



Queenstown Lakes District Council application to use the Streamlined Planning Process (Te Pūtahi Ladies Mile Plan Variation) - Stage One decisions

Date Submitted:	17 January 2023	Tracking #: BRF-2427	
Security Level	Policy and Privacy In-Confidence	MfE Priority:	Not Urgent

	Action sought:	Response by:
Hon David PARKER, Minister for the Environment	Please indicate your decisions on the recommendations in Appendix 1 If you decide to proceed to consultation on use of the SPP and the draft Direction, sign the letters in Appendix 5	2 February 2023

Actions for Minister's Office Staff	Forward the signed report to the Ministry for the Environment If the Minister decides to proceed to consultation on use of the SPP and draft Direction, finalise and send the letters in Appendix 5 including attachments (Draft Direction and copy of QLDC application)
Number of appendices and attachments 7	Titles of appendices and attachments: <ol style="list-style-type: none">1. Recommendations2. Application received from Queenstown Lakes District Council to use the Streamlined Planning Process3. Streamlined Planning Process Flowchart4. Draft Direction to Queenstown Lakes District Council to use the Streamlined Planning Process5. Draft consultation letters6. Summary analysis of the application against the statutory criteria7. Summary of relevant fast-track referred projects

Key contacts

Position	Name	Cell phone	1st contact
Principal Author	Alison McLaughlin		
Responsible Manager	Matthew Barbati-Ross	64 22 0102147	✓
Director	Caroline Hart		


Queenstown Lakes District Council application to use the Streamlined Planning Process (Te Pūtahi Ladies Mile Plan Variation) - Stage One decisions


Key Messages

1. Queenstown Lakes District Council (QLDC) has applied to you for a Direction to use the Streamlined Planning Process (SPP) under section 80C of the Resource Management Act 1991 (RMA) for the proposed Te Pūtahi Ladies Mile Plan Variation (the Variation). The Variation seeks to rezone approximately 120 hectares from its existing rural and rural lifestyle zoning to enable integrated urban development.
2. This is the first of potentially three briefings on this matter. It provides advice on QLDC's application and the content of a draft Direction for QLDC to use SPP. You are only required at this stage to decide whether the application contains sufficient information, whether or not you wish to proceed with consulting on use of the SPP and a draft Direction, and with whom you wish to consult.
3. We consider the application demonstrates QLDC is satisfied the proposal meets the entry criteria for using SPP and contains sufficient information for you to proceed. If you agree with our assessment, the next step is for you to consult on a draft Direction outlining process steps, timeframes and your statement of expectations (draft attached as Appendix 4). A process flow chart for the SPP is attached as Appendix 3.
4. However, we note that there are some complexities to consider:
 - a. The limited capacity of the Shotover Bridge, the primary connection between Te Pūtahi Ladies Mile and Queenstown. QLDC is seeking to manage this by including a commercial centre, schools, and recreation facilities servicing the proposed new residential areas as well as existing suburbs on the east side (Ladies Mile side) of the bridge to reduce demand. In consultation undertaken with the community on the draft Masterplan in April 2021, the majority of submissions opposed the Masterplan primarily because of concerns about increased traffic congestion. QLDC has sought to address this by requiring specified transport infrastructure upgrades before development can commence.
 - b. Stormwater management. QLDC has been unable to agree on a stormwater management approach with landowners. However, it has included policies in the Variation to avoid discharges to Waiwhakaata / Lake Hayes which was the primary concern of Ngai Tahu Papatipu Rūnanga (ngā rūnanga). The approach can be considered further through consultation and the Independent Hearings Panel (IHP) process and your statement of expectations can include an expectation that appropriate and feasible stormwater infrastructure is provided for.

- c. Climate change considerations. If approved, the SPP process would be one of the first plan change processes since the Resource Management Amendment Act 2020 (RMAA2020) lifted the statutory bars and introduced a requirement for plan changes to have regard to the National Adaptation Plan (NAP) and Emissions Reduction Plan (ERP). The application includes consideration of the requirements in the NPS-UD to consider emissions reduction and climate resilience but does not include specific analysis having regard to the NAP and ERP. You have an opportunity to signpost to QLDC in your consultation letter and in your Direction that additional work on the section 32 report would assist the IHP and you as the decision-maker on the Variation.
- d. Timing. The timeline for the proposed SPP may overlap with several other processes including the Natural and Built Environment Act coming into force, outstanding appeals from the Queenstown Lakes District Plan (QPDP) review before the Environment Court, decision making on fast-track consenting referred projects within the land affected by the Variation, review of the Otago Regional Policy Statement, and QLDC's plan change to implement the National Policy Statement on Urban Development 2020 (NPS-UD) Policy 5. However, officials consider that these concurrent processes either do not directly impact on the SPP, or can be managed to achieve alignment of any decisions.
5. Our recommendations are provided in Appendix 1 for your decision.

Signature

Matthew Barbati-Ross Manager Resource Management Systems	
Date	17/01/2023

Hon David PARKER, Minister for the Environment	
Date	23/1/23

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Supporting Material

Purpose

6. This briefing provides advice on the first of potentially three stages of your decision-making on QLDC's application to use a SPP for the Variation.
7. At this stage, you need to consider whether in your opinion QLDC has provided sufficient information that it is satisfied that the application meets the 'entry criteria' in section 80C(2) of the RMA. If you consider that they have, you could proceed to draft a Direction in accordance with the requirements under Schedule 1, clause 78, and then consult on that draft Direction and use of a SPP with QLDC, other Ministers with relevant portfolios, and any other persons you consider relevant.

Context

QLDC are proposing to rezone rural land for urban development at Te Pūtahi/Ladies Mile to meet significant demand for growth and to address housing affordability

8. Queenstown Lakes District is one of the fastest growing districts in the country and has been facing significant housing affordability issues for years. QLDC's Housing Development Capacity Assessment 2021 (HCA) identified that while there is sufficient development capacity (just) at a total urban environment level, there is a current shortfall in affordable housing.¹ Furthermore, the Wakatipu Ward (which Te Pūtahi/Ladies Mile is located within) shows a very minor shortfall of housing capacity.² QLDC also noted increased demand for housing appropriate for older households, smaller households, and lower and lower-middle income households.³
9. The Variation seeks to rezone approximately 120 hectares from its existing rural and rural lifestyle zoning to enable integrated urban development. This would include approximately 2400 residential units, a public open space, a commercial centre, and two schools.

¹ Te Pūtahi Ladies Mile Proposed Plan Variation – Streamlined Planning Process Application p.10

² QLDC's Housing Development Capacity Assessment 2021 p.4

³ Te Pūtahi Ladies Mile Proposed Plan Variation – Streamlined Planning Process Application p.9

10. The area has been earmarked for growth since 2017 when it was included in the Council's Housing Accords and Special Housing Areas Implementation Policy under the Housing Accords and Special Housing Areas (HAASHA) legislation. It underwent a master-planning process in 2018 and 2019. This Masterplan provides the basis for the Variation which includes a Structure Plan, proposed rezoning and plan provisions.
11. However, QLDC are concerned that if they are not able to give statutory weight to the Masterplan via a Variation, ad hoc development in the meantime will foreclose options for achieving the outcomes that the Masterplan seeks to achieve. They cite three recent applications to use a fast-track consenting process for developments in the Masterplan area (see Appendix 7) as well as other resource consent applications that have recently been lodged with QLDC.⁴
12. When QLDC's District Plan was reviewed in 2019, the IHP noted that whilst an urban zone and Structure Plan process would be a good outcome for this area due to its capacity to absorb the effects, it was not one of the alternatives they could implement due to lack of consultation at that time. Their decision rezoned the area to a mix of Rural, Rural Lifestyle, Large Lot Residential and Wakatipu Basin Rural Amenity zones which provide for a much lower yield of residential development than the outcomes anticipated by the Masterplan.

Traffic impacts on SH6 are a key consideration identified by the application

13. The Shotover Bridge which provides the main transport connection between Te Pūtahī/Ladies Mile and Queenstown has already reached capacity for certain times of day. Duplicating, upgrading, or replacing the Shotover Bridge in the short to medium term is unlikely given complexity and cost.⁵ QLDC is proposing to mitigate increased traffic demand from the development by including a commercial centre and schools in the Masterplan area on the east side of the bridge to reduce demand, and by promoting public and active transport options. They are also proposing medium and high-density typologies to support demand for public transport.

Potential impact on Waiwhakaata / Lake Hayes water quality and stormwater management are key considerations identified by the application

14. The site is close to Waiwhakaata / Lake Hayes, which has water quality issues, and management of stormwater from the development has been a key consideration through the development of the Masterplan. The Variation includes a policy (Policy 27.3.24.7) to avoid stormwater discharges to Waiwhakaata / Lake Hayes and avoid the adverse effects of discharges to the Shotover and Kawarau Rivers, and groundwater.
15. The Three Waters Infrastructure Report notes that QLDC considers it is not in a position to lead a centralised infrastructure approach due to funding constraints. Also, at that

⁴ Te Pūtahī Ladies Mile Proposed Plan Variation – Streamlined Planning Process Application pp.39-41

⁵ Te Pūtahī Ladies Mile Proposed Plan Variation – Streamlined Planning Process Application p. 12

time landowners had not been able to reach an agreement on the location and cost sharing of delivery of centralised stormwater management assets.

16. As a result, the Masterplan and Variation do not include specific locations for centralised stormwater facilities but do include relevant policies and assessment matters (eg. for water sensitive design and integration). In their feedback, ngā rūnanga expressed concern that landowners had not been able to reach an agreement on an integrated management system. However, they believe appropriate plan provisions for stormwater management like the policy in the Variation to avoid discharges to Waiwhakaata / Lake Hayes help.
17. The Otago Regional Policy Statement and the Queenstown Lakes District Plan do not have requirements that structure plans specifically identify the location of stormwater facilities. While it would provide greater certainty on the delivery of an integrated system, we do not consider that agreement on a solution is necessary at this stage to proceed with an SPP direction, and that infrastructure funding matters are beyond the scope of the Variation.

