

## FTC #106: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

### Application 2021-075 Flint's Park West

### Application 2021-080 Glenpanel, Ladies Mile – Te Pūtahi

Date Submitted:	13 January 2022	Tracking #: BRF- 1044
Security Level	In-Confidence	MfE Priority: Urgent

	<b>Action sought:</b>	<b>Response by:</b>
To Hon David Parker, Minister for the Environment	Decision on recommendations in Table A	TBA

Actions for Minister's Office Staff	<b>Return</b> the signed briefing to MfE
Number of attachments: 3	<b>Attachments:</b> <ol style="list-style-type: none"> <li>1. Location map showing project sites</li> <li>2. Flint's Park West application and supporting information</li> <li>3. Glenpanel, Ladies Mile – Te Pūtahi application and supporting information</li> <li>4. Letter from the Minister for the Environment to relevant Ministers of the Crown</li> </ol>

### Ministry for the Environment contacts

Position	Name	Cell phone	1 <sup>st</sup> contact
Principal Author	Max Gander-Cooper Rachel Ducker		
Manager	Stephanie Frame	s 9(2)(a)	✓
Director	Sara Clarke	s 9(2)(a)	

## FTC #106: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions

### Key Messages

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1. We seek your initial decisions on two applications for referral to an expert consenting panel (a panel) under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) for the following projects:
  - a. Flint's Park West, from Glenpanel Development Limited
  - b. Glenpanel, Ladies Mile – Te Pūtahi, from Maryhill Limited.
2. Both projects are located in Ladies Mile near Queenstown, close to the site for the Flint's Park, Ladies Mile - Te Pūtahi project that has previously been referred under the FTCA (Schedule 35 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020). A map showing the location of the three sites is in Attachment 1.
3. The Flint's Park West project is to subdivide 8.6 hectares of an 18.4 hectare site and construct approximately 315 residential units (or approximately 180 residential units and a church/chapel if a school is developed) and supporting infrastructure including roads and public open space.
4. The project will involve activities such as subdivision, removing vegetation, earthworks, taking, diverting and discharging groundwater and stormwater, constructing buildings and associated infrastructure, and (potentially) operation of a state-integrated primary school.
5. The Glenpanel, Ladies Mile – Te Pūtahi project is to subdivide a 95.9 hectare site and construct approximately 450 residential units (or approximately 365 residential units if a school and childcare centre are developed), a retirement village comprising approximately 214 units, commercial buildings and supporting infrastructure including roads and public open space.
6. The project will involve activities such as subdivision, removing vegetation, earthworks, taking, diverting and discharging groundwater and stormwater, construction of buildings and associated infrastructure, operation of a retirement village and other commercial activities and (potentially) a school and childcare centre.
7. Both projects will require land use and subdivision consents under the Operative and Proposed Queenstown Lakes District Plans and would have overall non-complying activity status as they involve subdivision and residential development in a Rural Lifestyle zone. The projects will also require land use, water take and discharge consents under the Regional Plan: Water for Otago, and the Glenpanel, Ladies Mile – Te Pūtahi project also requires a consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS).
8. Queenstown Lakes District Council (QLDC) has prepared the Ladies Mile Master Plan (LMMP) to enable more intensive urban development within the area. The LMMP was adopted by QLDC in October 2021 and is expected to be implemented through an amendment to the Proposed Queenstown Lakes District Plan scheduled for notification in June 2022. The area covered by the LMMP and its relationship to the project sites is shown in Attachment 1. The proposed density for both projects generally aligns with the draft district

plan provisions intended to implement the LMMP. However, the commercial activities proposed in the Glenpanel, - Ladies Mile Te Pūtahi project are outside the areas identified for town and local commercial centres in the LMMP. As the Proposed District Plan provisions implementing the LMMP have not been notified yet, decisions under the fast-track consenting process may precede the outcome of local planning policy being updated.

