

### Full Council

29 May 2025

### Report for Agenda Item | Rīpoata moto e Rāraki take [3]

**Department: Strategy & Policy**

**Title | Taitara: Retrospective approval of Queenstown Lakes District Council submission on Land Transport Management Act (Time of Use Charging) Amendment Bill and Otago Regional Council Draft Annual Plan 2025-26**

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

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The purpose of this report is to seek Queenstown Lakes District Council's (**QLDC or Council**) retrospective approval of the following submissions:

- retrospective approval of a submission to the Transport and Infrastructure Select Committee on the Land Transport Management (Time of Use Charging) Amendment Bill, and
- retrospective approval of a submission to Otago Regional Council (ORC) on its Draft Annual Plan 2025-26.

#### Recommendation | Kā Tūtohuka

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That the Council:

1. **Note** the information provided in this report on the Land Transport Management (Time of Use Charging) Amendment Bill and Otago Regional Council (ORC) Annual Plan 2025-26 consultation process;
2. **Approve** retrospectively Council's submission to the Transport and Infrastructure Select Committee on the Land Transport Management (Time of Use Charging) Amendment Bill;
3. **Approve** retrospectively the Council's submission to Otago Regional Council (ORC) on its Draft Annual Plan 2025-26.

**Prepared by:**



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8 May 2025

**Reviewed and Authorised by:**



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**Title:** General Manager – Strategy and Policy  
8 May 2025

### Context | Horopaki

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1. QLDC makes submissions on proposals that could have a significant impact on the district. This paper seeks retrospective approval of a submission where consultation timeframes did not align with a Council meeting.

#### **Land Transport Management (Time of Use Charging) Amendment Bill Submission**

2. The Land Transport Management (Time of Use Charging) Amendment Bill (**the bill**) was referred to the Transport and Infrastructure Select Committee on the 4th of March 2025.
3. The bill aims to establish a framework to introduce time of use charging schemes in New Zealand. The bill enables local authorities to identify areas of problematic congestion, propose indicative scheme areas, and outline potential charging zones in partnership with New Zealand Transport Agency (NZTA).
4. The consultation period for the submission closed on 27 April 2025 and did not align with a full Council meeting. A draft submission was sent to elected members on 4 April 2025 for feedback by 11 April 2025.
5. QLDC's submission is included as **Attachment A**.

#### **Otago Regional Council's (ORC) Draft Annual Plan 2025-26 Submission**

6. The Otago Regional Council's draft annual plan was open for consultation 17 March to 15 April 2025.
7. The annual plan provides a process for ORC to review the detailed budgets in its current Long Term Plan (LTP). A draft submission of QLDC's submission was sent to elected members 9 April for feedback by 15 April.
8. QLDC's submission is included as **Attachment B**.

### Analysis and Advice | Tatāritaka me kā Tohutohu

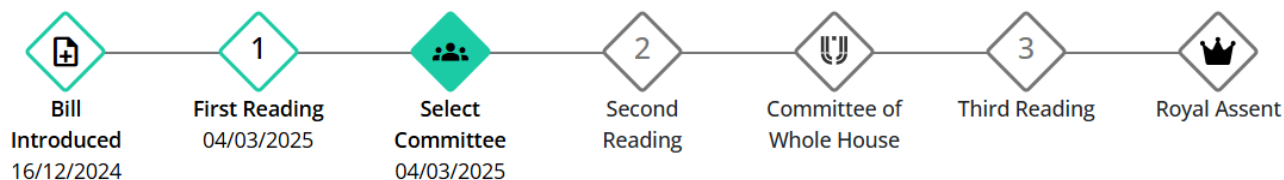
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#### **Land Transport Management (Time of Use Charging) Amendment Bill**

##### *The proposal*

9. The Ministry for the Transport has signalled that the proposed Land Transport Management (Time of Use Charging) Amendment Bill is aimed to be passed into law by the end of 2025. The bill is currently being considered by select committee before its second reading (see figure below).

Figure 1. Progress of the Land Transport Management (Time of Use Charging) Amendment Bill



10. The bill establishes the process for introducing a time of use charging scheme. It also establishes checks and balances as well as principles underpinning schemes. For example, schemes must be designed with the overall objective of improving traffic flow to increase network productivity.
11. In general, the proposed bill gives flexibility to local authorities to initiate a scheme and shape its design to fit the local context. Scheme boards oversee the design of time of use charging schemes. Boards consist of local authorities and New Zealand Transport Authority/Waka Kotahi (NZTA), with NZTA holding the chair position as well as the casting vote.
12. Schemes boards are required to consult with the community on proposed scheme design and its proposed investment approach.
13. Scheme proposals are approved by the Minister of Transport, who must also be provided with consultation material given to the community during the scheme's development.
14. Key elements of the submission on the bill include:
  - General support for the bill, acknowledging its alignment with QLDC's strategic transport direction, Spatial Plan and Regional Deal proposal.
  - A recommendation that the governance structure of scheme boards is altered to give more control to local authorities.
  - A recommendation that local authorities lead consultation and changes to scheme design in response to community consultation.
  - Emphasising the role investment into alternative transport modes, such as walking, biking and public transport will play in scheme success.
  - Assurance that scheme revenue under the current design can be allocated towards:
    - minor upgrades on transport infrastructure
    - addressing impacts of schemes which may occur outside of scheme areas (such as rat-running<sup>1</sup>)
    - minimising the impacts of schemes on communities which may be disproportionately impacted.
  - Other recommendations relating to scheme implementation, such as the ability to have schemes rolled out as a trial period to allow for adjustments, and to extend exemptions to charges to vehicles that reduce congestion (such as public transport, motorbikes and mopeds).