Impacts on identified outstanding landscapes and features including Slope Hill will need to be managed

18. The area proposed for development is adjacent to Slope Hill, which is classified as an Outstanding Natural Feature (ONF), and is set in a context of several other Outstanding Natural Landscapes (ONLs) within the District Plan. However, the Variation area itself does not intersect with those overlays. The application includes an assessment from a landscape architect who concluded that the proposal's impacts on landscape character and visual amenity values would be "no more than low."⁶
19. A recent fast-track consenting referred project for Flints Park for 384 residential units was declined by the expert panel⁷ in part on the basis that the proposal was contrary to objectives in the District Plan to protect the landscape values of ONFs, including Slope Hill. Unlike the Variation, the Flints Park application included a building platform for a new homestead and three reservoirs within the ONF overlay. The Flints Park decision is subject to an appeal and the reasons for declining the application are separate to your considerations for the SPP process.
20. To reduce visual amenity impacts from SH6, the Variation is proposing greater heights at the toe of Slope Hill which QLDC considers has a greater ability to absorb the effects, as it will be screened by the toe. You may wish to discuss with the Minister of Conservation if she has any concerns about impacts on the Slope Hill ONF or other ONLs in the area.
21. Ecological values identified in the ecologist's report include Threatened and At Risk avifauna and At Risk matagouri standards. These values were assessed as High to Very

⁶ Te Pūtahi Ladies Mile Masterplan - Landscape Assessment p.22

⁷ <https://www.epa.govt.nz/assets/Uploads/Documents/Fast-track-consenting/Flints-Park/decision-report-for-Flints-Park-Ladies-Mile-Te-Putahi.pdf>

High, however they are not identified as Significant Natural Areas (SNAs) in the District Plan. The Variation includes provisions to encourage the use of indigenous vegetation in landscaping and identifies areas for open space and retention of existing trees. However, you may wish to discuss with Minister of Conservation if there are any concerns with this approach.

Your statutory considerations are set out in Schedule 1, Part 5 of the RMA

22. A flowchart outlining the sequence of your decision-making process is provided in Appendix 3.

23. This is Stage 1 of your decision making. If you decide to proceed with a SPP, there are potentially 3 stages of briefings which you will receive as outlined below:

Briefing	Ministerial decisions required
Stage 1 Briefing Decision to consult on use of SPP (RMA Schedule 1 Clause 76)	<ul style="list-style-type: none"> - Whether the application for a SPP is complete or if further information is required; - if complete, whether you should proceed to consult, the contents of the draft Direction to consult on, and who you should consult.
Further information briefing	Required if you decide to formally request further information following the Stage 1 Briefing.
Stage 2 Briefing Decision to use SPP (RMA Schedule 1 Clause 77)	<ul style="list-style-type: none"> - Whether to give a direction to the local authority to use the SPP, or whether to decline the request - If a direction is to be issued, the content of the direction.
Stage 3 Briefing Decision on proposed planning instrument (RMA Schedule 1 Clause 84)	<ul style="list-style-type: none"> - Whether to: <ul style="list-style-type: none"> o refer the proposed planning instrument back to the local authority with approval; o refer the proposed planning instrument back to the local authority for further consideration; or o decline to approve the proposed planning instrument.

24. At this stage, Clause 76(2) requires you, in considering this application, to have regard to:

- the local authority's written request (see Appendix 2);
- whether the local authority has, in your opinion, provided sufficient information in support of its request;
- any relevant obligations set out in any iwi participation legislation or Mana Whakahono a Rohe;
- any other matters that you consider relevant; and

- e. the purpose of the streamlined planning process.
25. The purpose of the SPP, as stated in section 80B(1) is to achieve an expeditious planning process that is proportionate to the complexity and significance of the planning issue being considered.
26. There are no statutory timeframes for your decision making other than the general duty under section 21 to avoid unreasonable delay.
27. You are not yet required to make a final decision on whether to use the SPP process. Following feedback from consultation, we will provide Stage 2 advice on whether to issue a Direction for QLDC to use the SPP.

Analysis and advice

While noting considerations relating to climate change and how ngā rūnanga's comments on the proposal have been addressed, there is sufficient information in the application for you to make a decision (clause 76(2)(a) and (b))

28. We consider that the contents of QLDC's written request to use the SPP (Appendix 2) contains the information necessary to understand the complexity and significance of the planning issues and the proposed planning instrument. There are some areas where additional information would be helpful to decision making on the Variation (eg. how it has had regard to the NAP and ERP and analysis of ngā rūnanga's views on the stormwater provisions in the section 32 report). However, we consider that there is sufficient information for you to progress to consultation on a draft Direction and Statement of Expectations as these issues can likely be resolved through consultation with QLDC, the Minister of Climate Change, etc. ahead of notification of the Variation and/or can be included in your statement of expectations. More detailed analysis against the statutory considerations has been provided in Appendix 6.
29. If, after reviewing the attached information and the advice provided (including the matters to discuss during consultation), you consider you need to request further information prior to consulting on the draft Direction, you can request additional information from QLDC. We suggest you meet with officials if you wish to request further information.
30. As of 30 November 2022, QLDC now has a requirement to have regard to the NAP and ERP when preparing or changing its District Plan.⁸ These requirements came into effect after QLDC made its application to use the SPP, but will be relevant to decision making on the Variation.
31. The application notes that the proposal will support a reduction in greenhouse gas emissions through reducing reliance on private vehicles and providing commercial and

⁸ RMA s74(2)(d) and (e)

community facilities within walkable distance of intensified residential development.⁹ However, the application does not include an assessment of the extent of emissions reduction that would be achieved by the proposal, a consideration of comparative emissions reduction from alternative growth scenarios, or a supporting analysis of how the Variation's objectives and policies will contribute to emissions reduction as a planning issue.

32. In terms of climate adaptation, there is minor risk of potential flooding events from the Shotover River along the western perimeter of the site.¹⁰ QLDC have not identified this as a significant natural hazard in the District Plan, and it is proposed to be managed at the time of development (eg. through requiring minimum floor levels).¹¹ The application does not assess how these risks may be exacerbated in future as a result of climate change. However, the strategic direction objectives in the District Plan require new urban development to minimise natural hazard risk, taking into account the predicted effects of climate change. This means that the risk analysis would occur at the time of development.¹²
33. The section 32 report does not specifically have regard to the NAP or ERP. However, related concerns are addressed in QLDC's consideration of the NPS-UD Policy 1. This defines a well-functioning urban environment as "supporting reductions in greenhouse gas emissions", and "resilient to the likely current and future effects of climate change."
34. QLDC will need to revise their section 32 report to make this analysis with specific reference to the NAP and ERP. They will also need to consider the opportunities to quantify or provide more specific analysis of how they are reducing emissions and adapting to climate change effects including consideration of alternate growth scenarios to support the IHP's decision-making. The Ministry for the Environment has recently released guidance to assist councils with this.¹³
35. We do not consider that the need to amend the section 32 report to have regard to the NAP and ERP should delay your consultation on the draft Direction. We recommend that you consult on the draft Direction and your Statement of Expectations with the Minister of Climate Change. Your Statement of Expectations can include an expectation signposting QLDC to the need for additional analysis in the section 32 report prior to notification to enable the IHP to have regard to the NAP and ERP.

⁹ Te Pūtahī Ladies Mile Proposed Plan Variation – Streamlined Planning Process Application p 19; Te Pūtahī Ladies Mile Zone Section 32 Evaluation Report – DRAFT p.84

¹⁰ Te Pūtahī Ladies Mile Proposed Plan Variation – Streamlined Planning Process Application p 15

¹¹ Preliminary Geotechnical Assessment, Ladies Mile Masterplan Area December 2020 pp. 14-15

¹² Proposed Queenstown Lake District Plan Objective SO3.2.2.1

¹³ <https://environment.govt.nz/assets/publications/national-adaptation-plan-and-emissions-reduction-plan-guidance-note.pdf>

36. The application includes emails from the consultants (Aukaha and Te Ao Marama) representing ngā rūnanga. These do not oppose use of the SPP, but do express concern that an integrated solution for stormwater management has not been agreed between the landowners and/or QLDC. The section 32 report does not include detailed analysis of which provisions in the Variation address concerns raised in consultation with ngā rūnanga about discharges to Waiwhakaata / Lake Hayes or how stormwater would be managed. The extent to which this addresses ngā rūnanga's concerns is not explicitly analysed in the section 32 report's summary of consultation with ngā rūnanga. However, the Variation does include a policy to avoid discharges to Waiwhakaata / Lake Hayes and to avoid the adverse effects of discharges to the Shotover and Kawarau Rivers and groundwater.

37. You have an opportunity in consulting on the draft Direction to ask ngā rūnanga if they consider that their concerns have been adequately captured and addressed in the Variation and section 32 report. This would help inform your Stage 2 decision-making on what to address in the Direction.

QLDC's application shows that they are satisfied they meet the 'entry criteria' for use of the SPP (section 80C(2))

38. QLDC has applied on the basis that the Variation meets three of the entry criteria to use a SPP in section 80C(2):

- a. the proposed planning instrument will implement a national direction;
- b. as a matter of public policy, the preparation of a planning instrument is urgent; and
- c. the proposed planning instrument is required to meet a significant community need.

39. QLDC is satisfied that the Variation would enable them to give effect in part to the NPS-UD. In particular, the Variation addresses Objective 1 (a well-functioning urban environment), Objective 2 (improving housing affordability), and Objective 3 (enabling more people to live in, and more businesses and community services to be located in areas near employment opportunities, well-served by existing or planned public transport and where there is high demand for housing and business land).

40. QLDC believes the Variation will enable the creation of a well-functioning urban environment, and achieve the NPS-UD's Objective 1 and Policy 1. This is because it will enable a variety of housing typologies at a higher density, and will provide additional employment opportunities and services on the east side of the Shotover Bridge (including a commercial centre, two proposed schools, and open space and recreation facilities). Medium and high-density housing development is proposed in part to create a critical mass to support public transport servicing to the area. These developments are anticipated to benefit not only the proposed Masterplan area, but also existing suburbs to the south of it including Waiwhakaata / Lake Hayes Estate and Shotover Country.

41. We agree with QLDC's assessment that it can be satisfied that the proposed planning instrument will meet a significant community need to increase housing availability and choice in the district, and access to services in the surrounding area. The additional housing capacity proposed will go towards meeting QLDC Housing Bottom Lines (6,220 dwellings in the medium term), along with the suite of other initiatives the Council has underway to address the district's housing supply, diversity, and affordability. However, this variation alone will not fully achieve QLDC's requirements under the NPS-UD, and they are still required to ensure their District Plan achieves Policy 5 of the NPS-UD (QLDC are working on a separate plan change to do so).

42. In the context of development pressures on the area, QLDC has demonstrated to its satisfaction that this need is urgent. They consider that use of the SPP will enable a more integrated planning outcome because it will implement the Masterplan earlier than standard Schedule 1 processes. QLDC notes as evidence of development pressure on the area several recent fast track consenting applications (see summary in Appendix 7) and other interest from developers.

Issuing a Direction to use a SPP is consistent with relevant obligations set out in iwi participation legislation or Mana Whakahono ā Rohe (clause 76(2)(c))

43. We note that the Ngāi Tahu Claims Settlement Act 1998, which gives effect to the Deed of Settlement signed by the Crown and Te Rūnanga o Ngāi Tahu, applies to the District. There are no statutory acknowledgement areas or nohoanga identified in the Claims Settlement Act within the boundary of the Structure Plan in the Variation.