9. We have undertaken an initial (Stage 1) analysis of the applications and this is presented along with our recommendations in Table A.
10. The projects meet all the eligibility criteria in section 18(3) of the FTCA, but more analysis is needed before we can advise you if they meet the purpose of the FTCA (as required by section 18(2) of the FTCA) and advise you on matters in section 23(5) which may influence your referral decision.
11. We recommend you progress consideration of the applications to the next stage of analysis (Stage 2) and invite comments from QLDC and Otago Regional Council, and specific Ministers listed in section 21(6) of the FTCA.
12. We recommend that you invite comments from the Associate Minister of the Environment (Urban Policy) as an additional Minister under section 21(6)(n) of the FTCA, and Waka Kotahi NZ Transport Agency as an additional party under section 21(3) of the FTCA for both applications.
13. We also recommend you request further information from the applicants and Queenstown Lakes District Council as detailed in Table A.

### Statutory Framework Summary

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14. You are the sole decision maker for referral of the projects as they will not occur in the coastal marine area.
15. You may decline the referral applications before seeking comments from the relevant local authorities and any relevant Ministers:
  - a. if you are satisfied the projects do not meet the referral criteria in section 18 of the FTCA, (which include helping to achieve the purpose of the FTCA) (see sections 18(2) and 23(1) of the FTCA)
  - b. for any other reason (see section 23(2) of the FTCA).
16. If you do not decline the referral applications at this stage:
  - a. you must provide the applications to, and invite comments from, the relevant local authorities and the relevant Ministers prescribed by section 21(6) of the FTCA
  - b. you may provide the applications to and invite comments from any other person.
17. You are also able to request further information from the applicant or any relevant local authority at any time before you decide to decline or accept the referral applications (see section 22 of the FTCA).

## Action Sought

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18. Please indicate your decisions on the recommendations in Table A.

## Signature

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A handwritten signature in black ink, appearing to read 'S Frame', is written over a light gray grid background.

Stephanie Frame  
**Manager – Fast-track Consenting**

Released under the provision of  
the Official Information Act 1982

**Table A: Stage 1 initial assessment of project eligibility – projects where the Minister for the Environment is the only decision maker**

