiday parks, DOC visitor centres and i-SITEs have all been sent information summarising the campaign and requesting them to

find the answers to a range of potential camping questions, in readiness for visitors who want answers.

Rental companies too have been kept informed of progress and it is hoped they will fully support and promote the camping messages which are positive, welcoming and direct.

Rental companies have agreed to advise persons renting campervans without toilet facilities that they should only stay in campgrounds.

#### **i-SITE imagery:**

I-SITE New Zealand has developed a range of eye-catching images to help educate visitors on 'camping our way' principles. The images will be electronically available to businesses or organisations for their own use.

#### **'Waste contained on board' stickers:**

The Bus and Coach Association is coordinating the development of a sticker that will help identify existing campervans that have waste water and toilet waste onboard. A key principle agreed to by the NZFCF was: *Campers should have immediate access to, or on-board, toilet, wastewater collection and rubbish disposal facilities.*

#### **National Freedom Camping Guidelines:**

The forum has developed and unanimously adopted a set of camping guidelines. The guidelines have been created to help support the development of regional camping policies.

#### **Signage:**

A non-permissive camping sign has been developed; previously regions have developed their own version with mixed success. While councils are being urged to use the sign sparingly to avoid the visitor perception that *'if there's not a sign saying you can't, you can'* it was made clear to the NZFCF that every community has places of particular value which need strong 'no' type camping signage to get the point across.

#### **Unity:**

For the first time, New Zealand has a unified stance on how best to manage freedom camping. It is accepted by everyone that some degree of enforcement will still be required, but the group believes that the need for enforcement will be reduced through education helping campers to embrace the principle of Kaitiakitanga and 'camping our way'.

#### **Funding:**

The Ministry of Tourism has provided \$20k from the New Zealand Tourism Strategy 2015 fund and this money has been used to develop the camping website and associated information.

On a regional level the Queenstown Council's proposed approach has good alignment with neighbouring Councils who have jointly requested assistance with legislative changes from central government.

## The local issue

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Freedom camping is widespread across the district. Audits undertaken by Council show that most summer nights there will be around 50 - 100 vehicles camping in the rural areas each night, many without on board facilities or in proximity to public toilets. In addition to these there will be up to double that number parked within the streets, car parks and reserves in built up areas like the Queenstown and Wanaka town centres.

Given these numbers and allowing for seasonal fluctuations there could be around 150,000 “bed nights” per annum undertaken in the District by freedom campers.

Despite signage and compliance efforts, there will typically be between 10 – 20 campervans in popular “hot-spots” like the One Mile Reserve car park each summer evening.

An audit of the district roads in February 2009 identified 50 freedom camping “hotspots” – sites where campervans regularly frequent and where evidence of overnight camping could be found.

Of these 50 hotspots:

- 98% had camping related rubbish present
- 30% had evidence of a campfire
- 16% had evidence of human waste present
- 28% were clearly signposted “No Camping”
- 24% had facilities such as toilets nearby
- 14% were considered unsafe from a traffic safety perspective.



## Council's current response

Council regulates freedom camping via its traffic and parking bylaw.

### ***QLDC Traffic and Parking Bylaw 2006.***

*This Bylaw 15.2 requires that 'without the prior written consent of the Council, no person shall:*

*Bylaw 15.2.3:*

*Stop, stand or park any vehicle on any road or in any public place for the purposes of camping, within the District's Town Centre zone or Residential zones, with the exception of those areas identified as approved camping areas.*

*Bylaw 15.2.4:*

*Stop, stand or park any vehicle on any road or in any public place for the purposes of camping, outside the Town Centre zone or Residential zones, with the exception of those vehicles displaying a NZS 5465:2001 Self-Containment Certificate.*

The maximum fine for an offence against this bylaw is stated as \$100, however due to a technicality with the promulgation of statutes a fine of \$40 can only be imposed at present.

The Traffic and Parking Bylaw is inappropriate as it requires extensive signage (to the same degree as parking signs) to be enforced and only relates to vehicles (i.e it does not apply to camping in a tent alongside a vehicle)

The **monitoring of freedom camping** is currently undertaken by two independent contractors to QLDC

In the Queenstown area, patrols are generally undertaken on a seven days a week basis from late in the afternoon or early evening, to give information handouts and again in the morning to move freedom campers on. The focus of this patrolling is on the central business area of Queenstown and occasionally Sunshine Bay, Frankton Beach, Lake Hayes and Arrowtown.

In Wanaka patrols are undertaken in the morning, seven days per week focusing on the Council car parks in the centre of town, Glendhu Bay to the QLDC motor camp, Waterfall creek, Wanaka Station Park, Wanaka foreshore, boat ramp, Eely Point reserve, Penrith, fisherman's access road, Mount Iron and Albert Town.

Neither contractor is authorised to issue infringement notices for unlawfully parked freedom campers. Their roles have been advisory only.

The current cost to the community of this service is \$73,000 per annum. All of this cost falls on the ratepayer.

# Proposed Approach

## Goal 1 Freedom campers know where they can and can't camp and what is expected from them if they choose to freedom camp in our district.

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
1.1	<p><b>Web page</b> Up to date information is maintained on QLDC's webpage including camping rules, location of all camp sites, maps of dump stations and links to Department of conservation campsites, commercial camp sites and <a href="http://www.camping.org.nz">www.camping.org.nz</a></p> <p>Encourage other local and national visitor related websites to link to QLDC visitor webpage.</p>	QLDC	To provide information to hire companies and visitors prior to their visit.	No direct cost – existing staff resources	Completed (and on-going as new information becomes available)	QLDC information strategy. NZFCF
1.2	<p><b>Printed material</b> Revise QLDC Freedom camping brochure to align with this strategy and improve distribution including via i-site, service stations and rental companies.</p>	QLDC	To provide information to visitors when they arrive in the District.	\$10,000 plus \$5000 p.a. in printing/distribution	July 2011	QLDC information strategy



Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
1.3	<b>Visitor Information Outlets</b> Provide annual briefing and information sessions for information centres, service stations and community associations.	QLDC	To ensure locals provide a clear and consistent message to visitors about freedom camping opportunities and rules.	No direct cost – within existing budgets.	October each year and as required	i-site, DOC  Community Associations
1.4	<b>Information Kiosks</b> Provide information kiosks at key entry points to district describing camping opportunities and rules including consequences of not complying.	QLDC	To provide information to visitors when they arrive in the District and provide fair warning of fines for illegal camping.	\$50,000 plus maintenance. Funding for entrance signs in LTCCP	July 2011	NZ Transport Agency  QLDC Entrances Project

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
1.5	<p><b>No Camping signs</b>                      Incorporate the no camping message in parks and reserve signs where required but limit and rationalise individual “No camping signs” to key trouble areas and limit sign numbers to minimum required.</p> <p>Adopt the NZ Transport Agency “No Camping” sign and include a supplementary message showing fine for non-compliance.</p>	QLDC	<p>There is no evidence that “No Camping” signs are effective (See Appendix 2) and their presence detracts from the amenity of the district. They are expensive to maintain.</p> <p>To provide fair warning of fines for illegal camping.</p>	<p>No direct cost – within existing budgets.</p> <p>\$500 per new sign plus annual maintenance</p>	On-going	QLDC sign policy



## Goal 2 Facilities for freedom campers are easy to find and help protect the environment.

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
2.1	<p><b>Carry-in, carry-out</b></p> <p>Promote via all information channels (1.1 – 1.5 above) a “carry-in, carry-out” philosophy for all reserves and areas outside the town centres.</p>	QLDC	To minimise the cost on the community of rubbish collection in remote areas.	No direct cost – existing staff resources	On-going	QLDC Waste Mgmt Strategy
2.2	<p><b>Rubbish Disposal</b></p> <p>Provide and promote rubbish disposal and recycling options for visitors at rural collection points and transfer stations via the ‘on the road recycling’ initiative being developed by Wanaka Wastebusters for QLDC.</p>	QLDC Wanaka Waste Busters	To provide a way for visitors to dispose of rubbish correctly and to share the cost of waste disposal.	Within existing budgets	On-going	QLDC Waste Mgmt Strategy
2.3	<p><b>Waste Dump Stations</b></p> <p>Improve the visibility and presentation of existing dump stations and build new public dump stations in Lake Hawea, Albert Town and Frankton</p>	QLDC	To ensure self contained campervans have ready access to waste disposal facilities	\$50,000 budget included in 10/11 Annual Plan	June 2011	QLDC Waste Mgmt Strategy  NZ Transport Agency

### Goal 3 Freedom camping areas are managed to either permit, prevent or mitigate freedom camping

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
3.1	<p><b>Permit freedom camping for self contained vehicles in remote areas</b></p> <p>In consultation with local communities, identify places (see Appendix 1) where visitors with self-contained vehicles can continue to freedom camp.</p>	<p>QLDC DoC</p> <p>NZ Transport Agency</p>	<p>To recognise that freedom camping is a positive contributor to our economy and visitors' experience of our district.</p> <p>To accept that freedom camping is likely to continue in remote areas, patrolling is largely impractical and that if campers are responsible (including using self containment facilities) that effects on environment are minimal.</p>	No direct cost – existing staff resources	On-going	<p>Community Associations</p> <p>Community Plans</p> <p>NZ Transport Agency</p> <p>DoC</p> <p>ORC</p>

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
3.2	<p><b>Prevent freedom camping in undesirable locations</b></p> <p>In consultation with road controlling authorities and local communities identify 'hot-spots' where freedom camping should be prevented for road safety or environmental reasons by physical modifications to location to prevent vehicle access</p>	<p>QLDC</p> <p>Land Transport Agency</p>	To prevent camping in unsafe locations or where the environment is suffering from the effects of poor camping practices.	Unknown - Subject to individual site assessments and specific requirements	On-going	LTCCP DoC
3.3	<p><b>Reserve management plans</b></p> <p>Include policies on freedom camping in reserve management plans to reflect community views.</p>	QLDC	To provide local decision making on use or restriction of reserves for freedom camping	No direct cost	On-going	Reserve Management Plans
3.4	<p><b>Monitor hot-spots</b></p> <p>Undertake six monthly monitoring and clean-ups of informal campsites to identify new 'hot-spots' and assess condition and compliance on freedom camping areas.</p> <p>Report outcomes of monitoring to Council annually</p>	QLDC	<p>To ensure environment and road safety is not being compromised by effects of freedom camping</p> <p>To keep Council and Community apprised of freedom camping issue</p>	<p>Monitoring within existing staff resource.</p> <p>Clean up costs \$5000 per annum unbudgeted.</p>	October and March each year	LTCCP

## Goal 4 Visitors comply with our communities' expectations for freedom camping and non-compliance is enforced via fines

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
4.1	<b>With the assistance of Local Government New Zealand and the Ministry of Internal Affairs, pass a new Bylaw (or an amendment to the Control Of Activities And Obstructions In Public Places Bylaw 2010) that prohibits freedom camping within town centres and anywhere unless the vehicle is self contained and enables infringement notices to be issued for non compliance.</b>	QLDC and LE	Current Traffic and Parking Bylaw is ineffective. Central government needs to pass a regulation in accordance with section 259 of the Local Government Act 2002 to enable infringement notices to be issued.	\$5000 legal costs	May 2011	<b>Control Of Activities And Obstructions In Public Places Bylaw 2010)</b>

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
4.2	<p><b>Move from an advisory approach to enforcement approach</b></p> <p>Once an appropriate regulation and bylaw is in place and the bylaw is communicated via signs and other channels move to issuing infringement notices to campers in town centres, residential areas and other places where camping is not permitted.</p> <p>Raise infringement notice penalties from \$40 to \$100 or such other figure as prescribed in the regulation and QLDC bylaw.</p> <p>Seek Central Government support for increased powers to recover fines incurred by overseas visitors.</p>	QLDC and LE	<p>An advisory approach is not effective in preventing freedom camping in undesirable places and is costly for the community. (Currently \$73,000 p.a)</p> <p>Enforcement via infringement notices will recover the cost of compliance from those who don't follow the rule</p> <p>Currently there is difficulty recovering fines incurred by overseas visitors</p>	\$90,000 p.a. gross cost with expectation that large portion of this will be recovered	July 2011	LTCCP

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
4.3	<p><b>Empower field staff and local communities to monitor remote sites and parks</b></p> <p>Provide a delegation to suitable staff and community 'wardens' to issue infringement notices for camping in prohibited areas or without self containment in permitted areas.</p>	QLDC and LE	To extend reach of compliance beyond town centres by using suitable community volunteers and other field based Council staff	Allowance of \$5000 for warden training and certification	July 2011	<p><b>Control Of Activities And Obstructions In Public Places Bylaw 2010)</b></p> <p>Reserves Act 1977</p> <p>Local Gov Act.</p>
4.4	<p><b>Take a hard line on littering and dumping human waste</b></p> <p>Where evidence exists of littering or dumping of human waste or grey-water, use the Litter Act, Reserves Act 1977 or Resource Management Act to pursue a prosecution.</p> <p>Publicise successful prosecutions.</p>	QLDC and LE	To encourage compliance with environmental objectives and publicise non-compliance to raise public awareness	Including in existing LE budgets	On going	<p>Litter Act</p> <p>Reserves Act 1977</p> <p>Local Gov Act.</p>



## Goal 5      Maintain relationships with adjoining Councils, Department of Conservation and other organisations involved with the freedom camping issue

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
5.1	<b>Continue involvement with the New Zealand Freedom Camping Forum</b>	QLDC	To maintain effective links with industry and freedom camping interests to obtain best practice and communicate local community views on Freedom camping	\$500 p.a within existing budgets	Ongoing	LTCCP

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
5.2	<b>Maintain liaison with Local Government New Zealand and South Island Councils and Department of Conservation</b>	QLDC	<p>To share information on emerging issues and successful strategies.</p> <p>To provide consistency in policy and approach across local authority boundaries while respecting local needs and community views.</p> <p>To better plan for freedom camping management across the district, through closer liaison with DOC.</p>	No direct cost	Ongoing	LTCCP
5.3	<b>Maintain liaison with local interests</b> Ensure effective communication with local holiday park operators, local communities, police etc over emerging issues and effectiveness of this strategy.	QLDC	To ensure effectiveness of strategy and consider emerging issues.	No direct cost	On going	Community associations  NZTA DoC ORC etc



## Goal 6 Ensure a range of camping opportunities exist in the District including free or low cost options

Ref	Action	Who will do this?	Why is it needed?	What will it cost?	When will it happen?	Linkages
6.1	<p><b>Implement QLDC Camping Ground Strategy</b></p> <p>Implement development of Council owned campgrounds that provide a low cost camping option such as Glendhu Bay and Albert Town</p>	QLDC	To provide affordable alternatives to freedom camping.	Subject to location and specific annual plan processes	Ongoing	LTCCP
6.2	<p><b>Consider opportunities for additional facilities</b></p> <p>Review opportunities for low impact, small scale self registration camps on Council administered land in association with local communities</p> <p>Encourage DoC to maintain and develop self registration campsites and low-cost camping options</p>	QLDC	To ensure there is a range of low cost and environmentally acceptable campsites with basic facilities like toilets and running water.	Subject to site assessment and individual requirements	2011	<p>Community Plans</p> <p>Reserve Mgmt plans</p>

## Appendix 1: Table of Camping 'Hot-Spots' – February 2009

Description	Rubbish found	Camp-fire evident	Human waste	No camping signs	Safe access from road	Public toilets on site
Glenorchy Road, waterfront car park	•	•			•	
Glenorchy Road, car park area near waterfall	•	•			•	
Glenorchy Road, waterfront, main use for boat access to Pig/Pigeon Island	•				•	
Glenorchy Road, waterfront, main use for kite surfing/boat access	•				•	
Glenorchy Road, Little Paradise village waterfront	•				•	
Glenorchy Road, small tracks off main road, view of lake and road		•			•	
Sunshine Bay boat ramp, waterfront area	•			•	•	
Kawarau Gorge, Roaring Meg car park	•				•	
Kawarau Gorge, Mad Dog access point	•	•	•		•	•
Kawarau River, near Mad Dog access point	•				•	
Kawarau River, kayaking access point	•	•	•		•	
Kawarau River SH6	•					

Description	Rubbish found	Camp-fire evident	Human waste	No camping signs	Safe access from road	Public toilets on site
Kawarau River SH6, open car park	•				•	
Kingston Road, Remarkables ski field car park	•				•	
Kingston Road, waterfront, picnic area, bins	•			•	•	•
Kingston Recreation Reserve	•	•		•	•	•
Kingston Road	•					•
Kingston Road	•				•	•
Kingston Road	•	•	•		•	•
Wye Creek	•	•	•		•	
Lake Hayes walking track car park	•			•	•	
Shotover Bridge carpark	•	•	•		•	
Glendhu Bay Road, small grassed area	•			•		
Glendhu Bay Road, car park near boat ramp, Mt Aspiring viewpoint	•			•		
Wanaka waterfront	•			•	•	•
Lake Hawea waterfront	•			•	•	•

Description	Rubbish found	Camp-fire evident	Human waste	No camping signs	Safe access from road	Public toilets on site
Lake Hawea boat ramp, Treble Cone turnoff	•		•	•	•	
Lake Hawea waterfront	•	•			•	
Lake Hawea waterfront	•	•			•	
Albert Town recreation reserve	•				•	
Lake Hayes pavilion picnic area	•				•	
Lake Hayes waterfront	•	•			•	
Arrowtown Butler Green car park	•			•	•	•
Arrowtown car park	•	•		•	•	
Coronet Peak car park	•				•	
Arthur's Point Tavern car park	•				•	
Fernhill roundabout	•			•	•	•
One Mile powerhouse car park	•			•	•	
Frankton beach front	•			•	•	•
Waterfall Creek	•	•		•	•	•

Description	Rubbish found	Camp-fire evident	Human waste	No camping signs	Safe access from road	Public toilets on site
Cardrona Ski field car park	•				•	
Cardrona Pub car park	•				•	
Cardrona Road gravel pit	•	•	•		•	
Cardrona Road roadside	•		•			
Cardrona Road roadside	•					
Crown Range Road	•				•	
Crown Range Road	•					
Crown Range Road	•				•	
Crown Range Road	•				•	
Crown Range Road	•					
Totals	98%	30%	16%	28%	84%	24%



## Appendix 2: Signs as a means of enforcement of 'No Camping', Queenstown

### Introduction

Councils through New Zealand use signs to inform visitors about camping rules and to control freedom camping where such camping is not permitted. Often the first response to complaints about freedom camping is to erect signs. Complainants often point to the lack of signage as a contributing factor to “illegal” freedom camping.