44. QLDC advises in their application that there are currently no Mana Whakahono ā Rohe arrangements in place.

45. Seven rūnanga were consulted as part of the development on the Masterplan and Variation. These were Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Te Rūnanga o Awarua, Te Rūnanga o Ōraka Aparima, and Te Rūnaka o Waihōpai.

46. Their comments through their consultants (Te Ao Marama and Auhaka) on use of the SPP was that while it is not their usual preference to waive appeal rights, they do not oppose use of the SPP in this instance. However, they did express that management of stormwater runoff was a key concern, and the risk of ad-hoc development foreclosing opportunities to achieve the outcomes in the Masterplan such as the blue-green network was a reason why they supported the SPP process for the Variation.

47. It is noted for completeness, the application also included the views of Te Rūnanga o Ngāi Tahu as the iwi authority. Their comments were that they would be guided by and were comfortable with the views provided by the Papatipu Rūnanga.

48. We consider that issuing a direction to use a SPP is consistent with the relevant obligations set out in iwi participation legislation, subject to any further information provided through consultation.

Other relevant matters for you to consider (clause 76(2)(d)) include intersects with the NPS-UD and Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, fast-track consenting referred projects relevant to the Masterplan area, and timeframes for Resource Management Reform

Other requirements arising from the NPS-UD and Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

49. The NPS-UD required QLDC to notify a plan change by 20 August 2022 to implement Policy 5 (enable heights and density of urban form commensurate with greater level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or relative demand for housing and business use in that location). The former Mayor of QLDC wrote to you in September 2022 to advise that they have been unable to meet the notification timeframe. They advised that the plan change to give effect to Policy 5 is currently being prepared as a high priority, and will be publicly notified via Schedule 1 of the RMA as soon as possible in 2023.
50. QLDC is a Tier 2 local authority and is not required to implement the Medium Density Residential Standards (MDRS) introduced in the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMEHA).
51. You can direct that regulations be made to require Tier 2 territorial authorities to prepare and notify an intensification planning instrument. An intensification streamlined planning process can only be used once QLDC's preference is that, if it is used, this applies to housing intensification at a district-wide level. They have advised of development pressures on this area and the ongoing section 32 work for their plan change to implement Policy 5 of the NPS-UD (which is not yet at a stage where it is ready to be notified). Accordingly, use of a SPP process for the Variation is preferable now, rather than waiting to include Variation provisions in the Policy 5 Plan Change. We consider that that requirements of the NPS-UD Policy 5 and RMEHA do not preclude or require use of a SPP for this area-specific Variation while a concurrent ISPP is proposed or underway.

Projects referred for Fast-track Consenting (FTC)

52. Appendix 7 includes a summary and update on the status of relevant Fast-track Projects within the Masterplan area referred under the COVID-19 Recovery (Fast-track Consenting) Act 2020. These are relevant context as evidence of the urgency of giving statutory weight to a Masterplan which considers integration of development. We consider that FTC applications and appeals do not in themselves preclude or require a particular procedural action.

Resource Management Reform

53. It is anticipated that the Natural and Built Environment Bill (NBE Bill) will be enacted in mid-2023. However, only a limited number of provisions will commence at or shortly after enactment. MOG #16 agreed in principle that proceedings commenced under the RMA prior to enactment of the Spatial Planning Bill (SP Bill) and NBE Bill would generally continue under the provisions of the RMA as existing at the time of application.

54. During the transition from the RMA to the SP Bill and NBE Bill, much of the RMA will continue to apply. [REDACTED]

55. If you approve the proposed SPP, it would continue to be processed under the RMA as the application was lodged under the RMA. [REDACTED]

Issuing a Direction to use a SPP and the contents of the draft Direction below are consistent with the purpose of the SPP process (clause 76(2)(e) and clause 78(2)(a)) and Part 2 of the RMA

56. Overall, we consider that use of the SPP and the draft Direction in Appendix 4 will enable a process that is proportionate to the complexity and significance of the proposal.

57. The Variation is providing for long-term growth planning within the Queenstown Lakes District, an area facing significant growth demand and with long-standing housing affordability challenges. There is a risk if a SPP is not used that the integrated development objectives sought in the Masterplan process (which has involved significant technical work and community engagement) will not be realised.

58. The SPP proposed in Appendix 4 would enable a robust submission and hearings process to refine the approach proposed in the Variation, and if granted would likely allow the Masterplan to be given statutory weight earlier than a standard Schedule 1 consultation process which would include appeals to the Environment Court on substantive matters.

59. Your Direction and Statement of Expectations must be consistent with Part 2 of the RMA. Our advice is that the content of the draft Direction in Appendix 4 is consistent with the purpose and principles set out in Part 2 of the RMA to the extent relevant at this stage of your decision-making. Further analysis of the requirements of Part 2 will be undertaken in future briefings following consultation if you decide to proceed.

QLDC have suggested procedural steps and some matters for inclusion in the draft Direction and Statement of Expectations but we recommend that you amend these to include additional steps and considerations (clause 78)

60. Clause 78 of Schedule 1 sets out the framework for the content of a Direction to use the SPP and the matters to which you must have regard in determining the content. The Direction must include certain minimum steps (clause 78(4)), your Statement of Expectations, and any other procedural requirements you consider appropriate to achieve the purpose of the SPP.

61. In deciding the content of a Direction, you must have regard to the purpose of the proposed SPP in section 80B, QLDC's application and any supplementary information provided by QLDC.

62. QLDC's application (Appendix 2) includes proposed process steps and timeframes and suggests some matters for you to consider. We recommend some changes to ensure the

process is proportionate to the complexity of the issues involved, particularly in relation to identified planning issues and stakeholder interests.

63. In summary, the key changes we proposed to QLDC's version are:

- a. a further submissions stage;
- b. additional requirements for expertise on the IHP including a member or members with experience in urban form impacts on climate change emissions and Ngāi Tahu values as relevant to the proposal;
- c. a more specific expectation related to the delivery of housing and typologies identified as a shortfall in the QLDC Housing Development Capacity Assessment 2021 (HCA);
- d. an expectation to ensure provisions of appropriate and feasible infrastructure specifically within the context of reducing greenhouse gas emissions and providing for stormwater management;
- e. an expectation to recognise and protect sensitive receiving environments including Slope Hill, Waiwhakaata / Lake Hayes, and the Shotover River;
- f. a procedural requirement to directly notify parties involved in relevant live appeals on the District Plan review; and
- g. a procedural requirement that prior to notification QLDC update the s32 report to have regard to the NAP and ERP and include views of tangata whenua on the stormwater management provisions.

Table 1: Analysis of the Minister for the Environment's draft Direction for a SPP

Draft Direction recommended by MfE Officials	Assessment	Statutory requirements and consistency with QLDC's suggested Direction
Step 1: Consultation with affected parties on the proposed planning instrument, including any applicable Crown Agency and iwi authorities (if not already done). Extensive engagement and consultation on the Masterplan and Proposed Plan Variation has been	Officials agree that engagement on the Masterplan and Proposed Plan Variation have already occurred.	Consultation with affected parties on the proposed planning instrument, including with the responsible Minister and iwi authorities (if not already undertaken) is a statutory

Draft Direction recommended by MfE Officials	Assessment	Statutory requirements and consistency with QLDC's suggested Direction
undertaken over the last two years, including consultation in accordance with clause 1A-3A of the Schedule 1 of the RMA and public feedback on drafts.		<p>requirement (clause 78(4)(a)).</p> <p>This step is the same as what QLDC proposed.</p>
<p>Step 2: Update the section 32 report to show:</p> <ul style="list-style-type: none"> - how the council has had regard to the Emissions Reduction Plan (ERP) and the National Adaptation Plan (NAP) in preparing the Variation; and - the extent to which concerns raised by ngā rūnanga about stormwater discharges have been addressed by the provisions in the Variation. 	<p>Officials consider that the IHP will need additional analysis and evidence in order to:</p> <ul style="list-style-type: none"> - consider new legislative requirements to have regard to the NAP and ERP; and - to understand how the Council has recognised and provided for the relationship of Ngāi Tahu rūnanga with their ancestral lands, waters, sites and other taonga. 	<p>This would be in addition to what was proposed by QLDC.</p>
<p>Step 3: Public notification of the proposed planning instrument in accordance with clause 5 (other than clause 5(3)), or limited notification under clause 5A. Publicly notify the Proposed Plan Variation for written submissions in accordance with clause 5 of Schedule 1 of the RMA. A period of 30 working days for submissions</p>	<p>Officials agree that this step is a statutory requirement and given the complexity of the Variation, 30 working days is an appropriate length of time for submissions.</p>	<p>Public notification of the proposed planning instrument in accordance with clause 5 is a statutory requirement (clause 78(4)(b)). Clause 5 requires at least 20 working days for submissions.</p> <p>This step is the same as what QLDC proposed.</p>

Draft Direction recommended by MfE Officials	Assessment	Statutory requirements and consistency with QLDC's suggested Direction
must be specified in the public notice.		
Step 4: Provide an opportunity for written submissions under clause 6 or 6A of Schedule 1 of the RMA.	Officials agree that this step is a statutory requirement.	An opportunity for written submissions is a statutory requirement (clause 78(4)(c)). This step is substantially the same as what QLDC proposed.
Step 5: Serve notice of the Proposed Te Pūhahi Ladies Mile Plan Variation on the parties to the following appeals on the Proposed Queenstown Lakes District Plan: ENV-2019-CHC-047 and ENV-2019-CHC-059.	There are two live appeals on the Proposed Queenstown Lakes District Plan: one seeking inclusion of additional land outside the Variation area and the other opposing building setbacks from SH6. Notifying the parties to those appeals of the SPP (in addition to general public notification requirements) will ensure those parties are aware of the SPP and allow them to consider what course of action to take in light of opportunities to submit on and participate in the SPP.	This would be in addition to what was proposed by QLDC.
Step 6: Summary of submissions made publicly available. Summary of the submissions and copies of the submissions received under Step 3 will be made publicly available on the Council's website so the submissions can be easily referred to by the public,	Officials agree that this step will facilitate participation in the process and the efficient conduct of the hearings.	This step is not a statutory requirement. This step is substantially the same as what QLDC proposed.