**Projects to progress**

Project details	Project description	Project funding	Is Project eligible for referral? [section 18(3)]	Will the Project help to achieve the purpose of the FTCA? [section 18(2)]						Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood the Project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]	Any other relevant matters [section 19(f)]		
<b>Project name</b> Flint's Park West  <b>Applicant</b> Glenpanel Development Limited  c/- The Property Group  <b>Location</b> 14 Lower Shotover Road, Lake Hayes Estate, Otago	<p>The project is to subdivide 8.6 hectares of an 18.4 hectare site and construct approximately 315 residential units (or approximately 180 residential units and a church/chapel if a school is developed) and supporting infrastructure including roads and public open space.</p> <p>The project will involve activities such as subdivision, removing vegetation, earthworks, taking, diverting and discharging groundwater and stormwater, construction of buildings and associated infrastructure, and (potentially) operation of a state-integrated primary school.</p> <p>The project will require land use and subdivision consents under the operative and proposed Queenstown Lakes District Plan (QLDP) and land use, water take and discharge consents under the Regional Plan: Water for Otago. The proposed activities would have overall non-complying activity status because they include subdivision and residential development in the Rural Lifestyle zone of the QLDP.</p>	<p>The applicant intends to fund the project through existing capital and loans from Bank of New Zealand and First Mortgage Trust, both of whom have provided letters of support which are included in the application.</p> <p>The applicant is also in discussion with Kāinga Ora about funding part of the project and has provided a letter of support from Kāinga Ora.</p> <p>Based on the information provided we do not have any concerns about funding at this stage.</p>	<p>Based on available information at this stage, we consider the project is eligible for referral because:</p> <ul style="list-style-type: none"> <li>it does not include any prohibited activities</li> <li>it does not include land returned under a Treaty settlement</li> <li>it does not occur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011.</li> </ul>	<p>The applicant estimates that the project will provide:</p> <ul style="list-style-type: none"> <li>approximately 34 full-time equivalent (FTE) jobs per year over the six-year construction period</li> <li>approximately 315 residential units (or approximately 180 residential units if a school is constructed)</li> </ul> <p>The applicant's estimate of jobs created seems low for the scale of development and does not include the ongoing employment associated with the state-integrated primary school. We recommend that you seek additional information from the applicant on this matter.</p>	<p>The project has the potential for positive effects on the social and cultural wellbeing of current and future generations as it will:</p> <ul style="list-style-type: none"> <li>provide additional housing supply in an area that has a housing shortage</li> <li>provide a range of housing typologies that may assist with affordability</li> <li>provide employment opportunities during and (potentially) after construction</li> </ul>	<p>The applicant is seeking fast-tracked resource consents rather than a plan change and subsequent resource consents under standard RMA process to enable delivery of housing in a timely manner.</p> <p>The applicant estimates that the use of the fast-track consenting process will enable the project to progress 2 to 4 years faster than standard RMA processes.</p>	<p>Based on the information provided we consider the project may result in the following public benefits:</p> <ul style="list-style-type: none"> <li>generating employment throughout (and potentially post) construction</li> <li>increasing housing supply in a range of typologies</li> <li>contributing to a well-functioning urban environment</li> </ul>	<p>The applicant notes there is potential for adverse effects, including on:</p> <ul style="list-style-type: none"> <li>rural landscape and visual amenity</li> <li>traffic and transport</li> <li>loss of rural/primary productive land</li> <li>existing infrastructure</li> <li>water and air quality</li> <li>greenhouse gas emissions</li> </ul> <p>The applicant states adverse effects will be no more than minor and has provided details of proposed mitigation measures. We recommend that you seek additional comment from the applicant on how they expect the project to pass the non-complying tests in s104D of the RMA.</p> <p>We note that you do not require a full Assessment of Environmental Effects and supporting evidence to make a referral decision, and that a panel will consider the significance of effects should the project be referred.</p>	<p>The site is currently zoned Rural Lifestyle under the operative and proposed QLDP. QLDC has prepared the Ladies Mile Master Plan (LMMP) to enable and manage more intensive urban development within the area. The Plan was adopted by QLDC in October 2021 and an amendment to the Te Pūhahi Ladies Mile Structure Plan Area provisions in the proposed QLDP to implement the LMMP is anticipated to be notified in June 2022. The applicant's proposed density generally aligns with the draft district plan provisions to implement the LMMP.</p> <p>As the changes to the proposed QLDP to implement the LMMP have not been notified, a decision to grant consents under the fast-track consenting process may pre-empt the outcome of decisions on local planning policy. We recommend that you seek comments from QLDC on the anticipated timing of the changes to the proposed QLDP to implement the LMMP and how the Project aligns with the LMMP and these draft</p>	<p>a. <b>Note</b> that section 23(3) of the FTCA permits you to decline the referral application without inviting comments from the relevant local authorities and any relevant Ministers.</p> <p>b. <b>Note</b> that you have not yet provided the application to, nor sought any comments on it from, relevant local authorities or relevant Ministers but that you are required to do so if you do not decline the application under section 23(3) of the FTCA.</p> <p>c. <b>Note</b> that section 21(3) of the FTCA permits you to forward an application to, and invite written comments from, any other person.</p> <p>d. <b>Note</b> that section 22 of the FTCA permits you to request further information from the applicant or relevant local authorities at any time before you decide whether to accept or decline an application.</p> <p>e. <b>Agree</b> to progress the Flint's Park West project to our Stage 2 analysis. The project warrants further analysis because it has potential to achieve the purpose of the FTCA but we need to consider some matters further before providing you with our final advice on the referral application.</p> <p>f. <b>Agree</b> to provide the application to, and invite comments from:</p> <ul style="list-style-type: none"> <li>the Ministers listed in section 21(6) of the FTCA</li> <li>the Associate Minister for the Environment (Urban Policy)</li> <li>Queenstown Lakes District Council</li> <li>Otago Regional Council</li> <li>Waka Kotahi NZ Transport Agency</li> </ul> <p>g. <b>Agree</b> to seek further information from the applicant on job creation and how the project will pass the</p>	<p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p>