<sup>1</sup> Where drivers increasingly use other roads not included in the charge zone.

### Resolution options

15. This report identifies and assesses the following reasonably practicable options for assessing retrospective approval as required by section 77 of the Local Government Act 2002.
16. **Option 1 – Agree** to retrospectively approve the contents of the attached submission to the Transport and Infrastructure Select Committee.

#### *Advantages:*

- The submission will be considered by the select committee in making its recommendations on the bill.

#### *Disadvantages:*

- There are no obvious disadvantages to this option.

17. **Option 2 – Request** that the Transport and Infrastructure Committee withdraw the submission.

#### *Advantages:*

- Any inaccurate representation of QLDC's position would be removed from the public record going forward.

#### *Disadvantages:*

- Withdrawal of the submission would not correct any influence the submission has already had on the views of the Transport and Infrastructure Select Committee members.

18. This report recommends **Option 1** for addressing the matter as this will ensure that the Council's views will be considered by the select committee in making its recommendations on the bill.

### **Otago Regional Council Annual Plan 2025-26 Submission**

#### *The proposal*

19. The annual plan provides information about ORC's work programme for the coming year, the costs of the work programme, as well as changes from the Long Term Plan 2024-34 which may impact service delivery.
20. QLDC's submission was focused changes to transport service delivery from services outlines in ORC's Long Term Plan 2024-34. These changes made by ORC in the annual plan were in response to reduced government co-funding for public transport.
21. Key elements of QLDC's submission include:

- Emphasis on the importance of partnership between QLDC and ORC, as Spatial Plan and Regional Deal application partners.
- Recommendation for ORC to reconsider the proposed removal of the business case for public transport for Upper Clutha.
- The scaling back of public transport investment for ferry services on Lake Whakatipu is not supported by QLDC.
- General lack of support for the scaling back of investment in public transport in the region, and emphasis of the need for significant transformation of public transport to stay ahead of demand encourage modal shift<sup>2</sup> to increase network productivity and decrease congestion.

### Options

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

23. **Option 1 – Agree** to retrospectively approve the contents of the attached submission to ORC.

#### *Advantages:*

- The submission will be considered by ORC in the creation of its annual plan.

#### *Disadvantages:*

- There are no obvious disadvantages to this option.

24. **Option 2 – Request** that QLDC withdraw the submission.

#### *Advantages:*

- Any inaccurate representation of QLDC's position would be removed from the public record going forward.

#### *Disadvantages:*

- Withdrawal of the submission would not correct any influence on the views of ORC as QLDC has already been heard regarding this submission.

25. This report recommends **Option 1** for addressing the matter as this will ensure that the Council's views will be considered by ORC in the creation of its annual plan.

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<sup>2</sup> Modal shift refers to changing the type of transport used (or mode) from private car use to other modes such as public transport, cycling and walking.

### Consultation Process | Hātepe Matapaki

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#### Significance and Engagement | Te Whakamahi i kā Whakaaro Hiraka

26. The decision to make a submission on these matters is of low significance, as determined by reference to criteria set out in the Council's Significance and Engagement Policy.
27. The persons who are affected by or interested in this matter are residents and ratepayers of the district.

#### Māori Consultation | Iwi Rūnaka

28. Council did not engage with Iwi or Rūnaka in preparing the submissions.

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

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29. This matter relates to the Strategic/Political/Reputation risk category. It is associated with: RISK10019 Central Government reforms impact on Council achieving its objectives within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.
30. The approval of the recommended options will allow Council to retain the risk at its current level. It will support Council by allowing it to retain the risk at its current level. Future changes in government policy, legislation and regulation will be monitored so issues that directly affect QLDC and the district's community can be addressed.

### Financial Implications | Kā Riteka ā-Pūtea

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31. There are no financial implications for Council to submit on these consultations.

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

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32. The following Council policies, strategies and bylaws were considered:
- QLDC Strategic Framework
  - Vision Beyond 2050
  - 30 Year Infrastructure Strategy
  - Climate and Biodiversity Plan
  - Operational and Proposed District Plan
  - Transport Strategies and Business Cases (such as the Mode Shift Plan created in partnership with NZTA and ORC)
  - 2024-34 Long Term Plan.
33. The recommended options are consistent with the principles set out in the named policies, plans and strategies.

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

34. Section 10 of the Local Government Act 2002 (**LGA**) states the purpose of local government is to enable democratic local decision-making and action by, and on behalf of, communities and to promote the social, economic, environmental and cultural wellbeing of communities in the present and for the future.
35. Feedback provided by QLDC in the submission/s will guide decision making across both processes to better prioritise the social, economic, environmental, and cultural wellbeing of the district's present and future communities. As such, the recommendations in this report are appropriate and within the ambit of Section 10 of the LGA.
36. The recommended option to retrospectively approve the submission/s:
- Can be implemented through current funding under Council's Long Term Plan and Annual Plan.
  - Is consistent with the Council's plans and policies.
  - Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

### Attachments | Kā Tāpirihaka

A	QLDC's submission to the Transport and Infrastructure Select Committee on the Land Transport Management (Time of Use Charging) Amendment Bill
B	QLDC's submission to Otago Regional Council on its Annual Plan 2025-26