

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Local authority providing comment	Otago Regional Council
Contact person (if follow-up is required)	Joanna Gilroy
	s 9(2)(a)
	s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Glenpanel, Ladies Mile – Te Pūtahi
General comment – potential benefits	No Comment. This question would best be addressed by the District Council.
General comment – significant issues	Comment as previously stated: <i>“In terms of Public transport servicing Glenpanel: ORC staff have had discussions with the developer as to how this may happen. It requires a change to route 5 (Lake Hays Estate to Queenstown). ORC staff has started those conversations with QLDC staff and its bus contractor. It is also a matter that will be considered as part of Council’s Queenstown Public Transport Business Case, which we are just about to let a contract for. That business case is anticipated to be completed at the start of Q4, 2022-23.”</i>
Is Fast-track appropriate?	Comment has not changed since previous request for comment: <i>“There is no reason why this application could not go through the standard RMA process at Council level”</i>
Environmental compliance history	Comment has not changed since previous request for comment: <i>“Enforcement action was taken against one of the shareholders in 2016 relating to a groundwater take, supplying data and proving the accuracy of the monitoring”</i>
Reports and assessments normally required	ORC would expect an Environment Management Plan and Erosion Sediment Control Plan as part of their application.
Iwi and iwi authorities	Comment as previously stated: Te Rūnanga o Ngāi Tahu (for notified applications only) and Aukaha and Te Ao Marama (consultancies operating on behalf of iwi).
Relationship agreements under the RMA	N/A
Insert responses to other specific requests in the	N/A

Minister's letter (if applicable)	
Other considerations	Prior concern of drinking water on site. The Glenpanel bore is contaminated with naturally occurring arsenic – this was identified in 2021 and took 3 agencies working together to resolve. The Glenpanel scheme has since connected to QLDC's community supply. ORC hopes the developer will have the ability to connect to QLDC's drinking water supply and not rely on groundwater within the development. Their application alludes to connecting to QLDC's scheme. ORC is partnered with QLDC to deliver the requirements of the NPSUD. We will continue to work with QLDC to achieve the community's vision of the best urban development of the Ladies Mile area.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

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Local authority providing comment	Queenstown Lakes District Council
Contact person (if follow-up is required)	Mike Theelen, Chief Executive Officer
	Tony Avery, Manager Planning and Development
	s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Glenpanel, Ladies Mile – Te Pūtahi
General comment – potential benefits	Te Pūtahi - Ladies Mile area has obvious attributes that make it an important consideration in planning future development in the district. It is sunny, flat, and an easily serviceable part of the Wakatipu Basin that is not prone to significant natural hazards or in an Outstanding Natural Landscape. Although it is an amenity landscape, relative to other parts of the Wakatipu Basin it has a high capacity to absorb urban development without affecting the wider rural setting. It adjoins existing urban developments (Lakes Hayes Estate, Shotover Country and the Queenstown Country Club) and is in close proximity to the major employment area of the Frankton Flats and its industrial, retail and mixed-use zones, employment centres and airport. At a broader strategic level, the area has been identified as a key priority area via the Queenstown Lakes District Spatial Plan as an area suitable for urbanisation. As part of the Proposed District Plan (PDP) process, the Wakatipu Basin Land Use Planning Study 2017 recommended that Ladies Mile was highly suitable for more urban development. Due to the narrow scope of submissions, and evidence on the lack of capacity of the Shotover Bridge, decisions on the PDP were to zone the area as Rural Lifestyle and Large Lot Residential. There are a number of outstanding appeals in regard to the PDP on the Te Pūtahi – Ladies Mile area relating to additional land zoning requests. These appeals are currently on hold awaiting the outcome of the Te Pūtahi – Ladies Mile Masterplan process. There is significant pressure to urbanise the area, with a number of major landowners along Te Pūtahi – Ladies Mile signalling their intention to seek development of their land in the short to medium term. In 2019, three Special Housing Area development applications were declined by QLDC through the now expired Housing Accords and Special Housing Area legislation. These landowners are still looking at mechanisms to develop their land. In March 2020, Council approved commencement of work on the Ladies Mile – Te Pūtahi masterplan and plan variation. This followed previous Council meetings where it was agreed that the Ladies Mile – Te Pūtahi was likely to be developed for urban purposes, and that a proactive Council led planning approach should be undertaken, taking into account the wide range of community, housing, recreation, transport, greenspace and infrastructure needs for Ladies Mile and the surrounding communities.

