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

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

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

Comment form

Please use the table below to comment on the application.

Project name	Flints Park, Ladies Mile - Te Putahi
General comment – potential benefits	No Comment. This question would best be addressed by the District Council.
General comment – significant issues	The ORC Policy Team noted that this the development has been identified in the Queenstown Lakes Spatial Plan (QLSP) as an area suitable for urban development, and this position is also supported by the more detailed background work supporting the Ladies Mile Master Plan (LMMP). The LMMP process is intended to resolve a number of outstanding issues (including and not least of all transport, particularly SOV LOS on SH 86) and coordinate the development of the wider LMMP area including major social infrastructure, zoning and housing typology issues. Having the development proceed in advance of this process could result in misalignment between any resolution of the LMMP that would apply across the whole area and involve coordination across various development and additional infrastructure providers, council and other partners and stakeholders. On balance, it would be preferable for development to occur after appropriate detailed planning has occurred to ensure comprehensive and integrated development occurs across the whole area, which was the reasoning behind the LMMP process. This approach accords with the Proposed Regional Policy Statement Urban Form and Development Chapter. The ORC Transport team have been in contact with the applicant to discuss how the proposed development will “enable transit orientated outcomes” and are supportive of the proposal (noting that Council has not yet considered and agreed if, when and how to service the development). It was noted that in regard to public transport outcomes, the proposal is

	consistent with the provisions of the new Regional Public Transport Plan, specifically: - Objective 2 - Deliver an integrated Otago public transport network of infrastructure, services and land use that increases choice, improves network connectivity, and contributes to social and economic prosperity. - Policy 5.2.4 (Integration with Land Use and New Development) - Investigate options to serve new growth areas or new areas of development by public transport services and/or new infrastructure. New services and infrastructure must not detract from the viability of the wider public transport network.
Is Fast-track appropriate?	There is no reason why this application could not go through the standard RMA consent process within statutory timeframes.
Environmental compliance history	The ORC compliance team has reported no compliance history relating to Glenpanel Developments Limited.
Reports and assessments normally required	Given the proximity of the unnamed tributary which runs down the gully behind the homestead then along the boundary of the property Council would expect a report on how sediment control measures for storm water will be implemented. Further to this consent may be required under proposed plan change 8 to the Regional Plan: Water for Otago for Residential Earthworks under rule 14.5.2.1 if permitted activity rule 14.5.1.1 cannot be met. Furthermore, given the location to SH6 and potential scale of the development, a report would be expected to be provided on dust control measures to be implemented during the development phase. This relates to the Regional Plan: Air.
Iwi and iwi authorities	Te Rūnanga o Ngāi Tahu (for notified applications only) and Aukaha and Te Ao Marama (consultancies operating on behalf of iwi).
Relationship agreements under the RMA	Nil
Insert responses to other specific requests in the Minister's letter (if applicable)	NA
Other considerations	The ORC Compliance team has checked the HAIL database and noted that this application would fall under the National Environmental Standards for Contaminated Sites. There is one site near the location, HAIL.00475.01; which has the HAIL Category 1: A17: Storage tanks or drums for fuel, chemicals or liquid waste. The summary given for the site in the HAIL database states that " <i>Petrol tank removed, and soils within pit met Tier 1 residential criteria. Diesel tank remained on site</i> "

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

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

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

Local authority providing comment	Queenstown Lakes District Council
Contact person (if follow-up is required)	Mike Theelen, Chief Executive Officer
	Tony Avery, Manager Planning and Development
	Click or tap here to enter text.

Comment form

Please use the table below to comment on the application.

Project name	Flints Park, Ladies Mile – Te Pūhahi Project
General comment – potential benefits	Potential to assist in the delivery of affordable and housing typologies required to meet the housing needs of Queenstown Lakes District.
General comment – significant issues	No comment but potentially transport and community opposition based on the Masterplan issues to date
Is Fast-track appropriate?	Refer to response to Specific Matter Question 1 below.
Environmental compliance history	Refer to response to Specific Matter Question 5 below.
Reports and assessments normally required	Refer to response to Specific Matter Question 4 below.
Iwi and iwi authorities	Aukaha and Te Ao Marama
Relationship agreements under the RMA	NA
Insert responses to other specific requests in the Minister's letter (if applicable)	Refer to the comments below on the specific matters contained in the letter dated 5 July 2021 (Stephanie Frame, Manager Fast-Track Consenting Team to Mike Theelen, Chief Executive Officer, your reference BRF-227)
1. Are there any reasons that you consider it more appropriate for the project, or part of the Project, to proceed	1. Te Pūhahi - Ladies Mile area has obvious attributes that make it an important consideration in planning future development in the district. It is sunny, flat, and an easily serviceable part of the Wakatipu Basin that is not prone to significant natural hazards or in an Outstanding Natural Landscape. Although it is an amenity landscape, relative to other parts of the Wakatipu Basin it has a high capacity to absorb urban development without affecting the wider rural setting. 2. It adjoins existing urban developments (Lakes Hayes Estate, Shotover Country and the Queenstown Country Club) and is in close proximity to the major employment area of