Draft Direction recommended by MfE Officials	Assessment	Statutory requirements and consistency with QLDC's suggested Direction
section 42A officers and hearing panel at the hearing.		
<p>Step 7: Provide an opportunity for further submissions in accordance with clauses 8 and 8A of Schedule 1 of the RMA. Further submissions to be received no later than 10 working days after public notice given.</p>	<p>QLDC requested that the Direction not include a further submission stage on the basis that significant stakeholder engagement and public consultation has already been undertaken on the Masterplan and Variation.</p> <p>Officials consider that the consultation on the Masterplan and proposed plan provisions in April 2021 found that the proposal was contentious with the majority of feedback in opposition to the draft Masterplan. Further submissions enable responses to issues that might be raised in submissions (for example, if there was a submission seeking substantial changes to the Masterplan or inclusion of additional sites outside of what has already been identified).</p> <p>Given this context, the comparatively small amount of additional time added by the further submission step, and the effect of the SPP of limiting appeal rights, we consider it is proportionate to include a further submission stage to ensure a robust decision-making process.</p>	<p>This step is not a statutory requirement and was not proposed by QLDC.</p>

Draft Direction recommended by MfE Officials	Assessment	Statutory requirements and consistency with QLDC's suggested Direction
<p>Step 8: Provide for the Minister for the Environment a written report demonstrating compliance with the steps and timelines and identify any issues which may have a bearing on meeting the Minister's Direction and Statement of Expectations. The progress report should be provided to the Minister for the Environment no later than 10 working days after the completion of further submissions.</p>	<p>While this step is not a statutory requirement, it has been included in a number of recent Directions for the SPP¹⁴ to enable consideration of whether any extension of timeframes or amendments to the Direction may be necessary in good time for the Minister to consider them.</p>	<p>This step is not a statutory requirement.</p> <p>QLDC did not include this step in their draft table but noted in the commentary beneath it that it supported inclusions of this step.¹⁵</p>
<p>Step 9: If considered appropriate (either following a request or on the initiative of QLDC), undertake resolution of disputes in accordance with clause 8AA of Schedule 1 of the RMA (to the extent applicable under this Direction).</p>	<p>While this step is not a statutory requirement and was not proposed by QLDC it has been included in a number of recent Directions for the SPP to clarify the processes that could be used for mediation to narrow the issues that need to be considered by the hearings panel and to expedite that stage of the process.</p>	<p>This step is not a statutory requirement and was not proposed by QLDC.</p>

¹⁴ The Resource Management (Direction to Porirua City Council to Enter the Streamlined Planning Process for a Proposed Change to the Porirua District Plan—Proposed Plimmerton Farm Plan Change) Notice 2020; The Resource Management (Direction to Rotorua District Council to Enter the Streamlined Planning Process for a Proposed Change to the Rotorua District Plan—Plan Change 2: Pukehangi Heights) Notice 2019; The Resource Management (Direction to Waikato Regional Council to Enter the Streamlined Planning Process for Proposed Changes to Chapter 3.10 of the Waikato Regional Plan) Notice 2020; The Resource Management (Direction to Hastings District Council to Enter the Streamlined Planning Process for a Variation to its Proposed District Plan – Iona Rezoning Variation) Notice 2018

¹⁵ QLDC Application for request to use a Streamlined Planning Process for the Proposed Te Pūtahi Ladies Mile Plan Variation. p.30

Draft Direction recommended by MfE Officials	Assessment	Statutory requirements and consistency with QLDC's suggested Direction
<p>Step 10: Public hearing before an independent hearings panel. A public hearing under clause 8B (to the extent applicable) will be held, with the length to be determined by the number of submissions received and outcome of expert conferencing. The hearings panel may permit cross-examination. Step 10 to commence no later than 85 working days after the close of further submissions in Step 7.</p>	<p>Officials agree with QLDC's assessment that a hearing enabling public participation on the Variation will help to ensure robust decision-making and that 85 days is a consistent with previous SPP Directions. QLDC anticipates significant public interest and estimates that this time would be appropriate to consider the submissions, prepare a section 42A report to assist the hearings panel and to arrange mediation if desirable to narrow the range of issues.</p>	<p>This step is not a statutory requirement.</p> <p>This step is the same as what QLDC proposed.</p>
<p>Step 11: The preparation of reports and documents required by clause 83(1)(a) to (g). The hearings panel shall prepare a draft report to the Minister for the Environment detailing how submissions have been considered and recommended changes (if any) as a result of submission, including a section 32AA report if required. Step 11 to be completed no later than 50 working days after completion of the public hearing in Step 10.</p>	<p>Officials agree that these are mandatory reporting requirements and that the timeframes proposed appear reasonable (without knowing at this stage the number or complexity of submissions and evidence that will need to be considered).</p>	<p>A report showing how submissions have been considered and the changes (if any) made to the proposed planning instrument and the preparation of an evaluation report on the proposed planning instrument under section 32 or 32AA, as may be relevant are statutory requirements for the SPP (clause 78(4)(d) and (e) and clause 83(1)).</p> <p>This step is the same as what QLDC proposed.</p>
<p>Step 12: Notification of draft reports and documents required by clause 83(1)(a) to (g) to Council and submitters</p>	<p>While this step is not required, it has generally been included in recent Directions. Officials agree with QLDC that it provides a</p>	<p>This step is not a statutory requirement.</p>

Draft Direction recommended by MfE Officials	Assessment	Statutory requirements and consistency with QLDC's suggested Direction
for feedback. The draft report is to be notified to the Council and submitters to enable comments, limited to correction of minor or technical errors or omissions only. Comments cannot be made on the hearings panel's recommendation, or reasons for the recommendation. The feedback in Step 12 to be received no later than five working days following the notification of the draft report.	good opportunity to correct minor or technical errors before the recommendation reports are finalised.	This step is the same as what QLDC proposed
Step 13: Submit to the Minister for the Environment the reports and documents required by clause 83(1) (a) to (g). The hearings panel shall submit the final report to the Minister for the Environment detailing how submissions have been considered and recommended changes (if any) as a result of submission, including a section 32AA report if required. To be submitted to the Minister no later than 10 working days after the completion of Steps 11 and 12.	Officials agree that this is a statutory requirement and that the timeframes are appropriate.	An opportunity for the Minister to give particular regard to the reports prepared above is a statutory requirement (clause 78(4)(f)). This step is the same as what QLDC proposed.
The SPP must be completed: Steps 3-13 to be completed no later than 260 working days after the Ministerial Direction takes effect	Officials agree that the timeframes proposed by QLDC are appropriate given the scale of the proposal, complexity of	Specification of the timeframes for completing the SPP is a statutory requirement (clause 78(4)(g)).

Draft Direction recommended by MfE Officials	Assessment	Statutory requirements and consistency with QLDC's suggested Direction
	<p>the issues and likely public interest.</p> <p>20 working days have been added to the 240 working days proposed by QLDC to account for the further submission period and summary/analysis of further submissions.</p>	<p>This step is substantially the same as what QLDC proposed. Officials have added a standard clarification of how the time period is calculated.</p>
<p>In accordance with clause 78(5) of Schedule 1 of the RMA, the Minister directs that the hearing panel convened to hear submissions under Step 6 must include at least three independent hearing commissioners. The hearing panel must have:</p> <ul style="list-style-type: none"> • represented across its members knowledge, skills and experience in: <ul style="list-style-type: none"> ○ urban design, strategic and urban growth planning, and resource management planning, ○ transport planning and/or traffic engineering, ○ urban form impacts on climate change emissions, ○ stormwater and/or freshwater planning 	<p>Officials agree with QLDC that given the limited appeal rights resulting from the SPP process, use of an independent hearings panel with specified expertise in matters relevant to the planning matters being traversed would assist in ensuring a robust decision-making process.</p> <p>We consider given the matters raised in previous consultation that this is important enough to make it a mandatory direction rather than a matter for the council to consider as part of the Statement of Expectations, but there is the option to use less directive language.</p> <p>We have made minor modifications to the descriptions of the areas of expertise to clarify that the range of expertise should be represented across the panel and which areas are substitutable or not.</p> <p>Because the SPP process would limit appeals and avenues for recourse to judicial review,</p>	<p>The Minister may also include in the SPP any other procedural requirements that the Minister considers appropriate (clause 78(5)).</p> <p>QLDC proposed an independent hearings panel with at least three commissioners with the following skills:</p> <p>Member(s) with knowledge, skills or experience in either: urban design, strategic and urban growth planning, or resource management planning; and</p> <p>expertise in freshwater planning, including giving effect to Te Mana o te Wai, stormwater planning and transport / traffic engineering</p>

Draft Direction recommended by MfE Officials	Assessment	Statutory requirements and consistency with QLDC's suggested Direction
<p>including giving effect to Te Mana o te Wai,</p> <ul style="list-style-type: none"> ○ Ngāi Tahu values as relevant to the proposal • a Chair with experience in the Environment Court of the exercise of control over the manner of questioning and cross-examination of any party or witness. 	<p>officials consider it is appropriate to also require at least one of the panel members to have knowledge of Ngāi Tahu values.</p> <p>Because this will be one of the first plan change processes where regard must be had to the NAP and ERP, officials consider it would be appropriate to require at least one panel member to have knowledge and experience of urban form impacts on climate change emissions.</p>	<p>A Chair with experience in the Environment Court of the exercise of control over the manner of questioning and cross-examination of any party or witness.</p>

64. In addition to the recommendations above the Direction, officials recommend the following for your Statement of Expectations:

Table 2: Analysis of the Minister for the Environment's Proposed Statement of Expectations

Proposed Statement of Expectations (SoE) by MfE Officials	Assessment	Other considerations
The expectations of the Minister for the Environment are that the proposed Te Pūtahi Ladies Mile Plan Variation:		
<p>i. contributes to providing sufficient opportunities for the development of housing and business land to meet demand, and which will provide choices to meet the needs of people and communities and future generations for a range of housing typologies not otherwise provided for elsewhere in the District;</p>	<p>Officials support the overall intent of the wording that was proposed by QLDC in terms of its consistency with the NPS-UD objectives and policies.</p> <p>As the Variation also applies to mixed-use and commercial developments, we consider it is appropriate to also recognise provision of business land in the Statement of Expectations.</p>	<p>QLDC proposed:</p> <p>i. contributes to providing sufficient opportunities for the development of housing land to meet demand, and which will provide choices to meet the needs of people and communities and future generations for a range of</p>

Proposed Statement of Expectations (SoE) by MfE Officials	Assessment	Other considerations
<p><u>ensure a well-functioning urban environment including maximising opportunities to enable housing, particularly of the typologies identified as a shortfall in Queenstown's Housing Development Capacity Assessment 2021 (housing suitable for older households, smaller households, and lower and lower-middle income households);</u></p>	<p>Officials suggest rewording the reference in QLDC's suggested Direction to "a range of housing typologies not otherwise provided for elsewhere in the District" as medium and high-density typologies likely are provided elsewhere.</p> <p>We suggest wording that refocuses on housing choice and affordability to more specifically align with the justification of implementing the NPS-UD provided in the application.</p>	<p>housing typologies not otherwise provided for elsewhere in the District;</p>
<p>ii. ensures that future development will be undertaken in a manner which recognises the limitations of the existing transport network in this location;</p>	<p>Officials agree with QLDC that the Statement of Expectations should include consideration of the constraints of the transport network.</p>	<p>QLDC proposed:</p> <p>ii. The Proposed Plan Variation ensures that future development will be undertaken in a manner which recognises the limitations of the existing transport network in this location;</p>
<p><u>iii. ensures appropriate and feasible infrastructure is provided for in Te Pūtahī Ladies Mile Zone, including stormwater management that allows for future climate change impacts, and access to everyday needs through transport options that support emissions reduction (such as public and/or active transport);</u></p>	<p>Objective 1 of the NPS-UD seeks to achieve well-functioning urban environments while Objective 6 notes the importance of urban development being integrated with infrastructure planning and funding decisions. Objective 8 seeks urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.</p> <p>The Variation proposes managing transport network constraints in the area by</p>	<p>This expectation would be in addition to what was proposed by QLDC.</p>