The One Mile car park is a popular freedom camping location, being only 1km from the Queenstown town centre. It is adjacent to Lake Wakatipu and St Omer Park. The site has capacity for approximately 40 cars and has picnicking, toilet facilities and a playground adjacent.

This study seeks to determine the effectiveness of signage in reducing the frequency of freedom camping.

### Objective

To determine the effectiveness or otherwise of a “No Camping” sign at reducing incidents of freedom camping in a specific location.

### Methodology

The One Mile Car park (see figure 1) has a single entrance of Lake Esplanade.



Figure 1. One Mile Car park - Queenstown

The car park has capacity for 40 cars or vans and is adjacent to the main road from Queenstown to Glenorchy.

During 2008, Land Transport New Zealand prepared a standardised “No Camping Sign” liaison with the New Zealand Freedom Camping Forum. The sign was officially authorised pursuant to subclause 4.4(4) of Land Transport Rule: Traffic Control Devices 2004, by the New Zealand Transport Agency in November 2008.

*Figure 2. Land Transport NZ No camping sign*



This sign is the only such sign to form part of the Land Transport Rules: Traffic Control Devices 2004 and as such is legally enforceable under the relevant regulations and bylaws.

The sign is legally described as follows:

**R6-40 No camping**

*No camping at any time in the area designated by the sign.*

Shape and Size: Rectangle 600 x 800mm

Background: White (R)

Border: Red (R) 30mm

Legend:

<i>Description</i>	<i>Colour</i>	<i>Size</i>
--------------------	---------------	-------------

“circle” with	Red (R)	diameter 400mm border 40mm
“diagonal bar” superimposed on	Red (R)	bar 30mm wide
“symbol A20-S5” (symbol of tent above a caravan) above	Black	240 x 300mm
“NO”	Red (R)	50/7.7
“CAMPING”	Red (R)	50/7.7

A sign meeting the above requirements was manufactured at RTL limited in Invercargill. The sign is mounted on a standard fluted aluminium pole painted white at a height of x m from the bottom of the sign to the ground and orientated so as to be clearly visible, perpendicular to traffic entering the car park.

The sign post was mounted in a concrete footing with a quick release sleeve.

The previous Council designed *No Camping* signs were removed so that the car park was free of no camping signs.

Each morning between 6am – 7am an observer checked the car park and recorded the number of vans and cars who had camped overnight in the car park. This occurred for a seven day period from Monday to Sunday.

The No Camping sign was then installed and the same observations undertaken for the next seven day period, each morning between 6am – 7am.

This was repeated for a period of eight weeks giving a total of four weeks without signage and four weeks with signage.

## Results

The following table shows the results recorded over the period from Tuesday 27 January to Monday 23 March inclusive.

Date	No Sign	No Camping Sign in place
Tuesday, 27 January 2009	20	
Wednesday, 28 January 2009	16	
Thursday, 29 January 2009	24	
Friday, 30 January 2009	20	
Saturday, 31 January 2009	21	
Sunday, 1 February 2009	25	
Monday, 2 February 2009	26	
Tuesday, 3 February 2009		25
Wednesday, 4 February 2009		23
Thursday, 5 February 2009		24
Friday, 6 February 2009		25
Saturday, 7 February 2009		16
Sunday, 8 February 2009		11
Monday, 9 February 2009		13
Tuesday, 10 February 2009	7	

Date	No Sign	No Camping Sign in place
Wednesday, 11 February 2009	5	
Thursday, 12 February 2009	10	
Friday, 13 February 2009	5	
Saturday, 14 February 2009	5	
Sunday, 15 February 2009	11	
Monday, 16 February 2009	12	
Tuesday, 17 February 2009		7
Wednesday, 18 February 2009		8
Thursday, 19 February 2009		6
Friday, 20 February 2009		8
Saturday, 21 February 2009		11
Sunday, 22 February 2009		7
Monday, 23 February 2009		16
Tuesday, 24 February 2009	9	
Wednesday, 25 February 2009	6	
Thursday, 26 February 2009	5	
Friday, 27 February 2009	5	
Saturday, 28 February 2009	8	
Sunday, 1 March 2009	13	
Monday, 2 March 2009	12	
Tuesday, 3 March 2009		12
Wednesday, 4 March 2009		6

Date	No Sign	No Camping Sign in place
Thursday, 5 March 2009		8
Friday, 6 March 2009		11
Saturday, 7 March 2009		9
Sunday, 8 March 2009		12
Monday, 9 March 2009		11
Tuesday, 10 March 2009	10	
Wednesday, 11 March 2009	8	
Thursday, 12 March 2009	6	
Friday, 13 March 2009	2	
Saturday, 14 March 2009	4	
Sunday, 15 March 2009	18	
Monday, 16 March 2009	8	
Tuesday, 17 March 2009		10
Wednesday, 18 March 2009		26
Thursday, 19 March 2009		12
Friday, 20 March 2009		1
Saturday, 21 March 2009		9
Sunday, 22 March 2009		6
Monday, 23 March 2009		8
<b>Total Campers</b>	<b>321</b>	<b>341</b>
<b>Average Campers per night</b>	<b>11.46</b>	<b>12.18</b>

## **Conclusions**

A total of 321 vehicles stayed overnight at the One Mile Car Park over the four weeks when no signs were present. In contrast a total of 341 vehicles stayed overnight at the One Mile Car Park over the four weeks when the official “No Camping” sign was installed.

The average number of vehicles camping overnight in the car park was 11.46 per night when no signs were present or 12.18 per night when the “No Camping” sign was installed.

It is therefore concluded that the sign installed had no significant effect on people’s attitudes to freedom camping. In fact more people camped in the car park when an official no camping sign was present.

Paul Wilson  
General Manager Community services  
Queenstown Lakes District Council

## Appendix 3: NZFCF Camping Code

### Campers should:

1. Respect the New Zealand environment – leave the site clear of all rubbish, waste and damage.  
*Understand that dumping of waste and litter is an offence and will result in instant fines or prosecution.*
2. Act responsibly, and respect the access and enjoyment rights of other public space users.
3. Have immediate access to, or on-board, toilet, wastewater collection and rubbish disposal facilities.
4. Use designated public spaces, camping areas (e.g. Department of Conservation sites) or commercial premises as available.  
*Seek the local i-SITE, DOC Visitor Centre, camping grounds, other camping guides or the local council web site, for information about the location of camping sites in the area. Appreciate that some environmentally or culturally sensitive, and built-up, areas will not permit any form of camping.*
5. Understand that freedom camping is a temporary activity, generally considered to be two days unless otherwise informed.

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## **Replanting of trees, particularly the replacement of poplars and other trees on rural roads**

*Adopted - Council 2 March 2010*

1. Council allocate subject to appropriate levels of funding being approved in the Annual Plan, \$10,000 per year for the next three years to undertake more in-depth investigations into potentially unsafe trees growing within the roading network across the district, and a further \$30,000 over the next three years for removal of trees deemed unsafe resulting from the investigations above, this amount to include any replanting required and to form part of the Roading budget.
2. The replanting of trees removed via the above process be replanted if appropriate in such a way that the roading network will not be adversely affected in the future as the trees mature.
3. All such plantings comply with Council's District Plan rules and Tree Policy requirements, including consultation with adjoining landowners and subject to joint authorisation of the Parks Manager and Transport Network Operations Engineer.
4. A Licence to Occupy be required for all new planting made by private individuals within the road reserve.
5. All trees planted by the Council in Road Reserve become the responsibility of the Council for future maintenance, unless a Licence to Occupy exists.
6. The Council's tree policy be reviewed to consider adequately the issue of trees on rural roads, with a a tree succession plan to be prepared following the tree policy review.
7. A working party comprising Councillors Macleod, Overton and J R Wilson be formed to undertake the reviews identified in (7).

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## Indigenous Vegetation Policy

*Adopted – Council 22 November 2002*

Council resolved to adopt a policy to:

- (a) Meet the costs associated with consent applications for the clearance of indigenous vegetation. This includes any ecological reports required.
- (b) Produce educational material on biodiversity values, including information on sources of funding and processes for covenanting.
- (c) Establish a contestable fund available to landowners for the purposes of protecting indigenous vegetation and habitats of indigenous fauna.



## Lake Islands – Fire Restrictions Policy

*Adopted – Council 14 February 2003*

- 1 Queenstown Lakes District Council shall annually publicise its total fire ban and that it is an offence to light fires on a Reserve.
- 2 Queenstown Lakes District Council shall ensure there is a Warden system in place for the islands daily from December 26 to mid February, Labour Weekend and Easter, and that this person shall be delegated the necessary powers.
- 3 Queenstown Lakes District Council will not issue fire permits for the Islands, nor construct fireplaces.
- 4 Effective signage is immediately put in place.
- 5 Chimneys in both huts shall have devices to act effectively as spark arresters, and that the chimneys and fireplaces of both be inspected by the building inspectors and brought up to standard.
- 6 Fire breaks around huts and camping areas be installed and maintained (shall mean a 3 metre mown strip around all camp sites.)
- 7 Council adopt a policy of prosecution namely that those responsible for setting the fire be prosecuted by Queenstown Lakes District Council as Reserves Administrator, and that Council urge the Rural Fire Authority to charge that person (s) with the full cost of an out of control fire; and
- 8 Council adopt a policy to support a revegetation strategy namely to limit the impact of noxious weeds in the regeneration process and ensure seed sources are available to the regeneration process by providing funding of up to \$12,000 to support a detailed revegetation strategy; and
- 9 Council declare that a Prohibited Fire Season is in place from 1 October each year to 30 September the following year for Pigeon Island and Pig Island, Lake Wakatipu, and Ruby Island, Lake Wanaka in accordance with Section 21(b) of the Forest and Rural Fires Act 1977.

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## Consultation Policy

*Adopted – Council 28 October 2005*

### **Consultation in context**

The Queenstown Lakes District Council's purpose is to facilitate democratic local decision making and action by and on behalf of our communities and to promote the social economic, environmental and cultural well-being of our communities both today and tomorrow.

A consultation policy is in keeping with the Local Government Act 2002 and should be seen as a supplementary to the Council Community Plan. The purpose of the policy is to establish a clear process by which our communities can contribute to Council decision making.

### **Goals**

- To be community focused.
- To make sound, well informed and balanced decisions.
- To involve the community in our decision making.
- To be consistent in our approach to consultation.

### **Who do we talk to?**

Our consultation will:

- Focus on community and interest groups where appropriate.
- Identify and focus on the key stakeholders associated with a decision.
- Recognise that Maori is an important part of our community.
- Recognise the value of our partnerships with community organisations and agencies, including the Otago Regional Council and Central Government Agencies.
- In some cases it will need to rely on expert advice (eg traffic design)

### **Our consultation principles**

1. **Encourage community input.**
2. **Be open and clear.**
3. **Provide reasonable access to relevant information.**
4. **Provide opportunities for people to be heard or have their views considered.**
5. **Keep an open mind.**
6. **Inform people of our decision, why it was taken and how consultation influenced that decision.**
7. **Review how we consult and how effective the policy is annually.**
8. **Recognise any specific responsibilities as to consultation with Maori.**

### **Decision making**

Consultation is the process of **engagement, participation** and **decision making**.

Consultation should not be the only thing considered when making a decision. We must also consider other information such as research, Council policies, legislation or community influence such as lobbying. The Council must sometimes balance divergent views and make a decision that may not be the preferred decision of some parties.

### ***How much participation is required?***

There are five easy to follow standard levels of participation as set out by the International Association for Public Participation. These are: **1. Inform, 2. Ask, 3. Involve, 4. Work Together, 5. Empower.** As you go to each new level you increase community involvement and the impact on decision making.

The Council will use the best mixture of these levels of participation appropriate to: the nature and importance of the issue, the resources of the community to respond, our legal obligations and the needs of the sector of the community being consulted.

#### **1. Inform**

At this level we will provide the community with clear, balanced information to assist them in understanding problems and issues, as well as options, alternatives and solutions.

This level can be used once a decision is taken.

#### ***Examples***

***Scuttlebutt, advertising, brochures, website, media releases.***

#### **2. Ask**

To seek feedback from the community. To keep the community informed throughout the process. Listening to and acknowledging concerns, providing feedback.

This level can be used to make an informed decision where interests are diverse.

#### ***Examples***

***RMA Consents, Special Consultative Procedure, Calling for submissions or comments\*, survey, research projects such as Affordable Housing Study, public meetings, focus groups.***

#### **3. Involve**

Working with the community throughout the decision making process to ensure their issues and concerns are identified, understood and considered.

This can be used where it is likely that there is a consensus view or a single community is affected, therefore involving the community in the detail of the decision would improve the outcome.

#### ***Examples***

***Workshops, public forums, community working parties, focus groups, public hearings.***

#### **4. Work together**

This is collaboration of partnering with the community in each aspect of the decision, including development of alternative and choosing solutions.

This can be used where decisions are shared between the Council and community. The Council does not own the decision alone.

#### **Examples**

***Wakatipu Trails Trust, Aspiring Arts and Culture Trust, Arrowtown Heritage Trust, One Mile Powerhouse Restoration Project, Glenorchy and Arrowtown Skateparks.***

#### **5. Empower**

Placing the final decision in the hands of the community.

This might be used where the decision is the community's responsibility.

#### **Examples**

***Council and Community Board Elections, Community Plans (Arrowtown, Glenorchy, Kingston, Makarora, Hawea, Luggate).***

#### ***How to use the levels of participation.***

- Consider which level to use on a case by case basis.
- Recognise that different levels of participation are appropriate for different issues and communities.
- From the outset identify which level of participation has been identified.
- You can use more than one level. For example you might ask and involve or inform and work together.

•  
***\* When calling for submission the Council must acknowledge receipt of submission, advise of opportunity to be heard and that all written submissions must be made available to the public.***

**QLDC consultation checklist**

**PROJECT TITLE:** \_\_\_\_\_  
**PROPOSED START:** \_\_\_\_\_ **FINISH:** \_\_\_\_\_

	<b>STEP ONE: DO I NEED TO CONSULT?</b>		
1.	Is there a legal requirement to consult?	<b>yes/no</b>	If <b>yes</b> → <b>consult</b> If <b>no</b> continue checklist.
2.	Is the issue 'significant'?	<b>yes/no</b>	If <b>yes</b> → <b>consult</b> via special consultative procedure.* If <b>no</b> continue checklist
3.	How important is this issue to the community?	<b>very or not very?</b>	If <b>very</b> important → <b>consult</b> . If <b>not very</b> important continue.
4.	Will consultation give us information we need for decision?	<b>yes/no</b>	If <b>yes</b> → <b>consult</b> If <b>no</b> continue checklist.
5.	Do the benefits of consulting outweigh the cost (including risks)? (ie money, time, community view)	<b>yes/no</b>	If <b>yes</b> → <b>consult</b> If <b>no</b> continue checklist.
6.	Do the costs outweigh the benefits?	<b>yes/no</b>	If <b>yes</b> → <b>consult</b> If <b>no</b> continue checklist.
7.	Is there another reason not to consult? (ie commercial sensitivity, urgency)	<b>yes/no</b>	If <b>yes</b> → <b>don't consult</b> If <b>no</b> continue checklist.
	<b>STEP TWO: WHO DO I CONSULT?</b>		
8.	Make a list of who might be affected or have an interest.		Continue checklist
9.	Is there potentially any significance to Maori?	<b>yes/no</b>	If <b>yes</b> → <b>consult with Maori</b> . If <b>no</b> continue checklist.
	<b>STEP THREE: WHAT LEVEL?</b>		
10.	How much influence should the community	1. none, it's a	If 1 → <b>Inform</b> If 2 → <b>Ask</b>

	have on the decision? How much value will consultation produce?	Council decision → 5. total, it's a community decision.	If 3 → <b>Involve</b> If 4 → <b>Work together</b> If 5 → <b>Empower</b>
	<b>STEP FOUR: WHEN DO I CONSULT?</b>		
<b>11.</b>	When defining or identifying the issue/project or problem?	<b>yes/no</b>	Continue checklist
<b>12.</b>	When setting objectives /goals?	<b>yes/no</b>	Continue checklist
<b>13.</b>	When identifying possible solutions or options?	<b>yes/no</b>	Continue checklist
<b>14.</b>	When comparing /assessing different solutions or options?	<b>yes/no</b>	Continue checklist
<b>15.</b>	When the decision is made?	<b>yes/no</b>	Checklist completed

**Note: Also refer to QLDC communication planning template.**

### **Special Consultation Procedure**

The special consultative procedure is a series of requirements as set out by the Act when certain criteria apply.

