

Full Council

7 May 2026

Report for Agenda Item | Rīpoata moto e Rāraki take [2]

Department: Corporate Services

Title | Taitara: Wānaka-Upper Clutha Community Board Governance Agreement and Terms of Reference

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is for the Council to consider:

- The Wānaka-Upper Clutha Community Board's (WUCCB) recommendation that Council adopt its proposed amendments to the WUCCB terms of reference and delegations (**Attachment A**); and
- The WUCCB's recommendation that (a) the Council approve the proposed Governance Agreement between WUCCB and Full Council (**Attachment B**), and (b) delegate the Mayor to sign it.

Recommendation | Kā Tūtohuka

That the Council:

1. **Note** the contents of this report;
2. **Adopt** the proposed amendments to the terms of reference and delegations for the Wānaka-Upper Clutha Community Board;
3. **Approve** the proposed 2026 Queenstown Lakes District Council / Wānaka-Upper Clutha Community Board Agreement (Governance Agreement); and
4. **Delegate** the Mayor to sign the proposed Governance Agreement.

Prepared by:



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14 April 2026

Reviewed and Authorised by:



Name: Meaghan Miller
Title: Corporate Services General Manager
14 April 2026

Context | Horopaki

1. The Wānaka-Upper Clutha Community Board (WUCCB or 'the Board') is not a committee of the Queenstown Lakes District Council (QLDC or the Council) but an unincorporated body as defined by subpart 2 section 51 of the Local Government Act 2002 (LGA 2002), established under section 49 and in accordance with schedule 6 of the LGA 2002.
2. Unlike a committee of Council that is discharged under schedule 7 clause 30(7) of the LGA 2002 at the triennial election, a community board and any powers delegated to it under schedule 7 clause 32 of the LGA 2002 persist until amended by resolution of Council.
3. The WUCCB currently has an extensive terms of reference (TOR) and a high level of delegation across many matters within the Wānaka-Upper Clutha Ward, including (but not limited to) powers to act relating to parking, cemeteries, local roads, temporary local road closures, street naming, recreation and reserve areas, sports fields, trees and elderly persons housing. The Board also has numerous powers to recommend including (but not limited to) rates and charges to be levied in the Wānaka-Upper Clutha Ward, any bylaws required for the safety or good governance of the Wānaka-Upper Clutha Ward and setting policy on the leasing or licensing of use of Council property.
4. Responsibilities of the WUCCB as defined by the existing TOR are detailed as to:
 - Represent, and act as an advocate for, the interests of its community.
 - Consider and report on all matters referred to it by the Council, or any matters of interest or concern to the WUCCB.
 - Maintain an overview of services provided by the Council within the community.
 - Prepare an annual submission to the Council for expenditure within the community.
 - Communicate with community organisations and special interest groups within the community.
 - Encourage an integrated strategic approach to long term issues and opportunities to inform Board decision-making and key Council processes and documents.
 - Undertake any other responsibilities that are delegated to it by the Council.
5. The Governance Agreement (formerly known as the Governance Protocol Statement) is a non-statutory document that aims to document best practice protocols between the QLDC and the WUCCB.
6. The Governance Agreement outlines principles for communication, coordination and cooperation between the two parties, as well as confirming the ability for the Mayor and Chief

Executive to attend Board meetings, members of the Council's Executive Leadership Team to attend and support Board meetings, and for the Chair of the Board to attend Council meetings and report on Board issues or progress.