through existing Resource Management Act 1991 (RMA) consenting processes rather than the processed in the FTCA?

the Frankton Flats and its industrial, retail and mixed-use zones, employment centres and airport.

3. As part of the Proposed District Plan (PDP) process, the Wakatipu Basin Land Use Planning Study 2017 recommended that Ladies Mile was highly suitable for more urban development. Due to the narrow scope of submissions, and evidence on the lack of capacity of the Shotover Bridge, decisions on the PDP were to zone the area as Rural Lifestyle and Large Lot Residential. There are a number of outstanding appeals in regards to the PDP on the Te Pūtahi – Ladies Mile area relating to additional land zoning requests. These appeals are currently on hold awaiting the outcome of the Te Pūtahi – Ladies Mile Masterplan process.
4. There is significant pressure to urbanise the area, with a number of major landowners along Te Pūtahi – Ladies Mile, signalling their intention to seek development of their land in the short to medium term. In 2019, three Special Housing Area development applications were declined by QLDC through the now expired Housing Accords and Special Housing Area legislation, these landowners are still looking at mechanisms to develop their land.
5. The Te Pūtahi Ladies Mile masterplan project has involved significant investment by Council and the community in its development. Although the process to date has been 'non-statutory', the community commitment to the process was most recently evident by Council receiving over 500 comments in response to the release of the draft masterplan and planning provisions, with 86% opposed to the proposal. The majority of the opposition was due to traffic congestion issues and concerns with the density and heights proposed.
6. Due to the significant opposition, the next step is for Council to consider at the 29th July 2021 Council meeting whether to continue with the Masterplan either in its present form, or an alternative (lower density) form, or to stop work on the masterplan, retaining the existing Operative District Plan Zoning (Rural) and Proposed District Plan Zoning (Rural Lifestyle). This 29th July 2021 Council decision is critical in determining whether there is support for the Masterplan or not.
7. Should Council decide to continue with the Masterplan, the next stage programmed for the community to be engaged in the development of Te Pūtahi Ladies Mile is through the statutory RMA process of submissions, hearing of submissions and appeals.
8. While the FTCA provides for comments to be made on the Flint Park project, those persons or organisation who must be provided the opportunity does not include the wider community, unless this group of people is listed in the referral order or the panel considers it appropriate to invite comment, there is no opportunity for the community to continue its engagement in the process.
9. Given the very high levels of public interest in the development outcomes for Te Pūtahi – Ladies Mile, Council considers it more appropriate for the Flint Park project to proceed through the existing RMA consenting processes.

2. How does the project align with the proposed Ladies Mile Master Plan?

1. The Masterplan process began in March 2020, and was a result of previous Council decisions where it was agreed that the Ladies Mile area may be developed for urban purposes in the medium to long term and that a proactive Council-led planning approach should be undertaken that would set out a legible and clear structure to mitigate sporadic development.
2. This approach was to incorporate the wide range of community, housing, recreation, transport, green space and infrastructure considerations for Ladies Mile and the surrounding area.
3. Part of the discussions to date have included both MoE in respect of a new Primary School and a High School for the area. The MoE feedback to date has stated that they are supportive of the general location of the primary school and are in discussions with the relevant landowners. However, they have concerns with the High School location, citing a preference for Councils 516 Frankton Ladies Mile Highway (516) site which the Masterplan has identified for a Sports and Community hub.