	On 30 June 2022, at the Full Council meeting, the Council adopted the Te Pūtahi – Ladies Mile Masterplan and proposed plan variation. Council also resolved to make an application seeking approval from the Minister to undertake the plan variation via the Streamlined Planning Process (SPP). The adopted Masterplan and accompanying plan variation sets out a legible and clear structure to provide for integrated, high quality mixed use development and to mitigate the potential adverse effects of sporadic development. Two applications have already received approval from the Minister to be fast track applications (Flints Park East and Flints Park West). This application in conjunction with the two Flints Park applications cover a large portion of the north-western side of Ladies Mile. It is therefore important that these developments integrate with one another as well as the surrounding properties via following the adopted Te Pūtahi – Ladies Mile Masterplan. Without this integration, the work and significant investment as well as community buy-in will be undermined. However, if each proposal is able to be aligned with the Masterplan outcomes, then each may enable housing and development at a faster rate than either through the First Schedule RMA process or the SPP. It should also be noted that the Council is still to determine the timing and implementation of some of the larger network infrastructure that will also be required to implement the Masterplan. A Taskforce has recently been established under the auspices of the Grow Well Whaiora Spatial Plan, involving Central Government Partner agencies, to further refine and develop the infrastructure needs and to bring forward the funding and delivery of that infrastructure. If approved, this fast-track application would likely push ahead that infrastructure planning faster than currently planned. The Glenpanel application generally aligns with the following key aspects of the Te Pūtahi – Ladies Mile masterplan and structure plan: a) The residential proposal of 640 – 748 units will meet the minimum yield required by the masterplan and will slightly exceed the maximum yield. The other two options (incorporating the school and retirement units) may however not meet the minimum yield. b) Mixture of typologies, addressing the shortfall of feasible capacity in attached style dwellings that the district is lacking. c) The potential for the internal collector roads to connect to neighbouring sites and the future proposed Howards Drive roundabout. d) A well-connected block structure. e) Retention of existing trees along the western extent of the property.
General comment – significant issues	The Te Pūtahi – Ladies Mile masterplan project has involved significant investment by Council, which has included extensive traffic modelling, substantial engagement with the local community, landowners, multiple stakeholders and partners including the Otago Regional Council, Waka Kotahi, Iwi, Ministry of Education, Kāinga Ora and the Ministry of Housing and Urban Development. As a result of this analysis and engagement it has been identified that the effectiveness of the Masterplan and the resulting planning provisions depend upon creation of a critical mass of residential development and associated land uses as well as integrated transport and infrastructure solutions to support the proposed town centre, encourage modal shift to reduce car dependency and ensure integrated stormwater management across the entire site. The