7. At the WUCCB workshop held on September 2025, members of the outgoing Board reviewed the WUCCB TOR, delegations and Governance Agreement in place at the time, and proposed a number of amendments. Officers prepared updated drafts of these documents to incorporate the proposed amendments as well as to ensure consistency with relevant legislation and bylaws, Council delegations and operational efficiency.
8. At the WUCCB workshop on 4 March 2026, the new WUCCB discussed the updated TOR and Governance Agreement, and requested Council officers to incorporate several further amendments into these documents.
9. At the 2 April 2026 WUCCB meeting, the WUCCB resolved to recommend that Council adopt the amendments to the WUCCB terms of reference and delegations. The WUCCB also resolved to agree the draft 2026 Queenstown Lakes District Council / Wānaka-Upper Clutha Community Board Agreement (Governance Agreement) for Council approval, to delegate the WUCCB Chair to sign the approved Governance Agreement, and to recommend that Council approve the proposed Governance Agreement and delegate the Mayor to sign it.
10. Details of the final proposed amendments to the TOR and Governance Agreement approved by the WUCCB at its 2 April meeting are provided in the next section of this report for consideration by Council.

Analysis and Advice | Tatāritaka me kā Tohutohu

11. The following amendments to the TOR and delegations for the WUCCB (see Attachment A: Draft Terms of Reference with Tracked Changes) were adopted by WUCCB at its 2 April 2026 meeting (the reasons for these updates are indicated in the comments section):

Ref	Section/Delegation	Proposed Amendment	Comment
#1	Parent Body	Amend to “The Wānaka-Upper Clutha Community Board has delegated authority in accordance with the Local Government Act 2002 Schedule 7 clause 32 confirmed by resolution of reports to the Queenstown Lakes District Council.”	Clarifying the basis of the delegated authority of the Board in terms of the relevant legislation.

Ref	Section/Delegation	Proposed Amendment	Comment
#2	Parent Body	Add “The Wānaka-Upper Clutha Community Board is not a committee of Council but is an unincorporated body accountable to the Queenstown Lakes District Council and established under the Local Government Act 2002 section 49.”	Clarifying the status of the Board in relation to Full Council in terms of the relevant legislation.
#3	Objectives (header)	Amend to “Objectives of the Wānaka- Upper Clutha Community Board”	Updating to reflect the current title of the Board.
#4	Responsibility and Key Projects	Amend to “Represent and act as an advocate for the interests of the Wānaka-Upper Clutha its community.”	Clarifying the geographical boundaries of the community that the Board represents.
#5	Responsibility and Key Projects	Amend to “ Maintain an overview Actively monitor and consider any service recommendations by the community and where appropriate recommend any change of service to Full Council (noting any associated cost implications or matters of a heightened Level of Service (LOS) would need to be raised through the AP or LTP cycle) of services provided by the Council within the community. ”	Highlighting the active role of the Board in advocating for service improvements to promote the interests of the community it represents.
#6	Responsibility and Key Projects	Amend to “Prepare an annual submission to the Council for expenditure within the community and actively participate in planning and prioritisation, with Council and the Executive Leadership Team, of investment in the ward and community. ”	Clarifying the existing collaborate role that the Board plays, with Council and Executive Leadership Team, in planning and prioritisation of local investment

Ref	Section/Delegation	Proposed Amendment	Comment
#7	Responsibility and Key Projects	Amend to “Communicate and engage with community organisations and special interest groups within the community.	Clarifying the active role that the Board plays in engaging with local community organisations and special interest groups.
#8	Responsibility and Key Projects	Add “Provide knowledge and insight into community interests and priorities when planning for local projects.”	Emphasising the role the Board plays in ensuring that Council’s planning for local projects takes into account local knowledge and insight.
#9	Responsibility and Key Projects	Add “Identify and recommend priority projects to ensure that the Wānaka Asset Sales Reserve fund is used effectively for community benefit, in accordance with the community board role as defined in the fund’s guidelines adopted by Council on 29 May 2025.”	Following adoption of the Wānaka Asset Sales Reserve fund’s guidelines in the last triennium, this clause specifies the Board’s role in ensuring that the fund is utilised to benefit the local community.
#10	Power to Act	Amend to “The Wānaka-Upper Clutha Community Board will may :	Clarifying that the Board has discretion over whether to exercise specific powers to act.
#11	Power to Act	Amend to “Prepare submissions to the draft Ten Year Long Term Plan or Annual Plan relating to the Wānaka-Upper Clutha Ward (including the prioritisation of proposals from community groups)”	Updating to reflect that the current name for the Long Term Plan.