The process can and or must be used when amending the CCP, adopting the Annual Plan, when making or amending Bylaws, when significantly altering the intended level of service, when transferring ownership or control of an asset to or from the Council, when building, replacing or abandoning a strategic asset, when significantly affecting the capacity of or cost to the Council. An example as of June 2004 is the proposed Queenstown Aquatic Centre. Refer to the Act or to *Local Government Know How* for more detail.

The main elements are a statement of proposal and a summary of the statement, public notice and submissions.

### **Consultation with Maori**

Ngai Tahu is the kaitiaki (guardian or keeper) over the natural and physical resources of our district, whilst various tribes reside within the district. This means they hold traditional authority or manawhenua over particular areas. The Council has a formal protocol that defines the process for facilitating the involvement of Maori in the resource consent process, which involves consulting with the Otago resource management group, representative of the runanga (Kai Tahu ki Otago Ltd). This consultation also needs to take into consideration the Te Runanga o Ngai Tahu Act 1996, which established the boundaries of the 18 papatipu runanga. In general this places Wakatipu within the takiwa (area occupied by an iwi) of Murihiku and Wanaka Hawea within the takiwa of

Otago. The formal relationship is with Kai Tahu ki Otago Limited, however Murihiku should be kept informed, as a courtesy, of matters pertaining to the Wakatipu. Notwithstanding that process, the Council is working towards building a relationship with all Maori, including working with local whanau groups. In some cases local whanau should be consulted and kept informed.

In some cases consultation should include an invitation to participate in the decision-making process. Good examples of this have included Maori representation on working parties for the development of Wanaka's waste water to land disposal (Project Pure) and the Pokapu Kawarau (Remarkables Centre project).

#### ***Maori Consultation stakeholders***

Kai Tahu ki Otago Ltd (KTKO Ltd) (Otago Iwi - Karitane Otakou, Moeraki, Hokonui)  
Te Ao Marama Incorporated (representing the four papatipu runanga of Murihiku)  
Local whanau.  
Te Huatanga O Wakatipu Whanau (Wakatipu Whanau Group)  
Wanaka Whanau Group

#### ***Consultation Toolkit***

***Written correspondence***   
***Focus Group***   
***Personal meeting or phone call***   
***Special meeting for users and or stakeholders***   
***Brochure or pamphlet***   
***Poster***   
***Public forum/workshop***   
***Public meeting/information session***   
***Public site tour***   
***Media Release***   
***Radio notices***   
***Newspaper advertising/public notices***   
***Survey***   
***Hotline***   
***Information display or exhibition***   
***Community working party/taskforce***   
***Children and youth engagement***   
***Texting by cellphone***

#### **Maori consultation**

Local Government Act 2002 Part 6

#### **77. Requirements in relation to decisions—**

.....

(c) if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.

**78. Community views in relation to decisions—**

- (1) A local authority must, in the course of its decision-making process in relation to a matter, give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter.
- (2) That consideration must be given at—
  - (a) the stage at which the problems and objectives related to the matter are defined:
  - (b) the stage at which the options that may be reasonably practicable options of achieving an objective are identified:
  - (c) the stage at which reasonably practicable options are assessed and proposals developed:
  - (d) the stage at which proposals of the kind described in paragraph (c) are adopted.
- (3) A local authority is not required by this section alone to undertake any consultation process or procedure.
- (4) This section is subject to section 79.

**81. Contributions to decision-making processes by Maori—**

- (1) A local authority must—
  - (a) establish and maintain processes to provide opportunities for Maori to contribute to the decision-making processes of the local authority; and
  - (b) consider ways in which it may foster the development of Maori capacity to contribute to the decision-making processes of the local authority; and
  - (c) provide relevant information to Maori for the purposes of paragraphs (a) and (b).
- (2) A local authority, in exercising its responsibility to make judgments about the manner in which subsection (1) is to be complied with, must have regard to—
  - (a) the role of the local authority, as set out in section 11; and
  - (b) such other matters as the local authority considers on reasonable grounds to be relevant to those judgments.

**LG81.02 Maori**

This term is not defined for the purpose of the legislation. The term is used in a broad and inclusive way and is not limited to those Maori in the district who are Tangata Whenua.

**82. Principles of consultation—**

- (1) Consultation that a local authority undertakes in relation to any decision or other matter must be undertaken, subject to subsections (3) to (5), in accordance with the following principles:
  - (a) that persons who will or may be affected by, or have an interest in, the decision or matter should be provided by the local authority with reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons:
  - (b) that persons who will or may be affected by, or have an interest in, the decision or matter should be encouraged by the local authority to present their views to the local authority:



- (c) that persons who are invited or encouraged to present their views to the local authority should be given clear information by the local authority concerning the purpose of the consultation and the scope of the decisions to be taken following the consideration of views presented:
  - (d) that persons who wish to have their views on the decision or matter considered by the local authority should be provided by the local authority with a reasonable opportunity to present those views to the local authority in a manner and format that is appropriate to the preferences and needs of those persons:
  - (e) that the views presented to the local authority should be received by the local authority with an open mind and should be given by the local authority, in making a decision, due consideration:
  - (f) that persons who present views to the local authority should be provided by the local authority with information concerning both the relevant decisions and the reasons for those decisions.
- (2) A local authority must ensure that it has in place processes for consulting with Maori in accordance with subsection (1).
- (3) The principles set out in subsection (1) are, subject to subsections (4) and (5), to be observed by a local authority in such manner as the local authority considers, in its discretion, to be appropriate in any particular instance.
- (4) A local authority must, in exercising its discretion under subsection (3), have regard to—
- (a) the requirements of section 78; and
  - (b) the extent to which the current views and preferences of persons who will or may be affected by, or have an interest in, the decision or matter are known to the local authority; and
  - (c) the nature and significance of the decision or matter, including its likely impact from the perspective of the persons who will or may be affected by, or have an interest in, the decision or matter; and
  - (d) the provisions of Part 1 of the Local Government Official Information and Meetings Act 1987 (which Part, among other things, sets out the circumstances in which there is good reason for withholding local authority information); and
  - (e) the costs and benefits of any consultation process or procedure.
- (5) Where a local authority is authorised or required by this Act or any other enactment to undertake consultation in relation to any decision or matter and the procedure in respect of that consultation is prescribed by this Act or any other enactment, such of the provisions of the principles set out in subsection (1) as are inconsistent with specific requirements of the procedure so prescribed are not to be observed by the local authority in respect of that consultation.

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## Computer Access Options for Councillors

*Adopted – Council 26 November 2004*

Council resolved to make a policy decision:

1. To acknowledge that electronic communication is intrinsic to our way of doing business.
2. That Councillors need to have computer equipment that meets a specified standard.
3. That Councillors choose between one of the above options (enhance own system as required; or be provided with new PC or laptop) to meet the required computer standard.
4. That the CEO investigates a lease to purchase option and be authorised to implement such a scheme.

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## Local Body Elections – General Elections Hoardings

*Adopted – Council 13 August 1999*

The council decided:

- To adopt a policy for the size, timing and other characteristics of electioneering hoardings during parliamentary elections.
- That the maximum size of hoardings in both the parliamentary elections and local body elections be three square metres
- That the other requirements set out in Section 7 of the Council's triennial Local Government election guidelines also be applied to parliamentary elections
- That the responsibility for administering these provisions is part of the function of CivicCorp, along with its other responsibilities for the District plan, signage and bylaws.

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## **Council Meetings – Staff**

*Adopted – Council 29 August 1997*

The Council endorses the existing policy that the Council does not publicly criticise staff.  
(See also Code of Conduct adopted 2003)

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## **Council Meetings – Mobile Phones**

*Adopted – Council 22 August 1995*

Mobil phones are not permitted to ring in the Council Chamber during advertised meetings and a sign is to be placed on the Chamber door to this effect.

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## **Council Meetings – Eating**

*Adopted – Council 1990*

Eating at Council tables during meetings is forbidden.

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## Residency - Supporting Applications

*Adopted – Council 23 October 1990*

Council does not become involved in writing letters of support for persons seeking permanent residency in New Zealand.

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## Signs Provisions and Enforcement

*Adopted – Council 25 August 2006*

1. The CEO be authorised to urgently agree a compliance strategy in regard to signage covering areas involved, approval procedures, priorities for enforcement, costs and the nature of reporting back.
2. Upon identification in writing to a business that they are displaying illegally established signage, the Compliance Department be given authority to require it be removed immediately.
3. A concerted, proactive effort be placed on enforcing the current signage provisions addressing illegally established signage throughout the District, starting with the Town Centre Zones.
4. A press release be issued informing the public of this change in policy regarding the enforcement of signage.
5. A report be brought back to the Full Council in six months time updating the Full Council on the findings of the enforcement program.



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## Financial Contributions (Headworks) Policy

*Adopted – Council 18 May 2001*

*Amended – Council 14 December 2001*

*(inclusion of Lake Hayes Financial Contributions (Headworks))*

### **Purpose**

To implement charges for water supply, wastewater and stormwater that are imposed on residential subdivisions and developments and to implement differentials to be applied to non-residential land uses (e.g. retail/commercial, industrial, restaurants, visitor accommodation).

The Financial Contributions Policy is to be adopted under the transitional provisions of the Resource Management Act. Sections 407 and 409 of the Resource Management Act allow charges to be imposed on resource consents for subdivisions and developments under Section 283 of the Local Government Act where a District Plan is not operative.

### **Financial Contributions**

The charges are shown in Column 1 of Table 1 on the next page..

### **Differentials**

The differentials to be applied to non-residential land uses are attached. The differentials allow land uses such as retail/commercial, industrial, restaurants and visitor accommodation to be expressed as dwelling equivalents. The charges shown in Column 1 of Table 1 can then be applied to these non-residential land uses.

### **Effective Date**

This policy becomes effective on 01 June 2001 and replaces all previous headworks charges.

Charges for Lake Hayes became effective from 14 December 2001

**Table 1 – Summary Of Water Supply, Wastewater And Stormwater Charges**

**Water Supply Financial Contributions – per residential property or dwelling equivalent**

<u>Contributing Area</u>	<b>Column 1 Current Charge (inc GST)</b>
Queenstown	<b>\$1,255</b>
Arrowtown	<b>\$3,275</b>
Glenorchy	<b>\$2,720</b>
Lake Hayes	<b>Still to be Set</b>
Arthurs Point - east of Shotover River	<b>\$2225*</b>
Arthurs Point - west of Shotover River	<b>No change</b>
Quail Rise / Tuckers Beach / Glenda Dr.	<b>\$1,895</b>
Wanaka	<b>\$1,960</b>
Hawea	<b>\$2,575</b>
Albert Town	<b>\$2,285</b>
Luggate	<b>\$3,685</b>
Anderson Road Rural Residential Zone	<b>\$2,655*</b>
<b>Lake Hayes</b>	<b>\$3,681.35</b>

**Wastewater Financial Contributions – per residential property or dwelling equivalent**

<u>Contributing Area</u>	<b>Column 1 Current Charge (inc GST)</b>
Queenstown	<b>\$1,850</b>
Arrowtown	<b>\$2,510</b>
Glenorchy	<b>Not Available</b>
Lake Hayes	<b>Still to be Set</b>
Arthurs Point – east of Shotover River	<b>\$2,486</b>
Arthurs Point - west of Shotover River	<b>No change</b>
Quail Rise / Tuckers Beach	<b>\$1,425</b>
Wanaka	<b>\$2,350</b>
Hawea	<b>\$2,195</b>
Albert Town	<b>\$2,120</b>
<b>Lake Hayes</b>	<b>\$3,049.63</b>

**Stormwater Financial Contributions – per residential property or dwelling equivalent**

<u>Contributing Area</u>	<b>Column 1 Current Charge (inc GST)</b>
Queenstown	<b>\$335</b>
Arrowtown	<b>\$715</b>
Glenorchy	<b>\$1,250</b>
Wanaka	<b>\$545</b>
Hawea	<b>\$355</b>
Albert Town	<b>\$1,300</b>

The inclusion of a community scheme in the above table does not necessarily indicate that the service is immediately available. Council may impose a charge where there is an intent to construct a service within the next 5 years. This applies to Arthurs Point Water east of the Shotover River, Anderson Road Rural Residential Zone (Wanaka) water supply, Tuckers Beach Road water and sewerage and some parts of all of the communities for stormwater.

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## **Change in Funding Policy for Roading – Wanaka Ward**

*Adopted - Council 16 March 2001*

That the roading policy for the Wanaka ward be changed to allow funds from the sale of sections at Scurr Heights and Anderson Heights to be used to fund capital roading works. The level of funding to be determined by the Board from time to time in keeping with the Council's Asset Management Plan.

## Policy on the Resource Consent Appeal Process

*Adopted – Council 17 December 2008*

1. In determining its position regarding an appeal on a resource consent decision, Council will give considerable weight to the Commissioners' decision and will not resale from that decision without considerable reflection;
2. In deciding to mediate and the matters to be mediated on, Council will be guided by its assessment of whether the prospective outcome from mediation is considered to be better than the risk of an adverse decision by the Court;
3. Having determined to mediate and identified an acceptable outcome from mediation, Council will delegate (through the CEO) full authority to reach a decision consistent with the approved mediation outcome.

### New Five Stage Process

1. Notice of appeal is circulated to Council's CEO, GM Regulatory and Corporate, GM Policy and Planning and Chair of Strategy upon receipt.
2. Prepare a comprehensive analysis of the appeal:
  - a. Responsibility for preparing, developing and reporting the analysis is with senior planning staff at Lakes Environmental;
  - b. Stakeholders to be consulted, whose views are to be included in the analysis are:
    - i. LE reporting planner and associated staff;
    - ii. Commissioner(s);
    - iii. MacTodd on legal issues associated with the appeal; and
    - iv. QLDC policy staff.
  - c. The report should be available within 20 working days of the date of the appeal so that an appropriate and timely response can be made. This will require that some priority is applied to these matters by Lakes Environmental.
  - d. The output will be a report containing each of the different perspectives that will be made to the next available Wednesday meeting. (Note it is expected that, although comprehensive, the report will be NO LONGER than 2 pages in total. This will require focus on the issues contained in the appeal and appropriate analysis of the issues, not a relitigation of the initial assessment or the Commissioner's determination).
3. The analysis is considered at the Wednesday meeting and a recommendation developed:
  - a. Consider the policy issues that the appeal might raise;
  - b. Consider the consistency of the proposed approach and the consistency of the underlying decision;
  - c. Develop a recommended approach for consideration by the Strategy Committee; and
  - d. Develop any parameters if a recommendation to mediate the appeal is to be made.
  - e. Preliminary instructions given as to position on appeal to meet Court requirements.

4. The recommendation is considered by the Strategy Committee (in public excluded) who determine the Council approach:
  - a. The Committee will be provided with the analysis developed in 2 and the recommendation from the consideration of that analysis in 3. Responsibility for the report to the Committee is with the GM Regulatory and Corporate.
  - b. The Committee will need to decide whether to;
    - i. Contest the appeal or not;
    - ii. Mediate the appeal or not;
    - iii. Agree to any negotiating parameters.
5. Issue written instructions to MacTodd and Lakes Environmental:
  - a. Provide the decision of the Committee on the approach to be taken;
  - b. Provide the detailed negotiating parameters to MacTodd and LE
  - c. Responsibility for both these roles is with the GM Regulatory and Corporate.

### **Matters for further consideration**

The reason for the proposed inclusion of Council policy staff at an early stage of this process (1(b)(iv)) is three-fold. Firstly, it gives the opportunity for a policy based input into the consideration of Council's approach to the appeal. Secondly, it provides an important information loop back to the policy team of the issues that are being challenged and the nature of those challenges. Thirdly, they are able to provide an independent, professional planning perspective to the appeal. This is considered necessary because the LE planners and Commissioners are likely to defend the decision that they have made without being able to dispassionately assess the merits of the decision and the risks of an adverse decision by the Court.

The alternatives considered to obtain this impartial planning view are to have this role undertaken by either a panel of other Commissioners, or engage outside planning expertise. In my assessment, neither of these solutions is as good as using the policy team because they only address the last of the three reasons and the other two still need to be addressed.

The determination of Council's position on appeals can only be made at the Strategy Committee or full Council. The proposal to have the Strategy Committee as the decision making authority on these matters is that this will provide them with direct feed-back on the implications of appealed decisions on the plan that they have responsibility for and will allow them to monitor any trends in appeals to particular areas of the plan and will allow them (in a small way) to shape the way the plan is changed.

There is no explicit delegation made to agree to a mediated outcome where this has been previously agreed by the Committee. The nature of any delegation has to be such that some degree of freedom is granted so that principles inherent in any decision by the Committee can be adhered to but the reality of the mediation process is acknowledged. Initially, this power should be with the CEO, but over time, he might consider sub-delegation to the GM Regulatory and Corporate Services. Similarly, delegations from Council to the Strategy Committee to make the decisions on these matters will need to be made.