	Masterplan represents a holistic view of the Te Pūtahi – Ladies Mile area as well as the surrounding communities and all of the opportunities and constraints that exist. The Glenpanel project does not align with the following aspects: a) Council has seen no details of the proposed stormwater system to date and management of stormwater across all of Te Pūtahi – Ladies Mile Masterplan area will be a critical consideration. b) The adopted masterplan (see page A101) identifies a minimum residential yield of 588 units and a maximum yield of 705 units with the Glenpanel fast track area. Options 2 incorporating a school, childcare or church (522 – 630 residential units) and option 3 (530 residential units and 214 retirement units) may not meet that yield. While the school, childcare, church or retirement village would provide additional amenities and facilities into the Te Putahi – Ladies Mile area, the reduction in yield is a factor that would need to be considered if this application is accepted. c) Whilst a Neighbourhood Park of 5,000m² is proposed within the development, the Masterplan shows a Community Park of 1.5 – 2 hectares in size within this area. This is to provide valuable outdoor amenity for the Ladies Mile Masterplan area. It is acknowledged that the size of the Community Park as shown on the Masterplan is greater than what would be required to be provided as a result of the Glenpanel proposal alone. Consequently, it is encouraged that the Applicant undertake discussions with the Council's Parks and Reserves team prior to developing their concept further. d) Under the adopted plan variation, development of the subject site would require the provision of a safe pedestrian crossing point to the east of Howards Drive. The application documents state that an underpass may be provided to the west of Howards Drive should the extension to the retirement village be included within the development proposal. Security of this key crossing point, regardless of the option developed by the Applicant, is considered to be of significant importance in terms of safety of pedestrians and encouraging uptake of active and public transport within the Masterplan area as well as the adjacent existing residential areas, particularly given that schools are likely to be developed on the northern side of SH6. There is no current funding for an underpass in either the Council's or Waka Kotahi's budgets for the upgrade of the Howards Drive intersection.
Is Fast-track appropriate?	Council considers it would be more appropriate for the RMA plan variation process to be progressed to a stage whereby the Glenpanel proposal can be assessed against the revised plan provisions for the following main reasons: a) The proposed plan variation will respond to the significant commitment made on the adopted Masterplan, which means that the Glenpanel project would be assessed against the Masterplan and related planning provisions. Given that the Masterplan and associated provisions represent a comprehensive suite of requirements which all aim to provide a well-designed, functional and integrated urban area, it is considered that the application is best considered following the adoption of these so that a robust assessment can be made. b) The plan variation process provides for statutory involvement of all parties through the submission and hearing process. c) The land is currently zoned as Rural Lifestyle in the PDP and Rural under the Operative District Plan (ODP). Neither plans provide an objective, policy or planning framework that would support the proposal.

Environmental compliance history	QLDC has no record of environmental compliance or enforcement matters in the district by this applicant.
Reports and assessments normally required	The following assessments would normally be required by the Council for the assessment of the Glenpanel proposal: a) Urban design b) Community and social c) Ecological d) Geotechnical and natural hazards e) Traffic f) Water and wastewater g) Stormwater h) Landscape and visual amenity i) Construction, including earthworks j) Contaminated land k) Statutory policy documents including the RMA, national policy statements, regional policy statement, regional plans and district plans. It should be noted that Council would require peer reviews of technical and other reports to be able to ensure that any decision is made on the best information. This is particularly the case with stormwater which is a significant issue for the District, given the demonstrated stormwater failings around the District as a result of under-designed systems, but also applied to water, wastewater and transport.
Iwi and iwi authorities	Aukaha and Te Ao Marama
Relationship agreements under the RMA	None applicable
Insert responses to other specific requests in the Minister's letter (if applicable)	In response to the specific questions raised by Stephanie Frame, Manager Fast-Track Consenting Team in the letter to Mike Theelan dated 278 June 2022: 1 Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 199 (RMA) consenting processes rather than the processes in the FTCA? See comment above. The Te Pūtahi Ladies Mile masterplan project has involved significant investment by Council and the community in its development. Although the process to date has been 'non-statutory', the community commitment to the process was evident by Council receiving over 500 comments in response to the release of the draft masterplan and planning provisions, with many concerns raised in regard to traffic congestion issues and concerns with the density and heights proposed. Whilst there was significant community opposition, Council determined that the area was likely to still be developed and without a Masterplan this was likely to be in an ad hoc manner. With the adoption of the amended Masterplan and proposed plan variation by Council on 30 June 2022, the Council has clearly indicated its view that it is preferable to have a proactive led process that will provide a legible and clear structure to mitigate sporadic development. Approval of the Fast-Track consents, which do not align with the masterplan prior to adoption of the final Masterplan and planning provisions means that the above objectives may not be satisfied.