Project details	Project description	Project funding	Is Project eligible for referral? [section 18(3)]	Will the Project help to achieve the purpose of the FTCA? [section 18(2)]						Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood the Project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]	Any other relevant matters [section 19(f)]		
									<p>planning provisions to inform your referral decision.</p> <p>Progressing this development ahead of a notified change to the proposed QLDP may result in adverse effects on the local roading network. While the project proposes to include a new connector road to reduce traffic movements on the existing road network, we recommend that you seek comment on the application from Waka Kotahi NZ Transport Agency.</p>	<p>'gateway' tests in s104D of the RMA, and from Queenstown Lakes District Council on timing of, and alignment with, the Ladies Mile Master Plan, Queenstown Lakes Spatial Plan and draft district plan policy.</p> <p>h. <b>Sign</b> the attached letters to Ministers listed in section 21(6) of the FTCA and the Associate Minister for the Environment (Urban Policy).</p> <p>i. <b>Note</b> that while awaiting these comments and further information, the Ministry for the Environment will, in consultation with the Office of Māori Crown Relations – Te Arawhiti, prepare a report for the purpose of section 17 of the FTCA.</p>	
<p><b>Project name</b></p> <p>Glenpanel, Ladies Mile – Te Pūtahi</p> <p><b>Applicant</b></p> <p>Maryhill Limited</p> <p>c/- The Property Group</p> <p><b>Location</b></p> <p>429 Frankton-Ladies Mile Highway, Otago</p>	<p>The project is to subdivide a 95.9 hectare site and construct approximately 450 residential units (or approximately 365 residential units if a school and childcare centre are developed), a retirement village comprising approximately 214 units, commercial buildings and supporting infrastructure including roads and public open</p> <p>The project will involve activities such as subdivision, removing vegetation, earthworks, taking, diverting and discharging groundwater and stormwater, construction of buildings and associated infrastructure, operation of a retirement village and other commercial activities and (potentially) a school</p>	<p>The applicant intends to fund the project through existing capital and loans from SBS Bank, which has provided a letter of support which is included in the application. The applicant is also in discussion with Kāinga Ora about contributing to funding part of the project and has provided a letter of support from Kāinga Ora. Based on the information provided we do not have any concerns about funding at this stage.</p>	<p>Based on available information at this stage, we consider the project is eligible for referral because:</p> <ul style="list-style-type: none"> <li>it does not include any prohibited activities</li> <li>it does not include land returned under a Treaty settlement</li> <li>it does not occur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai</li> </ul>	<p>The applicant estimates that the project will provide:</p> <ul style="list-style-type: none"> <li>approximately 313 full-time equivalent (FTE) jobs per year during project construction</li> <li>approximately 85 FTE on-going jobs per year</li> <li>approximately 450 residential units (or approximately 365 residential units if a school and childcare centre are constructed).</li> </ul>	<p>The project has the potential for positive effects on the social and cultural wellbeing of current and future generations as it will:</p> <ul style="list-style-type: none"> <li>provide additional housing supply in an area that has a housing shortage</li> <li>provide a range of housing typologies that may assist with affordability</li> <li>provide employment opportunities during and after construction</li> </ul>	<p>The applicant is seeking fast-tracked resource consents rather than a plan change and subsequent resource consents under standard RMA process to enable delivery of housing in a timely manner. The applicant estimates that the use of the fast-track process will enable the project to progress 2-4 years faster than standard RMA processes.</p>	<p>Based on the information provided we consider the project may result in the following public benefits:</p> <ul style="list-style-type: none"> <li>generating employment throughout construction and ongoing operation of a retirement village and commercial activities</li> <li>increasing housing supply in a range of typologies</li> <li>contributing to a well-functioning urban environment.</li> </ul>	<p>The applicant notes there is potential for adverse effects, including on:</p> <ul style="list-style-type: none"> <li>rural landscape and visual amenity</li> <li>traffic and transport</li> <li>loss of rural/primary productive land</li> <li>servicing and infrastructure</li> <li>water and air quality greenhouse gas emissions</li> </ul> <p>The applicant states adverse effects will be no more than minor and has provided details of proposed mitigation measures. We recommend that you seek additional comment from the applicant on how they expect the project to pass the non-complying tests in s104D of the RMA.</p> <p>We note that you do not require a full Assessment of</p>	<p>The application is similar to that for the nearby Flints Park West project, and the same matters outlined in the column above apply.</p>	<p>a. <b>Note</b> that section 23(3) of the FTCA permits you to decline the referral application without inviting comments from the relevant local authorities and any relevant Ministers.</p> <p>b. <b>Note</b> that you have not yet provided the application to, nor sought any comments on it from, relevant local authorities or relevant Ministers but that you are required to do so if you do not decline the application under section 23(3) of the FTCA.</p> <p>c. <b>Note</b> that section 21(3) of the FTCA permits you to forward an application to, and invite written comments from, any other person.</p> <p>d. <b>Note</b> that section 22 of the FTCA permits you to request further information from the applicant or relevant local authorities at any time before you decide whether to accept or decline an application.</p> <p>e. <b>Agree</b> to progress the Glenpanel, Ladies Mile – Te Pūtahi Project to our Stage 2 analysis. The Project warrants further analysis because it has potential to achieve the purpose of the FTCA but we need to consider some matters further</p>	Yes/No