Proposed Statement of Expectations (SoE) by MfE Officials	Assessment	Other considerations
	<p>supporting increased provision of active and public transport and providing more social infrastructure (schools, recreation areas, a mixed-use commercial centre) on the east side of the Shotover Bridge. These types of provisions would also be key to managing emissions reduction and promoting climate change resilience.</p> <p>Likewise, the location of stormwater management areas was contentious in the planning process and is of keen interest to ngā rūnanga.</p> <p>On that basis, we recommend an additional expectation to consider adequate and integrated provision of infrastructure beyond just existing constraints on the transport network.</p>	
<p><u>iv. ensures future development will be undertaken in a manner that recognises and protects sensitive receiving environments including in particular Slope Hill, Waiwhakaata / Lake Hayes and the Shotover River.</u></p>	<p>Section 6 of the RMA already requires decision-makers to recognise and provide for the preservation of the natural character of lakes and rivers (Waiwhakaata / Lake Hayes and the Shotover River), the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (sensitive nesting habitats and matagouri stands identified in the ecological assessment) and the protection of outstanding natural features (Slope Hill).</p>	<p>This expectation would be in addition to what was proposed by QLDC.</p>

Proposed Statement of Expectations (SoE) by MfE Officials	Assessment	Other considerations
	However, given the consideration in the recent FTC decision on Flints Park to impacts on Slope Hill (discussed above) and the interest expressed by ngā rūnanga and the wider community to protect significant natural areas (SNAs) near Waiwhakaata / Lake Hayes and improve water quality issues there, we consider it appropriate that you set an expectation specific to those issues.	
The expectations of the Minister for the Environment for Queenstown Lakes District Council are that in undertaking the Streamlined Planning Process as directed the council will:		
i. continue to engage with Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Te Rūnanga o Awarua, Te Rūnanga o Ōraka Aparima, Te Rūnaka o Waihōpai and Waka Kotahi/the New Zealand Transport Agency throughout the streamlined planning process;	Officials agree that ongoing engagement with ngā rūnanga and Waka Kotahi is appropriate given the key considerations identified for the Variation.	This was proposed by QLDC as an expectation for the Variation. The proposed Statement of Expectations moves it from the section on expected outcomes for the Variation into the section on expectations for the process.
ii. place on a publicly accessible website the dates and anticipated timeframes for the process steps (with updates as necessary).	Officials agree that this process step will support participation in the process by facilitating access to information about the Variation.	QLDC proposed the same wording.

You are required to consult on use of the SPP and the draft Direction with QLDC and any other relevant Ministers of the Crown and may consult with any other person (clause 76(4))

65. If you agree with the content of the draft Direction and Statement of Expectations, you must consider who to consult with and any key matters to raise.

66. Officials recommend that you consult with the following Ministers with relevant portfolios on the following key matters including whether they are comfortable with the proposal given their portfolio responsibilities and if there are any other relevant matters not identified by the application:

Table 3: Recommended Ministers to consult with and proposed matters to raise

Minister	Reason for consulting	Matters to raise
Minister of Housing	<p>QLDC's partial reliance on implementation of the NPS-UD as a justification for using the SPP.</p> <p>The Variation will in part assist QLDC with meeting its growth targets and providing additional development capacity and housing choice.</p>	<p>Whether there are any concerns about the way in or degree to which the Variation is implementing the NPS-UD.</p> <p>Whether there are potential impacts on the interests of Kāinga Ora.</p>
Minister of Transport	<p>Impacts on SH6 and the Shotover Bridge were identified in submissions on the draft Masterplan as key issues. The section 32 report included with the application notes that Waka Kotahi supported the Masterplan subject to meeting mode shift targets, however it would be useful to check if any changes proposed or more recent developments have altered their view.</p>	<p>Whether Waka Kotahi has any concerns about the Variation as proposed to be notified in particular with regards to impacts on SH6 and the Shotover Bridge.</p>
Minister of Education	<p>Several school sites are signalled in the Masterplan.</p>	<p>Whether there are any relevant matters to the provisions for education facilities in the Variation which have not already been addressed.</p>
Minister of Conservation	<p>Slope Hill is an ONF and the ecological assessment recommended avoiding clearance of matagouri and off-site management measures to avoid loss of habitat for nesting birds. They may also have an interest in the potential for impacts on freshwater values at</p>	<p>That there are significant landscape and ecological values identified in and surrounding the area affected by the Variation and whether the proposed additions to the Statement of Expectations adequately reflect these.</p>

	Waiwhakaata / Lake Hayes and/or the Kimitiākau/ Shotover River.	
Minister for Arts, Culture and Heritage	There are several scheduled heritage buildings and structures in the Masterplan area, in particular the Glenpanel homestead which is a Category 3 Heritage Feature in the District Plan. The Variation is also adjacent to an Outstanding Natural Feature (Slope Hill) and is set in a wider context of a number of ONFs and ONLs.	Whether there are any specific matters relating to this portfolio that need consideration as part of this application for use of a SPP.
Minister for Māori Crown Relations: Te Arawhiti	These Ministers may have views on the obligations of the Crown in proposing a SPP which removes some of the standard aspects of the Schedule 1 process under the RMA, including appeal rights.	Whether there are any relevant obligations in iwi participation legislation which have not been identified to date.
Minister for Māori Development		
Minister of Regional and Economic Development	They were a member of the Whaiora Grow Well Partnership which prepared the Masterplan.	Whether there are any specific matters relating to this portfolio that need consideration as part of this application for use of a SPP.
Minister of Climate Change	The Variation is one of the first plan change proposals likely to be notified after the new requirements to have regard to the NAP and ERP have come in.	whether there are particular matters relating to the Variation that QLDC should give consideration to in having regard to the National Adaptation Plan (NAP) and/or Emissions Reduction Plan (ERP).
Minister of Local Government	The Variation implements the Masterplan which was prepared by the Whaiora Grow Well Partnership, a partnership between Iwi and Central and Local Government.	Whether there are any specific matters relating to this portfolio that need consideration as part of this application for use of a SPP.

67. At your discretion, you may also consult with any other person(s). Officials recommend that you also consult with the following other parties:

Table 4: Recommended other parties to consult with a proposed matters to raise

Parties	Reason for consulting	Matters to raise
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Otago Regional Council	They can comment on the consistency of the proposal with strategic directions for regional growth and stormwater management.	Whether in their view the proposal is consistent with relevant regional growth strategies and provisions for management of stormwater.
Te Rūnanga o Moeraki; Kāti Huirapa Rūnaka ki Puketeraki; Te Rūnanga o Ōtākou; and Hokonui Rūnanga (cc'ing their consultancy Aukaha)	While the application includes emails from Aukaha and Te Ao Marama Inc on use of the SPP, they have not provided views on specific changes proposed to the draft Direction and Statement of Expectations.	Whether they support the specific SPP proposed by way of the Direction in Appendix 4 including the Statement of Expectations in your draft Direction.
Te Rūnanga o Awarua; Te Rūnanga o Ōraka Aparima; and Te Rūnaka o Waihōpai (cc'ing their consultancy Te Ao Marama)		
Te Rūnanga o Ngāi Tahu	While the application includes an email from Te Rūnanga o Ngāi Tahu indicating support for the position of ngā rūnanga, they have not provided views on specific changes proposed to the draft Direction and Statement of Expectations.	

68 According to QLDC, there are no designations affected or proposed as part of the Variation or private plan change requests affecting the area. In consulting with QLDC on the proposed Variation, they would have another opportunity to confirm that this has not changed since lodging the application.

Other considerations

Consultation and collaboration

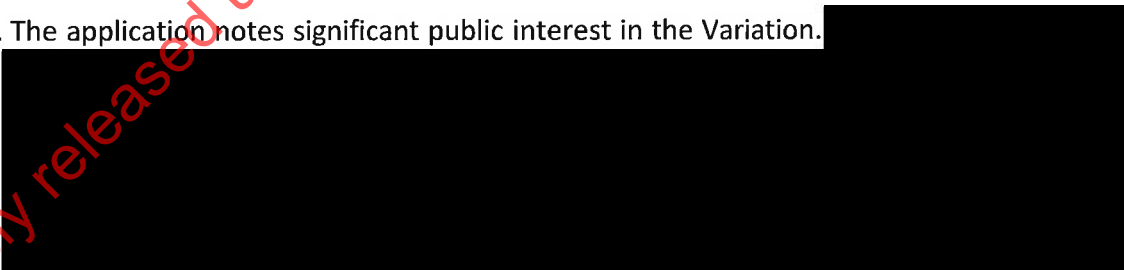
69. QLDC undertook stakeholder and public engagement through the Masterplan process in 2018. This is detailed in Appendix C to the application. Key themes that emerged from community engagement included concern over traffic impacts and a preference for less intensive development, particularly where it could be viewed from SH6 and Waiwhakaata / Lake Hayes. QLDC consider that the proposed Structure Plan and provisions in the Variation address these concerns by setting more intensive development back from SH6 and Waiwhakaata / Lake Hayes and requiring transport upgrades to be in place ahead of development.
70. Consultation included the Whaiora Grow Well Partnership between QLDC, Kāi Tahu and central government on long-term growth for Queenstown. The Whaiora Grow Well Partnership adopted the Masterplan in 2021.
71. Email correspondence from Aukaha and Te Ao Marama, the consultancies that represent the seven identified affected rūnanaga, were included with the application. This correspondence did not oppose the use of the SPP.

Risks and mitigations

Timeframes

72. There are no statutory timeframes that apply to your decisions on consultation and determination on the SPP application. However, a general duty to avoid unreasonable delay applies as well as consideration of the purpose of the SPP in section 80B(1) to achieve an expeditious planning process proportionate to the complexity and significance of the planning issues being considered.