	While the FTCA provides for comments to be made on the project, those persons or organisations who must be provided the opportunity does not include the wider community, unless this group of people is listed in the referral order or the panel considers it appropriate to invite comment, there is no opportunity for the community to continue its engagement in the process. Given the very high levels of public interest in the development outcomes for Te Pūtahi – Ladies Mile, Council considers it more appropriate for the full Masterplan to proceed through the full plan variation process, either through the SPP involving full public submissions and hearings or the First Schedule RMA process and then for applications to develop to urban densities be considered.
	2 What reports and assessments would normally be required by the Council for a project of this nature in this area? See above
	3 Does the applicant, or company owned by the applicant, have any environmental regulatory compliance history in your district? The QLDC has no record of environmental compliance or enforcement matters in the District by this Applicant.
	4 Do you have any comments on the applicant's proposed density of either 60 or 70 dwelling/hectare for the site? The Glenpanel fast track proposal is located within the High Density sub-area of the adopted Ladies Mile – Te Pūtahi masterplan. The masterplan (see page A101) identifies a minimum residential yield of 588 units and a maximum yield of 705 units for the Glenpanel fast track area. Furthermore, the proposed plan variation adopted by Council for notification requires a density of 60-72 residential units per hectare across the gross developable area of the site The intention behind the density requirement in both the proposed plan variation and masterplan is to create a critical mass of residential development and associated land uses to support the proposed town centre as well as integrated transport and infrastructure solutions as well as encouraging modal shift to reduce car dependency. The various proposals included within the fast track application includes 640 – 748 residential units for a wholly residential development, 522 – 630 residential units for a development incorporating a school, childcare or church and 530 residential units in addition to 214 retirement units for the third development option. The wholly residential development satisfies the yield requirements of the master plan and proposed plan variation. While the school, childcare, church would provide additional amenities and facilities into the Te Putahi – Ladies Mile area, the reduction in residential yield associated with that option is a factor that would need to be considered if this application is accepted. The residential and retirement proposal appears to satisfy the minimum yield requirement and could possibly exceed the maximum. Should this option proceed further details about

	the make-up of the retirement offering being proposed would need to be addressed at a hearing, should the fast track be approved. The application states that a shortfall in density / yield within the Glenpanel site could be compensated for via additional density on the adjacent Flints Park site. However, the sites that the Flints Park developments are on are within the Medium Density sub-area where densities of between 40 – 48 are anticipated (Glenpanel is within the High Density sub-area). It would be difficult to make a different developer increase their yield above that required by the plan provisions due to less units being provided on the Glenpanel site. It is also noted that the apartment buildings which allow for the development to achieve this density are within Stages 1, 7, 10 and 12 out of 12 proposed stages. Consequently, some mechanism to ensure that this density is achieved in the later stages needs to be investigated. 5 What is the anticipated timing for the implementation of the Ladies Mile Master Plan in the Queenstown Lakes District Plan? The Council adopted the Masterplan and plan variation at its Full Council meeting on 30 June 2022. A request will be made to the Minister as soon as possible to utilise the Streamlined Planning Process (SPP) for this plan variation. If accepted into the SPP, the Minister will then issue directions, with timeframes prescribed by the Ministers. Our understanding is that the subsequent process could take approximately 12 months post the Minister gazettal, and so the Te Pūhahi Ladies Mile Plan provisions could be operative somewhere between October 2023 and December 2023. If not accepted into the SPP, Council would notify the Te Pūhahi Ladies Mile plan variation under the normal First Schedule process under the RMA. With submissions, hearings, decisions and possible appeals processes. The timeframe for making the Te Pūhahi Ladies Mile Plan provisions operative would be two years post notification assuming no appeals. With appeals, the average length of time is six years to ten years to become fully operative.
Other considerations	Should this application be approved to be included as a Fast Track, it is requested that the Minister engage the same panel for all of the Fast Track applications within the Ladies Mile – Te Pūhahi Masterplan area. This will provide a consistency of approaches and enable detailed consideration of the integration that is sought by the Masterplan.