Project details	Project description	Project funding	Is Project eligible for referral? [section 18(3)]	Will the Project help to achieve the purpose of the FTCA? [section 18(2)]					Recommendations	Minister's decisions
				Economic benefits and costs for people or industries affected by COVID-19 [section 19(a)]	Effect on social and cultural wellbeing of current and future generations [section 19(b)]	Likelihood the Project will progress faster under the FTCA than would otherwise be the case [section 19(c)]	Public benefit [section 19(d)]	Potential for significant adverse environmental effects, including greenhouse gas emissions [section 19(e)]		
	<p>and childcare centre.</p> <p>The project will require land use and subdivision consents under the operative and proposed QLDP and land use, water take and discharge consents under the Regional Plan: Water for Otago. It also requires consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)).</p> <p>The proposed activities would have overall non-complying activity status because they include subdivision and residential development in the Rural Lifestyle zone.</p>		Moana) Act 2011.					Environmental Effects and supporting evidence to make a referral decision, and that a panel will consider the significance of effects should the project be referred.	<p>before providing you with our final advice on the referral application.</p> <p>f. <b>Agree</b> to provide the application to, and invite comments from:</p> <ul style="list-style-type: none"> <li>the Ministers listed in section 21(6) of the FTCA</li> <li>the Associate Minister for the Environment (Urban Policy)</li> <li>Queenstown Lakes District Council</li> <li>Otago Regional Council</li> <li>Waka Kotahi NZ Transport Agency</li> </ul> <p>g. <b>Agree</b> to seek further information from the applicant on how the Project will pass the 'gateway' tests in s104D of the RMA, and from Queenstown Lakes District Council on timing of and alignment with the Ladies Mile Master Plan, Queenstown Lakes Spatial Plan and draft district plan policy.</p> <p>h. <b>Sign</b> the attached letters to Ministers listed in section 21(6) of the FTCA and the Associate Minister for the Environment (Urban Policy).</p> <p>i. <b>Note</b> that while awaiting these comments and further information, the Ministry for the Environment will, in consultation with the Office of Māori Crown Relations – Te Arawhiti, prepare a report for the purpose of section 17 of the FTCA.</p>	<p>Yes/No</p> <p>Yes/No</p>

Signed:

Hon David Parker  
Minister for the Environment

Date