Public interest in the proposal

73. The application notes significant public interest in the Variation. 

Delivery of proposed commercial development and services to mitigate traffic impacts is not guaranteed

74. QLDC relies on the provision of commercial services, education facilities, and other social infrastructure on the east side of the Shotover Bridge to manage potential impacts on the transport network. The Variation and Masterplan do not guarantee that those services and facilities will be developed. There is a risk that the Masterplan area could

be developed entirely for housing instead and that this would exacerbate existing constraints on the transport network. However, the Variation does include Policy 49.2.1.1, which requires development to be consistent with the Structure Plan.

75. The Variation does not prohibit development which is not consistent with it. However, any application that was not consistent (eg. for residential development only where the commercial centre is identified in the Structure Plan) would still need to be assessed against the suite of objectives and policies implementing the NPS-UD for a well-functioning urban environment including Objective 49.2.2 (“a self-sustaining community”), Objective 49.2.6 (“development reduces as far as practicable, vehicle trips along SH6 generated by the adjoining residential areas”), and Policy 49.2.6.5 (“avoid development where specific transport infrastructure works have not been completed unless it can be demonstrated that development will avoid future and cumulative adverse effects from additional traffic movements on SH6”).
76. The IHP would have scope to consider the adequacy of these provisions for delivering the outcomes sought by the Masterplan.

Potential intersects with other processes

77. Decision making on FTC-referred projects may be occurring in parallel with the SPP. There may be some risk of misalignment with the Masterplan outcomes as those decisions would give more weight to operative rather than proposed provisions. This risk would be mitigated by progressing the SPP process. The sooner the Variation is notified, the sooner decision makers can take it into account.



80. When QLDC notifies its plan variation to implement Policy 5 of the NPS-UD there is some risk of inconsistency arising from overarching objectives and policies on urban growth in the Policy 5 Variation and the objectives and policies in the Ladies Mile Variation being decided by separate Panels. However, officials consider this risk is manageable by the Panels, particularly as the focus on Policy 5 is on rules more than objectives and policies,

¹⁶ Application pp38-39. This table notes four appeals but QLDC subsequently advised that two of these (ENV-2019-CHC-069 and ENV-2019-CHC-070) have been settled.

Ladies Mile is proposed to be a special purpose zone with its own set of objectives and policies, and both Variations are giving effect to the same NPS.

81. The proposed Otago Regional Policy Statement (pORPS) includes a new Policy UFD-P1 that would require QLDC in undertaking strategic planning processes to “ensure integration of land use and infrastructure, including how, where, and when necessary development infrastructure and additional infrastructure will be provided and by whom.” The hearing on the pORPS starts in January 2023, so barring appeals, there is the potential that the IHP for the Variation would need to give additional weight to this Policy depending on how far it has progressed. The SPP application notes Policy UFD-P1, but it is only proposed at this stage, and the Variation leaves questions of how, when and who will deliver stormwater infrastructure unresolved. The IHP would need to consider how to give effect to this Policy if infrastructure delivery issues have not been resolved before then.

Legal issues



Financial, regulatory and legislative implications

83. There are no implications arising from this briefing note.


Next steps






84. If you choose to proceed to conduct consultations with relevant Ministers and other parties/groups, the next step is to sign the letters attached in Appendix 5 to begin your consultation on the proposed SPP and your draft Direction under Clause 76(4) of Schedule 1 of the RMA.
85. After you have completed consultation, you can proceed to give a Direction to QLDC (with or without amendment to take into account feedback), or you may decline QLDC's request (clause 78).
86. If you decide to issue a Direction, it must be served on QLDC, published in the Gazette, and table in the House of Representatives (as secondary legislation).
87. You will be required to decide whether to approve, require further consideration, or decline the Variation at the end of the process if you issue a Direction to QLDC to use the SPP.


Appendix 1: Recommendations

Officials recommend that you:

Proactively released under provisions of the Official Information Act 1982



	Analysis by MfE	Recommendations on application	Minister's decision
Contents of application for directions (clause 75)			
a.	Note that officials consider that the information provided by Queenstown Lakes District Council in Appendix 2 sufficiently sets out the matters required under the Resource Management Act 1991 for an application for a direction to use the Streamlined Planning Process as analysed in Appendix 6.		
'Entry criteria' for use of the Streamlined Planning Process			
b.	Note that Queenstown Lakes District Council is satisfied the application meets at least one of the 'entry criteria' for the use of the Streamlined Planning Process in section 80C(2) of the Resource Management Act 1991 because the proposed Te Pūhahi Ladies Mile Plan Variation will implement a national direction instrument (the National Policy Standard for Urban Development 2020), is urgent, and will meet a significant community need.		
c.	Officials consider that Queenstown Lakes District Council has provided sufficient explanation as to how it is satisfied it meets these three criteria. See analysis at paragraphs 38-42 above.	Agree Queenstown Lakes District Council has provided sufficient information and explanation to demonstrate that it is satisfied it meets at least one of the criteria in section 80C(2) of the Resource Management Act 1991, namely section 80C(2)(a) that the proposed planning instrument will implement a national direction, section 80C(2)(b) that the proposed Te Pūhahi Ladies Mile Plan Variation is urgent, and section 80C(2)(c) that it will meet a significant community need.	Yes/No 
Statutory considerations under Schedule 1, clause 76(2) in considering the request			
d.	Note that you are required to have regard to the matters specified in Schedule 1, clause 76(2) when considering a local authority's request for a Direction to use a Streamlined Planning Process.		





e.	See Appendix 2.	Agree that you have had regard to Queenstown Lakes District Council's written request to use a Streamlined Planning Process in accordance with Schedule 1, clause 76(2)(a) of the Resource Management Act 1991.	Yes/No 
f.	See analysis at paragraphs 28-37 above.	Agree that you have had regard to whether the local authority has provided sufficient information in support of its request in accordance with Schedule 1, clause 76(2)(b) of the Resource Management Act 1991.	Yes/No 
g.	See analysis at paragraphs 43-48 above.	Agree that you have had regard to relevant obligations set out in any iwi participation legislation or Mana Whakahono ā Rohe in accordance with Schedule 1, clause 76(2)(c) of the Resource Management Act 1991.	Yes/No 
h.	See analysis at paragraphs 49-55 above.	Agree that you have had regard to any other matters that you consider are relevant in accordance with Schedule 1, clause 76(2)(d) of the Resource Management Act 1991.	Yes/No 
i.	See analysis at paragraphs 56-59 above.	Agree that in determining whether or not to progress the application you have had regard to the purpose of the Streamlined Planning Process in accordance with Schedule 1, clause 76(2)(e) of the Resource Management Act 1991.	Yes/No 
<i>Statutory considerations under Schedule 1, clause 78 in regard to your draft Direction and its content</i>			
j.	Note that your draft Direction to Queenstown Lakes District Council to use a Streamlined Planning Process must set out at a minimum the procedural requirements specified in Schedule 1, clause 78(4).		

k.	Note that your draft Direction to Queenstown Lakes District Council to use a Streamlined Planning Process must include a Statement of Expectations in accordance with Schedule 1, clause 78(3)(b).		
l.	Note that your draft Direction to Queenstown Lakes District Council to use a Streamlined Planning Process may include any other procedural requirements and time frames that you consider appropriate in accordance with Schedule 1, clause 78(5).		
m.	Note that you are unable to issue a Direction to use the SPP if it is inconsistent with obligations under any relevant iwi participation legislation or Mana Whakahono ā Rohe in accordance with Schedule 1, clause 76(6).		
Either (preferred option)			
n.	See analysis in Table 1 at paragraph 63 above.	Agree that, in addition to the minimum steps specified in Schedule 1, clause 78(4), the following procedural requirements are appropriate to ensure Queenstown Lakes District Council's planning process is proportionate to the complexity and significance of the planning issues being considered:	
		<div>i. Update the section 32 report to show:<ul style="list-style-type: none">- how the council has had regard to the Emissions Reduction Plan (ERP) and the National Adaptation Plan (NAP) in preparing the Variation; and- the extent to which concerns raised by ngā rūnanga about stormwater discharges have been addressed by the provisions in the Variation.</div>	<div>Yes/No</div> <div></div>

		ii. Serve notice of the Proposed Te Pūtahi Ladies Mile Plan Variation on the parties to the following appeals on the Proposed Queenstown Lakes District Plan: ENV-2019-CHC-047 and ENV-2019-CHC-059.	Yes/No JH
		iii. Summary of submissions made publicly available. Summary of the submissions and copies of the submissions received will be made publicly available on the Council's website so the submissions can be easily referred to by the public, s42A officers and hearing panel at the hearing. No more than 30 working days after the close of the public submission period.	Yes/No JH
		iv. Provide an opportunity for further submissions in accordance with clauses 8 and 8A of Schedule 1 of the Resource Management Act 1991. Further submissions to be received no later than 10 working days after public notice given.	Yes/No JH
		v. Provide the Minister for the Environment a written report demonstrating compliance with the steps and timelines and identify any issues which may have a bearing on meeting the Minister's Direction and Statement of Expectations. The progress report should be provided to the Minister for the Environment no later than 10 working days after the completion of further submissions.	Yes/No JH

		vi. If considered appropriate (either following a request or on the initiative of Queenstown Lakes District Council), undertake resolution of disputes in accordance with clause 8AA of Schedule 1 of the Resource Management Act 1991 (to the extent applicable under this Direction).	Yes/No <i>Yes</i>
		vii. Public hearing before an independent hearings panel. A public hearing under Clause 8B (to the extent applicable) will be held, with the length to be determined by the number of submissions received and outcome of expert conferencing. The hearings panel may permit cross-examination. The hearing to commence no later than 85 working days after the close of further submissions.	Yes/No <i>Yes</i>
		viii. Notification of draft reports and documents required by clause 83(1)(a) to (g) to Council and submitters for feedback. The draft report is to be notified to the Council and submitters to enable comments, limited to correction of minor or technical errors or omissions only. Comments cannot be made on the hearings panel's recommendation, or reasons for the recommendation. The feedback to be received no later than five working days following the notification of the draft report.	Yes/No <i>Yes</i>

		ix. The Streamlined Planning Process from notification of the Variation to submission to the Minister for the Environment of draft reports required by clause 83(1)(a) to (g) must be completed no later than 260 working days after the Ministerial Direction takes effect.	Yes/No 
		<p>x. In accordance with clause 78(5) of Schedule 1 of the RMA, the Minister directs that the hearing panel convened to hear submissions must include at least three independent hearing commissioners. The hearing panel must have:</p> <ul style="list-style-type: none"> • represented across its members knowledge, skills and experience in: <ul style="list-style-type: none"> • urban design, strategic and urban growth planning, and resource management planning, • transport planning and/or traffic engineering, • urban form impacts on climate change emissions, • stormwater and/or freshwater planning including giving effect to Te Mana o te Wai; • Ngāi Tahu values as relevant to the proposal • Chair with experience in the Environment Court of the exercise of control over the manner of questioning and cross-examination of any party or witness. 	Yes/No 
o.	See analysis in Table 2 at paragraph 64 above.	<p>Agree to include the following matters in your proposed Statement of Expectations:</p> <p>The expectations of the Minister for the Environment are that the proposed Te Pūtahi Ladies Mile Plan Variation:</p>	

		i. Contributes to providing sufficient opportunities for the development of housing and business land to ensure a well-functioning urban environment including maximising opportunities to enable housing, particularly of the typologies identified as a shortfall in Queenstown's Housing Development Capacity Assessment 2021 (housing suitable for older households, smaller households, and lower and lower-middle income households);	Yes/No 
		ii. ensures that future development will be undertaken in a manner which recognises the limitations of the existing transport network in this location;	Yes/No 
		iii. ensures appropriate and feasible infrastructure is provided for in Te Pūtahi Ladies Mile Zone, including stormwater management that allows for future climate change impacts, and access to everyday needs through transport options that support emissions reduction (such as public and/or active transport);	Yes/No 
		iv. ensures future development will be undertaken in a manner that recognises and protects sensitive receiving environments including in particular Slope Hill, Waiwhakaata / Lake Hayes and the Shotover River.	Yes/No 