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Organisation providing comment	NZ Transport Agency (Waka Kotahi)
Contact person (if follow-up is required)	Richard Shaw, Team Leader South – Poutiaki Taiao Environmental Planning Waka Kotahi NZ Transport Agency
	Email: environmentalplanning@nzta.govt.nz
	s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Glenpanel, Ladies Mile – Te Pūtahi
General comment	Waka Kotahi NZ Transport Agency (Waka Kotahi) consider themselves to be a key stakeholder to this project given the potential for significant adverse effects on State Highway 6 (SH6). Waka Kotahi oppose this project being referred to the expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020 for the following reasons: • The proposal is considered an ad-hoc development currently out of context in the Rural and Rural Lifestyle zones; • The proposal is being promoted prior to the Queenstown Lakes District Council (QLDC) Ladies Mile Masterplan for the wider area encompassing the proposed development site being finalised. Although the Masterplan has recently been approved by QLDC there is still a process required to include this in the District Plan. The rezoning of the land based on the approved Masterplan with finalised supporting objectives, policies and rules will still need to go through a notified process. As a result, the current proposal is an isolated stand-alone development and there is no guarantee that adjoining landowners will develop road networks and connections in an integrated way. The proposal therefore lacks certainty for future internal transport networks to be created and for the integration with the wider transport network. If approved, it is considered the development would be a poor planning outcome for the area and not result in a well-functioning urban environment; • If approved, Waka Kotahi also consider there is a risk of this development creating a precedent leading to other ad-hoc developments in the area. If this project is referred to an expert consenting panel, we would expect the applicant to continue to consult with Waka Kotahi as part of their detailed application process. We would also expect an integrated transportation assessment and travel demand management plan to be prepared as part of the application and prior to this assessment

	being prepared, the applicant's transportation expert to consult with Waka Kotahi over the scope and form that this assessment should take. As noted in the application information there is reliance on the adjoining sites along the northern side of Ladies Mile (SH6) to provide essential transport and stormwater infrastructure connections. It is noted that the adjoining sites to the west (Flints Park - Ladies Mile – Te Pūtahi) have been referred to an expert consenting panel through the Fast Track process. If the current application is referred, it is considered there would be benefit in these sites being considered in an integrated way.
Other considerations	Ladies Mile (SH6) has existing significant transport constraints that need to be dealt with in an integrated way. The QLDC Spatial Plan identified Ladies Mile as a priority development area. It was acknowledged throughout the development of the Spatial Plan that Ladies Mile is subject to significant transportation constraints. Given, the network is currently operating at or close to 100% of capacity across the transport system, more detailed work via the Masterplan and the Plan Change process is needed to confirm the appropriate yield and staging of development for the site. The Transport Strategy developed for the Masterplan envisaged an ambitious mode shift to Public Transport which is required to maintain a functional transport system. Consequently, we consider there is a significant risk to the functionality of the transport system if this mode shift cannot be achieved. The travel demand management plan referred to above should include an assessment of actual mode share and operational and management measures to be implemented to reduce dependence on private vehicle trips. The QLDC Spatial Plan also envisaged coordinated staging to address mode shift goals commensurate with improved Public Transport and active modes of service. This proposed development in isolation is unlikely to deliver the necessary mode shift required to maintain a functional transport system. Ultimately the transportation constraints along Ladies Mile are required to be addressed in an integrated way and this proposal (and any ad-hoc development in this area), if granted, will not contribute to wider infrastructure requirements, help manage or mitigate their effects on the transport system and its constraints in the area.
[Insert specific requests for comment]	That Waka Kotahi is considered a key stakeholder to this project, given the potential for adverse effects on the highway network. If referred, we would ask the expert consenting panel to direct the applicant to consult with us directly prior to lodgement of their application.

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