### **Financial Impact**

There will be some marginal additional cost in having lakes Environmental consult with stakeholders and prepare the analysis for consideration. On an estimated 30 appeals per annum at 8 hours per appeal for the report to be prepared, the annual marginal cost is around \$24,000. This is an insignificant cost compared to the annual cost of defending decisions (annual cost over \$500,000) and will be recovered by a small number of appeals that might otherwise go to Court being mediated.

### **Changes to delegations**

1. Delegation to Strategy Committee to make decisions on how to proceed with resource consent appeals.
2. Delegation to the CEO to implement the decision of the Committee and provide negotiating parameters to Solicitors and Lakes Environmental staff.

## Policy on requests for confidentiality under Section 42 of the Resource Management Act

*Adopted – Council 19 April 2002*

- (i) In the Council's view Section 42 does not permit it to withhold disclosure of the existence of resource consents per se. No committee, officer or agent of the Council shall offer confidentiality in such cases.
- (ii) The Council will routinely and regularly disclose to the public and the media the applications that have been received and their status in the planning process.
- (iii) Section 42 of the RMA does permit applicants to seek confidentiality in certain circumstances, and for certain information and evidence, and the Council will respect those rights. This includes the right to have evidence taken in a hearing from which the public has been excluded. The test however is a stringent one and the Council recognises planning issues as a matter of considerable public interest.
- (iv) Authority to determine applications for confidentiality for specific pieces of information under Section 42 of the RMA is hereby delegated to the Principal: Planning (currently Jane Titchener) at CivicCorp. Each decision under this authority will be reported to the next practical meeting of a hearings panel.
- (v) An applicant, or any other person may object to a decision of the Principal Resource Consents. Every objection shall be submitted to the next practical meeting of a hearings panel and each hearings panel is hereby delegated all necessary powers to hear and determine any matter relating to Section 42 of the Act.
- (vi) Applications to have evidence taken at a hearing with the public excluded will be determined only by a hearings panel at the time that the substantive matter is to be considered.



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## **Policy for the waiver of requirement for Outline Plan approval for Council Controlled Activities**

The Chief Executive has the delegation to issue a waiver of the requirement to submit an outline plan under section 176A (1c) of the Resource Management Act 1991.

This policy establishes the circumstances under which the Chief Executive will waive the requirement for an outline plan to be submitted to Civic Corp for a public work, project, or work to be constructed on designated land.

Circumstances where the requirement to submit an outline plan may be waived are:

1. When specified in the designation, the works meet all conditions for recreation reserves, motorparks or golf courses as set out in Appendix 1, Section B and F of the PARTIALLY OPERATIVE DISTRICT PLAN (March 2004) and items 3-5 are met.
2. Where no conditions are specified in the designation, the work would otherwise be a permitted or controlled activity given the underlying zoning of the land and items 3-5 below are met.
3. The works or activity are lawful with regard to the Reserves Act 1977 and the reserve classification for the land where the land is held under the Act.
4. Where a reserve management plan has been adopted by Council. The works or activity is contemplated in that management plan.
5. Where no management plan has been adopted, the works or activity have been approved by the relevant Community Board or Committee of Council, and public consultation had been undertaken in accordance with Council's consultation policies.

# Application for waiver of the requirement to submit an outline plan under section 176A (1c) of the Resource Management Act 1991.

## Location

.....  
.....

## Description/Activity

.....  
.....  
.....  
.....  
.....

**Designation number** ..... **Zone** .....

I certify that:

- The works/activity meet all the conditions for recreation reserves as set out in Appendix 1, Section B or F of the *PARTIALLY OPERATIVE DISTRICT PLAN*
- (OR)
- The works/activity would be a permitted or conditional activity for the underlying zoning in the *PARTIALLY OPERATIVE DISTRICT PLAN*
- AND
- The works or activity are lawful with regard to the Reserves Act 1977 and the reserve classification for the land where applicable
  - Where a reserve management has been adopted by Council, the works or activity is contemplated in that management plan.
  - Where no management plan has been adopted, the works or activity has been approved by the relevant Community Board or Committee of Council, and public consultation has been undertaken in accordance with Council's consultation policies.

Signed .....

/ /

Approved.....

Chief Executive

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## Infrastructure Services Consultant Procurement

*Adopted - Infrastructure Services Committee 7 February 2012*

### Process for the procurement of the Infrastructure Services consultants

#### Contract Form

The “Conditions of Contract for Consultancy Services (CCCS) - 3rd Edition, 2009” with the same amendments to the general conditions of contract (revised dates) and the same special conditions of contract used previously.

#### Contract Start Date

1 July 2012 to coincide with the financial year.

#### Contract Term

3 +1+1 years.

#### Transport and 3 Waters

A fee proposal will be requested separately for each discipline (3 waters and transport) from each consultant.

#### Consultant Services Mix

The Request for Proposal will not define how consultant services will be split between 3 waters and transport disciplines. The decision on how services will be split up will be made following the tender evaluation.

#### Tender Evaluation Method

Price Quality Simple, in accordance with New Zealand Transport Agency procedures manual.

#### Evaluation Criteria & Weightings

The following criteria and weightings are proposed:

Track Record	20%
Relevant Experience	25%
Relevant Skills	25%
Methodology	10%
Price	20%

#### Probity Auditor

A probity auditor will be appointed.

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## **Application of Tender Policy to Associated Organisations**

*Adopted – Finance Audit Property & Corporate Committee 8 December 2004*

Where Council is part funding an associated organisation, a condition of that funding being granted is that the organisation complies with Council's Tenders Policy and contracting process unless it is bound by another statutory process satisfactory to the Council.

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## Crown Range Road Vehicle Restrictions

*Adopted - Council 20 December 2005*

1. That the use of that part of the Crown Range Road from the intersection of the Crown Range Road with State Highway 6 at Whitechapel to the West side of Bridge No 11 on the Crown Range Road (“the prohibited zone”) by any Goods Service or Passenger Service Vehicle where such vehicle exceeds 14,200kg gross laden weight or alternatively has an overall length exceeding 12.6 metres is prohibited, such prohibition to be subject to the following express conditions:
  - 1.1. The prohibition shall not apply to any such prohibited vehicle where such vehicle is using the Crown Range Road for the sole and express purpose of travelling to or from properties situated within the said prohibited zone.
  - 1.2. The prohibition shall not apply to any such prohibited vehicle which vehicle is directly involved in road works, road maintenance and upkeep within the prohibited zone.
  - 1.3. The prohibition shall not apply and be deemed to have been lifted where there has been a temporary closure of State Highway 6 between Cromwell and Whitechapel; provided however that such temporary closure shall have been in effect for a period in excess of three hours.
  - 1.4. The prohibition shall not apply to any vehicle using the prohibited zone which is carrying and displaying a valid non-expired permit issued in respect of the said vehicle under Clause 7 of the Heavy Motor Vehicle Regulations 1975 and/or Section 5 of the Land Transport Rule: Vehicle Dimensions and Mass 2002.
  - 1.5. The prohibition shall not apply and be deemed to have been lifted for the period between 15<sup>th</sup> June and 15<sup>th</sup> October in any year in respect of any Passenger Service Vehicle accessing ski fields situated within the Queenstown-Lakes District Council’s area of control.
- 2) That the conditions detailed in Paragraph 1.5. of this resolution shall exist until the 15<sup>th</sup> day of October 2008 at which time such condition shall no longer be in effect or have any remaining force and effect.

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## Street Lighting on Private Roads

*Adopted – Council 19 December 2003*

1. Council policy be that the maintenance and operating costs of lights installed on private roads and Rights of Way after 01 January 2004 is the responsibility of lots serviced by such private access roads; and
2. All lights installed on private roads and Rights of Way after 01 January 2004 shall be isolated from the Council lighting network circuits.

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## Wanaka and Hawea Landfill Site Policies

*Adopted – Council 27 March 1998*

- Disposal of commercial quantities of clean fill is prohibited at this landfill site.
- Disposal of commercial quantities of green waste is which branches that exceed 200 mm diameter will be prohibited
- Tree stumps are prohibited.
- Commercial quantities shall be defined as any person disposing commercial quantities of green waste at this site for **Reward**.
- Domestic quantities of clean fill and green waste shall be accepted at the site.
- The proposed landfill charges for disposal of commercial greenwaste are to be:

<b>Vehicle Category Commercial Greenwaste only</b>	<b>Entrance Fee</b>
Trailers (1axle) plus utility vehicles	\$6.00
Trailers (2 axles or greater)	\$10.00
Trucks (2 axles total)	\$25.00
Trucks (3 axles or greater)	\$40.00

### **Hawea Landfill Site Policy**

- Disposal of commercial quantities of clean fill is prohibited at this landfill site.
- Disposal of commercial quantities of greenwaste is prohibited at this landfill site.

The contractor would collect all fees and charges at the Wanaka site for the disposal of commercial quantities of greenwaste, and in return, use these fees to offset the cost of operating the shredder on a regular basis at this site. This would enable the site to be in a clean and tidy condition, minimize the volumes and provide the public access to the mulchings and compost which would be generated from the green waste.

No additional charges would be incurred by Queenstown Lakes District Council for operating the shredder at the Wanaka Landfill site.

Subject to final approval, it is proposed that the new charges be introduced on Monday 27 April 1998, as specified by the Local Government Act. However, this new policy may be able to be introduced on an informal basis immediately as it would facilitate the earlier disposal of commercial quantities of greenwaste in Wanaka.

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## Ground Opening Policy

*Adopted – Works Committee 13 November 1997*

### 1.0 Policy Objectives

To ensure that the quality of trench reinstatements within the Queenstown Lakes District are adequate to prevent the premature failure of the surrounding pavement areas and do not result in higher road maintenance costs.

This policy would not apply to Council projects or Council's maintenance Contractor.

### 2.0 Policy Requirements

The ground openings permit system includes the following requirements:

- The agreement would be between Service Authority/Contractor and Queenstown Lakes District Council regarding standard of trench reinstatement.
- The Service Authority/Contractor would be required to reinstate trench if the surface deteriorates during a 12 month maintenance period.
- Contractors would be required to inform Queenstown Lakes District Council of intent to install services immediately prior to work commencing.
- A Council representative would inspect the works, and recommend remedial works if required.
- Contractors performance records would be maintained for future reference to ensure the standards are maintained.

The administration of this system is proposed to be run by means of electronic database. The database will record details of the work being undertaken, records of inspections, maintenance period information and contractors performance.

### 3.0 Ground Openings Permit Requirements

This would be a simple agreement in the form of a Ground Opening Permit.

The Permit would form a legally binding agreement between Council and the Service Authority/Contractor to accept responsibility for the ground opening works and the surface reinstatement in accordance with Council's standard requirements and specifications.

The ground openings Permit would be conditional on their acceptance of the conditions imposed by the Permit.

Should any trench reinstatement be found to be below the standard indicated in the Specification, the Service Authority/Contractor will be contacted and requested to make good -any substandard areas. An additional maintenance period would then be imposed upon the Service Authority/Contractor, as the standard of work had been shown to be unacceptable.



#### 4.0 Permit Application Fees

That all Ground Opening Permit application fees be based on the value of the works undertaken by the Service Authority/Contractor as detailed below:

Work Value (\$)	Ground .Openings Fee
<u>0-10,000</u>	\$210+GST
<u>10,000 - 50,000</u>	\$300+GST
<u>50,000 - 200,000</u>	\$380+GST
<u>&gt;200,000</u>	<u>Fee based upon actual cost incurred by QLDC</u>

These fees would cover the following activities:

- Processing of Ground Opening Permits
- Maintenance of a Ground Openings Database
- Inspection of the works
- Issue of Maintenance Certificate.

That any re-inspection of the works previously identified as substandard and requiring repair would be charged the actual costs incurred by Council.

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## Damage to Street Frontages during Property Development Activities

*Adopted – Works and Reserves Committee 8 December 1993*

The Queenstown Lakes District Council requires that a cash bond be paid at the time of uplifting a building consent for any new building, replacement building, additions of alterations to any existing building, including demolition, over \$5000 in value in any area of the district, unless, in the opinion of the Operations Manager, the only practical access is via a properly formed vehicle access way.

The purpose of the cash bond is to cover the cost of any damage to the street or road frontage, including road surface, kerb and channel, footpath, and grass berm, as a result of development activity on the site. The term "street" also applies to roads in this policy.

The property owner will be required to certify the extent of any existing frontage damage at the time of the application for building consent. Any existing damage notified by the applicant will be inspected and photographed during consent processing. If no damage is notified, no inspections of the site will take place prior to consent approval.

The amount of the cash bond required will be as set out in Schedule A of this policy. The types of street frontage are:

- a) Fully scaled street with kerb and channel, formed footpath, and grass berm.
- b) Fully sealed street with kerb and channel, grass berm but no footpath.
- c) Fully sealed street with grass berm, but no kerb and channel or footpath.
- d) Unsealed street with grass berm, no kerb and channel and no footpath.
- e) Sealed road, kerb and channel, wide footpath, no grass berm.

Properties in industrial or commercial zones will be considered to have type 5 frontages.

The amount of cash bond for buildings being relocated onto or off a site will be that payable for type 5 frontage.

The bond will cover damage to footpaths, grass berms, kerb and channel, and street surfaces, and all street furniture, such as street trees, lighting standards, signs, etc.

The building consent holder will be held liable for the cost of repairing any such damage on any street frontage where it is determined by the Operations Manager that the damage is due to construction activity on the consent site.

The street frontage of the property and neighbouring properties will be inspected at the time of the final building consent inspection, and any street frontage damage recorded.

If no street frontage damage is reported, the bond will be refunded to the building consent holder, within 14 days of the street inspection.

If street frontage damage is reported, the damage will be:

- a) repaired by the Council and the actual cost of the repair work deducted from the bond held, or
- b) repaired by a contractor nominated by the consent holder and approved by the Council, with the cost of the repair work being met fully by the consent holder.

At the completion of the repair work, the balance of the bond left after meeting any repair costs will be refunded to the building consent holder within 14 days of final approval of the repairs. If the cost of the repair works exceeds the value of the bond, the consent holder will be invoiced for the additional cost.

This policy will become effective from 01 January 1994.

#### **SCHEDULE A: Amount of Bond**

<b>Type of Frontage</b>	<b>Bond Required (\$)</b>
1	600
2	350
3	200
4	100
5	1000

Resolution from Utilities Committee 1 May 2002

#### **Damage to Street Frontages during Property Development Activities**

Resolved that the report on Damage to Street Frontages During Property Development Activities be received and

That Council reviews its policy with respect to street frontage deposits/procedures and

That Council seeks legal advice with a view to initiating a bylaw or other process that will permit Council to enforce the repairs of damaged infrastructural assets as a result of development of private property or alternatively permits Council to undertake the repairs and recover the costs thereof from the developer.

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## Project Initiation and Approval Process

*Adopted – Council 5 May 2006*

### Scope Of Project Initiation Process

This process will be used in any of the following situations.

- a) Any project that is not specified in the LTCCP, which exceeds 8 hours in duration, and / or \$5,000 in cost, and relating to the following:
  - i. Policy development;
  - ii. New capital works;
  - iii. Any proposal to change levels of service (e.g. water quality, hours of opening, etc);
  - iv. Any collaboration with outside bodies (e.g. ORC).
- b) Any request to substantially vary a project beyond the approved scope.

Note there are a number of situation which will not be captured by this process:

- i. Work that the Chief Executive needs to undertake to resolve current issues (e.g. legal advice on complex resource consent applications). This is necessary as resource consents must meet statutory time frames. The work being done on technical solutions for individual properties in Stoney Creek are a case in point.
- ii. Projects that are not individually specified in the LTCCP (e.g. minor safety projects).
- iii. The detailed implementation of some projects (e.g. discussions over the best means to implement additional funding for street cleaning).

### Resourcing Additional Projects

It needs to be remembered that, while it is always possible to bring in consultants to carry out the work, the scarce resource actually occurs within the 12 elected members of the council and the critical managers (Mark, Vicki, Stewart, Paul, Gordon and their limited staff) who have to collectively scope, tender, provide background and context to consultants, evaluate tenders, contract for, evaluate, mentor, and present the outcome of consultants work. Both elected members and the key managers are, and will increasingly be, fully and maybe over committed to approved LTCCP projects.

### Capturing The Projects For Future Consideration

Council has a number of ways it can deal with project initiation proposals which it does not consider should commence immediately:

- a) The preferred position should generally be to 'refer the matter for consideration in the next annual plan'. The relevant manager will maintain a database of such projects, much as we do now for amendments to the district plan.
- b) To refer the matter for monitoring for a period, e.g. 12 months, (as long as monitoring itself does not require additional resources).
- c) To refer the proposal to another agency (e.g. Transit NZ, ORC, etc).

### Approval Processes

From more than a technical perspective, new projects are a variation to the LTCCP. The approval process will be either direct to the Council (with the approval of the Mayor) or through the relevant committee (the normal route).

The approval of the initiation will then be approved by Council on the basis of the chair's committee report each month.

The more common approach will be for the relevant officer to prepare the project initiation report. The process calls for both the chair of the relevant committee and the manager to endorse the project before it goes forward. However, should an officer not support the need for the project, or should they not have the time to prepare the proposal, then councillors have the option of completing the proposal form and submitting it as part of a notice of motion under standing orders.

One of the implications of this is that individual councillors need to seek support for their initiatives from their chair at an early stage.

### Scope Of Requirement

Beyond the basic Project Initiation Form, the level of justification will depend upon the scale and significance of the proposal. The point needs to be made however that the project feasibility for a project during the year needs to be 'compelling'.