		The expectations of the Minister for the Environment for Queenstown Lakes District Council are that in undertaking the Streamlined Planning Process as directed the Council will:	
		i. continue to engage with Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga), Te Rūnanga o Awarua, Te Rūnanga o Ōraka Aparima, Te Rūnaka o Waihōpai and Waka Kotahi/the New Zealand Transport Agency throughout the streamlined planning process;	Yes/No JH
		ii. place on a publicly accessible website the dates and anticipated timeframes for the process steps (with updates as necessary);	Yes/No JH
p.	See analysis at paragraphs 56-59, Table 1 and Table 2 above.	Agree that in deciding on the content of your draft Direction, you have had regard to the purpose of the streamlined planning process, Queenstown Lakes District Council's request and any supplementary information provided by Queenstown Lakes District Council in accordance with Schedule 1, clause 78(2) of the Resource Management Act 1991; and the relevant requirements for your Direction in Schedule 1, clauses 78(3) and 78(4) of the Resource Management Act.	Yes/No JH
q.	See analysis at paragraphs 43-48 above.	Agree that you consider the draft Direction in Appendix 4 is not inconsistent with obligations under any relevant iwi participation legislation or Mana Whakahono ā Rohe.	Yes/No JH

Or			
r.		Meet with officials to discuss the content of the draft Direction in Appendix 4.	Yes/No <i>Yes</i>
<i>Consultation on the draft Direction</i>			
s.	Note that you are required to consult with Queenstown Lakes District Council, any other relevant Minister of the Crown and any requiring authority that has consented under section 170 to include a requirement in the Plan, on your draft Direction to use the SPP in Appendix 4 in accordance with Schedule 1, clause 76(4). You may also consult any other person about the content of the streamlined planning process that you are proposing.		
t.	See analysis at Table 3 above including matters that it is recommended you raise with each Minister.	Agree to consult with the Ministers of the Crown with the following relevant portfolios:	
		Minister of Housing	Yes/No
		Minister of Transport	Yes/No
		Minister of Education	Yes/No
		Minister of Conservation	Yes/No
		Minister for Arts, Culture and Heritage	Yes/No
		Minister for Māori Crown Relations: Te Arawhiti	Yes/No
		Minister for Māori Development	Yes/No
		Minister of Regional and Economic Development	Yes/No
		Minister of Climate Change	Yes/No
		Minister of Local Government	Yes/No <i>Yes</i>
u.	See analysis at Table 4 above including matters	Agree to consult with the following additional parties:	

	that it is recommended you raise with each party.	Otago Regional Council	Yes/No
		Te Rūnanga o Moeraki; Kāti Huirapa Rūnaka ki Puketeraki; Te Rūnanga o Ōtākou; Hokonui Rūnanga; Te Rūnanga o Awarua; Te Rūnanga o Ōraka Aparima; and Te Rūnaka o Waihōpai	Yes/No
		Te Rūnanga o Ngāi Tahu	Yes/No
Next steps			
Either (recommended)			
v.		Direct officials to continue processing the application as submitted by Queenstown Lakes District Council and consult on the content of the draft Direction and Statement of Expectations in Appendix 4.	Yes/No
w.		Agree to sign and send the letters in Appendix 5 to the parties you have agreed should be consulted in recommendations t) and u) above.	Yes/No
x.		Agree that this briefing and appendices can be released proactively on the Ministry for the Environment's website on completion of the Streamlined Planning Process, or once any other final decision is made on Queenstown Lakes District Council's request for a Direction to use the Streamlined Planning Process	Yes/No
Or			
y.		Meet with officials for further discussion.	Yes/No

Appendix 2: Application received from Queenstown Lakes District Council to use the Streamlined Planning Process

Proactively released under provisions of the Official Information Act 1982

Briefing Note – BRF-2427

Appendix 4: Draft Direction to Queenstown Lakes District Council to use the Streamlined Planning Process

The Minister for the Environment's draft Direction on the application from Queenstown Lakes District Council to use a Streamlined Planning Process for a Proposed Variation to the Queenstown Lakes District Plan (Proposed Te Pūtahi Ladies Mile Plan Variation)

The Minister for the Environment received an application from Queenstown Lakes District Council on 31 October 2022, pursuant to Section 80C and clause 75 of Schedule 1 of the Resource Management Act 1991 (RMA), to use a streamlined planning process to prepare a planning instrument known as the proposed Te Pūtahi Ladies Mile Plan Variation, a plan variation to the Queenstown Lakes District Plan.

In accordance with clause 78 of Schedule 1 of the RMA, the Minister for the Environment directs that the following streamlined planning process is used for Te Pūtahi Ladies Mile Plan Variation.

	Step	Timeframe
1	Consultation with affected parties on the proposed planning instrument, including any applicable Crown Agency and iwi authorities (if not already done).	Extensive engagement and consultation on the Masterplan and Proposed Plan Variation has been undertaken over the last two years, including consultation in accordance with clause 1A-3A of the Schedule 1 of the RMA and public feedback on drafts.
2	Update the s32 report to show: - how the council has had regard to the Emissions Reduction Plan (ERP) and the National Adaptation Plan (NAP) in preparing the Variation; and - the extent to which concerns raised by ngā rūnanga about stormwater discharges have been addressed by the provisions in the Variation.	Prior to public notification (Step 3)
3	Public notification of the proposed planning instrument in accordance with clause 5 (other than clause 5(3)), or limited notification under clause 5A. Publicly notify the Proposed Plan Variation for written submissions in accordance with clause 5 of Schedule 1 of the RMA. A period of 30 working days for submissions must be specified in the public notice.	No more than 30 working days of the Minister's Direction being gazetted.
4	Provide an opportunity for written submissions under clause 6 or 6A of Schedule 1 of the RMA.	30 working days after the public

		notification date in Step 3.
5	Serve notice of the Proposed Te Pūhahi Ladies Mile Plan Variation on the parties to the following appeals on the Proposed Queenstown Lakes District Plan: ENV-2019-CHC-047 and ENV-2019-CHC-059.	Concurrent with public notification (Steps 3 and 4)
6	Summary of submissions made publicly available. Summary of the submissions and copies of the submissions received under Step 3 will be made publicly available on the Council's website so the submissions can be easily referred to by the public, s42A officers and hearing panel at the hearing.	No more than 30 working days after the close of the public submission period (Step 4).
7	Provide an opportunity for further submissions in accordance with clauses 8 and 8A of Schedule 1 of the RMA.	Further submissions to be received no later than 10 working days after public notice given.
8	Provide for the Minister for the Environment a written report demonstrating compliance with the steps and timelines and identify any issues which may have a bearing on meeting the Minister's Direction and Statement of Expectations.	The progress report should be provided to the Minister for the Environment no later than 10 working days after the completion of further submissions.
9	If considered appropriate (either following a request or on the initiative of Queenstown Lakes District Council), undertake resolution of disputes in accordance with clause 8AA of Schedule 1 of the RMA (to the extent applicable under this Direction).	
10	Public hearing before an independent hearings panel. A public hearing under Clause 8B (to the extent applicable) will be held, with the length to be determined by the number of submissions received and outcome of expert conferencing. The hearings panel may permit cross-examination.	Step 10 to commence no later than 85 working days after the close of further submissions in Step 7.
11	The preparation of reports and documents required by clause 83(1)(a) to (g). The hearings panel shall prepare a draft report to the Minister for the Environment detailing how submissions have been considered and recommended changes (if any) as a result of submission, including a section 32AA report if required.	Step 11 to be completed no later than 50 working days after completion of the public hearing in Step 10.
12	Notification of draft reports and documents required by clause 83(1)(a) to (g) to Council and submitters for feedback. The draft report is to be notified to the Council and submitters to enable comments, limited to correction of minor or technical errors or omissions only. Comments cannot be made on the	The feedback in Step 12 to be received no later than five working days following the notification of the draft report.

	hearings panel's recommendation, or reasons for the recommendation.	
13	Submit to the Minister for the Environment the reports and documents required by clause 83(1) (a) to (g). The hearings panel shall submit the final report to the Minister for the Environment detailing how submissions have been considered and recommended changes (if any) as a result of submission, including a section 32AA report if required.	To be submitted to the Minister no later than 10 working days after the completion of Steps 11 and 12.
	The total time period within which the Streamlined Planning Process must be completed: The process is considered to be complete when the documents referred to in Step 13 above are submitted to the Minister for the Environment.	Steps 3-13 to be completed no later than 260 working days after the Ministerial Direction takes effect
<p>In accordance with clause 78(5) of Schedule 1 of the RMA, the Minister directs that the hearing panel convened to hear submissions under Step 10 must include at least three independent hearing commissioners. The hearing panel must have:</p> <ul style="list-style-type: none"> represented across its members knowledge, skills and experience in: <ul style="list-style-type: none"> urban design, strategic and urban growth planning, and resource management planning; and transport planning and/or traffic engineering; and urban form impacts on climate change emissions, stormwater and/or freshwater planning including giving effect to Te Mana o te Wai; Ngāi Tahu values as relevant to the proposal a Chair with experience in the Environment Court of the exercise of control over the manner of questioning and cross-examination of any party or witness. 		

Proposed Statement of Expectations

The expectations of the Minister for the Environment are that the proposed Te Pūtahi Ladies Mile Plan Variation:

- i. contributes to providing sufficient opportunities for the development of housing and business land to ensure a well-functioning urban environment including maximising opportunities to enable housing, particularly of the typologies identified as a shortfall in Queenstown's Housing Development Capacity Assessment 2021 (housing suitable for older households, smaller households, and lower and lower-middle income households);
- ii. ensures that future development will be undertaken in a manner which recognises the limitations of the existing transport network in this location;
- iii. ensures appropriate and feasible infrastructure is provided for in Te Pūtahi Ladies Mile Zone, including stormwater management that allows for future climate change impacts, and access to everyday needs through transport options that support emissions reduction (such as public and/or active transport);
- iv. ensures future development will be undertaken in a manner that recognises and protects sensitive receiving environments including in particular Slope Hill, Waiwhakaata / Lake Hayes and the Shotover River.