Ref	Section/Delegation	Proposed Amendment	Comment
#12	Power to Recommend	Add “Priority projects to be brought forward from the adopted Long Term Plan or Annual Plan to be funded by the Wānaka Asset Sales Reserve fund; and”	Emphasising a means by which the Board can ensure Council utilises the fund to promote priority projects for its community.
#13	Delegation Limitation	Add “Any decision that may not be delegated by Council under the Local Government Act 2002 or any other Act;”	Highlighting a delegation limitation that was previously implicit.
#14	Delegation Limitation	Amend to “The power to employ, direct, or dismiss staff;”	Clarifying the delegation limitation in relation to staff consistent with Section 53(3)(b) of the Local Government Act 2002
#15	Delegation Limitation	Amend to “Any decisions involving the development of the Proposed District Plan which shall be in the hands of the Planning & Strategy Smart Growth Committee;”	Updating to reflect the committee that holds the relevant delegation after Council adopted a new committee structure at the start of the 2025-2028 triennium.
#16	Delegation Schedule (note above the table)	Amend to “ Note: Ticks appear in each column where approval is required consideration is recommended by at least one of those bodies before the final decision is reached. The final decision is made by the body with the last tick (reading left to right along each row) and indicated by an <u>underlined tick (v)</u>, and steps prior to that final decision will be a recommendation (or similar, e.g. endorsement). ”	Clarifying the role of each body in the process that leads to a final decision.

Ref	Section/Delegation	Proposed Amendment	Comment
#17	Delegation Schedule: “Elderly Persons Housing”	Remove this category and all related delegations.	Updating to reflect fact that Council transferred its Upper Clutha senior housing assets to the Queenstake Lakes Community Housing Trust in 2025.
#18	Delegation Schedule: “Footpaths and Walkways”	Remove delegation related to the Upper Clutha Tracks Trust.	Updating to reflect that the requirement of the Board to appoint a trustee to the Upper Clutha Tracks Trust (UCTT) under the UCTT constitution is a legal requirement not a delegated decision.
#19	Delegation Schedule: “Lagarosiphon Control”	Remove this category and all related delegations.	Updating to ensure consistency with current practice, which is not to bring decisions relating to Lagarosiphon Control to the Board.
#20	Delegation Schedule: Ten Year Plan (title)	Amend category title to “ Ten Year Long Term Plan ”	Updating to reflect that the current name for the Long Term Plan.
#21	Delegation Schedule: Parking	Amend subcategory title to “ Options for implementing Payment ”	Clarifying the nature of the delegation. The delegation relates to determining which payment implementation method is appropriate, taking into account technology changes.
#22	Delegation Schedule: Parking	Amend subcategory title to “ Funding of Implementing Payment Options ”	Clarifying the nature of the delegation, which relates to implementation of methods to fund parking services or systems.

Ref	Section/Delegation	Proposed Amendment	Comment
#23	Delegation Schedule: Roads/Operational	Amend subcategory to “ Levels of Service prioritisation trade-offs ”	Clarifying the Board’s role in relation to Levels of Service.
#24	Delegation Schedule: Staff Issues	Remove category and all related subcategories.	Updating to reflect that the category is superfluous since the Board plays no role in making decisions on staff issues.
#25	Delegation Schedule: “Trees on Council Land”	Move delegation related to subcategories “location” and “species” from the Board to officers.	Clarifying that these are officer decisions while noting that consultation takes place with the Board Chair or relevant portfolio owner, given that subject matter expertise is required.

12. Attachment B is the draft Governance Agreement with tracked changes, reflecting the proposed document for consideration by Council. These proposed changes include:

- a. Highlighting that Council will engage as well as consult with the Board on policy and planning documents relevant to the Wānaka-Upper Clutha Ward, while also clarifying that these documents include but are not limited to the Long Term Plan, Annual Plan, and long term vision statements; and
- b. In reference to support provided by the Council’s Chief Executive to the Board, adding reference to the WUCCB’s discretionary budget of \$15,000 to support Board community professional development and engagement activities, which includes a footnote to clarify that all expenditure must be consistent with relevant Council policies.