	4. Discussions with other Ministerial agencies have included the input of Ministry of Housing and Urban Development and Kāinga Ora, who have formed part of the Project Control Group and have been supportive of the work completed to date. 5. A link to the Te Pūtahi – Ladies Mile Masterplan and work completed so far can be found here: https://letstalk.qldc.govt.nz/ladies-mile-masterplan?preview=true 6. It should also be noted that the Te Pūtahi – Ladies Mile area is also included in Councils draft Spatial Plan (to be adopted 29th July 2021). The draft Spatial Plan identifies Te Pūtahi – Ladies Mile (Eastern Corridor) as one of two of the Wakatipu’s future urban and priority development areas. As a priority development area, Te Pūtahi – Ladies Mile has been identified as a new transit orientated neighbourhood offering new housing choices that will require integrated development and working in partnership to deliver a public transport solution to unlock the potential of this area. 7. A link to the draft Spatial Plan and work completed so far can be found here: https://letstalk.qldc.govt.nz/spatial-plan 8. As part of the Masterplan process, Council has undertaken significant engagement with a range of landowners on the Northern side, who have been very willing to discuss their desire to develop and the suitability of the land for development. Those landowners willing to develop, have generally been comfortable to wait for the Masterplan work to go through the process, highlighting the desire for an integrated and considered approach to developing the Te Pūtahi – Ladies Mile area. 9. However, it should be noted that through the engagement process not all landowners necessarily support the Masterplan as proposed, with concerns including the high densities proposed, and the positions of the High School and the centralised stormwater facilities on land they would prefer to be developed for residential purposes. 10. Council is yet to confirm its position on the Masterplan, and as noted in point 6 previously it will be considering on the 29th July 2021. However, the Flint Park project generally aligns with the proposed Te Pūtahi – Ladies Mile Master Plan – noting that the final layout and detail of the master plan is still to be determined by Council. Specifically the Flint Park project generally aligns with the following aspects: a. Residential density of 40 units per hectare; b. Mixture of typologies, addressing the shortfall of feasible capacity in attached style dwellings that the District is lacking; c. Primary School in the location envisaged by the masterplan; d. Community facilities near the school; e. Mixed use development to service the area; and f. Rooding layout. 11. The Flint Park project does not align with the following aspects: a. Includes some free-standing residential units (proposed to be a non-complying activity); b. Provision of stormwater management along the SH6 frontage would impact on the proposed centralised system envisaged by the masterplan as well as the ability to provide public transport and active travel networks within that corridor; c. Lack of integration across SH6 and safe crossing points, these are still subject to the ongoing masterplan work between the Council and Waka Kotahi (currently unresolved); d. The masterplan seeks to set out a legible and clear structure to mitigate sporadic development. This is a standalone development that may or may not integrate with the wider Ladies Mile area.
3. Would it be more appropriate for an RMA plan change	1. Council considers it would be more appropriate for the RMA plan change process to be progressed to a stage whereby the Flint Park project could be assessed for the following main reasons;

process to implement the Ladies Mile Master Plan before a consent is sought for the development?	a. The proposed plan change will respond to the significant comment made on the draft masterplan, which means that the Flint Park project would be assessed against the most informed and relevant masterplan; b. The plan change process provides for statutory involvement of all parties through the submission and hearing process; c. The land is currently zoned as Rural Lifestyle in the proposed Queenstown Lakes District Plan (PDP) and Rural under the Operative District Plan (ODP). Neither plans provide an objective, policy or planning framework that would support the sought after urbanisation. However, at a broader strategic level, the area has been identified via the draft Spatial Plan (note – to be considered by the Council on the 29th July 2021) as an area suitable for urbanisation (hence the masterplan work); d. The Plan change would be assessed against the NPS UD 2020 which would likely support the urbanisation of that area, given its access to existing services, public transport networks and infrastructure; e. The plan change can be assessed against the provisions of the Proposed Otago Regional Policy Statement (released on 26 June 2021) which is the most recent and relevant policy document to have regard to; and f. The plan change will provide the overall structure for the urbanisation of the area, thereby enabling consideration of the Flint Park project within this overall structure and thereby ensuring the efficient and effective integration of infrastructure and land use activities.
4. What reports and assessment would normally be required by the council for a project of this nature in this area?	1. The following assessments would normally be required by Council: a. Urban design; b. Community and social; c. Ecological; d. Natural hazards; e. Traffic; f. Water, wastewater and stormwater; g. Landscape and visual amenity; h. Construction including earthworks; i. Heritage; j. Cultural; k. Contaminated land; l. Statutory policy documents including the RMA, national policy statement, regional policy statement, regional plan(s) and district plan(s);
5. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your district?	2. None known.
Other considerations	3. As noted, Council will be considering the proposed Te Pūhahi – Ladies Mile masterplan at the 29th July 2021 Council meeting. Given the level of feedback, Council will be making a decision as to whether to continue with the Masterplan either in its present form, or an alternative (lower density) form, or to stop work on the masterplan, thereby retaining the existing Operative District Plan Zoning (Rural) and Proposed District Plan Zoning (Rural Lifestyle). However, based on known developer intentions, there is