## PROJECT INITIATION FORM

Brief Description Of Project  
(Describe work to be done)

Connections To Other Council or Outside Agency Programmes  
(e.g. is work critical to another activity. Can work be done elsewhere in more effective way)

Value That Project Would Add To Community Outcome  
(What benefit do we get)

Reason For Urgency  
(there must be a very strong and obvious case for this project to proceed immediately such as statutory obligation, major loss of amenity, large economy of scale, etc. Also describe timeline for project).

### Implications

what are obvious risks / impediments of not proceeding promptly? Can these be managed?

What are risks of proceeding promptly? Can we manage these?

Implications For Growth / Grow Modelling Projections Used  
(describe relevance to growth management strategies and basis for projections)

Projects To Be Re-prioritised In Order That Project may Proceed.

(Whose workload is going to be re-prioritised, in what ways, in order that project can proceed?)

Source Of Funding

(requires confirmation by Finance Manager)

Endorsed by:

------(Chair)

------(Manager)

## Elderly Persons Housing Policy

*Adopted – Full Council 24 November 2000*

### HOUSING POLICY

#### “outcome sought”

Appropriate housing is fundamental to the success of the Queenstown Lakes District, both economically and socially. Appropriate housing is housing which meets the needs of the user, both in terms of its design and cost.

#### To achieve that the council believes:

- A provision of housing is fundamentally and foremost the responsibility of the private sector.
- Housing assistance is the function of Central Government, either through state housing or income assistance.
- The housing market in the Queenstown Lakes District is generally satisfactory, between the private sector and government assistance. There is currently no evidence of major problems that have arisen in some other international resorts (eg seasonal workers living in their vehicles) this is not to say that housing is “easy to get”. Due to Queenstown economic cycles, and the seasonal nature of some employment, availability, quality and price of housing may fluctuate. However, this largely indicates that at peak times the available housing stock is being fully utilised.
- There are two categories of housing where there is currently debate:
  - Elderly persons housing. Despite some indications that the private sector is responding to the demand for specifically designed housing for the elderly, there is evidence that there is not currently enough stock for the elderly who want to remain in the community
  - Affordable staff housing.
- Employee housing is seen primarily as the responsibility of, and potentially a competitive benefit for, employers. The council may be able to assist in the ways discussed in this policy.
- Elderly persons housing has traditionally been seen as a core function of the council. The council currently provides a small number of units in the district, constructed at a time when the government provided 3.5 % concessionary interest rates to encourage council involvement.
- The council will consider supporting housing initiative which:
  - Are begun by initiatives from the community
  - Are essentially charitable or non profit in nature
  - Where the ongoing management of the facility will not be councils responsibility
  - Where the councils contribution is a proportionally small but significant support to the community organisation taking the leadership on the project.



- Have the support of the appropriate government agencies (eg WINZ or housing NZ), and of local agencies that have an interest in housing.
- The forms of support which the council may be able to provide are:
  - Providing land, obtained by way of reserves contribution, in the way now being sought by the Abbeyfield Trust
  - Support and encouragement, in a variety of ways, assist organisations through processes in the resource management act.
  - Being a vehicle for organisations to access central government funds. The council is currently the “patron” of the Queenstown Safer Community council allowing that body to obtain government funding.
  - Cash grants from ratepayers funds for capital purposes or to cover operating deficits, are not seen as appropriate
  - Providing access to council facilities eg: Stanley St Council Chamber, and council support to the lead agency in presenting its proposals to other parties.

### **THE ABBEYFIELD PROPOSAL**

The Abbeyfield proposal is broadly described as “flating for the elderly”. This ably describes the design of the premises and the expectations of the participants, and the level of support provided. It is covered in greater detail in the attached feasibility study. A plan of a typical unit and a site plan for Frankton are also attached.

The location for the current facility is shown on the attached map. The land is available from Remarkables Park Ltd by way of reserves contribution. This would become a credit (approx value \$250,000) against future development in the Remarkables Park zone. The facility proposed by Abbeyfield sits well on site and would give the occupants good access to the New World supermarket, Warehouse and related facilities in that area.

The attached feasibility study from Mr Macalister indicates the cost of an Abbeyfield facility and how it is to be funded. The attention of councillors is drawn to the substantial contribution from the Queenstown housing trust. Until recently these funds were held in trust by the Council.

Councillors should also be aware that the Abbeyfield Trust aims to use the cashflow from the Frankton development to make other Abbeyfield developments viable. The next likely facility would be built in Arrowtown. By providing the land, the council will play a major part in achieving the cashflow necessary to allow the Trust to progress future facilities.

The Abbeyfield concept is that tenants typically pay \$225 per week for their accommodation, two meals per day and live in support. The council currently provides six elderly persons housing units in Arrowtown. Since they were built standards for elderly persons housing have grown considerably. In the future the Council may be asked to consider the future of its Arrowtown units in light of the Abbeyfield project. Our current units might become the site for a new facility, or alternatively part of the funding of a facility on another site. If and when those discussions proceed, the accommodation of our existing elderly tenants will be the primary consideration.

## **YOUNG WORKER ACCOMODATION**

Broadly speaking, the Abbeyfield approach could also be a model suitable for young workers in the tourism industry in Queenstown, particularly those starting their first jobs away from home. There appears to be some interest among Queenstown employers in pursuing this type of facility and the Council should be represented in those discussions.

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## Community Housing Policy ABC System and General Eligibility

*Adopted - Council 5 May 2006*

1. Adopt the framework described herein, being Document A: Applicant Eligibility Criteria as its 'Community Housing Policy';
2. Set the Gross Household Area Median Income (AMI) at \$67,329 for the year 2006, to be adjusted on an annual basis, based on data available from Statistics NZ and adjusted for inflation;
3. Set the 120% AMI Band as the upper limit of eligibility for schemes in which the Council and its to-be formed Community Housing Trust are involved.
4. Acknowledge that the Policy will be amended from time to time as additional components are completed and put forth for review, in particular the addition of parts B: Builder/Developer Guidelines and C: Council-monitored Incentives and Retention Mechanisms.

To set the context, there are three tools which comprise the planning framework, referred to hereafter as the 'A-B-C Affordability System':

- A: Applicant Eligibility Criteria:** This introduces the key methodology based on assessing the gap between Area Median Income (AMI) and Median home price, proposes who is eligible, the terms of eligibility, the programme/schemes available to fill the gap and how people will access the schemes;
- B: Builder/Developer Guidelines for Community Housing:** This outlines the targets of affordability for housing units (unit value priced as a % of AMI); sets goals for development contributions of permanently affordable units to be owned and operated by the Community Housing Trust; and proposes a series of guidelines for units that are 'affordable by design';
- C: Council-monitored Incentives and Retention Mechanisms:** This establishes parameters for the role of the Community Housing Trust and its relationship to Council; establishes the jurisdiction of the various planning mechanisms that give effect to the builder/developer guidelines and planning incentives; discusses planning incentives that encourage new affordable units to be incorporated into all future residential (and perhaps) commercial development; and sets out the legal process for ensuring affordability is maintained over time through conditions of consent, covenants and other means. Many of the above require appropriate RMA and LGA jurisdiction, and once such jurisdiction is clarified, will become part of the District Plan through a Community Housing Plan Change, as well as through other legally-enforceable mechanisms.

Of this 'ABC Affordability System', only Document 'A' is attached here and recommended for inclusion in this Policy at this time. The other two documents, B and C

will be brought forward separately to Strategy Committee, and it will be recommended that the policy be amended over time to include parts B and C as they are formulated.

The proposed planning framework requires a series of decisions to give effect to the primary desired outcome: that being to establish an overall system that, over time, improves the affordability of both ownership and rental housing for the permanent workforce that are essential for local economic vitality and quality of life.

#### Planning Framework: System Methodology

The proposed planning framework sets forth the following key decision points:

1. That the Council publish an official District-wide AMI on an annual basis, based on existing data available from Statistics NZ and adjusted for inflation, and set bands based on percentage (%) of the AMI which will be used to set threshold eligibility for various housing schemes;
2. That the Council publish an official Median Home Price and Rents (MHPR) on an annual basis, based on existing data, and define this by unit size, home price, and unit rent;
3. That the core relationship to be monitored over time is the Gap between Area Median Income (AMI) and Median Home Price and Rents (MHPR)
4. That a variety of ways to address the Gap be thoroughly assessed, recognizing there is a need for a variety of approaches from the market, the alternative market, and a restricted market. Set forth are proposed schemes for homeownership at this time, with the need for future development of schemes for rental housing:
  - a. Currently Proposed:
    - i. Homeownership: Equity Gap scheme
    - ii. Homeownership: Accessing Community Housing Trust units
  - b. To be developed:
    - i. Rental housing
    - ii. Other schemes as necessary
5. That specific targets be established for:
  - a. The number and location of affordable units needed in the next 10 years, and
  - b. The units' levels of affordability (unit value priced as a % of AMI), with a methodology for adjusting price by unit size, amenity and location;
6. That further work proceed to establish the Community Housing Trust, with:
  - a. The roles of the Trust vs. Council clarified;
  - b. The criteria for selection of Trustees established;
  - c. A business plan to give effect to its vision through governance and management.

These steps are not necessarily to be done sequentially. This report is further organized in relation to the above numbered paragraphs. Attachment 1, referred to as "Document A" details the proposed Applicant Eligibility Criteria.

## 1. Establishing the Area Median Income (AMI)

### a. What source data shall be used to set the Area Median Income?

Statistics NZ provided 2001 census data, collected at a mesh-block level, aggregated into Census Area Units. The NZ Remuneration Review, September 2005 documented a 3.5% annual wage inflation rate, and suggested this was consistent with the past several years performance. Thus, 2001 data were inflated using a simple multiple of 5 years X 3.5% or 17.5%; 2006 figures become 117.5% of the 2001 figures. A more accurate annual compounding would be used in future years, but given the somewhat rounded nature of the rearward estimate, such effect is minimal. Once 2006 census data are available, these figures will be adjusted to actual, with annual compounding of inflation by the NZ Remuneration Review wage inflation rate used for each year between census. At such a time as an annually-adjusted AMI becomes available from a Central Government agency, the QLDC would no longer need to publish its own.

### b. Should the median be set for the whole district, or by grouping of Census Area Unit?

Attachment 2, 'QLDC Family Median Income-2006' shows a map of the district by Census Area Unit. Staff are considering recommendations to Statistics NZ that for the 2006 census, data be reported with additional mesh blocks included in particular Census Area Units. Further discussion of this topic is included below.

### c. Should the Area Median Income be adjusted for household size?

The AMI is often adjusted by household size, varying from the personal median income to a household of two with no children, up to households of five people. Such an adjustment facilitates wider eligibility and acknowledges widely varying circumstances for different households, but does add significant complexity to eligibility determinations. Further, it requires access to a pool of accurate data that is statistically relevant. It is important to note that the relatively small pool of 2001 census data available suggests that this method not be used initially, and re-evaluated after the 2006 census data are published.

The chart below shows the maximum available detail when the Area Median Income is adjusted by household size and Census Area Unit. Note that "Option A" shows the AMI adjusted only by Household Size, with "Option B" showing both Household Size and grouping by Census Area Unit.

**2006 AREA MEDIAN INCOMES (AMI): based on 2001 Census data + a 3.5%/yr inflation for 5 yrs**

117.5%

Source: NZ Renumeration Review Sept 2005 & Strategic Pay March 2005

Census Area Unit	Area FAMILY Median Income	Area PERSONAL Median Income	Household: Couple w/ No Children	Household w/ One Child	Household w/ Two Children	Household w/ Three+ Children
<b>Option A: One AMI for the District</b>						
<b>Queenstown-Lakes District</b>	<b>\$67,329</b>	<b>\$35,152</b>	<b>\$64,837</b>	<b>\$64,379</b>	<b>\$72,877</b>	<b>\$78,157</b>
Hourly wage if full-time (40/hrs/week)	\$32	\$17	\$31	\$31	\$35	\$38
<b>Option B: AMI by 3 areas in the District</b>						
<b>Area 1: Wanaka, Cardrona, Hawea, Albertown, Luggate, Makarora</b>						
<b>Area 1 Median</b>	<b>\$60,030</b>	<b>\$29,881</b>	<b>\$54,070</b>	<b>\$55,083</b>	<b>\$63,215</b>	<b>\$75,893</b>
608304 Hawea	\$52,835	\$27,840	\$52,450	\$40,304	\$53,794	\$61,020
608800 Wanaka	\$59,479	\$28,865	\$55,941	\$58,785	\$62,295	\$70,620
609029 Matukituki	\$67,778	\$32,937	\$53,820	\$66,161	\$73,555	\$96,040
<b>Area 2: Glenorchy &amp; Kingston (similar issues in each)</b>						
609012 Glenorchy = Area 2 Median	\$58,447	\$29,162	\$51,951	\$60,165	\$63,518	\$66,872
<b>Area 3: Greater Wakatipu (including Gibbston, Jacks Point, urban and rural areas of the Basin)</b>						
<b>Area 3 Median</b>	<b>\$73,098</b>	<b>\$38,567</b>	<b>\$70,903</b>	<b>\$73,894</b>	<b>\$77,234</b>	<b>\$79,722</b>
609301 Queenstown Bay	\$63,719	\$33,556	\$62,079	\$63,736	\$68,337	\$72,508
609200 Arrowtown	\$65,781	\$36,183	\$63,498	\$63,466	\$65,495	\$79,206
608700 Frankton	\$67,338	\$36,387	\$64,872	\$68,636	\$74,952	\$59,462
609023 Sunshine Bay (Incl Fernhill)	\$68,364	\$39,057	\$70,353	\$61,853	\$70,788	\$78,724
609302 Earnslaw (N side Frankton Arm)	\$73,522	\$38,879	\$72,922	\$72,876	\$70,970	\$89,933
609028 Lake Hayes (EX Lake Hayes Estate)	\$78,962	\$40,480	\$82,591	\$94,624	n/a	\$84,122
609022 Kelvin Heights	\$80,262	\$40,271	\$72,220	\$81,520	\$95,499	\$88,394
609026 Skippers (Wakatipu Basin & LHE)	\$86,835	\$43,719	\$78,686	\$84,443	\$94,597	\$85,427

Note: Area 1,2,3 Median is the average of median incomes for the CAU's comprising the Area

Reasons for and against Option A: setting one AMI for the district, and Option B: setting three areas in the District are as follows:

Options:	A: AMI by District Median only	B: AMI by Census Area Unit
	Should the Council publish one chart annually of AMI for the District?	Should the Council publish 3 AMI charts annually, one for each of the 3 Areas as grouped by Census Area Unit?
Reasons For:	1. simplest method	1. common sense for local area; encourages people to live and work in the same area
	2. encourages people to live and work in different areas of the district	2. facilitates relationship to median home price, if also done by same area
	3. 'leveling effect' for the district; population #'s are small, variations in household size by area may not be relevant	3. grouping reflects areas in which people naturally commute (view Glenorchy & Kingston independent of each other and of Greater Wakatipu)
Reasons Against:	1. may create inequities - review policy annually for issues	1. more complicated to monitor
	2. may be inaccurate in areas of the district with highest growth	2. smaller samples mean anomalies may need further analysis
		3. may be confusing to the public

d. How shall % AMI levels be defined in bands?

Following the above recommendation to implement Option A with one District-wide AMI not adjusted for household size, the next step is to establish the % of AMI target bands to determine the level of income that can be earned to be eligible. Bands are defined as follows:

Targeting Bands	
Upper	149%
<b>Band Level</b>	<b>140%</b>
Lower	130%
Upper	129%
<b>Band Level</b>	<b>120%</b>
Lower	110%
Upper	109%
<b>Band Level</b>	<b>100%</b>
Lower	90%
Upper	89%
<b>Band Level</b>	<b>80%</b>
Lower	70%
Upper	69%
<b>Band Level</b>	<b>60%</b>
Lower	50%

e. What band level should be used as an upper limit of eligibility?

In an ideal market, a median income household would pay no more than 30% of their monthly income toward monthly repayments on a median priced home, or if renting, in monthly rent. Variations in housing quality, size, and location then make up the key factors in housing choice.

The HOPE Strategy recommended setting eligibility for homeownership schemes at 120% of AMI. Should the target level prove incorrect, it can be adjusted on an annual basis. When the 2006 census data is available, it will be valuable to consider what % of the overall population are captured by the various targeting bands, and may require re-adjustment at that time. Few households below the 80% AMI band will be able to afford homeownership, unless market conditions change substantially, or substantial subsidy is provided.

For rental housing, the standard target level recommended by the HOPE strategy is 60% of AMI and below. Further work is needed before a corresponding Rental Housing Scheme can be put forth.

For the proposed Homeownership Schemes, a 120% band is considered viable as the upper limit of eligibility (to 129%).

Consideration has also been given to whether the Area Median Income should be published as 'Gross Income' (before tax) or 'Net Income' (after tax). At the median, the gross vs. net comparison is as follows:

**Gross to Net: Tax Calculation at median income**

Start	End	Tax Rate*	Tax
\$ -	\$ 38,000	20.7%	\$7,866
\$ 38,001	\$ 60,000	34.2%	\$7,524
\$ 60,001	\$ 67,329	40.2%	\$2,946
	<b>-\$18,336</b>	total tax	\$18,336
<b>Net Income</b>	<b>\$48,993</b>	<i>avg. tax rate 27.2%</i>	

\*w/ACC Earner's Levy at 1.2%

The HOPE Strategy goal is clearly to ensure that housing be affordable to a household not spending more than 30% of their income on housing. Similarly, research with lenders finds that when Net income is used, a factor of up to 45% of net income is a standard used for measuring affordability. As shown by the following table, the two measures are very similar, with the 30% of gross figure lower than the maximum that banks would expect people to spend.