The expectations of the Minister for the Environment for Queenstown Lakes District Council are that in undertaking the Streamlined Planning Process as directed the Council will:

- i. continue to engage with Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Te Rūnanga o Awarua, Te Rūnanga o Ōraka Aparima, Te Rūnaka o Waihōpai and Waka Kotahi/the New Zealand Transport Agency throughout the streamlined planning process;
- ii. place on a publicly accessible website the dates and anticipated timeframes for the process steps (with updates as necessary).

Proposed Reporting Requirements

Queenstown Lakes District Council shall provide a written report to the Ministry for the Environment within 10 working days of the completion of the period for making further submissions. The report shall demonstrate compliance with the preceding steps and identify any issues which may affect the Council's ability to comply with the Minister's Direction.

Dated at Auckland 23rd day of January 2023

Hon David Parker
Minister for the Environment

Notes

- i. This Direction must be complied with.
- ii. Section 80B(2)(a) and (b) specifies all mandatory Schedule 1 requirements in any Streamlined Planning Process (to the extent they are applicable to the particular planning instrument).
- iii. Clause 80 of Schedule 1 of the RMA provides the Minister with the ability to amend this Direction on his/her own initiative or following a request from the local authority.
- iv. The Local Authority may, in accordance with clause 81 of Schedule 1 of the RMA apply in writing to the Minister for an extension of timeframes.
- v. Clause 89 of Schedule 1 of the RMA provides the Minister with the ability to revoke a Direction made under clause 78 of Schedule 1 of the RMA.
- vi. Clause 88 of Schedule 1 of the RMA provides for the Council to withdraw the planning instrument at any time prior to the Minister making his/her decision on the proposed planning instrument under Clause 84 of Schedule 1 of the RMA.

Appendix 6: Summary analysis of the application against the statutory criteria

SPP – Contents of application for Directions (Clause 75, Schedule 1) from the Minister	Analysis
<p>(i) Description of the planning issue (including any requirement, designation, or heritage order) for which a planning instrument is required, with an explanation as to how the proposal meets any of the criteria set out in section 80C(2)</p>	<p>Part I of the application from QLDC provides a description of the planning issues that the Variation seeks to address. These include managing growth and housing affordability while providing for the safe and efficient functioning of the transport network.</p> <p>Set out in Part II of their application, Eligibility Criteria, QLDC provide three reasons for how the proposal meets criteria set out in section 80C(2) stating that;</p> <ul style="list-style-type: none"> • the proposed planning instrument will implement a national direction, • as a matter of public policy, the planning instrument is urgent, • the proposed planning instrument is required to meet a significant community need. <p>Section 2.1 sets out how the Proposed Plan Variation will implement the NPS-UD. QLDC have stated that progressing the Proposed Plan Variation through the Streamlined Planning Process will allow the Council to better meet its obligations under and meet the national direction of the NPS-UD, in particular Objectives 1, a well-functioning urban environment; Objective 2, promoting better levels of affordability for more residents; and Objective 3, attaining a more appropriate built form and activity mix to achieve a critical mass of population that allows the urban area and to support public and active transport.</p> <p>Section 2.2 outlines the second reason QLDC have provided regarding the Proposed Plan Variation as a matter of public policy, the planning instrument is urgent due to the District Plan review resulting in the land within the focus being zoned for a comparatively low residential yield of approximately 120 residential units. QLDC has</p>

	<p>stated there are three consents applied for through the Fast Track Consenting Act of which one has been declined so far. Given these instances of landowners pushing ahead with applications to develop under the current zonings demonstrate the pressures for housing in this location and the potential risks that these developments could undermine the outcomes sought by the Masterplan and the Proposed Plan Variation.</p> <p>Lastly, section 2.3 by QLDC provides detail of how the Proposed Plan Variation is required to meet a significant community need with the need for affordable housing options in the District. The Proposed Plan Variation will assist in addressing a significant community need by providing choice in available housing typologies and subsequent differing housing price points to its current and future residents.</p> <p>While QLDC's Housing Development Capacity Assessment 2021 found that there is sufficient development capacity to meet projected long-term demand, housing affordability in the District is continuing to decrease while increased demand for housing appropriate for older households, smaller households and lower and lower-middle income households will need to be met. QLDC has identified a shortfall of housing in price bands below \$500,000 which are projected to worsen without intervention. They project a shortfall of up to 6,960 affordable dwellings in price bands under \$1.2 million by 2050.</p>
(ii) An explanation of why use of the Streamlined Planning Process is appropriate as an alternative to using the process under Part 1 of this Schedule	<p>In Part III of their application, QLDCs explain three key reasons why the Streamlined Planning Process is an appropriate alternative to using the process under the Schedule One, Part One. These include:</p> <ul style="list-style-type: none"> • the land has been earmarked for significant urban growth, • the need to lock in the desired planning outcomes quickly, and • the high level of engagement with stakeholders.
(iii) A description of the process that the local authority wishes to use and the time frames that it proposes for the steps in that process, having regard to the	<p>QLDC provide a breakdown of the procedural steps and timeframes in Part IV of the application. These are discussed in more detail in the analysis of the draft Direction above.</p>

relevant criteria under section 80C(2)	
(iv) The persons that the local authority considers are likely to be affected by the proposed planning instrument	In section 5.1 of the application, QLDC has identified and provided a list of likely affected persons in the Queenstown community as well as key stakeholders.
(v) A summary of any consultation undertaken on the proposed planning instrument by the local authority, or intended to be undertaken, including consultation with iwi authorities under clauses 1A to 3C	In section 5.2 of the application, QLDC has outlined that the Proposed Plan Variation has been undertaken in accordance with Schedule One, clauses 1A – 3C of the RMA. Due the focus area of the Te Pūtahi Ladies Mile being the primary tool for locational testing for future land uses, the Council has undergone significant amount of engagement and consultation with the community and its stakeholders from early stages of the process. They have expressed that early involvement from stakeholders and affected persons has meant that they have had an opportunity influence the Te Pūtahi Ladies Mile Masterplan and in turn the Proposed Plan Variation.
(vi) The implications of using the process that the local authority wishes to use for	QLDC provides analysis of implications of the proposal for relevant iwi participation legislation in Part VI of the application. The Ngāi Tahu Claims Settlements Act 1998 (the Claims Settlement Act) is the key statutory acknowledgement which gives effect to the Deed of Settlement by the Crown. This statutory acknowledgement

any relevant iwi participation legislation or Mana Whakahono a Rohe entered into under subpart 2 of Part 5 of this Act.	<p>recognises Ngāi Tahu's mana in relation to a range of sites and areas in the South Island and provides for this to be reflected in the management of those areas.</p> <p>QLDC has noted that none of the statutory acknowledgement areas in the Claims Settlements Act are related to or affected by the Proposed Plan Variation. The closest nohoanga to the affected land is Tuckers Beach (on the Shotover River) however QLDC do not consider it to be affected.</p> <p>There are currently no Mana Whakahono ā Rohe arrangements in place for the District.</p>
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Appendix 7: Summary of relevant fast-track referred projects

Summary and status of relevant projects referred to expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA)

Application and status	Notes
<p>Flint's Park, Ladies Mile – Te Pūtahī</p> <p><i>Applicant</i> - Glenpanel Development Limited <i>Location</i> - 429 Frankton-Ladies Mile Highway, Waiwhakaata / Lake Hayes, Queenstown <i>Project</i> -</p> <ul style="list-style-type: none"> residential - approximately 384 residential units (or 179 residential units if a primary school is developed) Includes an early childhood centre, a neighbourhood commercial centre <p><i>Status</i> -</p> <ul style="list-style-type: none"> 26 November 2021 referred project inserted as Schedule 35 in the FTCA 30 November 2022 the expert consenting panel declined the application for resource consents 5 December 2022 the applicant filed an appeal in the High Court against the whole decision of the expert panel 	<ul style="list-style-type: none"> BRF-339 – Stage 2 decisions on the Fast-track referral application advised that the Queenstown Lakes Spatial Plan (QLSP) is a non-statutory document with no official status under the RMA at this stage, and still needs to be incorporated into the District Plan through a plan change process. This indicates that future urban development of the Ladies Mile area is supported by a planning strategy although it has not yet been included in the Queenstown Lakes District Plan.
<p>Flint's Park West, Ladies Mile – Te Pūtahī</p> <p><i>Applicant</i> – Glenpanel Development Limited <i>Location</i> - 14 Lower Shotover Road, Waiwhakaata / Lake Hayes, Queenstown <i>Project</i> -</p> <ul style="list-style-type: none"> residential - 315 residential units (or 180 residential units if a primary school is developed) primary school and associated church/chapel <p><i>Status</i> -</p> <ul style="list-style-type: none"> 22 April 2022 referred project inserted as Schedule 49 in the FTCA Awaiting lodgement with the EPA 	<ul style="list-style-type: none"> BRF-1137 – Stage 2 decisions on the Fast-track referral application advised that while the Operative and Proposed Queenstown Lakes District Plan do not prohibit the Project, the current planning framework does not support the residential development density proposed. The Ladies Mile Masterplan (LMMP) and the QLSP both signal urbanisation of the area including the Project site and QLDC intends to notify a plan change to implement the LMMP including re-zoning the site for urban development.

<p>Glenpanel, Ladies Mile - Te Pūtahi</p> <p><i>Applicant</i> – Maryhill Limited</p> <p><i>Location</i> – 429 Frankton-Ladies Mile Highway, Waiwhakaata / Lake Hayes, Queenstown</p> <p><i>Project</i> -</p> <ul style="list-style-type: none">• residential – up to 748 residential units (residential units will be less if the school or retirement village noted below are developed)• school and associated childcare centre or church• retirement village (152 villas and 62 care units)• commercial buildings <p><i>Status</i> -</p> <ul style="list-style-type: none">• 21 October 2022 referred project inserted as Schedule 55 in the FTCA (this project was relodged with additional residential unit's having previously been declined for referral)• Awaiting lodgement with the EPA.	<ul style="list-style-type: none">• BRF-1826 – Stage 2 decisions on the Fast-track referral application advised while the Operative and Proposed Queenstown Lakes District Plans do not prohibit the project, the current planning framework does not support the residential development density proposed. The LMMP and the QLSP both signal intended urbanisation of the area including the project site and QLDC intends to notify a plan change to implement the LMMP including re-zoning the site for urban development.
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