	significant pressure to urbanise this area and we would expect landowners to look for alternative mechanism to develop their land.
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This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	NZ Transport Agency (Waka Kotahi)
Contact person (if follow-up is required)	Richard Shaw, Team Leader South – Poutiaki Taiao Environmental Planning Waka Kotahi NZ Transport Agency
	Email: § 9(2)(a)
	DDI: § 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Flints Park, Ladies Mile – Te Putahi
General comment	Waka Kotahi NZ Transport Agency (Waka Kotahi) consider themselves to be a key stakeholder to this project given the potential for significant adverse effects on State Highway 6 (SH6). Waka Kotahi oppose this project being referred to the expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020 for the following reasons: • The proposal is considered an ad-hoc development currently out of context in the Rural and Rural Lifestyle zones; • The proposal is being promoted prior to the Queenstown Lakes District Council (QLDC) Draft Ladies Mile Masterplan for the wider area encompassing the proposed development site being approved. There has also been no Plan Change to rezone the land based on an approved Masterplan with supporting objectives, policies and rules. As a result, the current proposal is an isolated stand-alone development and there is no guarantee that adjoining landowners will develop road networks and connections in an integrated way. The proposal therefore lacks certainty for future internal transport networks to be created and for the integration with the wider transport network. If approved, it is considered the development would be a poor planning outcome for the area and not result in a well-functioning urban environment; • If approved, Waka Kotahi also consider there is a risk of this development creating a precedent leading to other ad-hoc developments in the area potentially seeking similar access arrangements to SH6; • The application includes a letter from the applicant's traffic engineer that addresses the left in left out access arrangement for the proposal, which was agreed to by Waka Kotahi to be constructed once the Howards Drive Roundabout is constructed. This agreement was for a commercial activity at the Homestead as outlined in the letter. However, we consider this access arrangement is a less safe option for the scale of the proposal now described (particularly if a Masterplan for the area is not agreed). We consider for the

	scale of this proposal, an alternative access arrangement that is not reliant on direct access from SH6 is required. If this project is referred to an expert consenting panel, we would expect the applicant to continue to consult with Waka Kotahi as part of their detailed application process. We would also expect an integrated transportation assessment to be prepared as part of the application and prior to this assessment being prepared the applicant's transportation expert to consult with us over the scope and form that this assessment should take.
Other considerations	Ladies Mile (SH6) has existing significant transport constraints that need to be dealt with in an integrated way. The QLDC Spatial Plan identified Ladies Mile as a priority development area. It was acknowledged throughout the development of the Spatial Plan that Ladies Mile is subject to significant transportation constraints. Given the network is currently operating at or close to 100% of capacity across the transport system, more detailed work (via the Masterplan) is needed to confirm the appropriate yield and staging of development for the site. The current Draft Ladies Mile Masterplan as pointed out above has not yet been approved by the QLDC. The Transport Strategy developed for the Draft Masterplan envisaged an ambitious mode shift to Public Transport (PT) which is required to maintain a functional transport system. Consequently, we consider there is a significant risk to the functionality of the transport system if this mode shift cannot be met on Ladies Mile. The QLDC Spatial Plan also envisaged coordinated staging to address mode shift goals commensurate with improved PT and active modes of service. This proposed development is unlikely to deliver the necessary mode shift required to maintain a functional transport system. Ultimately the transportation constraints along Ladies Mile are required to be addressed in an integrated way and this proposal (and any ad-hoc development in this area), if granted, will not contribute to wider infrastructure requirements, help manage or mitigate their effects on the transport system and its constraints in the area.
[Insert specific requests for comment]	That Waka Kotahi is considered a key stakeholder to this project given the potential for adverse effects on the highway network. If referred, we would ask the expert consenting panel to direct the applicant to consult with us directly prior to lodgement of their application.

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