	27.2%		41.3%	Debt Service Ratio
NET:				
Post-tax	\$48,993	\$ 942	\$389	Available for Debt Service
	Annual	Monthly	Weekly	
Gross:				
Pre-tax	\$67,329	\$1,295	\$388	Available for Debt Service
			30.0%	Debt Service Ratio



As a result, there is little net effect on a household's projected housing-related outgoings if either the gross or net Income factors are used, so long as the calculation requires use of no more than approximately 41.3% of the Net income or 30% of the Gross income for debt service costs.

Applying the targeting bands to the AMI for the District provides the following results in respect of actual Gross and Net incomes:

		Area HOUSEHOLD Median Income	
		<b>GROSS Income</b>	<b>NET Income</b>
		<b>(Before Tax)</b>	<b>(after Tax)</b>
Upper Median	129% AMI	\$ 87,526	\$ 63,719
	120% AMI	\$ 80,794	\$ 58,818
<b>Median</b>	<b>100% AMI</b>	<b>\$ 67,329</b>	<b>\$ 49,015</b>
Lower Median	80% AMI	\$ 53,863	\$ 39,212
	70% AMI	\$ 47,130	\$ 34,311
	60% AMI	\$ 40,397	\$ 29,409
	50% AMI	\$ 33,664	\$ 24,508
	40% AMI	\$ 26,931	\$ 19,606

The recommendation is to adopt a Gross Area Median Income for the entire District, and to defer further consideration of adjustments by household size until a review of the 2006 Census data can be undertaken.

## 2. Establishing the Median Home Price and Median Rent (MHPR)

Initial research has been conducted for the purpose of establishing a median home price and rent that would pertain to dwellings of an average size, grouped by unit size and type, yet source data reviewed to date does not easily allow for such detail. Further research is required to establish a median figure that can be supported by data, that excludes luxury dwellings, visitor accommodation, and units of an above average size and that facilitates price data by unit size and by census area unit. As a result, the Equity Gap examples below are based on a home/unit purchase price between \$300,000 and \$500,000, levels for which there appear to be product available in the marketplace, and that households would qualify for based on the Applicant Eligibility Criteria proposed.

## 3. The Gap between Area Median Income (AMI) and Median Home Price

The core relationship to be monitored over time is the Gap between AMI and the "amount" of housing a household can buy by spending 30% of its gross income on housing, and the income it takes to buy/rent the median-priced home.

Until accurate data is available for establishing the median home price, the following is an indication of how the Gap is calculated in the current marketplace, assuming a 7.8% fixed mortgage rate for the conventional loan, and the Equity Gap in the form of either a deferred interest Soft Second Loan of a Shared Equity contribution.

From the examples below, it appears that the methodology of defining the gap between that which a household can afford on their own and a median price for two and three bedroom units or homes below \$500,000 will prove effective. If the gap widens beyond the 25%-30% currently, then additional schemes will be needed to address the issue. It is strongly recommended, that this methodology be utilised, as it addresses the key concerns of the HOPE Strategy and is one that the Council's Monitoring Strategy can consistently report on year after year.

	80% AMI Band	100% AMI Band	120% AMI Band
A Household with a Gross Income of	\$ 47,130	\$ 67,329	\$ 87,527
By making monthly repayments of	\$ 1,430	\$ 1,683	\$ 2,188
<b>Can Afford to purchase a home priced at</b>	<b>\$ 285,000</b>	<b>\$ 337,000</b>	<b>\$ 440,000</b>
Paying a deposit of	(11,440)	(13,466)	(17,505)
With a mortgage of	(188,060)	(222,434)	(290,495)
<b>Leaving a GAP of</b>	<b>\$ 85,500</b>	<b>\$ 101,100</b>	<b>\$ 132,000</b>
Gap as % of house price	30%	30%	30%

Attachment 1, 'Applicant Eligibility Criteria', further describes how the gap calculation will be applied to a household's application for housing. Following a review for basic eligibility as meeting the 120% AMI income band, application of the income test and asset test calculates the specific gap needed to acquire the target housing unit. This eligibility and individual gap calculation would be completed by the organization managing the community housing portfolio, most likely the Community Housing Trust.

#### 4. Schemes to Address the Gap

At this stage of development, the Document A: Applicant Eligibility Criteria includes further discussion of primarily Homeownership schemes. In general, two types of schemes, 1) shared equity and 2) soft-second loan are offered in that document as a way to address the Gap. In general, their benefits are discussed below:

	For Equity Gap Source		For the Applicant/Employee	
	Pro	Con	Pro	Con
Shared Equity	<b>Market Risk:</b> If market appreciates, value of % share increases	If market depreciates, value of % share decreases	If market appreciates, value of % share increases	If market depreciates, value of % share decreases
	<b>Maintenance &amp; Improvements:</b> no benefits	Responsibilities may be complicated	Equity partner may share cost	You only receive partial value at sale for improvements you make
	<b>Administration:</b> no benefit; may engender loyalty from employee	Admin more complicated than loan; may complicate employee/employer relationship	May engender loyalty from employer	may complicate employee/employer relationship

Soft- Second Loan

<p><b>Market Risk:</b> If market appreciates, you receive no benefit</p> <p><b>Maintenance &amp; Improvements:</b> No role in maintenance or improvements</p> <p><b>Administration:</b> clear roles &amp; responsibilities as specified in loan agreement; may engender loyalty from employee with few complications</p>	<p>If market depreciates, you risk no loss, unless it depreciates below combined loan value</p> <p>No role in maintenance or improvements; property may not be well maintained</p> <p>Need to separate administration of loan from Human Resource management</p>	<p>If market appreciates, you receive all benefit as your loan values are fixed</p> <p>Freedom with all maintenance &amp; improvements</p> <p>Administration: clear expectations as specified in loan agreement; easily understood costs/benefits</p>	<p>If market depreciates, you still owe loan values and may lose your deposit value</p> <p>Responsibility for all maintenance &amp; improvements</p> <p>Employer less likely to make HR decisions based on impacts to loan, as loan is more separate than an ownership stake in the house</p>
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Future reports to the Strategy Committee will propose further refinement of these schemes.

## 5. Establishing Targets

Staff will proceed with development of ‘Document B: Builder/Developer Guidelines. Future reports to the Strategy Committee will propose further refinement of this Policy to adopt Document B.

## 6. Community Housing Trust

It should be noted that the roles being developed for Council and the Trust in improving housing affordability in the District must be considered in the context of a wider picture of market, being one that includes free market, alternative market and restricted market activities. Council and the Trust are foreseen to largely work in the restricted market context, acknowledging that the market, through alternative financing products, may be able to assist households with making a home affordable to them. In addition, Central Government has a large role to play in ensuring that quality housing is available for those least able to provide for themselves. The HOPE Strategy largely positioned a role for the Council and Trust to serve the large number of workers who would be able to take care of their housing needs without any assistance were it not for the unusually high housing prices in the District.

Document **A**

**PROPOSED** Applicant Eligibility Criteria for Community Housing

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## Document **A**

### **PROPOSED** Applicant Eligibility Criteria for Community Housing

(Note: the following criteria have been drafted to apply to all affordable/community housing programs to be offered by the Council and/or its Community Housing Trust. References to 'Trust', and 'Council' will be adjusted following the decision on which of these is the appropriate operating entity.)

To be eligible to participate in community housing programs (hereafter referred to as the "Programme"), applicants must meet the following set of requirements. These are designed to ensure fairness and equity among applicants, and to ensure that the wider goals of the Housing Our People in our Environment (HOPE) Strategy are achieved.

#### **1) General Requirements**

- a) Participation in the Program is limited to a Household with at least one member, who is and will remain a New Zealand Resident or Citizen
- b) Applicants shall agree that all information provided on the application is true, correct, and should any information provided be found to be of a false or fraudulent nature, the Council/Trust reserves the right to reject the application, terminate the applicant's participation in the program or take any other action that is legally available.
- c) Applicants will be required to certify their agreement to abide by the program requirements for the duration of their participation in the program
- d) Applicants consent to an annual re-certification of the information provided in the application, which includes but is not limited to verification of household income
- e) Household Income and Household Assets form two of the central eligibility factors for the Programme. The Income Test and Asset Test are utilized in the Gap Analysis, and are defined as follows.
- f) Income Test:
  - i) Applicants are eligible for the Programme if their Household Income **does not exceed the 120% of the Area Median Income (AMI) band for the Queenstown-Lakes District**, and as adjusted annually by the average wage inflation rate. See: Attachment A: "**Targeted Area Median Income Levels by Household Size**"

- ii) Housing is deemed 'affordable' if the Household spends a maximum of 30% of their gross income on rent or mortgage (principal and interest) repayments. In some cases, primarily where household income is above the median, and where the household can support conventional lending, a maximum expenditure of 35% of gross income may be acceptable.
  - iii) If the applicant wishes to include a person in their Household whose primary relationship is that of a flatmate, the applicant must state this relationship in their application form. In this case, Household eligibility will still be based on the AMI target for the primary household size. The primary lender's underwriting criteria can take the flatmate rent into consideration when determining the income necessary for repayments. This situation would only be considered desirable if it allows an applicant to qualify, and if the flatmate situation is temporary (i.e. will only apply during the first 1-2 yrs of eligibility).
- g) Asset Test:**
- i) Applicants who currently own their primary residence are viewed as suitably placed in the housing market, and therefore not in need of the assistance provided through the programme.
  - ii) Households who have assets that would enable them to purchase a home in the district without the use of Council assistance will not be eligible. Applicants consent and agree to provide details of all assets at time of application in order to determine whether programme assistance is necessary to achieve the Household's housing goals.
  - iii) Applicants cannot own any other residential property in NZ or overseas at time of settlement, and cannot own or be in the process of borrowing funds to purchase a rental property. Households may be deemed to be ineligible if a household member, via a trust or other mechanism, has an ownership share in other residential or commercial property, or other significant assets (i.e. share portfolios), subject to the assessment of the asset as part of test ii above. Applicants will be encouraged to discuss their situation with staff, which may need further consultation with the review committee prior to making a decision.
  - iv) Applicants must demonstrate adequate assets to make the required deposit contribution. At time of application, these may come in the form of a property or other investment owned outside of the district for which the household would be required to commit to sell and apply the proceeds toward their primary residence in the district.
    - (1) For Households with no dependents, the expected deposit contribution is 15-20% of one year's Household Income;

(2) For Households with dependents, the expected contribution is 10% of one year's Household Income.

**h) Gap Analysis:**

Levels of assistance will be based on the minimum amount needed to secure adequate housing by eliminating the gap between what the household can afford, and a residential unit appropriate for the household size.

**2) Homeownership Programme**

The objective of the Program is to facilitate first-time homebuyers who are working in the District to be able to live in the District on a long-term or permanent basis. The Homeownership Programme is achieved through two primary mechanisms: Units owned by the Community Housing Trust (Section 3.6), and the Equity Gap Scheme (Section 3.7). The benefits to the purchaser are that: The deposit gap is reduced/ eliminated; Borrowing costs are reduced; and entry into the housing market is facilitated.

- a)** In addition to the general requirements, applicant Households must have at least one member:
  - i) who is a first-time home buyer in the District or re-entering the ownership market after having been out of it;
  - ii) who has been employed for 12 months or more and remains employed on a Full-time basis in the District with a Registered Employer.
- b)** The property must be used exclusively as the applicant's Primary Residence. The property may not be rented to another party, except for a period of up to 28 days (consecutive) in a given year.
- c)** Applicants will be required to obtain financing for their home purchase through a commercial lender, and will be subject to the lender's standard loan underwriting criteria.
- d)** Applicants shall consent that the Council/Trust and Lender may share information with each other regarding the Application
- e) Eligible Property:** Residential or rural zoned property located in the Queenstown-Lakes District which meet the following criteria:
  - i) established house on a single section serviced by road, power and water;

- ii) with a minimum size of 70 square meters and a maximum size of 180 square meters (excluding balcony, car park and external stairs);
  - iii) freehold property; cross lease; or Unit Titles (as qualified below);
  - iv) leasehold property, which is perpetually renewable. The next right of renewal and the date upon which the lease rent is reviewed should be at least 5 years from the date of approval.
  - v) Unit Title property which meets the following criteria:
    - (1) purpose built for residential occupation (not a conversion)
    - (2) common area is limited to driveway and grounds
    - (3) self contained (no shared facilities such as kitchens and bathrooms)
    - (4) own individual entry/stairs/access
  - vi) The property purchase price must be supported by a registered valuation, acceptable to the commercial lender and Council/Trust, and the property must have a LIM Report which at time of settlement contains no outstanding issues of any significance;
  - vii) The property purchase price cannot exceed 120% of the median home price as published by Council/Trust on an annual basis;
- f) Unacceptable property types:**
- i) commercial or industrial property
  - ii) special rural property (e.g. farms or vineyards)
  - iii) unit in a hotel/motel
  - iv) unit in a serviced or managed (excluding body corporate) complex
  - v) hotel/motel conversions
  - vi) flat-owning company share properties
- g) Purchasing a leasehold interest in a unit owned by the Council/Trust**
- i) For the 5% of units at Jacks Point resulting from that development's Stakeholder Agreement, a preference is granted to applicants working on the construction and development of Jacks Point, and after construction, those working at Jacks Point. Unit affordability targets are detailed in the "Unit Size by AMI Targeting Worksheet" as agreed to by Council and Jacks Point.
  - ii) Specific requirements for other developments to be detailed separately.
- h) Equity Gap Schemes for use in the private housing market**
- Two schemes, Shared Equity and Soft Second Loan are available to fill the gap between a home at or below the median price and the conventional loan plus deposit available to the applicant.



- i) **Shared Equity Scheme:** Shared equity exists where the ownership, and thus the equity in a property is shared between two parties. The equity partners in this case are the applicant as homebuyer and the Council/Trust as an equity investor. A conventional lender is also involved for financing the balance of the purchase price.
- (1) The two parties jointly purchase the property as “tenants in common” or other legally suitable form, which means that each owns a fixed share of the equity in the property.
  - (2) The Council/Trust may invest an amount not to exceed 30% of the purchase price of approved property. The amount will be determined based on the lowest possible amount required to fill the gap in equity resulting from the Gap Analysis, and the Income and Asset tests described in the previous sections of this document. The final amount of the Council’s equity share is based on the purchase price of the property, the income of the borrower, and underwriting advice provided to the Council from the primary lender.
  - (3) Approved property will require a current valuation from a registered valuer and a LIM report – these reports will be at the expense of the purchaser.
  - (4) The purchaser will be responsible for all maintenance and property costs (i.e. rates, insurance etc). These will be covered in a separate maintenance agreement.
- ii) **“Soft Second” Loan Scheme:** So named in that it is second in position to a conventional loan, and ‘soft’ in that repayments are deferred until sale or refinancing of the property. This scheme reduces and/or postpones the costs of servicing the second Council/Trust loan, through a Low/Discounted Interest Rate and/or Interest Only Loan
- (1) **General:** The purchaser will be responsible for arranging their own borrowing of a first trust deed mortgage from any lender. This mortgage will be the first charge against the property, with Council/Trust’s interest in the property ranking second in priority. Monthly repayments of the Soft Second Loan will not be required, and therefore will not be counted by the primary lender in assessing the applicants borrowing capacity.
  - (2) **Low/Discounted Interest Rate:** This option is self explanatory and could be applied to a standard table mortgage or an interest only loan. (NOTE: If the reduced interest rate is offered directly from the employer to the employee, Fringe Benefit Tax (FBT) will certainly apply to that portion of the interest cost which is below market rates. This is a direct additional cost to the Employer and will apply at the rate of 49 - 64% of the benefit depending on the income level of the recipient.)
  - (3) **Interest Only Loan:** This option offers a loan without progressive principal repayments. Interest is charged at predetermined intervals but

the principal is repaid in one lump sum at an agreed future date. Generally interest only loans are offered for shorter terms than table mortgages. Unless the loan interest is discounted per above, market based interest rate will apply (based on prescribed FBT rate).