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

14. Option 1: Adopt the proposed amendments to the TOR and delegations as outlined in this report.

Advantages:

- TOR and delegations for the Board will incorporate amendments requested by the current Board, and will be clearer and reflect considered views of efficiency and best practice.

- The current ways in which the Board and Council collaborate and engage to promote the interests of the Wānaka-Upper Clutha Community is formally reflected in the TOR delegations.
- The Board can consider further amendments for recommendation to Council at any time and follow the same adoption process.

Disadvantages:

- There are no foreseen disadvantages.

15. Option 2: Do not adopt the proposed TOR and delegations, and seek further amendments.

Advantages:

- There are no foreseen advantages.

Disadvantages:

- The existing TOR and delegations will remain in place until further changes have been considered, despite the Board's request that the proposed updates to the TOR be made.
- Additional WUCCB workshop time and associated staff resources will be required for the Board to discuss and request that officers make further amendments to the TOR and delegations.

16. Option 3: Approve the proposed Governance Agreement (as Attachment B) and delegate the Mayor to sign it.

Advantages:

- The Board and Council will have an agreement between themselves that confirms greater collaboration and engagement and that formalises the Board's discretionary budget to support professional development and community engagement.

Disadvantages:

- The Board does not see all the changes it requested in the Governance Agreement.

17. Option 4: Do not approve the proposed Governance Agreement and seek further amendments.

Advantages:

- The Board and Council have an opportunity to consider alternative changes to the Governance Agreement.

Disadvantages:

- The existing Governance Agreement will remain in place until further changes have been considered despite the Board's request that the proposed updates to the agreement be made.
- Additional WUCCB workshop time and associated staff resources will be required for the Board to discuss and request that officers make further amendments to the Governance Agreement.

18. This report recommends **Options 1 and 3** for addressing the matter because this will allow for the WUCCB TOR and Governance Agreement to be updated so as to formally recognise and foster practices to ensure that the Board and Council collaborate effectively to promote the interests of the Wānaka-Upper Clutha Community.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

19. This matter is of moderate significance as determined by reference to the Council's Significance and Engagement Policy 2024 because it codifies and fosters existing practices that encourage engagement and collaboration between the WUCCB and Council to ensure the promotion of the interests of Wānaka-Upper Clutha Community.

20. The persons who are affected by or interested in this matter are the WUCCB, Council staff, and members of the public that may engage with Council on matters relating to the proposed amended TOR and Governance Agreement.

21. The Council is not required to consult on this matter.

Māori Consultation | Iwi Rūnaka

22. Council consultation with iwi is not required on this matter.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

23. This matter relates to the Strategic/Political/Reputation risk category. It is associated with RISK10015 Ineffective Governance within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.

24. The approval of the recommended option will allow Council to implement additional controls for this risk. This will be achieved by ensuring that the WUCCB has appropriate delegations as well as by codifying and fostering engagement and collaboration between the Board and Council.

Financial Implications | Kā Riteka ā-Pūtea

25. There are no financial implications, since the proposed TOR and Governance Agreement are consistent with existing funding levels.

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

26. The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy 2024;
- QLDC Delegations Register;
- Governance Agreement (WUCCB and QLDC); and
- Wānaka Asset Sales Reserve Guidelines 2025.

27. The recommended option is consistent with the principles set out in the above documents.

28. This matter is not included in the Long Term Plan/Annual Plan.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

29. There are no legal considerations or statutory responsibilities.

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

30. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The recommended option will codify and promote the collaboration and engagement between the Board and Council to promote the current and future well-being of the Wānaka-Upper Clutha community. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

31. The recommended option:

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

Attachments | Kā Tāpirihaka

A	Proposed WUCCB Terms of Reference (with tracked changes)
B	Proposed Governance Agreement (with tracked changes)