- i) Repayment and Resale Control:** The Council/Trust will continue its investment in the property through either of the Equity Gap schemes, as long as the Applicant remains employed by a Registered Employer, which shall be verified on an annual basis.
- i) Should the employee cease employment with their Registered Employer, Council/Trust will require that its investment be repaid within a timeframe specified in the Equity Gap agreement, unless the employee takes a new
    - ii) position at a rate of pay not in excess of 140% of local area median income (AMI), with another Registered Employer.
    - iii) Full flexibility will be available to enable the applicant to make voluntary payments without penalty at any time.
    - iv) The purchaser has the ability to sell their share of the property at any time, with the Council retaining right of first refusal to purchase the unit, or to allow a new buyer to qualify under the Equity Gap schemes. If the Council/Trust declines to exercise its option, the unit shall be sold at a fair market value, documented by a registered valuation, with the Council receiving
      - (1) proceeds equal to its share of ownership if Shared Equity scheme
      - (2) loan principal plus accrued interest, if the Soft Second loan scheme.
    - v) Resale control of units owned by the Community Housing Trust requires that the Applicant re-sell their unit to the Trust, based on value as established by a registered valuer, subject to adjustments as specified in the unit Purchase and Sale Agreement.
    - vi) The applicant may voluntarily increase their equity share. This will involve buying out all or part of the Council share (based on current market valuations) at nominated time intervals (i.e. 2 yearly). These terms will be established through negotiation, and referenced in either a Shared Equity Agreement or Soft Second Loan Agreement.
    - vii) Starting in year 3, if no voluntary repayments have been established, the Council may require a review with the Purchaser, and establish a plan to increase their ownership, with an aim for the purchaser to buy out the Council/Trust share, if the following conditions exist:
      - (1) Household income has increased above 160% area median income band
      - (2) Percentage of household income servicing the first trust deed has dropped below 15% (with dependents) or 20% (without dependents).
    - viii) If by year 10, no schedule is in place for stair casing the Purchaser's share and removing the Council from its tenants in common or loan position, the Council reserves the right to require that the property be refinanced such that the purchaser is the whole owner of the unit, with no Council involvement.
    - ix) Should the primary mortgage be repaid, Council's share of ownership shall also be repurchased, or a schedule established for its repurchase.

### **3) Rental Programme:**

- i) To be further specified at a future time.

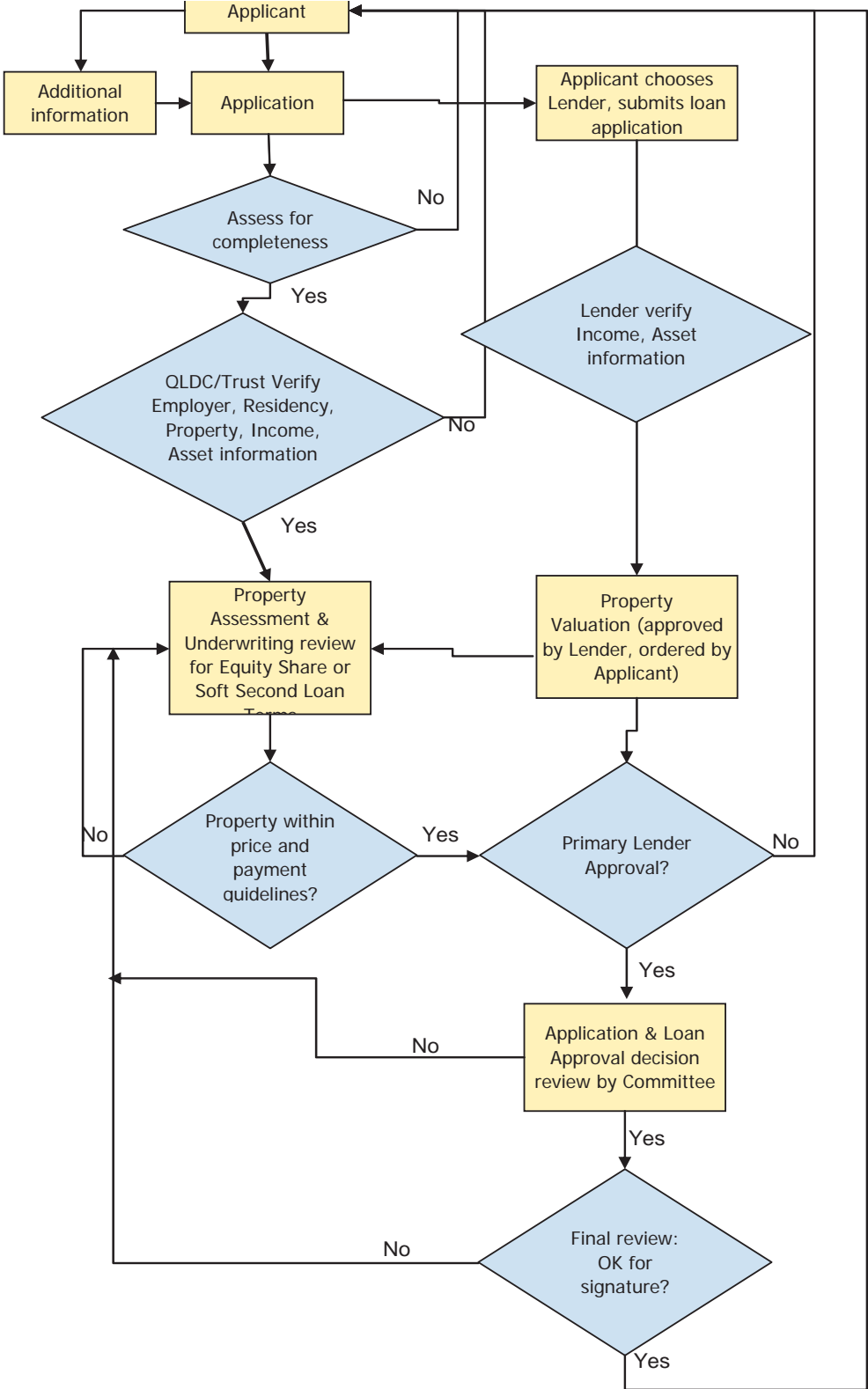
#### **4) Application Ranking**

- a) At this time, applications will be reviewed and processed on a first-come, first-served basis. A balloting or ranking score system is under development. Should demand exceed supply, such a ranking system may be necessary and would be proposed for adoption at a future time.

#### **5) Application Review and Approval**

- a) Applications will be reviewed by a Council/Trust policy analyst for completeness, and for confirmation of Residency and Registered Employer. All Income, Asset and lending criteria will be reviewed by Applicant's chosen lender.
  
- b) A staff report will be prepared for review by the designated committee, with a recommendation to approve or deny the application.
  
- c) The chart on the following page is a guide for the application review process:

# Equity Gap Application Review Process



## 6) Attachments

- a) Targeted Area Median Income Levels (2006)
- b) Equity Gap Scheme Examples: The examples demonstrate income and deposit requirements for sample homes, and work equally whether the shared equity or soft second loan schemes are applied.

## 7) Definitions

- a) Assets: All bank, investment, real property, or other assets owned by any member of the Household.
- b) Full-Time Employment: Defined as 30 hrs per week or more.
- c) Household: may include a single individual or a family, which may comprise a legally married or de-facto partnered couple, and their children (aged 18 or under) who are under legal guardianship of the individual or couple and other dependents who normally occupy the same primary residence. It is acknowledged that households may also include elderly parent(s) or adult children, and the inclusion or exclusion of these members income when calculating 'Household Income' as defined below will be reviewed on a case-by-case basis.
- d) Household Income: all income earned from gainful employment, or received from investment, public benefit, superannuation or other source, of any Household member.
- e) Primary Residence: defined as the place of daily residence for all household members. A Household may have only one Primary Residence.
- f) Registered Employer: an employer who has registered with the Trust, and listed on the "Registered Employers" list as published from time to time, and certifies that its employees are 'locally employed' as required by these guidelines. Registered Employers are deemed such for having made a contribution to the Community Housing Trust (requirements of such contribution to be specified separately), and include:
  - i) Any District-based unit of local, regional or national government, including but not limited to NZ Police Force, NZ Fire Service, Queenstown-Lakes District Council, and its related entities and other entities which may be added from time to time;
  - ii) Any medical centre, hospital, ambulance service, or emergency response entity;
  - iii) Any public or non-profit school;

iv) Any private employer

**Attachment A:**

Targeted Area Median Income Levels (as adopted for 2006)

Area: Queenstown-Lakes District

		Area HOUSEHOLD Median Income		
			<b>GROSS Income (Before Tax)</b>	<b>NET Income (after Tax)</b>
<b>Homeownership</b>	Upper Median	129% AMI	\$ 87,526	\$ 63,719
		120% AMI	\$ 80,794	\$ 58,818
	<b>Median</b>	<b>100% AMI</b>	<b>\$ 67,329</b>	<b>\$ 49,015</b>
	Lower Median	80% AMI	\$ 53,863	\$ 39,212
		70% AMI	\$ 47,130	\$ 34,311
		60% AMI	\$ 40,397	\$ 29,409
		50% AMI	\$ 33,664	\$ 24,508
		40% AMI	\$ 26,931	\$ 19,606
<b>Rental</b>				

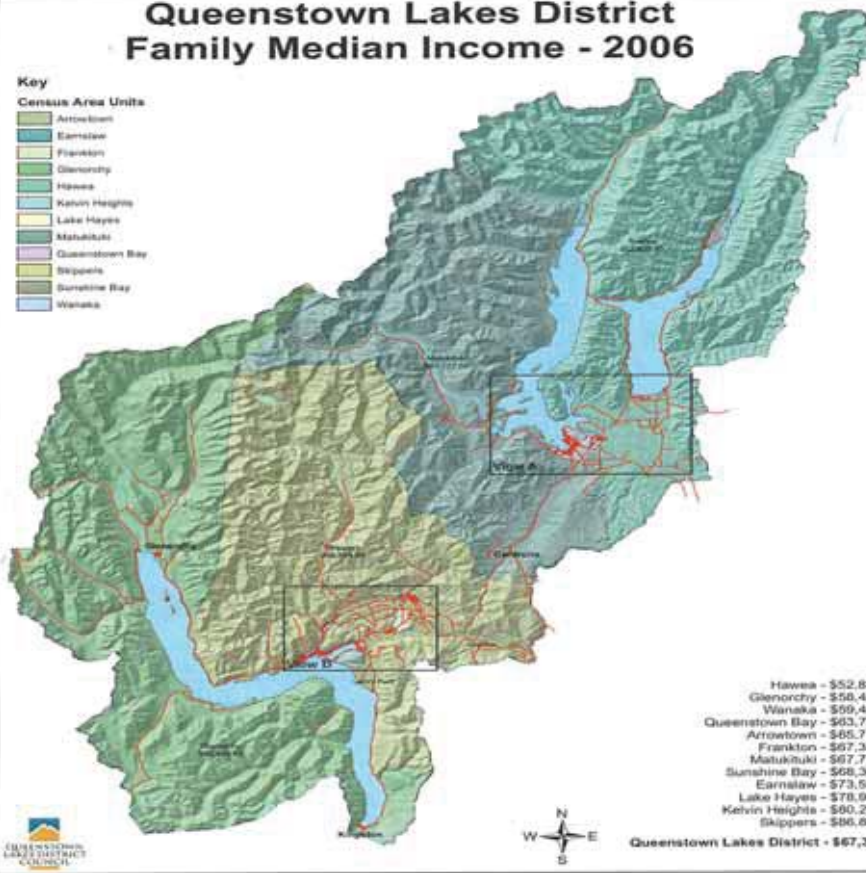
## Attachment B: Equity Gap Scheme Examples

### Summary

	80% AMI Band	100% AMI Band	120% AMI Band
A Household with a Gross Income of	\$ 47,130	\$ 67,329	\$ 87,527
By making monthly repayments of	\$ 1,430	\$ 1,683	\$ 2,188
<b>Can Afford to purchase a home priced at</b>	<b>\$ 285,000</b>	<b>\$ 337,000</b>	<b>\$ 440,000</b>
Paying a deposit of	(11,440)	(13,466)	(17,505)
With a mortgage of	(188,060)	(222,434)	(290,495)
<b>Leaving a GAP of</b>	<b>\$ 85,500</b>	<b>\$ 101,100</b>	<b>\$ 132,000</b>
Gap as % of house price	30%	30%	30%

# Queenstown Lakes District Family Median Income - 2006

- Key**  
Census Area Units
- Arrotstown
  - Earnslaw
  - Frankton
  - Glenorchy
  - Hawea
  - Kevin Heights
  - Lake Hayes
  - Matukituki
  - Queenstown Bay
  - Skippers
  - Sunshine Bay
  - Wanaka



Hawea	\$52,835
Glenorchy	\$50,447
Wanaka	\$59,479
Queenstown Bay	\$63,719
Arrotstown	\$65,781
Frankton	\$67,338
Matukituki	\$67,778
Sunshine Bay	\$68,364
Earnslaw	\$73,522
Lake Hayes	\$78,962
Kevin Heights	\$80,282
Skippers	\$86,639
<b>Queenstown Lakes District</b>	<b>\$67,329</b>





[Back to list of policies](#)

## Council Role in Genetic Engineering

*Adopted – Council 17 December 2004*

### Council's Suggested Approach

2002            No Role  
Based on philosophy that GE/GM is central government role

2005            Information  
Gather and provide information primarily through the website

2006?          Advocacy?  
Formulate community view on GE/GM for LTCCP

2008?          Regulation?  
Consider Opportunity and risks of plan change

# Immigration Policy

## Overview

This document contains the framework and guiding principles for the management of QLDC's processes to ensure ongoing compliance with the requirements of New Zealand immigration laws.

## Contents

<u>Topic</u>	<u>See Page</u>
Overview	1
Principles	2
Associated documents	3
General Policy	4
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Visa Types	10
Residency Applications	11
QLDC as an Accredited Employer	12
Record Keeping	13
Process for managing/checking an employee's right to work in NZ	14
Process for Managing Visa Expiries: Ongoing Employment	15

## Purpose

The purpose of this policy is to provide a clear framework for the management of QLDC's immigration systems and processes to ensure compliance with New Zealand immigration laws.

Queenstown Lakes District Council treats every individual employee with fairness in regard to Recruitment.

## Scope

This policy is applicable to all individuals involved in the recruitment or management of QLDC staff.

April 2018

Issued by: Human Resources  
Authorised by: Chief Executive

# **Immigration**

## **Principles 1 Genuine attempts to place New Zealanders**

QLDC and its officers will make a genuine attempt to attract and recruit New Zealand citizens or residence class visa holders

- i. Who can take up the work on offer; or
- ii. who can readily be trained to do the work on offer

They will do so taking into account all other usual employment obligations as referenced in QLDC's Recruitment Policy.

## **2 Impartiality**

QLDC Officers, including the Executive Leadership Team, all Human Resources staff and managers responsible for staff requiring temporary working rights, will remain impartial at all times in respect of Immigration matters.

## **3 Proactive engagement with Immigration NZ**

QLDC seeks to maintain a positive working relationship with Immigration NZ. This means maintaining compliance and transparency at all times, and notifying INZ when concerns arise. Engagement and correspondence with INZ on any such matters remains within the delegated authority of the Chief Executive, General Managers and People and Capability Director only.

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## ***Immigration***

### **Associated documents**

Other documents that are relevant to the contents of this document are:

<b>Type</b>	<b>Title</b>
QLDC Corporate	<ul style="list-style-type: none"> <li>• Recruitment Policy</li> <li>• Equal Employment Opportunities</li> <li>• Relocation expenses</li> <li>• Employee Records policy</li> </ul>
Legislation	<ul style="list-style-type: none"> <li>• Criminal Records (Clean Slate) Act 2004</li> <li>• Employment Relations Act 2000</li> <li>• Fair Trading Act 1986</li> <li>• Health and Safety at Work Act 2015</li> <li>• Human Rights Act (1993)</li> <li>• Vulnerable Children’s Act 2014</li> <li>• Immigration Act 2009</li> <li>• The Immigration Advisers Licensing Act 2007</li> <li>• Official Information Act 1982</li> <li>• Parental Leave and Employment Protection Amendment Act 2016</li> <li>• Privacy Act (1993)</li> <li>• Holidays Act 2003 (wage and time records)</li> <li>• State Sector Act 1988</li> <li>• Other legislation relating to professional registration requirements e.g. lawyers, accountants</li> </ul>
Other	<ul style="list-style-type: none"> <li>• Employment Agreements</li> <li>• QLDC Employee Staff Handbook and Code of Conduct</li> </ul>

April 2018

Issued by: Human Resources  
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# Immigration

## General Policy

### Obligations and Responsibilities

QLDC is committed to ensuring the compliance of New Zealand immigration laws, which require all employers, including QLDC, to certify that all employees have the right to undertake the work in question. This policy will guide HR and Managers through the process to ensure this. At all times QLDC will endeavor to uphold the principles of the Immigration Act 2009 ('the Act').

Managers and other staff involved in the recruitment process and/or who manage staff must understand and follow QLDC's immigration policy and procedures. This is to ensure ongoing compliance when hiring migrant workers or when considering changes to a migrant workers' employment terms and conditions, and in managing the continued employment of existing employees who are migrant workers.

### Training

If after reading through the Immigration Policy, there is any doubt regarding the processes, managers are required to meet with their HR representative for further training on the policy.

### Support

The HR team are responsible for providing support to managers and the organisation for any and all required immigration processes. For that reason, managers are required to always ensure HR are aware of any immigration related matters that arise.

If at any time, there is any doubt or confusion regarding an immigration issue, the hiring manager involved is required to contact the relevant HR representative for assistance.

### Delegation

Only the Chief Executive, Executive Leadership Team members (General Managers) and the People and Capability Director hold the authority to enter into correspondence with Immigration NZ on behalf of QLDC. For the avoidance of doubt, this means correspondence via email, and/or in hard copy, or via telephone.

Only HR department team members hold authority to conduct VisaView checks through Immigration NZ on behalf of QLDC.

### Providing Immigration Advice

Under the Immigration Advisors Licensing Act 2007, it is an offence for anyone except a licensed Immigration Advisor to provide advice on Immigration matters. Accordingly, the QLDC HR team and its staff/managers are unable to provide immigration advice or guidance to their team members. However, this restriction does not prevent QLDC from providing support documentation/information with which a staff member/prospective staff member can submit their immigration application.

April 2018

Issued by: Human Resources  
Authorised by: Chief Executive

## ***Immigration***

The HR Team are experienced in dealing with immigration matters, and will work with managers to support them where appropriate. Managers should contact HR immediately when they become aware that a new or existing employee may require employer support for immigration purposes

QLDC will engage an immigration lawyer or licensed advisor for guidance and advice on complex immigration matters.

Employees/applicants who may seek advice from any QLDC manager, officer or HR team member, will be referred to Immigration NZ directly, or an immigration lawyer or licensed advisor at the following link:

<https://www.immigration.govt.nz/contact/find-immigration-advice>

### **Disclaimer**

Nothing in this policy should be used as the basis for discrimination against any individual or group because of race, sex, age, colour, religion, national origin or disability; nor will it be construed to be a basis for circumventing equal employment opportunity laws, policies and standard operating procedures.

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April 2018

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# Immigration

## Pre-Employment

**Evidence of right to work** Original copies of documentation confirming the candidate's identify and right to work in New Zealand must be sighted prior to commencement of employment by the hiring manager, and HR. This requirement exists for both New Zealand and overseas candidates.

**Verification** In addition to sighting original documentation, HR will undertake an online Immigration New Zealand VisaView check to verify the right to work for all candidates, including New Zealand and Australian citizens. Passport information provided by individuals will be used to complete each VisaView check.

In the case of candidates holding temporary work visa or residency documentation as proof of right to work, particular care needs to be taken when reviewing the conditions of the visa. Such documentation must confirm the candidate's right to work in the role that has been offered. This may require the candidate to apply to Immigration New Zealand for an appropriate temporary work visa. The candidate cannot commence work until such time as appropriate right to work documentation can be produced and verified. Equally, the candidate cannot commence work prior to the start date of any temporary work visa.

All checks are required to be successfully conducted prior to commencement of employment, and HR are responsible for ensuring all such checks are accurately and appropriately recorded. A date-stamped copy of the original documentation provided by each candidate, with a completed date stamped VisaView check will be kept on file in accordance with QLDC's Employee Records policy.

**Supporting a visa application** Where it is appropriate and in keeping with current New Zealand Immigration legislation, QLDC will provide employer supplementary information to accompany an individual's application to Immigration New Zealand for a temporary work visa.

HR is responsible for supporting General Managers in:

- Making an assessment on a case-by-case basis, which may include seeking legal advice, on whether the provision of employer supplementary information is appropriate.
- Ensuring QLDC meets all Immigration New Zealand requirements at all times, including conducting genuine labour market tests, and the completion of accurate, true and correct documentation.
- Only the documentation that will enable the employee to either submit their own visa application or provide it to their lawyer will be completed.

April 2018

Issued by: Human Resources  
Authorised by: Chief Executive

## ***Immigration***

HR will only provide prospective/current employees with documentation that will enable the employee to either submit their own visa application or provide it to their lawyer/licensed advisor. When providing this documentation it will be recommended that the prospective/current employee seeks expert/professional immigration advice.

General Managers and/or the People and Capability Director will approve and sign off any employer supplementary information before it is issued to INZ.

Immigration fraud is an offence under the Immigration Act 2009 which includes providing false and misleading information to support a visa application. For this reason the signing authority on any employer supplementary information that is provided to INZ must satisfy themselves that the information they approve is, true, correct and factual.

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*Continued on next page*



## ***Immigration***

### **Expiry of Temporary Work Visa or Changes to Conditions**

#### **Notification**

Although an individual employee is responsible for ensuring s/he maintains their legal immigration status in New Zealand, QLDC is responsible for ensuring that any migrant worker employees continue to maintain their right to work. The HR team maintains a database of the expiry dates of all migrant workers' visas, and will provide a reminder to employees holding temporary working rights, in the case of a pending expiry. HR will also liaise with the employee and their manager, to provide necessary employer supplementary information as appropriate. This may include advertising the role held by the employee if a labour market test (see page 9 for explanation) is required. It is expected the visa application process will be initiated at least four months prior to visa expiry.

Employees are required to keep HR updated with progress of their visa applications.

#### **Process**

Managers must contact and consult with HR on any intended changes to employment terms and conditions for any staff, including for those on work permits. It is important to note that in most cases, changes to employment terms and conditions will trigger the need for either a notification or new application to be made to INZ. A new visa or a variation of conditions to an existing visa application must be applied for, and approved by INZ, before any changes to employment terms and conditions are implemented. Examples of changes to working conditions include but are not limited to; change of position title and duties, change to hours, change to location.

In cases where a new visa is required, this may also include the need for QLDC to conduct a labour market check (please see below) prior to the application being made. In these cases, it may take some time for the entire process to be completed before the new terms and conditions can take effect. During this process HR may contact an immigration specialist lawyer or INZ for advice as to the best option for the candidate and to ensure that changes are allowed under the conditions of the employee's temporary work visa.

If it has been established the changes are in keeping with current New Zealand immigration legislation, HR will provide only the current employee with documentation that will enable the employee to either submit their own visa application or provide it to their lawyer. When providing this documentation HR will recommended the current employee seeks expert/professional immigration advice.

April 2018

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## ***Immigration***

### **Labour Market Test**

In most cases, INZ requires proof of a genuine attempt to recruit New Zealand citizens or residence class visa holders (known as a labour market test) to the role and this is done through the provision of employer supplementary information. The labour market check will usually be required when a candidate first joins QLDC and then once they are employed, a further labour market check will be required when they need to make further visa applications.

If a labour market test is needed, QLDC will need to re-advertise the role to demonstrate that a suitable New Zealand citizen or resident was unable to be found for the role. If the labour market check is needed to support a work visa application, then QLDC's usual process for recruitment will be instigated.

Therefore, where a New Zealand citizen or resident, or Australian citizen applies for a role and meets the role requirements, they must be carefully and genuinely considered before any candidate requiring a temporary work visa. Hiring managers and HR will ensure this approach remains in keeping with the provisions set out on the Recruitment Policy for Equal Opportunity Employment, and legislative requirements under the Human Rights Act 1993 (i.e. no circumstances will there be discrimination on the basis of age, gender, marital status, sexual orientation, religion, political affiliations, ethnic origin, or disability).

Where a temporary work visa is sought, employment will commence no earlier than the start date of the appropriate temporary work visa.

Human Resources hold a master copy of work permits, including expiry date. This will include a copy of the original documentation, which will be held in line with QLDC's Employee Records Policy. HR will liaise with employees and managers as and when required.

Offers of Employment, and Employer supplementary information may be signed only by the General Manager for the department, or the Director, People & Capability.

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# Immigration

## Visa Types

**Working Holiday visa** If a potential candidate is on a working holiday visa, HR and the hiring manager must check for limitations on duration of employment permissible.

HR must undertake a Visaview check combined with a copy of the employees CV and previous employer references to verify the length of time they have already worked in New Zealand.

A Letter of Warranty will also be issued to the candidate to sign confirming and verifying the time they have already worked in New Zealand.

**Essential Skills Work visa** If QLDC has first checked if any New Zealanders are available to do the work through a labour market test then a candidate can apply for a temporary visa to work at QLDC.

If any changes to the employee's employment terms and conditions occur while on this visa, then either a new visa or a variation of conditions to an existing visa may be applied for by the employee. **Refer to section – Expiry of Temporary work visa or changes to conditions.**

QLDC will not provide support to temporary work visa applicants where legitimate New Zealand citizens or residents, or Australian citizens, are available to do the job.

**Interim Visa** An interim visa may be issued whilst the employee waits for the new visa to be granted. This must be sighted to confirm if there is a continued right to work whilst the formal application is being processed. This confirmation must be made by HR and if there is no right to work, the employee's employment will be terminated due to forfeiture of working rights. QLDC is committed to maintaining its obligations as a good employer. In the rare instances in which this may occur, reinstatement of employment will be made effective if the visa is approved at the conclusion of that process.

**Student Visa** A student may be allowed to work part-time for up to 20 hours a week and full-time during all scheduled holiday and/or during the Christmas and New Year holiday period. HR must view the original visa to confirm the number of hours the candidate is permitted to work.

April 2018

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# ***Immigration***

## **Residency Applications**

**Procedure** If an employee wishes to apply for residency they do this on their own grounds. Once an application has been submitted to INZ by the employee, QLDC will then be required to complete an employer verification check.

The applicant should provide the name of a person with delegated authority to engage with INZ as the employer contact on their application to INZ. The positions which hold this authority include the Chief Executive, General Managers and the People & Capability Director. Only these roles hold authority to respond to the employer verification check. HR may provide support in coordinating the response, and must be notified when an employer verification is requested.

## **QLDC as an Accredited Employer**

**Obligations** QLDC is committed to remaining an accredited employer and ensuring the renewal process is undertaken bi-annually.

As an Accredited Employer, Immigration New Zealand has the right to audit and/or conduct un-notified site visits of any QLDC location at any time.

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April 2018

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# Immigration

## Record Keeping

### Process

Employee files are maintained by HR for each individual employee and will include the following in relation to the right to work for QLDC;

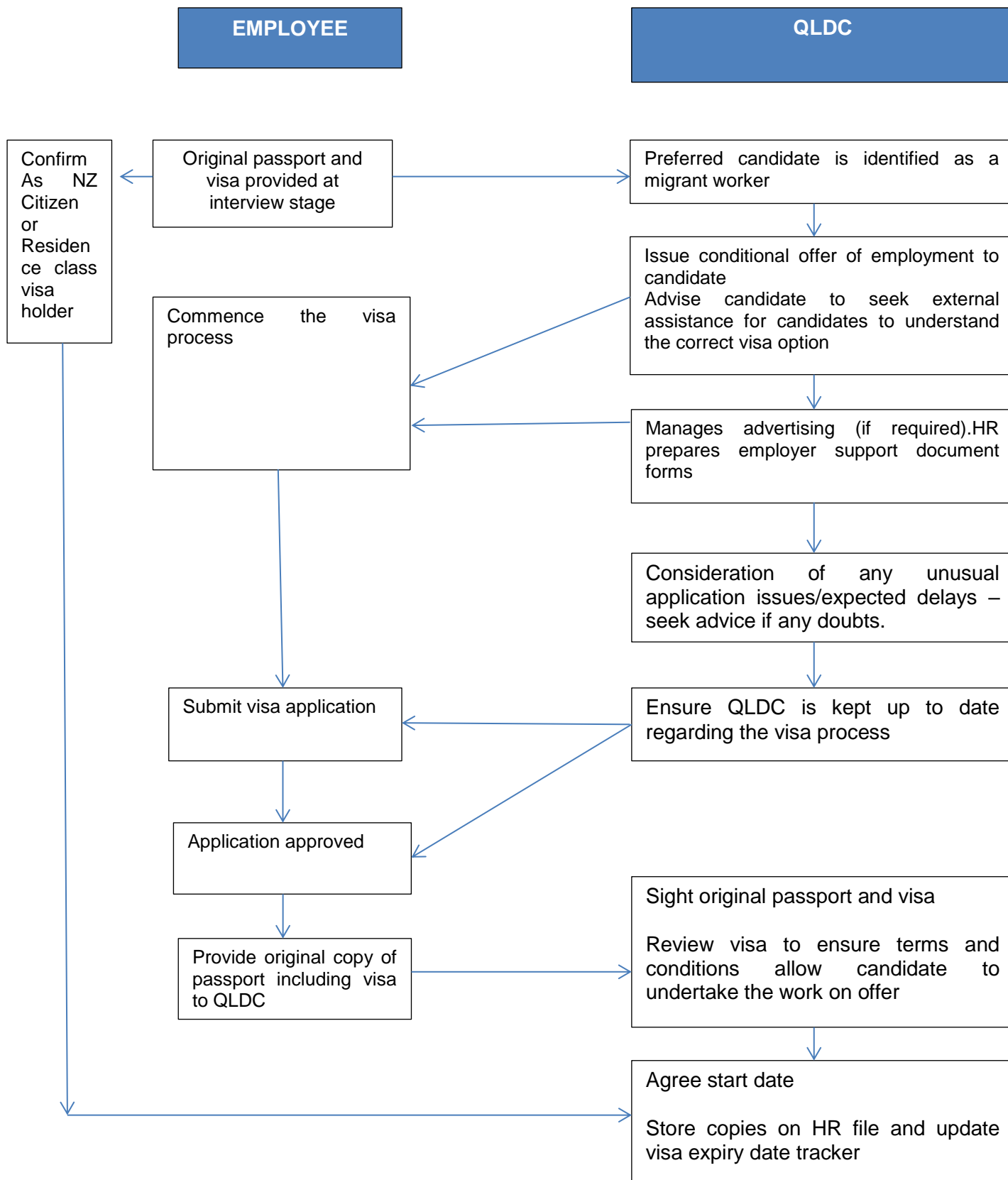
- Copy of evidence of right to work and identity, date stamped when originally sighted.
- CV
- Employment references
- Copy of signed employment agreement and records of any material changes to terms and conditions if evidence by a separate agreement or letter.
- Copy(ies) of continued evidence of right to work and/or residence, date stamped when originally sighted, including interim visas.
- Performance review
- Details of changes to employment terms and conditions e.g. annual pay review and/or other minor changes.
- A signed letter of Warranty to confirming and verifying the time already worked in New Zealand (**Working Holiday Visa holders only**)

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# Immigration

## Process for managing/checking an employee's right to work in NZ

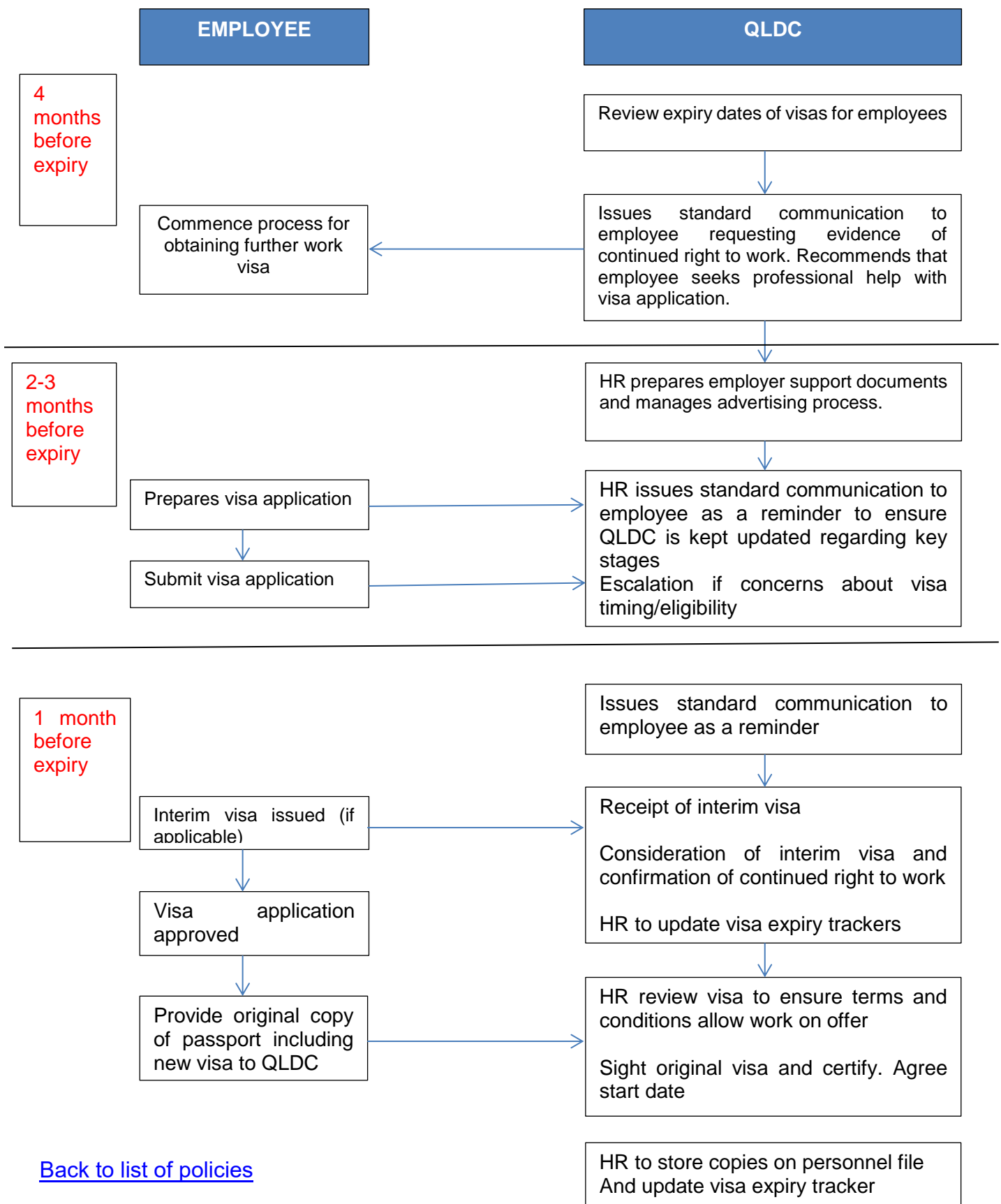


April 2018

Issued by: Human Resources  
 Authorised by: Chief Executive

## Immigration

### Process for Managing Visa Expiries: Ongoing employment



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April 2018

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